

## Expect Few to Oppose Palatine Open Housing

Elected and advisory officials in Palatine say no strong opposition exists to the proposed ordinance regulating real estate brokers, which they seldom call an "open housing ordinance."

Designed to avoid the use of courts in resolving discrimination complaints, the proposed ordinance is expected to receive a favorable response from the board at 8 p. m. tomorrow in the village hall, 54 S. Brockway st.

### May Pass Law Tomorrow

The board may waive the first reading of the ordinance and pass it tomorrow night, said Trustee Thomas Kearns, chairman of the committee that has been studying the ordinance for two months.

"Palatine should be an open city for anyone who can afford to live here," Kearns said. "There has not been an awful lot of pressure for or against an open housing ordinance."

The village board has received 14 letters from residents—all urging passage of the ordinance, Berton Braun, village manager, said.

The main concern in Palatine has centered around what type of ordinance that should be passed, rather than if an ordinance is necessary, Braun said.

### Upholds Rights of All

He said the proposed ordinance is not "designed to punish brokers," but rather to uphold the rights of all Palatine residents.

In recent meetings Kearns' committee has made some changes in an original open housing proposal submitted to the board last March by the Palatine Human Relations commission, an advisory board created by the village trustees three years ago.

The committee has inserted a "conciliation procedure" in the proposed ordinance, allowing the village president to appoint a mediator to help resolve discrimination charges. "Hopefully, this will eliminate the necessity of going to the courts," Kearns said.

Kearns said the committee wants to

eliminate the "investigative procedures" included in recently-enacted federal open housing legislation.

### Board May Revoke License

If a broker is convicted twice for violating the ordinance, Palatine trustees would have the power, under the proposed ordinance, to revoke the broker's license.

Kearns thinks the conciliatory process will help keep any charges of discrimination on a local level, avoiding long legal battles in federal courts. The new federal legislation allows for this conciliation within municipalities, he said.

"The village needs a workable ordinance that will get the job done," Kearns said. "Justice is sometimes slow in coming where there are investigative bodies involved."

The human relation commission's proposed ordinance suggested the village board use the commission as its investigative arm. However, Loren Shelffo, commission chairman, said he is satisfied with the proposal the board will consider tomorrow.

### Little Opposition Seen

He said there has been no opposition to the ordinance. Brokers operating in Palatine requested that any ordinance be "uniform with surrounding northwest suburbs" where they also do business, Shelffo said.

Shelffo thinks there is a "definite need" for an open housing ordinance in Palatine, a village of 23,000 residents with predominantly single-family homes in the \$30,000 to \$40,000 price range. Four Negro families now own homes in the village, he said.

Shelffo said his commission, which worked on the proposed ordinance three months before submitting a request to the village board, has discovered examples of Negroes being refused homes in Palatine.

"Of course, we have no evidence that would stand up in court," he added.

In a meeting last week, village board members, private citizens, a real estate brokers' representative, and human relations commission members all agreed an ordinance is necessary, "and something should be done," Kearns said.

5/20/68

Dear Frank,

I think the enclosed is well worth reading. This draft appears to me to be very objective and well prepared.

Sincerely,  
Earl

# OPEN HOUSING LAWS ENACTED AT QUICK PACE

## 17 Communities Pass Bills This Year

More communities in the Chicago area passed open housing ordinances during the first four months of this year than in the last five years combined, a survey showed yesterday.

According to figures supplied by the Illinois Commission on Human Relations, 17 communities in Illinois, 14 of them in the Chicago area, passed open housing ordinances from January thru April.

In contrast, 25 communities, but only 10 of them in the Chicago area, passed ordinances from Sept. 11, 1963, when Chicago approved the state's first housing law, thru 1967.

### Evanston's New Law

In addition to the new ordinances passed this year, Evanston, which first approved an ordinance on Oct. 23, 1967, strengthened the law April 29 by prohibiting discrimination on the part of home owners as well as real estate brokers.

Eight of the 14 ordinances passed in the Chicago area this year also prohibit discrimination by home owners. They are in Park Forest, North Chicago, Glencoe, Kankakee, Northbrook, Waukegan, Oak Park, and Deerfield.

Other ordinances passed this year were in Arlington Heights, Aurora, Glenview, Des Plaines, Flossmoor, and La Grange. New ordinances outside the Chicago area were approved in Danville, Urbana, and Rockford.

### 24 Include Owners

In all, 24 of the state's 42 open housing ordinances prohibit discrimination by home owners as well as real estate agents and brokers.

According to Thomas W. Marsh, director of housing for the Illinois Commission on Human Relations, the passage of a federal open housing law does not relieve local communities from the burden of enacting open housing ordinances. He said he reached this conclusion after discussions with various representatives of the department of housing and urban development [HUD].

### Doesn't Limit Law

"It is our interpretation that HUD, under section 816 of the new law, is empowered to cooperate with local agencies charged with the administration of local fair housing laws. With the consent of such agencies, we may assist them in carrying out their responsibilities," he said.

"Nothing in the act will invalidate or limit a law. In the absence of a local law, the federal statute compels the attorney general to bring civil suits where he believes it is necessary to insure the rights set forth in the act."

As a result, an individual, in communities without local laws, will take his complaint directly to HUD and action will be taken by the attorney general if the complaint is valid, he said. Where local laws and enforcement bodies exist, complaints will be taken to the local enforcement body. If court action is required, the attorney general's office will then file suit in federal District court.

LAW OFFICES OF  
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WILLARD L. KING  
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J. WILLIAM BRAITHWAITE

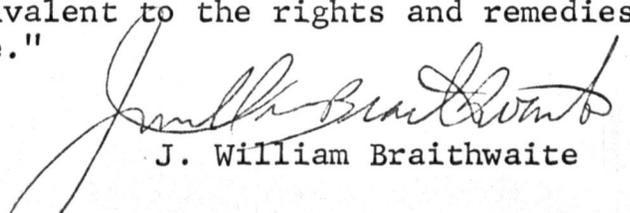
MEMORANDUM

TO: PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF BARRINGTON  
COPIES: VILLAGE PRESIDENT  
VILLAGE MANAGER  
VILLAGE CLERK, with original memorandum for reproduction  
and transmittal to Board.

DATE: May 13, 1968  
RE: FEDERAL FAIR HOUSING STATUTE

The new Federal law provides, in Section 810 (b):  
"Wherever a State or Local Fair Housing law provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title [that is, in the Federal bill] the Secretary [of Housing and Urban Development] shall notify the appropriate State or Local Agency of any complaint filed under this title which appears to constitute a violation of such State or Local Fair Housing law, and the Secretary shall take no further action with respect to such complaint if the appropriate State or Local law enforcement official has, within thirty (30) days from the date the alleged offense has been brought to his attention, commenced proceedings in the matter, or, having done so, carries forward such proceedings with reasonable promptness. In no event shall the Secretary take further action unless he certifies that in his judgment, under the circumstances of the particular case, the protection of the rights of the parties or the interests of justice requires such action."

Subsection (d) of Section 810 provides that a person may begin a civil action in the Federal Courts under the Federal Fair Housing Act but also provides: "No such civil action may be brought in any United States District Court if the person aggrieved has a judicial remedy under a State or Local Fair Housing law which provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title."

  
J. William Braithwaite

JWB:eg

*Earl Scher*  
*Frank P. ...*  
*Carol ...*  
*Gerhard ...*  
*Carliss ...*  
TELEPHONE CENTRAL 6-4280  
CABLE ADDRESS "HAMROSE"  
FORMERLY  
ROSENTHAL, HAMILL & WORMSER

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J. WILLIAM BRAITHWAITE

RECEIVED

MAY 24 1968

VILLAGE OF BARRINGTON

MEMORANDUM

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VILLAGE MANAGER  
VILLAGE CLERK, with original memorandum and original  
document for reproduction and transmittal  
to Board.  
DR. CORLISS ANDERSON, CHAIRMAN, HUMAN RELATIONS COMMISSION  
DATE: May 22, 1968  
RE: FAIR HOUSING

Pursuant to your request, we enclose a copy of the applicable portions of Public Law No. 90-284, which was approved April 11, 1968. We originally received this Bill for the Village Human Relations Commission through the office of Representative McClory. The omitted portions of the Bill are not relevant to fair housing (they refer to such matters as riots, rights of Indians and interference with Federally protected activities).

SUMMARY OF FEDERAL STATUTE

1. SCOPE:

- a) Now applies to the sale or rental of all dwellings (apartments, duplex or single family homes) covered by mortgages which are insured by the FHA or V.A. if the loans were made after November 20, 1962.
- b) Beginning January 1, 1969, applies, in addition, to duplex and multiple family dwellings, except buildings of four or less units where the owner lives in one unit, and to single family houses if the owner owns more than three houses. Even where three houses or less are owned by one person, the law applies where there is more than one sale or rental every two years, if the owner is not the present or immediate resident of the house being sold or rented.
- c) Beginning January 1, 1970, applies, in addition, to all single family residences, except those sold or

rented without a real estate broker. However, even in the case of a direct sale or direct rental without a real estate broker, the owner cannot indicate in any advertisement or notice that he will discriminate.

2. PROHIBITED DISCRIMINATION:

If a transaction is covered by the Act, it is unlawful to refuse to sell or rent, or to refuse to negotiate for a sale or rental, or otherwise make unavailable or deny, a dwelling because of race, color, religion or national origin, or to falsely represent, because of race, etc., that a dwelling is unavailable. It also is unlawful to print or publish any notice or advertisement which indicates any such discrimination as to housing.

3. ENFORCEMENT AND PENALTIES:

- a) Unless there is a local ordinance, referred to below, enforcement is through the office of the Federal Secretary of Housing & Urban Development (HUD) and the Federal Courts.
- (1) Upon the filing of a complaint, attempts are made by HUD to resolve the matter through negotiation.
  - (2) The complaining party or the U. S. Attorney General may file suit in the U. S. Courts.
  - (3) The Federal Court may grant injunctive relief and may award actual damages and, in addition, may assess against the defendant, up to \$1,000.00 in damages as punishment, plus Court costs and attorneys' fees.
- b) If there is a State law or local ordinance which provides "rights and remedies" substantially equivalent to the Federal law, complaints to HUD are referred to the local officials and HUD loses jurisdiction if the local officials begin proceedings within 30 days. Likewise, the U. S. Courts have no jurisdiction if the State or local law provides for remedies substantially similar to the Federal law.

4. REQUIREMENTS OF A LOCAL ORDINANCE:

As noted above, the local ordinance, as a minimum, must be as

broad as the Federal law. Some municipalities are making their Fair Housing Ordinances immediately applicable to single family houses and all apartment units, to avoid the need for the awkward language of staggered effective dates, or the need for later amendments. This is another important policy question for your consideration along with the question of whether an ordinance should also directly regulate real estate brokers.

J. William Braithwaite

JWB:eg

(1) have the document entitled "Indian Affairs, Laws and Treaties" (Senate Document Numbered 319, volumes 1 and 2, Fifty-eighth Congress), revised and extended to include all treaties, laws, Executive orders, and regulations relating to Indian affairs in force on September 1, 1967, and to have such revised document printed at the Government Printing Office;

(2) have revised and republished the treatise entitled "Federal Indian Law"; and

(3) have prepared, to the extent determined by the Secretary of the Interior to be feasible, an accurate compilation of the official opinions, published and unpublished, of the Solicitor of the Department of the Interior relating to Indian affairs rendered by the Solicitor prior to September 1, 1967, and to have such compilation printed as a Government publication at the Government Printing Office.

(b) With respect to the document entitled "Indian Affairs, Laws and Treaties" as revised and extended in accordance with paragraph (1) of subsection (a), and the compilation prepared in accordance with paragraph (3) of such subsection, the Secretary of the Interior shall take such action as may be necessary to keep such document and compilation current on an annual basis.

(c) There is authorized to be appropriated for carrying out the provisions of this title, with respect to the preparation but not including printing, such sum as may be necessary.

## TITLE VIII—FAIR HOUSING

### POLICY

SEC. 801. It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States.

### DEFINITIONS

SEC. 802. As used in this title—

(a) "Secretary" means the Secretary of Housing and Urban Development.

(b) "Dwelling" means 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.

(c) "Family" includes a single individual.

(d) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees in bankruptcy, receivers, and fiduciaries.

(e) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

(f) "Discriminatory housing practice" means an act that is unlawful under section 804, 805, or 806.

(g) "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.

## EFFECTIVE DATES OF CERTAIN PROHIBITIONS

SEC. 803. (a) Subject to the provisions of subsection (b) and section 807, the prohibitions against discrimination in the sale or rental of housing set forth in section 804 shall apply:

(1) Upon enactment of this title, to—

(A) dwellings owned or operated by the Federal Government;

(B) dwellings provided in whole or in part with the aid of loans, advances, grants, or contributions made by the Federal Government, under agreements entered into after November 20, 1962, unless payment due thereon has been made in full prior to the date of enactment of this title;

(C) dwellings provided in whole or in part by loans insured, guaranteed, or otherwise secured by the credit of the Federal Government, under agreements entered into after November 20, 1962, unless payment thereon has been made in full prior to the date of enactment of this title: *Provided*, That nothing contained in subparagraphs (B) and (C) of this subsection shall be applicable to dwellings solely by virtue of the fact that they are subject to mortgages held by an FDIC or FSLIC institution; and

(D) dwellings provided by the development or the redevelopment of real property purchased, rented, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under loan or grant contracts entered into after November 20, 1962.

(2) After December 31, 1968, to all dwellings covered by paragraph (1) and to all other dwellings except as exempted by subsection (b).

(b) Nothing in section 804 (other than subsection (c)) shall apply to—

(1) any single-family house sold or rented by an owner: *Provided*, That such private individual owner does not own more than three such single-family houses at any one time: *Provided further*, That in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period: *Provided further*, That such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time: *Provided further*, That after December 31, 1969, the sale or rental of any such single-family house shall be excepted from the application of this title only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and (B) without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of section 804(c) of this title; but nothing in this proviso shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, or

FDIC or FSLIC  
institution.

Exemptions.

(2) rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

(c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if—

(1) he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or

(2) he has, within the preceding twelve months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or

(3) he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

#### DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING

Sec. 804. As made applicable by section 803 and except as exempted by sections 803(b) and 807, it shall be unlawful—

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, or national origin.

(c) 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 a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, or national origin, or an intention to make any such preference, limitation, or discrimination.

(d) To represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

(e) 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 of a person or persons of a particular race, color, religion, or national origin.

#### DISCRIMINATION IN THE FINANCING OF HOUSING

Sec. 805. After December 31, 1968, it shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, or national origin of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given: *Provided*, That nothing contained in this sec-

tion shall impair the scope or effectiveness of the exception contained in section 803(b).

DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES

SEC. 806. After December 31, 1968, it shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, or national origin.

EXEMPTION

SEC. 807. Nothing in this title 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 dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in this title 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 rental or occupancy of such lodgings to its members or from giving preference to its members.

ADMINISTRATION

Authority and  
responsibility.  
Assistant Secretary.

42 USC 3533.

42 USC 3535.  
Delegation of  
authority.

60 Stat. 415,  
528.

SEC. 808. (a) The authority and responsibility for administering this Act shall be in the Secretary of Housing and Urban Development.

(b) The Department of Housing and Urban Development shall be provided an additional Assistant Secretary. The Department of Housing and Urban Development Act (Public Law 89-174, 79 Stat. 667) is hereby amended by--

(1) striking the word "four," in section 4(a) of said Act (79 Stat. 668; 5 U.S.C. 624b(a)) and substituting therefor "five,"; and

(2) striking the word "six," in section 7 of said Act (79 Stat. 669; 5 U.S.C. 624(c)) and substituting therefor "seven."

(c) The Secretary may delegate any of his functions, duties, and powers to employees of the Department of Housing and Urban Development or to boards of such employees, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter under this title. The persons to whom such delegations are made with respect to hearing functions, duties, and powers shall be appointed and shall serve in the Department of Housing and Urban Development in compliance with sections 3105, 3344, 5362, and 7521 of title 5 of the United States Code. Insofar as possible, conciliation meetings shall be held in the cities or other localities where the discriminatory housing practices allegedly occurred. The Secretary shall by rule prescribe such rights of appeal from the decisions of his hearing examiners to other hearing examiners or to other officers in the Department, to boards of officers or to himself, as shall be appropriate and in accordance with law.

(d) All executive departments and agencies shall administer their programs and activities relating to housing and urban development

*Color*

in a manner affirmatively to further the purposes of this title and shall cooperate with the Secretary to further such purposes.

(e) The Secretary of Housing and Urban Development shall—

(1) make studies with respect to the nature and extent of discriminatory housing practices in representative communities, urban, suburban, and rural, throughout the United States;

(2) publish and disseminate reports, recommendations, and information derived from such studies;

(3) cooperate with and render technical assistance to Federal, State, local, and other public or private agencies, organizations, and institutions which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices;

(4) cooperate with and render such technical and other assistance to the Community Relations Service as may be appropriate to further its activities in preventing or eliminating discriminatory housing practices; and

(5) administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of this title.

#### EDUCATION AND CONCILIATION

SEC. 809. Immediately after the enactment of this title the Secretary shall commence such educational and conciliatory activities as in his judgment will further the purposes of this title. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this title and his suggested means of implementing it, and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement. He may pay per diem, travel, and transportation expenses for persons attending such conferences as provided in section 5703 of title 5 of the United States Code. He shall consult with State and local officials and other interested parties to learn the extent, if any, to which housing discrimination exists in their State or locality, and whether and how State or local enforcement programs might be utilized to combat such discrimination in connection with or in place of, the Secretary's enforcement of this title. The Secretary shall issue reports on such conferences and consultations as he deems appropriate.

80 Stat. 499.

Reports on conferences.

#### ENFORCEMENT

SEC. 810. (a) Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irreversibly injured by a discriminatory housing practice that is about to occur (hereafter "person aggrieved") may file a complaint with the Secretary. Complaints shall be in writing and shall contain such information and be in such form as the Secretary requires. Upon receipt of such a complaint the Secretary shall furnish a copy of the same to the person or persons who allegedly committed or are about to commit the alleged discriminatory housing practice. Within thirty days after receiving a complaint, or within thirty days after the expiration of any period of reference under subsection (c), the Secretary shall investigate the complaint and give notice in writing to the person aggrieved whether he intends to resolve it. If the Secretary decides to resolve the complaint, he shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. Nothing said or done in the course of such informal endeavors may be made public or used as evidence in a sub-

Complaints.  
Procedure for filing.

Penalty.

sequent proceeding under this title without the written consent of the persons concerned. Any employee of the Secretary who shall make public any information in violation of this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned not more than one year.

(b) A complaint under subsection (a) shall be filed within one hundred and eighty days after the alleged discriminatory housing practice occurred. Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him and with the leave of the Secretary, which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Both complaints and answers shall be verified.

(c) Wherever a State or local fair housing law provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title, the Secretary shall notify the appropriate State or local agency of any complaint filed under this title which appears to constitute a violation of such State or local fair housing law, and the Secretary shall take no further action with respect to such complaint if the appropriate State or local law enforcement official has, within thirty days from the date the alleged offense has been brought to his attention, commenced proceedings in the matter, or, having done so, carries forward such proceedings with reasonable promptness. In no event shall the Secretary take further action unless he certifies that in his judgment, under the circumstances of the particular case, the protection of the rights of the parties or the interests of justice require such action.

Commencement of  
civil actions.

(d) If within thirty days after a complaint is filed with the Secretary or within thirty days after expiration of any period of reference under subsection (c), the Secretary has been unable to obtain voluntary compliance with this title, the person aggrieved may, within thirty days thereafter, commence a civil action in any appropriate United States district court, against the respondent named in the complaint, to enforce the rights granted or protected by this title, insofar as such rights relate to the subject of the complaint: *Provided*, That no such civil action may be brought in any United States district court if the person aggrieved has a judicial remedy under a State or local fair housing law which provides rights and remedies for alleged discriminatory housing practices which are substantially equivalent to the rights and remedies provided in this title. Such actions may be brought without regard to the amount in controversy in any United States district court for the district in which the discriminatory housing practice is alleged to have occurred or be about to occur or in which the respondent resides or transacts business. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may, subject to the provisions of section 812, enjoin the respondent from engaging in such practice or order such affirmative action as may be appropriate.

(e) In any proceeding brought pursuant to this section, the burden of proof shall be on the complainant.

(f) Whenever an action filed by an individual, in either Federal or State court, pursuant to this section or section 812, shall come to trial the Secretary shall immediately terminate all efforts to obtain voluntary compliance.

## INVESTIGATIONS; SUBPENAS; GIVING OF EVIDENCE

SEC. 811. (a) In conducting an investigation the Secretary shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation: *Provided, however,* That the Secretary first complies with the provisions of the Fourth Amendment relating to unreasonable searches and seizures. The Secretary may issue subpoenas to compel his access to or the production of such materials, or the appearance of such persons, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in the United States district court for the district in which the investigation is taking place. The Secretary may administer oaths.

Records and documents, access.

Subpoenas.

(b) Upon written application to the Secretary, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the Secretary to the same extent and subject to the same limitations as subpoenas issued by the Secretary himself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

(c) Witnesses summoned by subpoena of the Secretary shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United States district courts. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him.

Witnesses, compensation.

(d) Within five days after service of a subpoena upon any person, such person may petition the Secretary to revoke or modify the subpoena. The Secretary shall grant the petition if he finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.

(e) In case of contumacy or refusal to obey a subpoena, the Secretary or other person at whose request it was issued may petition for its enforcement in the United States district court for the district in which the person to whom the subpoena was addressed resides, was served, or transacts business.

(f) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the Secretary, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. Any person who, with intent thereby to mislead the Secretary, shall make or cause to be made any false entry or statement of fact in any report, account, record, or other document submitted to the Secretary pursuant to his subpoena or other order, or shall willfully neglect or fail to make or cause to be made full, true, and correct entries in such reports, accounts, records, or other documents, or shall willfully mutilate, alter, or by any other means falsify any documentary evidence, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Failure to testify, penalty.

(g) The Attorney General shall conduct all litigation in which the Secretary participates as a party or as amicus pursuant to this Act.

## ENFORCEMENT BY PRIVATE PERSONS

SEC. 812. (a) The rights granted by sections 802, 804, 805, and 806 may be enforced by civil actions in appropriate United States district courts without regard to the amount in controversy and in appropriate State or local courts of general jurisdiction. A civil action shall be commenced within one hundred and eighty days after the alleged discriminatory housing practice occurred: *Provided, however,* That the court shall continue such civil case brought pursuant to this section or section 810(d) from time to time before bringing it to trial if the court believes that the conciliation efforts of the Secretary or a State or local agency are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the Secretary or to the local or State agency and which practice forms the basis for the action in court: *And provided, however,* That any sale, encumbrance, or rental consummated prior to the issuance of any court order issued under the authority of this Act, and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the existence of the filing of a complaint or civil action under the provisions of this Act shall not be affected.

Civil action  
without fees,  
etc.

(b) Upon application by the plaintiff and in such circumstances as the court may deem just, a court of the United States in which a civil action under this section has been brought may appoint an attorney for the plaintiff and may authorize the commencement of a civil action upon proper showing without the payment of fees, costs, or security. A court of a State or subdivision thereof may do likewise to the extent not inconsistent with the law or procedures of the State or subdivision.

Damages, limi-  
tation.

(c) The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual damages and not more than \$1,000 punitive damages, together with court costs and reasonable attorney fees in the case of a prevailing plaintiff: *Provided,* That the said plaintiff in the opinion of the court is not financially able to assume said attorney's fees.

## ENFORCEMENT BY THE ATTORNEY GENERAL

SEC. 813. (a) Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted by this title, or that any group of persons has been denied any of the rights granted by this title and such denial raises an issue of general public importance, he may bring a civil action in any appropriate United States district court by filing with it a complaint setting forth the facts and requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the person or persons responsible for such pattern or practice or denial of rights, as he deems necessary to insure the full enjoyment of the rights granted by this title.

## EXPEDITON OF PROCEEDINGS

SEC. 814. Any court in which a proceeding is instituted under section 812 or 813 of this title shall assign the case for hearing at the earliest practicable date and cause the case to be in every way expedited.

## EFFECT ON STATE LAWS

Sec. 815. Nothing in this title shall be construed to invalidate or limit any law of a State or political subdivision of a State, or of any other jurisdiction in which this title shall be effective, that grants, guarantees, or protects the same rights as are granted by this title; but any law of a State, a political subdivision, or other such jurisdiction that purports to require or permit any action that would be a discriminatory housing practice under this title shall to that extent be invalid.

## COOPERATION WITH STATE AND LOCAL AGENCIES ADMINISTERING FAIR HOUSING LAWS

Sec. 816. The Secretary may cooperate with State and local agencies charged with the administration of State and local fair housing laws and, with the consent of such agencies, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist him in carrying out this title. In furtherance of such cooperative efforts, the Secretary may enter into written agreements with such State or local agencies. All agreements and terminations thereof shall be published in the Federal Register.

Publication in  
Federal Register.

## INTERFERENCE, COERCION, OR INTIMIDATION

Sec. 817. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or 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 section 803, 804, 805, or 806. This section may be enforced by appropriate civil action.

## APPROPRIATIONS

Sec. 818. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this title.

## SEPARABILITY OF PROVISIONS

Sec. 819. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

## TITLE IX

## PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES

Sec. 901. Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with—

(a) any person because of his race, color, religion or national origin and because he is or has been selling, purchasing, renting, financing, occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

(b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

(1) participating, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 901(a); or

(2) affording another person or class of persons opportunity or protection so to participate; or

(c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion or national origin, in any of the activities, services, organizations or facilities described in subsection 901(a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate—

Penalty.

shall be fined not more than \$1,000, or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than \$10,000, or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

#### TITLE X—CIVIL OBEDIENCE

##### SHORT TITLE

"Civil Obedience Act of 1968." SEC. 1001. This title may be cited as the "Civil Obedience Act of 1968".

##### CRIMINAL PENALTIES FOR ACTS COMMITTED IN CIVIL DISORDERS

76 Stat. 1119.  
18 USC 201-224.

SEC. 1002. (a) Title 18, United States Code, is amended by inserting after chapter 11 thereof the following new chapter:

#### "Chapter 12.—CIVIL DISORDERS

"Sec.

"231. Civil disorders.

"232. Definitions.

"233. Preemption.

#### "§ 231. Civil disorders

"(a) (1) Whoever teaches or demonstrates to any other person the use, application, or making of any firearm or explosive or incendiary device, or technique capable of causing injury or death to persons, knowing or having reason to know or intending that the same will be unlawfully employed for use in, or in furtherance of, a civil disorder which may in any way or degree obstruct, delay, or adversely affect commerce or the movement of any article or commodity in commerce or the conduct or performance of any federally protected function; or

"(2) Whoever transports or manufactures for transportation in commerce any firearm, or explosive or incendiary device, knowing or having reason to know or intending that the same will be used unlawfully in furtherance of a civil disorder; or

"(3) Whoever commits or attempts to commit any act to obstruct, impede, or interfere with any fireman or law enforcement officer lawfully engaged in the lawful performance of his official duties incident to and during the commission of a civil disorder which in any way or degree obstructs, delays, or adversely affects commerce or the move-

*Mr. Hyatt*

217 Linden Road  
Barrington, Illinois  
June 4, 1968

Mr. R. D. Heninger, Village Manager  
Village of Barrington  
Barrington, Illinois

Dear Rob:

The Barrington Human Relations Commission at its meeting on May 27, 1968, reviewed carefully the provisions of the Model Fair Housing Ordinance which was supplied to you, with enough copies for members of the Village Board, a couple of weeks ago.

I am now enclosing 10 copies of our suggested Fair Housing Ordinance for Barrington. Will you please distribute these to the President and Trustees of the Board this Friday, June 7.

Our Commission, of course, stands ready to discuss this proposed Ordinance with the Board or with a committee of the Board. At our Commission meeting May 27 we appointed a committee of Frank Carr, Earl Schwemm, Caryl Wilder and myself to meet with the Board or a committee of the Board, believing that a smaller group would lead to a more effective discussion.

Please advise me further of the Board's wishes.

Yours sincerely,

*Colin D. Anderson*

Chairman, Barrington Human  
Relations Commission

Enclosure

FAIR HOUSING ORDINANCE

Recommended to the President  
and Board of Trustees, Village of Barrington, Ill.

by the

Barrington Human Relations Commission

June 1, 1968

AN ORDINANCE TO PROHIBIT CERTAIN DISCRIMINATORY PRACTICES IN  
REAL PROPERTY TRANSACTIONS IN BARRINGTON, ILLINOIS.

BE IT ORDAINED by the Board of Trustees of Barrington,  
Illinois, as follows:

Title I

Section 1.01      Short Title

This Ordinance shall be known and may be cited as the Fair  
Housing Ordinance of Barrington, Illinois.

Section 1.02      Purpose and Declaration of Policy

It is hereby declared to be the policy of Barrington and  
the purpose of this Ordinance, in the exercise of its policy and  
regulatory powers for the protection of the public safety, for the  
health, morals, safety, and welfare of the persons in and residing  
in the Village, and for the maintenance and promotion of commerce,  
industry and good government in Barrington, to secure to all per-  
sons living and/or working or desiring to live and/or work in  
Barrington a fair opportunity to purchase, lease, rent, or occupy  
real estate without discrimination based on race, color, religion  
or national origin.

Section 1.03      Construction

This Ordinance shall be construed according to the fair  
import of its terms and shall be liberally construed to further the  
purposes and policy stated in Section 1.02 and the special purposes  
of the particular provision involved.

Section 1.04      Severability

If any provision of this Ordinance or the application there-  
of to any person or circumstances is held invalid, the remainder of  
this Ordinance and the application of the provision to other persons  
not similarly situated or to other circumstances shall not be  
affected thereby.

Section 1.05      Definitions

For the purposes of this Ordinance:

- (a) "Real Property" means any real estate, vacant land,  
building or structure within the Village limits.

- (b) "Commission" means the Barrington Human Relations Commission. "Village Board" means the Board of Trustees of Barrington.
- (c) "Commission Panel" or "Panel" means a panel, comprised of five or more members of the Commission, designated by the Chairman of the Commission, to investigate and to attempt to conciliate a complaint filed or made under Title V of this Ordinance.
- (d) "Lease" includes sublease, assignment, and rental (or rental), and includes any contract to do any of the foregoing.
- (e) "Lending Institution" means any bank, insurance company, savings and loan association, other person in the business of lending money or guaranteeing loans, any person in the business of obtaining, arranging or negotiating loans or guarantees as agent or broker, and any person in the business of buying or selling loans or instruments for the payment of money which are secured by title to or a security interest in real estate.
- (f) "National origin" includes the national origin of an ancestor.
- (g) "Owner" means any person who holds legal or equitable title to, or owns any beneficial interest in, any Real Property or who holds legal or equitable title to shares of, or holds any beneficial interest in, any real estate cooperative which owns any Real Property.
- (h) "Person" includes one or more individuals, corporations, partnerships, associations, legal representatives, mutual companies, unincorporated organizations, trusts, trustees, trustees in bankruptcy, receivers and fiduciaries.
- (i) "Purchase" includes any contract to purchase.
- (j) "Real Estate Broker" means any person licensed as a real estate broker in accordance with the provisions of Chapter 1141/2, Illinois Revised Statutes, or required thereby to be so licensed.
- (k) "Real Estate Salesman" means any person licensed as a real estate salesman in accordance with the provisions of Chapter 1141/2, Illinois Revised Statutes, or required thereby to be so licensed.

- (l) "Real Estate Agent" means any Real estate broker, any Real estate salesman, and any other person who, as employee or agent or otherwise, engages in the management or operation of any Real Property.
- (m) "Real Estate Transaction" means the purchase, sale, exchange, or lease of any real Property, and an option to do any of the foregoing.
- (n) "Sale" includes any contract to sell, exchange, or to convey, transfer or assign legal or equitable title to or a beneficial interest in Real Property.

## Title II

### Section 2.01      Discriminatory Terms

It shall be an unlawful housing practice and a violation of this Ordinance for any Owner or other person to sell or lease a Real Property on terms, conditions or privileges that discriminate between persons because of race, color, religion or national origin.

### Section 2.02      Refusals to Negotiate

It shall be an unlawful real estate practice and a violation of this Ordinance for any Owner or other person to refuse to negotiate for, enter into, or perform any sale or lease of any Real Property, because of the race, color, religion, or national origin of any party to such sale or lease, or of any member of the family of any such party, or of any person using or occupying or intending to use or occupy such Real Property or of any person using or occupying any Real Property in the area in which such Real Property is located.

### Section 2.03      Withholding Housing

It shall be an unlawful real estate practice and a violation of this Ordinance for any Owner or other person to represent to any person that any Real Property is not available for inspection, purchase, sale, lease, or occupancy when in fact it is so available, or otherwise to withhold Real Property from any person because of race, color, religion or national origin. ✓

### Section 2.04      Advertisements

It shall be an unlawful real estate practice and a violation of this Ordinance for any Owner or other person to publish or circulate a statement, advertisement or notice of an intention to sell or lease any Real Property in a manner that is unlawful under this Title II, or to consent thereto.

Section 2.05      Signs and Notices

It shall be an unlawful real estate practice and a violation of this Ordinance for any Owner or other person to post or erect, or cause any person to post or erect, any sign or notice upon any Real Property, indicating an intent to sell or lease any Real Property in a manner that is unlawful under this Title II.

Section 2.06      Limitations

- (a) Nothing in this Ordinance shall require an Owner to offer Real Property to the public at large before selling or renting it, providing he complies with all other provisions of this Ordinance. Nor shall this Ordinance require an owner or his agent to offer Real Property for sale or lease to any person if the Owner or his agent has reasonable cause which can be substantiated to believe that such person is not negotiating for the purchase or lease of such Real Property in good faith, nor shall this Ordinance be deemed to prohibit Owners from giving preference to prospective tenants or buyers for any reason other than religion, race, color, or national origin.
- (b) Nothing in this Ordinance shall apply to the renting of rooms in an owner-occupied house nor to a two- or three-apartment building where the owner occupies one of the apartments.

Title III

Section 3.01      Withholding Housing

It shall be an unlawful real estate practice and a violation of this Ordinance for any Real Estate Agent or other person to represent to any person that any Real Property is not available for inspection, sale, lease or occupancy when in fact it is so available, or otherwise to withhold Real Property from any person because of race, color, religion or national origin.

Section 3.02      Refusals of Offers

It shall be an unlawful real estate practice and a violation of this Ordinance for any Real Estate Agent or other person to refuse to receive or to fail to transmit a bona fide offer for the purchase, sale, exchange or lease of any Real Property because of the race, color, religion or national origin of the person making such offer.

Section 3.03      Advertisements

It shall be an unlawful real estate practice and a violation of this Ordinance for any Real Estate Agent or other person to publish or circulate a statement, advertisement or notice of an intention to sell or lease any Real Property in a manner that is unlawful under Title II of this Ordinance.

Section 3.04      Signs and Notices

It shall be an unlawful real estate practice and a violation of this Ordinance for any Real Estate Agent or other person to post or erect or cause or permit any person to post or erect, any sign or notice upon any Real Property, managed by or in the custody, care or control of such Real Estate Agent or other person, indicating an intent to sell or lease any Real Property in a manner that is unlawful under Title II or this Title III.

Section 3.05      Licensing

Every Real Estate Broker shall apply for and obtain a license from the Village of Barrington prior to transacting any business involving real estate in Barrington as a Real Estate Broker and prior to advertising or assuming to act as such Real Estate Broker. The commission of a single act as such Real Estate Broker without such license shall constitute a violation of this Ordinance. ✓

Section 3.06      Discrimination in Lending

It shall be an unlawful real estate practice and a violation of this Ordinance for any Lending institution, in making, agreeing to make, arranging, or negotiating any loan or guarantee of funds for the purpose of financing the purchase or sale, construction, lease, rehabilitation, improvement, renovation or repair of any Real Property, to offer, seek or agree to terms, conditions or privileges that discriminate between persons because of race, color, religion or national origin.

Section 3.07      Refusals to Deal in Lending

It shall be an unlawful real estate practice and a violation of this Ordinance for any Lending institution to refuse to negotiate for, enter into or perform any agreement to lend or guarantee the loan of funds for the purchase, sale, construction, lease, rehabilitation, improvement, renovation or repair of any Real Property because of the race, color, religion or national origin of any party to such agreement or of any member of the family of any such party, or of the residents of the area in which such Real Property is located.

Section 3.08      Coverage

This Title III shall apply, respectively, to every Real Estate Agent who, within Barrington, performs any function as such Real

Estate Agent but does not maintain an office or place of doing business within Barrington, and this Title III applies to every Real Estate Agent and Lending institution who maintains an office or place of doing business within Barrington; provided, however, that the provisions of this Ordinance shall not be so construed as to prohibit a Real Estate Broker or Real Estate Agent on behalf of the Owner, from inquiring into and reporting upon qualifications of any prospective buyer or tenant with respect to limitations or exclusions other than those of race, color, religion or national origin.

#### Title IV

##### Section 4.01      Representation

It shall be an unlawful real estate practice and a violation of this Ordinance for any person, for the purpose of inducing any other person to enter into a real estate transaction with such person, his principal or his agent,

- (a) to represent that a change has occurred, will occur or may occur with respect to race, color, religion or national origin in the composition of the Owners or occupants in any block, neighborhood or area in which the Real Property (which is the subject of the real estate transaction) is located, or
- (b) to represent that a change with respect to the race, color, religion or national origin in the composition of the Owners or occupants in any block, neighborhood or area will result in the lowering of property values, or in an increase in criminal or anti-social behavior, or in a decline in the quality of schools, in such blocks, neighborhood or area.

##### Section 4.02      Other Violations

It shall be an unlawful real estate practice and a violation of this Ordinance for any person,

- (a) to aid, abet, incite, or coerce a person to engage in an unlawful practice,
- (b) to make any distinction, discrimination or restriction against any person as to the conditions or privileges of any kind relating to the sale, rental, lease, or occupancy of any Real Property,

- (c) to deliberately and knowingly refuse examination of copies of any listing of Real Property in Barrington to any person because of race, color, religion or national origin,
- (d) to enter into a listing agreement which prohibits the inspection, sale, lease, or occupancy of Real Property to any person because of race, color, religion or national origin,
- (e) to act or undertake to act with respect to any Real Property the disposition of which is prohibited to any person because of race, color, religion or national origin,
- (f) to willfully interfere with the performance of a duty or the exercise of a power by the Commission or one of its members or representatives, or
- (g) to willfully obstruct or prevent a person from complying with the provisions of this Ordinance or an order issued thereunder.

Title V

Section 5.01      Human Relations Commission

There is hereby created a Barrington Human Relations Commission which shall consist of fifteen members appointed by the President of the Board of Trustees of the Village of Barrington, with consent and approval of the Village Board of Barrington.

Section 5.02      Composition of Human Relations Commission

All fifteen members of the Commission shall be appointed from the community at large and shall be citizens who are concerned with improving community human relations.

Section 5.03      Method of Appointment

Members shall be appointed and be removable for cause by the President, with the consent of the Village Board, upon written charges and after public hearing. In the first instance, five members shall be appointed for a term of three years, five for a term of two years, and five for a term of one year. Thereafter each member appointed shall serve for a term of three years or until his successor is duly appointed and qualified. The members shall elect one of the members of the Commission to be its chairman. Any eight members of the Commission shall constitute a quorum.

*Village of  
Barrington*

Section 5.04      Commission Duties and Powers

The Commission shall have and exercise, with respect to all Real Property and with respect to all persons subject to this Ordinance, the power:

- (a) To act to eliminate unlawful real estate practices,
- (b) To act to assure to persons living, working or desiring to live in Barrington, or in any particular Real Property, opportunity to purchase, lease or occupy without discrimination because of race, color, religion or national origin,
- (c) To receive, initiate and investigate complaints alleging unlawful real estate practices. Any complaint initiated by the Commission shall be in writing and signed by the Chairman of the Commission and shall fully set forth the circumstances of the alleged violation and the source of all information upon which the complaint is based, including the names and addresses of all complainants. A copy of such written complaint shall be served upon the party alleged to be in violation of this Ordinance.
- (d) To seek conciliation of, hold hearings on, and make findings of fact with respect to any such complaint,
- (e) To recommend the issuance of orders subject to approval by the Village Board of Barrington and to publish its findings of fact and recommended orders in accordance with the provisions of this Ordinance after submission to the Village Board,
- (f) To render from time to time, but not less than every six months, a written report to the Village Board of its activities and recommendations with respect to fair real estate practices, which written reports shall be made public after submission to the Village Board,
- (g) To create a Panel of five members of the Commission to expedite and facilitate the work of the Commission in respect to the Commission's responsibilities under paragraphs (c) and (d) under this Section.
- (h) To adopt, after approval by the Village Board, rules and regulations as may be necessary or desirable to carry out the purpose and policy of this Ordinance, and,

- (i) To make recommendations to the Village Board with respect to the granting, suspension and revocation of licenses to Real Estate Brokers to transact business in Barrington as such Real Estate Brokers.

Section 5.05      Licenses of Barrington Real Estate Brokers

Before any license under this Ordinance is granted, the Village Clerk of Barrington shall require from the applicant for license the payment of an annual fee of \$10.00 and the applicant shall give his representation that he has read this Fair Housing Ordinance and intends to comply with its provisions in and about his business as a Real Estate Broker, and his representation that each Real Estate Salesman employed by him has been furnished a copy of this Fair Housing Ordinance.

Section 5.06      Licenses of Other Real Estate Brokers; Applications

The Village Clerk of Barrington shall, upon application and a payment of an annual fee of \$10.00, grant a license to transact business in Barrington to any Real Estate Broker who does not maintain an office or a place of doing business within Barrington, upon his representation that he is licensed by the State of Illinois and that he has read this Fair Housing Ordinance and intends to comply with its provisions in and about his business as a Real Estate Broker, and his representation that each Real Estate Salesman employed by him has been furnished a copy of this Fair Housing Ordinance.

Section 5.07      Licenses, Revocation and Suspension

Whenever it has been determined, in accordance with the provisions of Section 5.09 of this Ordinance, that a Real Estate Broker has committed an unfair housing practice in violation of this Ordinance, the Village Board may revoke or suspend any license theretofore granted to such Real Estate Broker under Section 5.05 of this Ordinance; such period of revocation or suspension shall not exceed a period of ninety (90) days. An order of revocation or suspension of a license issued by the Village Board pursuant to this Section shall take effect ten (10) days after its issuance.

Section 5.08      Complaints, Conciliation

- (a) Any person aggrieved in any manner of any violation of any provision of this Ordinance may file with the Commission a written verified complaint setting forth his grievance. The complaint shall state (1) the name and address of the complainant, (2) the name and address of the person with whom the complaint is brought, if known to the complainant, and (3) the alleged facts surrounding the alleged violation of this Ordinance; and such complaint shall

state the name and address of all persons believed to have knowledge concerning the alleged facts. The Commission shall provide a printed form of complaint for the use of aggrieved persons.

- (b) After filing of any complaint, the Commission shall serve a copy of the complaint on the party or parties charged and the Chairman of the Commission shall designate a Panel of five members of the Commission to make a prompt investigation in connection therewith.
- (c) If such Panel shall determine after such investigation that probable cause exists for the allegations of the complaint,
  - (1) the Panel shall set a time and date for a meeting, and
  - (2) at such meeting, the Panel or any member thereof shall interview the complainant and the person or persons against whom the complaint has been directed and shall attempt to resolve the complaint by all proper methods of conciliation and persuasion.

If at any time within sixty (60) days after the date of filing of the complaint such Panel shall determine that such attempts at conciliation would not be in furtherance of the objectives of this Ordinance, the Commission shall thereupon proceed promptly to a full hearing of the complaint in accordance with Section 5.09 below.

Section 5.09      Hearings by Commission

- (a) Such hearing shall be conducted by the Commission, or a Panel thereof, upon due and reasonable notice to all parties. The Commission shall have power to administer oaths and to take sworn testimony. Any party alleged to have violated this Ordinance shall be entitled to be represented by counsel and shall have the right to call witnesses on his own behalf and to cross-examine witnesses.
- (b) At the conclusion of such hearing, the Commission shall render to the Village Board a written report with recommendations, which shall also be served by mail upon the complainant and the party or parties charged. No report shall be delayed more than sixty (60) days after the date of the first issuance of notice for commencement of a hearing.

Section 5.10      Enforcement

- (a) The commission shall be empowered, at the conclusion of the proceedings held under Section 5.09 to recommend to the Village Board that the Village Board order any person found to be engaging in an unfair real estate practice to cease and desist from such practice, upon such terms as shall be necessary and proper for the enforcement of this Ordinance.
- (b) The Commission shall be empowered at the conclusion of proceedings held under Section 5.09, as part of its report, to recommend to the Village Board that it direct the Village Attorney to do any one or more of the following:
  - (1) To institute and prosecute proceedings to enforce, against any person found in violation of this Ordinance, the fine provided for in Section 7 below;
  - (2) To apply to any court of competent jurisdiction,
    - (i) for an order restraining any person from violating any provision of this Ordinance,
    - (ii) for such other or future relief as may seem to the court appropriate for the enforcement of this Ordinance and for the elimination of violations hereof;
  - (3) To petition or institute proceedings with the Illinois Department of Registration and Education for the purpose of causing the Department to revoke, suspend or refuse to renew the license granted by such Department to any Real Estate Broker or Real Estate Salesman found to have violated any provision of this Ordinance;
  - (4) In the case of any unlawful real estate practice or violation of this Ordinance by any person in the course of performing under a contract or sub-contract with the State or any political subdivision or agency thereof, or with the United States of America or any agency or instrumentality thereof, to petition or institute proceedings with such contracting agency for the purpose of causing it to terminate such contract or any portion thereof, either absolutely or on condition of compliance with the provisions of this Ordinance.

- (c) After receipt of the recommendation of the Commission, the Village Board may issue such cease and desist orders and may direct such action by the Village Attorney, including the procedures as in Section 5.10 (b) hereinabove set forth, as shall be necessary for the enforcement of this Ordinance.
- (d) If, during the course of any proceedings prescribed herein, the Commission, on the basis of the evidence before it, concludes that a violation of this Ordinance is imminent, it may relay such evidence to the Village Board, together with its recommendation that the Village Attorney be instructed to seek injunctive relief in any court of competent jurisdiction to prohibit such violation.

Section 5.11      Limitation of Time to File Complaints

Any complaint filed hereunder with the Commission must be filed within sixty (60) days after the alleged discriminatory practice occurred or it shall be barred.

Title VI

Section 6.01      Remedies

Any person aggrieved in any manner by the violation of any provision of this Ordinance who has exhausted the remedies provided in Sections 5.08 and 5.09 of this Ordinance may apply to any court of competent jurisdiction for appropriate relief from such violation, including:

- (a) An order compelling compliance with this Ordinance;
- (b) An order to prohibit any person found by the court to have violated any provision of this Ordinance from the sale, lease, exchange, transfer, conveyance or assignment of any Real Property, by any person who in violation of this Ordinance refuses or fails to perform such contract;
- (c) Compensatory damages;
- (d) Such other and further relief as may seem appropriate to the court for the enforcement of this Ordinance and the elimination of violations hereof.

Title VII

Fines

Any person who violates any provision of this Ordinance shall be fined not less than \$100.00, nor more than \$500.00 for each violation.

This Ordinance shall be in full force and effect from and after its passage, approval, recordation, and publication according to law.

*Mr. Hyatt*

CORLISS D. ANDERSON  
217 LINDEN ROAD  
BARRINGTON, ILLINOIS 60010

May 22, 1968

*OK*  
*ms*  
*n*

Mr. R. D. Heninger,  
Village Manager  
Barrington, Illinois

My dear Rob:

I am handing you ten copies of a Model Fair Housing Ordinance prepared in March, 1968 by the Illinois Commission on Human Relations.

Will you be good enough to send these to the members of our Village Board in your regular packet of materials for the next meeting, May 27?

Also, please advise the Board at the same time that the Barrington Human Relations Commission is meeting May 27, and will in due course make some suggestions to the Board for inclusion in a Barrington ordinance.

Sincerely,

*Corliss D. Anderson*

ILLINOIS COMMISSION ON HUMAN RELATIONS

MODEL FAIR HOUSING ORDINANCE

March, 1968

AN ORDINANCE TO PROHIBIT CERTAIN DISCRIMINATORY PRACTICES IN REAL PROPERTY TRANSACTIONS IN MODEL CITY, ILLINOIS.

BE IT ORDAINED by the Council of Model City, Illinois as follows:

Title I

Section 1.01      Short Title

This Ordinance shall be known and may be cited as the Fair Housing Ordinance of Model City, Illinois.

Section 1.02      Purpose and Declaration of Policy

It is hereby declared to be the policy of Model City and the purpose of this Ordinance, in the exercise of Model City of its police and regulatory powers for the protection of the public safety, for the health, morals, safety, and welfare of the persons in and residing in the City, and for the maintenance and promotion of commerce, industry and good government in Model City, to secure to all persons living and/or working or desiring to live and/or work in Model City a fair opportunity to purchase, lease, rent, or occupy real estate without discrimination based on race, color, religion or national origin.

Section 1.03      Construction

This ordinance shall be construed according to the fair import of its terms and shall be liberally construed to further the purposes and policy stated in Section 1.02 and the special purposes of the particular provision involved.

Section 1.04      Severability

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

- (j) "Real Estate Broker" means any person licensed as a real estate broker in accordance with the provisions of Chapter 114 1/2, Illinois Revised Statutes, or required thereby to be so licensed.
- (k) "Real Estate Salesman" means any person licensed as a real estate salesman in accordance with the provisions of Chapter 114 1/2, Illinois Revised Statutes, or required thereby to be so licensed.
- (l) "Real Estate Agent" means any Real estate broker, any Real estate salesman, and any other person who, as employee or agent or otherwise, engages in the management or operation of any Real Property.
- (m) "Real Estate Transaction" means the purchase, sale, exchange, or lease of any Real Property, and an option to do any of the foregoing.
- (n) "Sale" includes any contract to sell, exchange, or to convey, transfer or assign legal or equitable title to or a beneficial interest in Real Property.

## Title II

### Section 2.01 Discriminatory Terms

It shall be an unlawful housing practice and a violation of this Ordinance for any Owner or other person to sell or lease a Real Property on terms, conditions or privileges that discriminate between persons because of race, color, religion or national origin.

### Section 2.02 Refusals to Negotiate

It shall be an unlawful real estate practice and a violation of this Ordinance for any Owner or other person to refuse to negotiate for, enter into, or perform any sale or lease of any Real Property, because of the race, color, religion, or national origin of any party to such sale or lease, or of any member of the family of any such party, or of any person using or occupying or intending to use or occupy such Real Property or of any person using or occupying any Real Property in the area in which such Real Property is located.

represent to any person that any Real Property is not available for inspection, sale, lease or occupancy when in fact it is so available, or otherwise to withhold Real Property from any person because of race, color, religion or national origin.

Section 3.02 Refusals of Offers

It shall be an unlawful real estate practice and a violation of this Ordinance for any Real Estate Agent or other person to refuse to receive or to fail to transmit a bona fide offer for the purchase, sale, exchange or lease of any Real Property because of the race, color, religion or national origin of the person making such offer.

Section 3.03 Advertisements

It shall be an unlawful real estate practice and a violation of this Ordinance for any Real Estate Agent or other person to publish or circulate a statement, advertisement or notice of an intention to sell or lease any Real Property in a manner that is unlawful under Title II of this Ordinance.

Section 3.04 Signs and Notices

It shall be an unlawful real estate practice and a violation of this Ordinance for any Real Estate Agent or other person to post or erect or cause or permit any person to post or erect, any sign or notice upon any Real Property, managed by or in the custody, care or control of such Real Estate Agent or other person, indicating an intent to sell or lease any Real Property in a manner that is unlawful under Title II or this Title III.

Section 3.05 Licensing

Every Real Estate Broker shall apply for and obtain a license from Model City prior to transacting any Business involving real estate in Model City as a Real Estate Broker and prior to advertising or assuming to act as such Real Estate Broker. The commission of a single act as such Real Estate Broker without such license shall constitute a violation of this Ordinance.

Section 3.06 Discrimination in Lending

It shall be an unlawful real estate practice and a violation of this Ordinance for any Lending institution, in making, agreeing to make, arranging, or negotiating any loan or guarantee of funds

- (b) to represent that a change with respect to the race, color, religion or national origin in the composition of the Owners or occupants in any block, neighborhood or area will result in the lowering of property values, or in an increase in criminal or anti-social behaviour, or in a decline in the quality of schools, in such blocks, neighborhood or area.

Section 4.02 Other Violations

It shall be an unlawful real estate practice and a violation of this Ordinance for any person,

- (a) to aid, abet, incite, or coerce a person to engage in an unlawful practice
- (b) to deceive, exploit, cheat, or overcharge any person in a Real Property transaction in Model City, or to make any distinction, discrimination or restriction against any person as to the conditions or privileges of any kind relating to the sale, rental, lease, or occupancy of any Real Property.
- (c) to deliberately and knowingly refuse examination of copies of any listing of Real Property in Model City to any person because of race, color, religion or national origin.
- (d) to enter into a listing agreement which prohibits the inspection, sale, lease, or occupancy of Real Property to any person because of race, color, religion or national origin.
- (e) to act or undertake to act with respect to any Real Property the disposition of which is prohibited to any person because of race, color, religion or national origin.
- (f) to willfully interfere with the performance of a duty or the exercise of a power by the Commission or one of its members or representatives, or
- (g) to willfully obstruct or prevent a person from complying with the provisions of this Ordinance or an order issued thereunder.

of the alleged violation and the source of all information upon which the complaint is based, including the names and addresses of all complainants. A copy of such written complaint shall be served upon the party alleged to be in violation of this Ordinance,

- (d) To seek conciliation of, hold hearings on, and make findings of fact with respect to any such complaint,
- (e) To recommend the issuance of orders subject to approval by the City Council of Model City and to publish its findings of fact and recommended orders in accordance with the provisions of this Ordinance after submission to the City Council,
- (f) To render from time to time, but not less than every six months, a written report to the City Council of its activities and recommendations with respect to fair real estate practices, which written reports shall be made public after submission to the City Council,
- (g) To adopt, after approval of the City Council, such rules and regulations as may be necessary or desirable to carry out the purpose and policy of this Ordinance, and,
- (h) To make recommendations to the City Council of Model City with respect to the granting, suspension and revocation of licenses to Real Estate Brokers to transact business in Model City as such Real Estate Brokers.

Section 5.05 Licenses of Model City Real Estate Brokers

Before any license under this Ordinance is granted, the City Clerk of Model City shall require from the applicant for license the payment of an annual fee of \$10.00 and the applicant shall give his representation that he has read this Fair Housing Ordinance and intends to comply with its provisions in and about his business as a Real Estate Broker, and his representation that each Real Estate Salesman employed by him has been furnished a copy of this Fair Housing Ordinance.

(b) After filing of any complaint, the Commission shall serve a copy of the complaint on the party or parties charged and the Chairman of the Commission shall designate a Panel to make a prompt investigation in connection therewith.

(c) If such Panel shall determine after such investigation that probable cause exist for the allegations of the complaint,

(1) The Panel shall set a time and date for a meeting, and

(2) at such meeting, the Panel or any member thereof shall interview the complainant and the person or persons against whom the complaint has been directed and shall attempt to resolve the complaint by all proper methods of conciliation and persuasion.

If at any time within sixty (60) days after the date of filing of the complaint such Panel shall determine that such attempts at conciliation would not be in furtherance of the objectives of this Ordinance, the Commission shall thereupon proceed promptly to a full hearing of the complaint in accordance with Section 5.09 below.

Section 5.09 Hearings by Commission

(a) Such hearing shall be conducted by the Commission, or a Panel thereof, upon due and reasonable notice to all parties. The Commission shall have power to administer oaths and to take sworn testimony. Any party alleged to have violated this Ordinance shall be entitled to be represented by counsel and shall have the right to call witnesses on his own behalf and to cross-examine witnesses.

(b) At the conclusion of such hearing, the Commission shall render to the City Council a written report with recommendations, which shall also be served by mail upon the complainant and the party or parties charged. No report shall be delayed more than sixty (60) days after the date of the first issuance of notice for commencement of a hearing.

Section 5.10 Enforcement

(a) The Commission shall be empowered, at the conclusion of the proceedings held under Section 5.09 to recommend to the City Council of Model City that the Council order

- (d) If, during the course of any proceedings prescribed herein, the Commission, on the basis of the evidence before it, concludes that a violation of this Ordinance is imminent, it may relay such evidence to the City Council, together with its recommendation that the Corporation Counsel be instructed to seek injunctive relief in any court of competent jurisdiction to prohibit such violation.

Section 5.11    Limitation of Time to File Complaints

Any complaint filed hereunder with the Commission must be filed within one-hundred twenty (120) days after the alleged discriminatory practice occurred or it shall be barred.

Title VI

Section 6.01    Remedies

Any person aggrieved in any manner by the violation of any provision of this Ordinance who has exhausted the remedies provided in Sections 5.08 and 5.09 of this Ordinance may apply to any court of competent jurisdiction for appropriate relief from such violation, including:

- (a) an order compelling compliance with this Ordinance;
- (b) an order to prohibit any person found by the court to have violated any provision of this Ordinance from the sale, lease, exchange, transfer, conveyance or assignment of any Real Property, by any person who in violation of this Ordinance refuses or fails to perform such contract;
- (c) compensatory damages
- (d) such other and further relief as may seem appropriate to the court for the enforcement of this Ordinance and the elimination of violations hereof.

Fines VII

Any person who violates any provision of this Ordinance shall be fined no less than \$100.00 for each offense and no more than \$500.00 for each violation.

This Ordinance shall be in full force and effect from and after its passage, approval, recordation, and publication according to law.

## Report to the Mayor and Village Council of Downers Grove on Open Occupancy

The Community Conference Board recommends and urges you to enact a fair housing ordinance for the Village of Downers Grove, in essentially the form attached to this report (the so-called Wheaton type ordinance). Enactment of such an ordinance, in our opinion, is a necessary step toward insuring what we believe should be the right of every American citizen, and is clearly in the long term best interests of the Village.

This recommendation is not lightly made. It is the result of several months' study by your Board, including open hearings at which all residents of the Village who indicated a desire to be heard were given an opportunity to express their views. We have studied the housing situation in our Village; have inquired into the experiences of other communities; and have compared the forms of various ordinances passed in Illinois. In the remainder of this report, we shall briefly discuss various questions which we believe are relevant to our recommendation.

1. The Housing Situation in Downers Grove, and Reasons for Taking Action

Housing is a basic necessity. Thus the ability to purchase or rent housing where the individual or family desires and can afford is an important--indeed, vitally important--matter to all Americans.

To many of us it is almost inconceivable that racial discrimination should exist in an enlightened community in this day and age. However, the fact is that housing is not available to Negroes in Downers Grove. (A fact confirmed incidentally by one of the realtors serving on the Board.)

In our opinion this is not particularly the fault of the realtors. But in our opinion also, the question of whose fault it is is irrelevant. People are denied housing on the basis of race and this is a situation the Village should correct to the extent it has power to do so. Why? First and foremost, because racial discrimination is wrong. Morally, it is wholly and totally indefensible. In addition (and in terms of pure self interest), this Village cannot isolate itself from what is going on around it. Downers Grove is socially and economically and geographically a part of Chicagoland. Chicago's problems, upheavals and pressures will affect us. There is no indication that a large number of Negro families want to move to this community or would if they could. On the other hand, demand for open housing as a result of Argonne, Bell Laboratories, etc. has touched us and will be heightened somewhat by construction of the National Accelerator project and further pressure for out-movement from the city. Downers Grove can respond to this by attempting to wrap itself more tightly in a blanket of discrimination. But such attempts will be met by counter pressures (beginning with demonstrations) and the likelihood of a Negro section or ghetto within the Village. Your Board, in short, does not believe that the Village

should shut its eyes either to what is right or to what is inevitable.

2. Voluntary Action versus an Ordinance.

If discrimination would disappear of its own accord, with or without some kind of educational program, we would not recommend an ordinance. But it will not. While educational programs are desirable and should be pursued in any event, in and of themselves these are ineffective. Discrimination is based primarily on fear and prejudice, feelings which are able to overcome logic and argument to the contrary. They in turn can be overcome by experience which demonstrates that the prejudice and fear are invalid and therefore unnecessary feelings. As stated by several citizens at our hearings, knowledge and tolerance stem from experience and contact.

It was our opinion that the problem might best be attacked by voluntary action rather than ordinance, although we had been informed that this approach had failed in several neighboring communities, including Hinsdale and Wheaton. Accordingly, we requested some months ago that the realtors adopt a policy that all listings would be shown on a non-discriminatory basis unless the owner insisted in writing to the contrary. To make such a plan work, the realtors would have had to actively and enthusiastically support it. After consideration, their response was that a survey should be taken to see what the residents felt about discrimination. This response, while perhaps understandable, indicated that the realtors were at best luke warm and that, therefore, a voluntary plan would be more or less useless.

The realtors continue to suggest a survey is desirable. A properly conducted survey can be a valuable tool. But neither a survey nor a referendum should be held to guide the Council in deciding whether to pass this ordinance. Questions of basic individual rights are not questions to be determined by majority vote (as demonstrated by the Bill of Rights). And to the extent this is considered a matter of Village self-interest, the councilmen have been elected to decide such things. In this sense, a fair housing ordinance is no different from any other ordinance.

3. Restrictive Nature of an Ordinance.

Somewhat surprisingly, very few citizens appeared at our hearings and spoke against the ordinance (this of course does not mean that there are not a great many people who oppose it). Those who did, claimed that an ordinance would restrict their property rights.

An ordinance obviously would restrict to some extent the rights of those who sell or rent their property. This is recognized. In our opinion, however, not much of a case can be made for preserving a right to discriminate.

Democracy is not based on complete individual freedom. This is anarchy. Rather, democracy is based on preserving individual freedoms within the context of society--i.e., other people. No rights are absolute, including

the fundamental right of free speech. Certainly property rights are not absolute. They are controlled and restricted in innumerable ways--building codes, speed limits, etc. etc. Indeed, from a purely economic point of view, zoning ordinances are much more burdensome and restrictive to the property owner than any form of fair housing ordinance could ever be.

There is no social value to the right to discriminate. Contrariwise, the existence of such a right necessarily denies to Negroes a right to live where they choose and can afford, which right is morally and ethically undeniable.

4. Morality and Legislation.

It is also said that moral conduct cannot be legislated. While in one sense this is true, in another sense it is entirely false. Morality is the basis of much legislation in America, including child labor laws and minimum wage laws to cite just two examples. Further, it is a fact that Negro opportunities have increased tremendously since passage of the Federal laws prohibiting discrimination in employment and public facilities without any apparent harm or even inconvenience to the white majority. The same, it may be said, is possible in housing. And both a representative of Wheaton and the personnel director of the National Accelerator Laboratory confirmed to your Board that local ordinances can be and are effective. With experience, whites will find they can live with Negroes just as they are finding they can work with them and ride a bus with them. The white community will not, unfortunately, voluntarily initiate such experience. An ordinance is certainly not the entire answer. But it is a necessary step in that it can be the catalyst by which such experience can be begun. If the Council lets it be known that the ordinance will be enforced and if the Board undertakes to give it proper and constructive publicity (which we pledge to do), we believe an atmosphere will be established in which the ordinance will be effective with a minimum of ill feeling.

5. The Form of the Ordinance Proposed.

The ordinance being recommended, broadly speaking, prohibits racial discrimination in regard to the sale or rental of, or dealings concerning, real estate. Violation by real estate brokers can result in loss of license; by individuals, in a fine of \$500.00. A copy of the Wheaton ordinance is attached. (The last paragraph of Sec. 3 of that ordinance deals with zoning, and we make no recommendation as to its inclusion or exclusion.) We would comment on three features in particular:

Some ordinances apply just to multiples. This approach is self-defeating. If we intend to have a meaningful ordinance it must apply across the board. (The only exception in the Wheaton ordinance is for single room rentals in single family dwellings.)

Some ordinances apply just to realtors. In our opinion this approach puts an unfair burden on the realtors. Virtually all those citizens speaking at our hearings agreed that any ordinance should apply to individuals and realtors alike.

Several citizens indicated concern that refusal to sell to Negroes, regardless of the reason, would be equated with discrimination and could result in unfairly delaying the sale of a residence while complaint proceedings were being held. The recommended ordinance does not and should not provide for tying up a residence by an injunction proceeding while a discrimination complaint is pending. If the Village attorney has any doubt of this, the ordinance should be modified to clear up the point to his satisfaction. Further, there are procedural safeguards against unjust complaints against individuals in that any complaints must go to the Board for hearings, then to the Council and finally to a court before any fine can be assessed. This three-tier approach minimizes the chance of any citizen being unfairly treated.

The Board of course will be happy to expand on this report <sup>to</sup> to answer any questions you may have concerning our recommendation.

Respectfully submitted,

COMMUNITY CONFERENCE BOARD

Mr. Hyatt

INTEROFFICE MEMO

DATE 5/10/68

TO: President and Board of Trustees  
FROM: R. D. Heninger, Village Manager  
SUBJECT: Report - Human Relations Commission

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Mr. Anderson, Chairman subject mentioned Commission, handed me the attached report for distribution. He will be requesting time at our meeting on May 13, 1968.

*R. D. Heninger*  
R. D. Heninger

*12 members present*

RDH:hj

May 10, 1968

To the President and Board of Trustees of the Village of Barrington:

Among the responsibilities you have assigned to the Barrington Human Relations Commission is that of making recommendations to you on human relations matters affecting our village. With that in mind, this commission urges you to enact as soon as possible a fair housing ordinance for the Village of Barrington. We believe that our community should, and will, support action to help insure the right of every citizen to buy or rent where he can afford to do so, without regard to race, creed, or national origin.

We urgently recommend this action for the following reasons:

1. More than 40 Illinois communities -- many of them our neighbors -- have enacted fair housing ordinances, and the list continues to grow. In the few weeks since we submitted to you a summary of local open occupancy ordinances, such nearby communities as Deerfield and Des Plaines have passed their own ordinances and Evanston's has been strengthened. Barrington is socially, economically, and geographically part of metropolitan Chicago, and we should join the other suburban communities that are assuming the leadership in enacting local fair housing ordinances.

2. Recent national civil rights legislation -- which was supported by Senators Dirksen and Percy and Representative McClory -- is now in effect with respect to FHA and VA financed housing, and

will cover a broader range of housing beginning January 1, 1970.

Section 810(c) provides that wherever a state or local fair housing law exists which is at least as strong as the federal legislation, the local agency will have the right to have the matter in its jurisdiction. In other words, if Barrington enacts such a fair housing ordinance, complaints would be handled locally rather than at the federal level. This is the way your commission believes it should be done; we feel that realtors and property owners likewise would prefer local jurisdiction.

3. Barrington has been successful in attracting research laboratories and other organizations with highly skilled people, all of which are equal opportunity employers. A local open occupancy ordinance would help encourage other companies to establish facilities here because it would show our willingness to welcome all of their employees.

4. Minority group opportunities have increased tremendously since passage of laws prohibiting discrimination in employment and public facilities, without any apparent hardship or even inconvenience to the white majority. The same is possible in housing. With experience, whites will find they can live near Negroes just as they have found they can work in the same offices and eat in the same restaurants. While an ordinance is not the entire answer, it is a necessary step, for it can be the means by which such experience can start.

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We cannot wait for the community to call for a fair housing ordinance. This is an area -- like many others you deal with -- where the leadership must come from our elected officials. Therefore, we are asking you to draw up a strong fair housing ordinance and to pass the ordinance at as early a date as possible.

Human Relations Commission  
of the Village of Barrington

Corliss D. Anderson, Chairman

Earl M. Schwemm, Vice Chairman  
Mrs. David R. Capulli  
Frank C. Carr  
Rev. P. J. Dressler  
Mrs. T. F. Gayer, Jr.  
Rev. Robert D. Gerhard  
Thomas B. Hanchett

Mrs. Sidney T. Kramer  
Harold Lipofsky  
Donald C. McLean  
Rev. Eugene B. Nyman  
Rev. Donald T. Olson  
John A. Papadakis  
Mrs. E. P. Wilder, Jr.

Wryatt

A G E N D A for Village Board Meeting on May 27, 1968

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- ✓ 1 Roll Call by Deputy Clerk at 8:00 P.M.
- ✓ 2 Approval of Minutes of May 13 Regular Board Meeting
- ✓ 3 Approval of Minutes of May 20 Adjourned Board Meeting
- ✓ 4 Inquiries from the Audience

5 Village President Reports:

- ✓ A. League Meeting at Springfield on May 25, 1968
  - ✓ B. Appointment of Kuhlman to Electrical Commission
  - ✓ C. State Audit Report on Village MFT Account
  - ✓ D. Appointment to Zoning Board of Appeals Ed. Vorbeck
  - ✓ E. Letter from Mr. Baur to President and Board of Trustees *Double case review*
  - F. Fire Dept. 1
- Consent to and Concurrence*

6 Finance Director Reports:

- ✓ A. List of Bills for Approval
- B.

7 Zoning Board of Appeals Reports:

- ✓ A. Shoreley Woods Public Hearing on Sign Variation
- ✓ B. Consideration by Trustees of Fox Valley Sign Variation
- ✓ C. Hearing on Etters Petition on Setback set for June 12
- D. *Sun 12, 1968 8 P.M.*
- E.

8 Plan Commission Reports:

- ✓ A. Status of Zoning Amendment on Multiple Housing
- B. Draper Rezoning Petition to be heard June 19, 8 P.M.
- C. *Hags Block*
- D. *Barker & Ashmann*

9 Legal Consultant Reports:

- A. Ordinance Pertaining to George Street Apartments,
- B. Fair Housing - Portions of Public Law No. 90-284 - approved 4-11-68.
- C.
- D.

10 Manager Reports:

- A. Authorization on Funds for Station Street Parking Lot
- B. Ambulance Service Program for Barrington Community
- C. *Ev. Kenowitz*
- D. *Mr. B. B. B.*
- E.

11 Round the Table Reports

12 Other Items Not Listed; and Adjournment

Agenda Posted May 24, 1968

Village Clerk  
Village Manager  
Village President

*Open Sat. June 1.*

*Wyatt*  
*gn*  
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MEETING OF PRESIDENT AND BOARD OF TRUSTEES HELD

MAY 20, 1968

ADJOURNED FROM MAY 13, 1968

MEETING CALLED TO ORDER by President John H. D. Blanke. Present at roll call were Trustees Paul J. Shultz; J. Frank Wyatt; Frederick J. Voss; James F. Hollister; Marvin M. Kaiser. Also present were Ruth D. Kincaid, Deputy Clerk; R. D. Heninger, Village Manager; B. J. Zelsdorf, Finance Director.

President noted that this was an adjourned meeting from the May 13, 1968 regular meeting and it was for the purpose of discussing the recommended budget for the fiscal year 1968-69.

President Blanke turned the meeting over to Village Manager Heninger and Finance Director Zelsdorf who were prepared to answer questions on the budget.

Under General Fund/Municipal Buildings - inquiry made regarding removal of air conditioner from Council Chambers-advised no provisions made in the budget.

Under General Fund/General Government - suggestion made that a professional firm review the Village insurance program.

Under General Fund/Capital Outlay - some mention made of the codification of ordinances and indexing of minutes of Board meetings; also favorable action on the purchase of an automated accounting-billing machine.

Under General Fund/Police Department - discussion was had on several items such as police protection during commuter train traffic, attendance of classes by patrolmen, etc. with the Head of the Department.

Trustee David R. Capulli arrived at this time (8:55 P.M.).

Under Fire Department - Fire Chief gave a short account of the request for aerial equipment.

Under Public Library - Mr. Bruce Posey and Mr. Austin Zimmerman were given permission to speak in behalf of their requests for their part of the library budget.

Discussion was had on the sealcoating of residential streets; it was agreed that the amount of \$10,000.00 was low - was increased to \$25,000.00, an increase of \$15,000.00.

Discussion was had on the cost of village planning; it was agreed that the amount of \$5,500.00 was low - was increased to \$15,500.00, an increase of \$10,000.00.

Refuse and garbage contract, special census, parking lots, etc. were

5-20-68

-2-

items also discussed.

Both the Village Manager and Finance Director were complimented for doing a very fine job in preparing the recommended budget.

MEETING ADJOURNED ON MOTION of Trustee Voss; 2nd Trustee Wyatt. Ayes.  
10:05 P.M.

*Ruth S. Kincaid*

Deputy Clerk

JH  
ms

MINUTES OF MEETING OF PRESIDENT & BOARD OF TRUSTEES  
MAY 13, 1968 at 8 P.M.

MEETING CALLED TO ORDER by President John H. D. Blanke. Present at roll call were Trustees David R. Capulli, Paul J. Shultz, J. Frank Wyatt, Frederick J. Voss, James F. Hollister, Marvin M. Kaiser. Also present: May L. Pinkerman, Village Clerk; R. D. Heninger, Village Manager; B.J. Zelsdorf, Finance Director; J. William Braithwaite, Legal Consultant.

PRAYER was offered by Reverend Eugene Nyman of Barrington Community Church.

MINUTES of 4-22-68 approved as submitted on MOTION Trustee Wyatt; 2nd Trustee Kaiser. Trustees Capulli & Shultz not voting due to absence that meeting.

INQUIRIES FROM AUDIENCE: Mr. Corliss D. Anderson, Chairman Human Relations Commission addressed the Board indicating the Commission feels strongly on what was contained in their written memorandum and stand ready to assist in setting up an ordinance on fair housing; feel local control preferred to federal and that Barrington should be among leaders. Trustee Capulli suggested the Board meet as a whole with the Commission for discussion and review of any material Attorney may submit. Attorney suggested Commission submit their material to him for review and report to Village Board. Trustee Wyatt suggested matter be taken under advisement, Attorney be requested to furnish Board with copies of Federal Statutes and suggest what local statute would have to be included so as to be enforceable locally. Discussion. Manager requested that any model ordinances they have be submitted. MOTION Trustee Wyatt to take this request from Commission under advisement and that we request and direct Attorney to furnish Board with pertinent provisions of Federal Statutes and advise as to what should be included in any local ordinance as to enforcement ability of ordinance and any suggestions of the Commission that are passed on to the Manager pertinent to fair housing be distributed to Board so we might consider this matter at a later date; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. Mr. Anderson introduced members of Commission.

SALES TAX for Feb, 1968 reported as gross \$16,544.44 (net \$15,882.66)

BARRINGTON AREA DEVELOPMENT COUNCIL to meet tomorrow night in Court Room.

NORTHWEST MUNICIPAL CONFERENCE TO meet Wed. in Elk Grove Village Hall

PROCLAMATION issued by President for sale of poppies 5-23-68.

APPOINTMENTS: <sup>President</sup> Chairman reappointed as Village Treasurer Bernard J. Zelsdorf for current fiscal year. MOTION Trustee Wyatt to concur; 2nd Trustee Capulli. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

Chairman reappointed as Chief of Police Joseph L. Muscarello duties to include those of Health Officer. MOTION Trustee Wyatt to concur; 2nd Trustee Shultz. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

Chairman appointed George W. Kraft of 27 Grandview Drive, an employee of Commonwealth Edison Co. as Sales Engineer for this area, as member of the Electrical Commission. MOTION Trustee Capulli to concur with recommendation of Chairman; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

LIQUOR LICENSE STATUS: President's report on Panker request distributed.

VILLAGE CLERK'S SUMMARY OF VARIOUS LICENSES: covering 4 year period distributed. Discussion on enforcement of vehicle sticker ordinance including whether or not deputy marshals could be used for this work. Manager noted lists of all licenses sold to Barrington by State Secretary are available for a fee which would be of great help on this and it was suggested these be obtained and that ordinance be enforced - matter left with Manager. Trustee Wyatt feels there are more dogs in Village than show by sale of licenses therefor.

PARKING LOT & METER COLLECTION REPORT for April received and passed to files.

FIRST NATIONAL BANK & TRUST CO. OF BARRINGTON April Statement received & filed.

PETTY CASH FUND INCREASE requested by Treasurer from \$100. to \$200. MOTION Trustee Wyatt that petty cash fund for Treasurer be so increased; 2nd Trustee Capulli. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

BILLS: MOTION Trustee Shultz that bills be approved for payment from funds indicated; 2nd Trustee Hollister. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

DEPARTMENTAL REPORTS for April received from Water, Sewer, Bldg., Library & filed. Manager noted Bryant Ave. pump still being worked on and improving.

L.F. DRAPER PETITION referred by Board last meeting to Plan Commission in abeyance at request of Atty. Truninger until amended petition filed. (Later: received 5/14)

BOY SCOUT request to use sound truck for Pancake Day granted on MOTION Trustee Capulli; 2nd Trustee Hollister. Ayes.

PETITION FROM ETTERS IMPROVEMENT CO. requesting variation on setback received. MOTION Trustee Wyatt that this be referred to Zoning Board of Appeals for hearing in accordance with law; 2nd Trustee Kaiser. Ayes. Discussion followed on procedure to be followed in forwarding petitions in future. It was felt these should be forwarded and action ratified by Board next meeting. MOTION Trustee Wyatt that any petition filed that would normally go to the Plan Commission or Zoning Board of Appeals be referred to Village Clerk and Village Manager and if Manager finds them in order with proper fee, etc. they should automatically be referred to proper Board and report thereafter made to this Board; 2nd Trustee Shultz. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

BARRINGTON REALTY CO. SIGN VARIATION: ORDINANCE: MOTION Trustee Capulli to adopt ordinance as presented; 2nd Trustee Kaiser. Roll call-Ayes: Capulli, Shultz, Wyatt, Hollister, Kaiser. Noes: Voss. #1028. Trustee Wyatt explained his 'yes' vote.

FOX VALLEY CONSTR. CORP. SIGN VARIATION PETITION: Zoning Board of Appeals letter of 5-1-68 read. Trustees Shultz and Wyatt were disturbed about the Zoning Board granting so many requests for variations when we have ordinance. Discussion. Atty. Braithwaite quoted from Zoning Ordinance that there is 6 mo. time limit after which petitioner would have to return for another variation. MOTION by Trustee Capulli to defer action until next meeting and that Building Commissioner withhold any enforcement of issue until decision has been made by Board. 2nd Trustee Voss. Roll call-Ayes: Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser. Trustee Wyatt questioned how we get this far before Bldg. Commissioner issues action on a sign? Attorney stated he had been consulted on this by Commissioner. Discussion. Trustee Wyatt felt procedure on this type problem should be clarified. It was suggested that Manager provide some suggestions on this ordinance.

WERD & MAROTTE CO. VARIATION PETITION: Zoning Board of Appeals letter of 5-1-68 read; "...that you grant the petition..." Trustee Shultz noted this contractor had been requested to stop work but continued and letter was requested from him that if he continued working on project it would be at his own risk - he proceeded with work. During discussion Trustee Wyatt emphasized that "stop" orders should be placed on buildings and enforced. MOTION Trustee Wyatt to concur in recommendations of Zoning Board of Appeals on this petition; 2nd Trustee Hollister. Roll call-Ayes:Capulli,Wyatt,Voss,Hollister. Noes:Shultz & Kaiser.

In both above recommendations Zoning Board suggested Village Attorney investigate applicability of a fine per Art.XVIII.Sec.17.08 of Zoning Ordinance.

ORDINANCE ON HUMBRACHT PETITION FOR VARIATION: presented. Discussed by Trustee Shultz as to principle involved in this type of variation. MOTION Trustee Wyatt to adopt ordinance;2nd Trustee Hollister. Roll call-Ayes:Capulli,Wyatt, Voss,Hollister,Kaiser. Noes:Shultz. Atty. Braithwaite stated, for record, that Mr. Humbracht must apply for building permit within six months from passage of ordinance or he will have to reapply for variation to Zoning Board. #1029.

ORDINANCE ON CONSERVATORS OF PEACE: read. President asked that Sec.8 of Code be checked which Attorney did. MOTION Trustee Shultz to adopt ordinance re Conservators of the Peace; 2nd Trustee Hollister. Roll call-Ayes:Capulli,Shultz,Wyatt, Voss,Hollister,Kaiser. #1030.

BARRINGTON PARK DISTRICT ANNEXATION ORDINANCE: MOTION Trustee Capulli to adopt ordinance on the annexation of the Park District property to the Village of 79.6345 acres; 2nd Trustee Hollister.Roll call-Ayes:Capulli,Shultz,Wyatt,Voss. Hollister,Kaiser. #1031.

PICKWICK PLACE ESCROW FUND: Attorney's letter of 5-8-68 discussed; repairs now can be made to streets after which acceptance thereof will be considered.

LAWSUIT: WILLIAM YORK HOMES vs VILLAGE: Judgment order and decree reported as entered 4-26-68 by Judge Edw. Healy for William York Homes, Inc. copies of which had been distributed. Attorney asked Board to stay afterwards to discuss this in executive session tonight. Cost of case summarized in memo from Treasurer.

FEDERAL GRANT APPLICATION FOR IMPROVEMENTS TO SEWAGE TREATMENT PLANT: Trustee Capulli read resolution from last year which it was stated applies to Application for Federal Grant for Sewage Treatment Works under 33USC466 et seq. in amount of \$333,000. MOTION Trustee Capulli to adopt this resolution as of 5/13/68;2nd Trustee Wyatt. Roll call-Ayes:Capulli,Shultz,Wyatt,Voss,Hollister,Kaiser.

STREET SQUARE DANCE: MOTION Trustee Capulli that permission be granted the Broncho Square Dancers to hold street dance Aug.24,1968 on Park Ave. between 8 & 11 P.M.; 2nd Trustee Kaiser. Ayes:Capulli,Shultz,Wyatt,Voss,Hollister,Kaiser.

PERSONNEL: MOTION Trustee Wyatt that Village Manager be and hereby is authorized to employ Edward Karanja as a part time employee from June 1 thru August 31,1968 or for such other time until his internship is completed in accordance with his course requirements and that compensation be \$300. per month, payable semi-monthly, and in accordance with the internal revenue service requirements; 2nd Trustee Capulli. Roll call-Ayes:Capulli,Shultz,Wyatt,Voss,Hollister,Kaiser.

STREET WORK: 1968 street program presented by Manager who stated it would be subject to adjustments and was a guideline. President asked that Oak Rd. be added. Discussion. MOTION Trustee Wyatt that the Village Manager be authorized to employ Consoer, Townsend & Assoc. to prepare plans and specs for the 1968 street program as set forth in memo of 5-9-68 by Manager Heninger and Supt. Johanesen. Discussion. 2nd Trustee Voss. Roll call-Ayes:Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

PHASE 2 HOUGH & MAIN LIGHTS(Traffic): Manager Heninger noted this is \$30,000.job, requested approval to proceed with plans and specs. Discussion. MOTION Trustee Wyatt to authorize Village Manager to retain Consoer, Townsend & Assoc. to prepare plans and specs for phase 2 at Hough & Main Sts. for traffic plans; 2nd Trustee Hollister. Roll call-Ayes:Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

FORD LEASING DEVELOPMENT CO. RESTRICTIONS: Attorney Braithwaite reported on information he received today on restrictions and noted a great amount of time has been devoted to this matter. Information was on plantings, lighting, etc. also that if found necessary in future for any reason anyone in area could take action against this Company without involving the Village of Barrington. Copy of agreement to come in later; building permit has been held up awaiting receipt of restrictions. MOTION Trustee Voss that the proper officers are hereby authorized to issue to Yount Ford Sales, Inc. or Ford Leasing Dev. Co. a building permit if they are advised that restrictions executed by the Ford Leasing Dev. Co. have been received which are acceptable to the Village Manager and Legal Consultant and if all of the other requirements of the Village Code and all sewer and water requirements have been met; 2nd Trustee Wyatt. Roll call-Ayes:Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

SQUADCAR PROPOSALS: Manager Heninger noted that formerly when cars were ordered delivery dates have been far in future; we do not have money now but will after budget approval; if purchase approved now order could be placed and delivery could be authorized. Noted that Grant Motor Sales low bidder. Chief explained two bids. MOTION Trustee Wyatt that the Village Manager be authorized to place order for 2 squadcars with Grant Motor Sales for a net cash difference of \$4595.; 2nd Trustee Hollister. Roll call-Ayes:Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.

ROUND TABLE DISCUSSIONS: TRUSTEE KAISER: MOTIONED to adjourn - withdrawn.  
TRUSTEE HOLLISTER: Suggested Bldg. Commissioner notify Ford Leasing Dev. Co. to be careful about erecting signs so as to avoid variation petitions.  
TRUSTEE VOSS: reminded that previously discussion was had on ordinance to prohibit penants. Also that Manager Heninger intends to attend a four-state conference.  
TRUSTEE WYATT: felt Manager should be commended as he appears on the program for this conference. Atty. Braithwaite suggested attendance be authorized. MOTION Trustee Wyatt that Village Manager be authorized to attend the conference from 5-22-68 thru 5-25-68 at Pheasant Run at Village expense; 2nd Trustee Kaiser. Roll call-Ayes:Capulli, Shultz, Wyatt, Voss, Hollister, Kaiser.  
 It was noted that the proper procedure to follow in order to take official action following executive session was to recess.  
TRUSTEE SHULTZ asked status of 110 E. Station St. parking lot: Manager and Roy Klepper have had 3 additional conferences and they are about to execute contract with Roadhome; Commonwealth Edison has been notified to get the underground work completed and Manager has discussed matter of Phase 2 being in same area and gave his opinion on this; he will write Mr. Millin for his schedule for "110 E. Station St."lot.  
TRUSTEE SHULTZ asked status of improvements around Public Safety Bldg. This will be ready for advertising for bids when budget approved.  
BUDGET HEARING: Manager noted last page of his message asked for a meeting on this and 8 P.M. May 20th was suggested with adjournment of this meeting.

CHAIRS: for Council Chambers to be delivered before next meeting and if electrician gets cables in the microphones may also be ready for that time.

BARTON-ASCHMAN & ASSOC. Manager Heninger reported they have been out on Sundays also checking traffic; he felt Trustees are doing a good job on this and a report will probably be ready in three to four weeks; authorization was given about 60 days ago.

TRUSTEE WYATT: asked status of lights at Eastern & Rte.14. Manager reported funds are requested in Budget, adding State has notified Village that lights at Main & 14 must be updated by next January 1st.

TRUSTEE CAPULLI: MOTION to recess for an executive session.

Harold Roth, 619 Bryant Ave. was granted permission to speak. He stated he is President of the Barrington Home Owners Assoc. and spoke on their behalf on matter of proposed screen planting by Ford Leasing Dev. Co. He stated he did not feel 6 ft. pines satisfactory to people in area; was notified by Attorney that those people have been notified of the restrictions and these items have been worked out; it was suggested Mr. Roth discuss this matter with Village Manager.  
2nd to Motion Trustee Hollister. Recess for 10 minutes. Ayes.

It was announced this was now an executive session for the purpose of discussing pending litigation. Discussion between Attorney and Mr. Crumrine in audience on the whys of this being a closed session. Attorney advised this was permitted under the Scariano Bill. Discussion. Trustees, Manager and Attorney remained for meeting.

MEETING RECONVENED at 10.40 P.M. Trustee Voss stated the question for consideration was whether or not Village should file appeal in connection with the William York Homes, Inc. case. MOTION Trustee Voss that the Attorney be directed to file an appeal in the case of the William York Homes, Inc. problem because of the recent Court action; 2nd Trustee Hollister. Roll call-Ayes:Capulli,Shultz,Wyatt,Voss, Hollister,Kaiser.

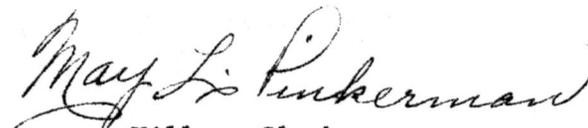
AMBULANCE SERVICE: Trustee Voss asked if it was thought worthwhile to talk with the Palatine ambulance service people to see if an annual type fee program could be set up to be checked off against calls made, etc. Discussion. Manager did not want to think this would be necessary but stated we could not be without this type service. Discussion.

JOINT MEETING: Manager and Attorney have decided there is need for a meeting between Board, Plan Commission and Zoning Board - an educational type meeting very necessary.

TOLLWAY SIGNS: MOTION Trustee Wyatt that Village Manager be authorized to officially request Illinois State Toll Highway Commission to install signs on Northwest Tollway indicating use of #53 to Route 12 for Long Grove, Fox Lake, etc.;2nd Trustee Hollister.

Ayes.

MOTION TO ADJOURN Trustee Wyatt, until 8 P.M. Monday, May 20th, for the purpose of reviewing budget and such other items that may come up/ 2nd Trustee Capulli. Ayes.  
10.45 P.M.

  
Village Clerk

Wyatt  
Copy to each village trustee, clerk, and manager---Mr. Blanke 5/18/68  
Mr. Kuhlman resides at 739 Prospect Ave. in Village. T 1. DU1-3482  
To be appointed by President to Electrical Commission May 27, 1968

PARTNERS

K. W. HAMMING  
E. J. STANKIEWICZ  
E. G. NORELL  
W. R. STEUR  
R. W. PATTERSON  
M. ZAR  
L. E. ACKMANN  
R. N. BERGSTROM  
W. A. CHITTENDEN  
T. D. KOLFLAT  
R. I. GAVIN

CONSULTANTS  
F. W. McCLOSKA  
A. N. ELIASSEN

SARGENT & LUNDY  
ENGINEERS

FOUNDED BY FREDERICK SARGENT-1891  
140 SOUTH DEARBORN STREET  
CHICAGO, ILLINOIS 60603  
TELEPHONE - FINANCIAL 6-7600  
CABLE ADDRESS - SARGLUN-CHICAGO

ASSOCIATES

J. R. ARENA  
C. F. BECK  
R. L. BOYD  
J. A. CHAPIN  
H. B. CLAYTON  
R. E. DALE  
J. A. DONALD  
E. H. FINCH  
G. F. HOVEKE  
G. C. KUHLMAN  
L. B. LEVESCONTE  
S. MAYSTER  
D. C. McCLINTOCK  
J. N. ROLSTON  
R. K. ROWE  
R. F. SCHEIBEL  
L. SKOG, JR.  
H. J. SLAGTER  
L. M. WHITMORE  
E. J. WOLNIAK

May 17, 1968

Mayor John Blanke  
533 Summit Street  
Barrington, Illinois 60010

Dear John:

Please refer to our conversation on Wednesday, May 15, at which time you requested that I volunteer to serve on the Barrington Electrical Code Committee. In accordance with your request, I am listing below a short resumé of myself:

1. Graduate of University of Illinois - 1960  
B.S. Degree - Mechanical Engineering
2. Registered Professional Engineer - State of Illinois
3. Associate in the firm of Sargent & Lundy, Engineers
4. Presently I am engaged as Project Engineer in the design of nuclear electric generating stations.
5. Have been employed at Sargent & Lundy for the past eight years during which time I have been engaged as Project Engineer in the design of electric generating stations.

Yours very truly,



G. C. Kuhlman

/cg

Wyatt

BAUER

RECEIVED

MAY 21 1968

May 20, 1968

VILLAGE OF BARRINGTON

President and Board of Trustees  
Village of Barrington  
Barrington, Illinois

Gentlemen:

I was astonished by the news item appearing in the Barrington Courier Review May 16 and one in the Chicago Tribune, Northwest Metro section, May 19.

It clearly reveals what buffoonery takes place when a village's trustees become so emotionally charged and personally involved that they literally cannot see straight. It is doubtful that even a very inexperienced businessman would commit such gross errors of judgment and questionable expenditures.

I am happy to have won my lawsuit against the Village of Barrington. It was not surprising however, considering that the village trustees blundered into this lawsuit at the urging of trustee J. Frank Wyatt and over the objections and recommendations of their own village attorney and the advice of Mayor John Blanke.

It is noted that the trustees do not accept challenge of their opinions lightly and now the village attorney has quietly departed from the scene. Perhaps he would rather be right than village attorney.

The expenditure for defending this lawsuit on the part of the village is \$3,902.18 as of May.

It breaks down:

Attorney's fees	\$2,746.80
Expert witness	1,080.38
Travel expenses, etc.	
Mayor & Bldg. Comms.	75.00
Total	\$3,902.18

In fairness to the trustees it should be noted that they were extremely diligent and retained not one, but three attorneys for this lawsuit. Mr. Gardner, the village's expert witness received \$1,080.38 for approximately one hours court testimony. I'm curious as to why the trustees retained Mr. Gardner as opposed to a qualified local expert or the village planner, Kincaid, now known as Lawrence and Assoc.?

**BAUER**

My comparable expenses for the litigation and time involved are:

Attorney (one)	\$1,050.00
Expert witness (MAI)	200.00
Total	<u>\$1,250.00</u>

The results of the trial attest to the quality of my representation.

Now the trustees have again been charged and stimulated into another court action. This time they have again unanimously voted to carry their wounds to the Appellate Court. It is apparent to me that this is a face saving gesture. Now, without admitting they were just plain wrong, the trustees and legal advisor have the protection of stating unanimously, no doubt, "No comment on pending litigation" in the fervent hope that in approximately one and a half years, all will be forgiven and forgotten.

My guaranteed attorney's fee for this Appellate action is \$750.00. Would the trustees care to comment on their commitment for attorneys fees? The trustees could review their legal expenses in the recent American Oil Company Appellate action for a guide line even though this appeal was lost by the village.

Over the past several years, I have paid approximately \$5,000 per year in real estate taxes in the Village of Barrington. Presently, when tax obligations are at an all time high the trustees must accept the responsibility of exercising prudence in the expending of taxpayer's funds.

If the village attorney for many years had been retained and his advice heeded, the village treasury would be \$3,902.18 richer, I would have an additional \$1,250.00 and Barrington would have a village attorney.

Gentlemen, let us cease these shenanigans and get on with productive pursuits.

Cordially,

Signed C. F. Bauer

C. F. Bauer  
Rt. 1, Box 330  
Barrington, Illinois  
381-1027

Wyatt  
JK  
MC

VILLAGE OF BARRINGTON  
LIST OF BILLS FOR MEETING MAY 27, 1968

<u>GENERAL</u>			
PAYROLL,	May 16-31, 1968	\$	6,687.16
Andrew J. Bjornberg,	Crsg. Guard May 1-15th		111.78
George D. Nightingale,	" " " "		66.83
Ray H. Schroeder,	" " " "		99.90
Ralph Toppie,	" " " "		59.40
Josephine C. Viverito,	" " " "		133.65
Fred A. Detert,	" " " "		69.67
Walter L. Nagatz,	Janitor May 1-15 \$73.50 PD \$19.50 FD		93.00
Fred A. Detert,	Traffic Control (April) UARCO & AMER. CAN		140.00 *
Alfred O. Belz,	Spec. Police + Tele. Security (April & May)		30.20 *
Wm. N. Conner,	" " " " " " "		32.20 *
Jas. R. Forsberg,	" " (April)		150.00 *
John N. Harris,	" 2 "		14.00 *
Norman F. Johnson,	" " "		104.00 *
Hugh M. McClure, Jr.,	" " 5/11		8.78
D. J. Mittelhauser,	" " "		200.00 *
Aubrey G. Newman,	" " "		28.00 *
Harry F. Pillman,	" " 4/20 & 5/12		36.80 *
Chas. T. Smith,	" " "		52.00 *
Richard L. Smith,	" " 4/21 & 28		10.80
William J. Mehan, Jr.,	Labor May 1-15 SD		352.01
Ray L. Davis,	" " " SD		274.56
Wm. H. Wallace,	" " " SD		156.00
Alexander & Co.,	Insignia PD + Badges PD		232.85
Bgtn. Fire Dept.,	Feb/April Vol. Salaries \$6,209.60 Insp. \$176.00		
	Mtse. of Bldg. 187.00 Supplies \$169.40		6,742.00
Bgtn. Police Dept.,	Petty Cash reimb. \$1.86 Suppl. \$5.40 T&T PD		7.26
Bgtn. Press Newspapers,	2 ads		29.60
Barton Stationers,	Office Supplies PD		23.37
Bgtn. Village of	( Petty Cash Stamps-Cards-Luncheons		47.74
	( " " addtl. allowance		100.00
Commonwealth Edison Co.,	Elect. \$1174.13 SL \$85.67 OL		1,259.80
Consoer, Townsend & Assocs.,	Insp.-Shorely Wood & Wyngate		1,208.88
Cuba Electric Shop,	Air Condition wire hook-up VH		10.00
H. J. Curran Contracting Co.,	Rode-Rite SD		70.50
Robt. deJonge,	San. Engr. (April) PD		80.00
Elgin Paper Co.,	Supplies PD		61.75
Forrest Press,	Incident Reports PD		16.00
Freund Bros. Inc.,	Brake repair FD		16.06
Great Lakes Fire Equip. Co.,	Paint \$171.00 SD Ext. recharges \$8.95 VH		179.95
Grebe Bros. Hdwe. Inc.,	Fire Brooms FD		13.50
Illinois Bell Tele. Co.,	\$26.25 FD \$112.20 TT/PD		138.45
Lucille M. Johnson,	Steno. service ZBA 5/22		15.00
Lageschulte Electric Shop,	Siren service CD		6.50
Metal Lubricants Co.,	Lubriplate SD 1/2		24.06
Putta and Kelsey,	Acct. services Nov/April		68.75
Roth Landscape & Tree Service,	Tree Replacement \$170.00 SD		
	Trimming, Emergency Work & Dumping \$1604.40 SD		1,774.40
Schuster Equipment Co.,	Gutter Broom Kit & Runner SD		95.06
Robt. Szymanski,	VH Janitor 5/8-20		60.00
Traffic Institute, NW Univ.	Laws of Arrest PD		12.74
Verd-A-Ray,	Bulbs \$48.51 M. Bl. P/D \$37.47 PWG SD		85.98
Visi-Flash Rentals, Inc.,	Batteries & Lens SD 1/2		13.37
WGN Flag & Decorating Co.,	Sesquicentennial Flag		19.97
	* Reimbursed to Village.		<u>\$21,324.28</u>

VILLAGE OF BARRINGTON  
LIST OF BILLS FOR MEETING MAY 27, 1968 (cont'd)

G E N E R A L

(Additional Illinois Bell Tele.security services  
4/28/68 - 5/11/68 ) \$ 21,324.28 (brought forward)

Wilson B.Cavender,	\$ 336.00 *
William N.Conner,	18.00 *
James R. Forsberg,	334.00 *
John N. Harris,	62.00 *
Norman F.Johnson,	288.00 *
Phillip J.Lageschulte,	16.00 *
Hugh M.McClure, Jr.,	12.00 *
Aubrey G. Newman,	48.00 *
Harry F.Pillman,	16.00 *
Charles T.Smith	106.00 *
Charles F.Spurr,	60.00 *
Carl E. Thiel,	48.00 *

\* Reimbursed to Village

\_\_\_\_\_ \$ 22,668.28

VILLAGE OF BARRINGTON  
LIST OF BILLS FOR MEETING MAY 27, 1968

<u>WATER and SEWER</u>			
P A Y R O L L,	May 16-31st	\$	1,464.00
Irving Nordmeyer,	Labor May 1-15th		307.13
Harold Jablenski,	" " "		302.40
Albert W. Jurs, Jr.,	" " "		332.66
Frank P. Broviak,	Maint. " "		291.28
R. A. Dittrich,	DP Operator " "		288.00
Walter Morecraft,	" " " 1-14th		251.68
Alvin H. Lohman,	" Relief " 1-15th		287.43
Gerald A. Wann,	" Analyst " "		34.00
Bgtn. Trucking Co.,	DPlt Sludge Removal 5/13		60.00
Bgtn. Village of	Petty Cash reimb. Mtls-Gas-Mtse-Misc.		45.98
Christ Bldg. Material, Inc.,	Clay tile		371.44 ✓
Commonwealth Edison Co.,	Electricity		964.46
Jos. D. Foreman & Co.,	Roadway box		17.09
Metal Lubricants Co.,	Lubriplate ½		24.05
Pump Equipment & Service Co.,	Pump		66.80
Putta and Kelsey,	Acct. services Nov/April		48.12
E. W. Rice,	Repairs		74.00
Shurtleff Paulson & Co.,	Elbows-Sewer Pipe-Cement		47.15 ✓
Testing Service Corp.,	Soil borings-Water Treatment addns. 4 Tests		540.00 ✓
Visi-Flash Rentals, Inc.,	Batteries & Lens ½		13.38
		\$	<u>5,831.05</u>
<u>PARKING LOT FUND</u>			
P A Y R O L L,	May 16-31st	\$	576.50
Ray H. Schroeder,	Crsg. Guard " 1-15th		44.55
Commonwealth Edison Co.,	Electricity		106.82
Duncan Parking Meter Corp.,	Meters		2,541.25 ✓
Putta and Kelsey,	Fund Acct. Nov/April		20.63
Shurtleff Paulson Co.,	Spruce-Cement		14.96
		\$	<u>3,304.71</u>
<u>REFUSE &amp; GARBAGE DISPOSAL FUND</u>			
P A Y R O L L,	May 16-31st	\$	209.25
Bgtn. Trucking Co.,	Rubbish Removal 1st 1/2 May		1,600.00
		\$	<u>1,809.25</u>
<u>MOTOR FUEL TAX FUND</u>			
Commonwealth Edison Co.,	Traffic lighting	\$	52.30
Cuba Electric Shop,	Flasher Light change		10.00
		\$	<u>62.30</u>
		\$	<u><u>33,675.59</u></u>

The Treasurer is hereby authorized to pay the foregoing items from the Funds indicated.

\_\_\_\_\_  
 Village President.

\_\_\_\_\_  
 Deputy Clerk

Wyatt

STENOGRAPHIC REPORT of a Public Hearing held before the Zoning Board of Appeals of the Village of Barrington, in the Council Chambers, on May 22, 1968, at 8:30 PM, on the petition of Koenig & Sprey, Inc., as advertised in the local newspaper.

## MEMBERS PRESENT:

Arnett C. Lines, Secretary  
Henry Lipofsky  
F. H. Beinhoff  
Edwin B. Seegers

MR. LINES: I make a motion that Mr. Seegers be the Chairman pro-tem for tonight, seconded by Lipofsky - all Ayes.

MR. SEEGERS: Mr. Lines will you please read the petition. (Koenig & Sprey Inc. asks for a variation in the sign ordinance to erect a sign eight by sixteen feet on the premises of its development in Shorley Wood Subdivision in the triangle plot east of North Hough Street between the E. J. & E. Railroad and Northwest Highway at the south end of Willow Road across from Jewel Park.)

MR. SEEGERS: Because we have an unusual large audience I would assume we are going to have some public comment about the sign proposed by Shorley Woods. I would first like to ask for comment from the public, if the Board concurs.

Mr. John Hamill, 240 Elm Road, Barrington, was sworn in.

MR. HAMILL: I live at the north end of Willow Road as it comes into Jewel Park, which is immediately across from where the previous sign was erected. As I understand the new sign would remain at this spot, we of Jewel Park, are concerned about several things. We do not think it was very attractive, the fact that the sign actually faced Jewel Park and was very noticeable by those coming out of Jewel Park is objectionable. It would seem to us that the sign is not doing much good for the subdivision if it is not facing the highway. We hope it is possible for the sign to be moved either east or west and not stand directly in front of the entrance to Jewel Park and be a little more attractive, colorwise and style. I have a petition signed by over hundred people in Jewel Park objecting to this sign, which has been presented to the Village.

MR. BLANKE: I do not know of such a petition.

MR. SEEGERS: The petition was directed to Mr. Leedstrom, the Building Commissioner. He in turn passed it on to the Village Board.

MR. HAMILL: I have a copy of this petition with me and if any of you want to see it, I will be happy to show it to you. The original is in the Village files.

MR. LIPOFSKY: I think we are going at this in a backward manner. We should hear the petitioner present his case first.

Mr. Tom Sprey of Sprey Reality was sworn in.

MR. SPREY: I concur with everything this gentleman has said. We ordered this sign, had it put up, it was offensive to us and we did not pay for it. It was cut down before we had a chance to take it down, so now the insurance covers it and will help pay for the new sign to be put up. I think when we finish our project it will be an asset to the Village. Everything was wrong about the sign, the colors, the size, we would like to move it a good 60 ft. away from Willow Street. We have sold a town house to someone from Jewel Park and we have sold

several others. We do not want to jeopardize our situation or bring wrath from those in Jewel Park. I will show you a picture of the sign, the colors will be changed and it will be of Williamsburg design, located further east on our property and will be attractive for us as much as for anyone else.

MR. SEEGER: You are asking for a variation for the size of the sign, not in connection with the location?

MR. SPREY: Yes. We were not aware that there was a Village Ordinance in connection with signs as to types and size. We realize they can be placed legally on our premises where we may desire.

MR. HAMILL: Our objections are that we do not like the looks of the sign, that it faces north rather than east and west and its location at the entrance to Jewel Park. We realize a project of this kind must be advertised and we were not so much concerned with the size.

MR. LIPOFSKY: We can tell you what size sign to put up, but not the color or location.

MR. SPREY: We will be happy to rectify all three phases, if we are granted the variation for the size, we will conform to moving it and changing its colors on a gentlemen's type of agreement.

MR. BEINHOF: You are asking for a larger sign than is permitted on residential property according to our ordinance.

MR. SEEGER: Should your request for the size be granted, it would be difficult for us to do more than that. We cannot limit it to a specific style or location, but it may influence the Board's thinking, if you can tell us exactly what you propose to erect.

MR. SPREY: I hope to act on good faith. When I know what size sign I can erect, then I can submit a description and design. The type of lettering will be the same, the colors will be in golds and browns in Williamsburg design.

MR. BEINHOF: How long do you expect to have this sign up?

MR. SPREY: About ten or eleven months. The sign will be up only until our project is completed and sold. We anticipated eighteen months, but the market has been so good, we feel if we can get them built they might all be sold in ten months. For the size of our subdivision a sign 8 x 16 ft. is not large, some have 10 x 20 ft. Whatever the Board would like us to do we would be happy to do. We would like this variation granted as soon as possible and if you want to put a time clause in it, as to how long it should remain up, we will be so governed.

MR. SEEGER: If the sign is not located directly opposite Willow Road and is turned to face east or west, would this satisfy your people, Mr. Hamill?

MR. HAMILL: We were against location and design. If this is changed I think we have gone a long way in correcting any objections we have.

MR. LIPOFSKY: I would personally think a larger sign would be a safety factor, since those driving on the highway would be able to see it better and not cause any accidents.

MR. SEEGER: Any other comments? We are an advisory body and we will discuss the matter and make our recommendation to the Village Board and will hope that they will follow our recommendations. Thank you very much. The Village Board meets next Monday night.

Arnett C. Lines  
126 West Lake Street  
Barrington, Illinois 60010

*Wyatt*  
RECEIVED  
MAY 24 1968  
VILLAGE OF BARRINGTON

May 22, 1968 *OK*

Honorable President and Trustees  
Village of Barrington, Illinois

Gentlemen:

Your Zoning Board of Appeals heard the petition and pleas at a public hearing of Koenig & Strey, Inc., developer of Shorley Wood, for a sign at their subdivision on Northwest Highway Route 14.

By unanimous vote we recommend that you grant the petition for the 16 x 8 foot sign as asked for. However, there are four suggestions we offer: that the sign be placed perpendicular or at right angle to the Northwest Highway; that it be located away from Willow Road in Jewel Park; that it be of suitable Williamsburg style as proposed by the petitioner; that the place in which it be located do not create a traffic hazard.

*16x8*  
*OK*  
*OK*  
*OK*

*Approved by Cheryl Salice*

Respectfully submitted,

*Arnett C. Lines*  
Zoning Board of Appeals  
Arnett C. Lines, Secretary

*Tom Stray*

*Can specify matters.*

*c Pres  
to Trustees  
V. mgr.  
de Jonge file*

*Wyatt*

RECEIVED

MAY 15 1968

VILLAGE OF BARRINGTON

Village President and  
Board of Trustees  
Barrington, Illinois

May 14, 1968

Gentlemen:-

During the month of April 1968, a total of 24 inspections were made in the Village of Barrington. These were both food handling and nuisance complaint inspections. Following is a statement of time worked:-

April 6, 1968-----	20.00
April 13, 1968-----	20.00
April 20, 1968-----	20.00
April 27, 1968-----@ \$20.00 per day-----	<u>20.00</u>
Total-----	\$80.00

Sincerely Yours

*Robert de Jonge*  
Robert de Jonge  
Sanitary Engineer  
604 S. George Street  
Mt. Prospect, Illinois

J. J. W

INTEROFFICE MEMO

DATE 5/20/68

TO: President and Board of Trustees  
FROM: R. D. Heninger, Village Manager  
SUBJECT: Parking Meter Control

"INFORMATIONAL"

I have approved the following request from Chief Muscarello:  
Remove first meter on west side of Cook Street immediately south of Station Street to eliminate serious traffic hazard when turning corner.

Erect no parking signs on Applebee Street directly behind first lot west of theatre in order to control parking in this area.

This memo is for your file and information.

*R. D. Heninger*  
R. D. Heninger

RDH:hj

*Mr. Kyatt*

INTEROFFICE MEMO

DATE 5/18/68

TO: President and Board of Trustees  
FROM: R. D. Heninger, Village Manager  
SUBJECT: 1968 Street Maintenance Program

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I previously distributed a copy of the subject mentioned program prepared by the Superintendent of Public Works. In order that your desires can be considered and evaluated, will you please examine this program and then forward your recommendations to my office.

Because of the present condition of many of our streets and the limited funds available, I may have to call on you gentlemen for assistance in establishing an acceptable program.

*R. D. Heninger*  
R. D. Heninger

RDH:hj

INTEROFFICE MEMO

*Mr. Hyatt*

DATE 5/18/68

TO: President and Board of Trustees  
FROM: R. D. Heninger, Village Manager  
SUBJECT: East Station Street Parking Lot.

*OK*

Two meetings were held on Friday, May 17, 1968, at the First National Bank. I am happy to report the contract was executed with Commonwealth Edison Company and work should begin on underground power locations within ten days.

Because of the large amount of property owners involved, this has been a long delayed, troublesome project. Prices have changed and new routes established.

Therefore, I respectfully request a motion authorizing the Village Manager to execute a contract with Commonwealth Edison Company in the amount of \$862.00 to cover the additional costs in cable route, additional cable, trenching and material.

*R. D. Heninger*  
R. D. Heninger

RDH:hj

CLASS TITLE: Account Clerk I

CHARACTERISTICS OF THE CLASS:

Under immediate supervision, does clerical work of average difficulty involved in the keeping or reviewing of financial or statistical records; and does related work as required.

EXAMPLES OF DUTIES:

Tabulates and proofreads statistical or financial data; posts checks, balances and adjusts routine accounts; schedules, indexes and files bills, vouchers, documents, and other papers; makes arithmetical calculations and checks various statistical or accounting tables and reports; assists counter customers and collects money for Village services; assists in the preparation of accounting or statistical reports; assists in the processing of tax billings, types and mails bills and posts paid bills.

DESIRABLE MINIMUM QUALIFICATIONS:

Training and Experience: Graduation from high school supplemented by at least two years of progressively responsible clerical experience, one year of which should have been in the performance of duties involving mathematical computations; or an equivalent combination of training and experience.

Knowledge, Abilities and Skills: Some knowledge of modern office procedure; some knowledge of routine office machine operation; some knowledge of business mathematics and English.

Ability to keep routine records and make reports; ability to work with and for the general public; ability to follow written and oral instructions.

Skill in business mathematics, especially as applied to posting of accounts; skill in the operation of a typewriter.

INTEROFFICE MEMO

DATE 5/13/68

TO: President and Board of Trustees  
FROM: R. D. Heninger, Village Manager  
SUBJECT: Four State Conference - City Manager

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*OR*  
*me*

You will note on the list of bills a request from me for funds to cover subject mentioned conference on May 22, 23, 24 and 25, 1968.

This year Illinois is the **host** state and we are holding our conference at Pheasant Run with a very impressive program.

The writer is scheduled to appear on two panels as follows:

"The City Manager and the Community".

"Partners for Urban Progress".

Your cooperation in this matter is respectfully requested and certainly appreciated.

*R. D. Heninger*  
R. D. Heninger

RDH:hj

*Comment re Heninger.*

*Appeal be authorized.*

*Precedent established  
large. may recomm. enforce. over ordinance.*

# INTEROFFICE MEMO

DATE 5/13/68

TO: President and Board (Personal & Confidential)  
FROM: R. D. Heninger, Village Manager  
SUBJECT: Salary - Village Manager

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You will note in the budget document I have only requested a five hundred dollar increase, from \$12,500.00 to \$13,000.00. It is my intent to be reasonable but yet honest with myself and to respect the Village's economic position of what can be afforded in maximum salaries. In making this request, I am choosing the end results as a goal and not the means. Therefore, it would be appreciated if you gentlemen would examine this request with open mindedness, constructive criticism and make any change deemed desirable in order to arrive at a fair and satisfactory compensatory program.

The effective date of adjusted salary is subject to Board action. I do thank you for your excellent cooperation and support and it is my fervent wish that together, we can contribute to a better life for our citizens.

*R. D. Heninger*  
R. D. Heninger

RDH:hj

RAYMOND G. FLOOD, President  
EARL KANE, JR., Director  
WALTER KRUMREY, Director

C. NAFFZIGER, Vice-President  
L. A. NORDHAUSEN, Secretary  
RICHARD WARFIELD, Director

RICHARD JENKINS, Treasurer  
WILLIAM DUNCAN, Director  
LYLE MATTHEWS, Director

## LAKE COUNTY FAIR ASSOCIATION

Office Phone Area Code 312 223-8554

GRAYSLAKE, ILLINOIS

MAY 4, 1968

*Mr. Heringer  
see me on this — paper*

Dear Sir:

The Lake County Fair Association is working with the Lake County Sesquicentennial Committee in planning a county-wide extravaganza program for July 24, 1968, to commemorate the 150 years of Illinois Statehood.

This celebration will be held on the Lake County Fair Grounds, The Fair Grounds is located at the Northwest corner of the intersection of Routes 120 and 45.

There will be many activities for the day.

1. "Make Her Wilderness Like Eden", a two-act play written by Christian H. Moe. This play is one of the State winners, written for the Sesquicentennial contest. There will be two performances (3:00 P.M. & 8:00 P.M.). There will be no admission to see the play; however, there will be admission to the Fair Grounds only, with no parking charge for cars.
2. Miss Lake County Sesquicentennial Fair Queen will be crowned in the evening between acts.
3. The Lake County Fair Association will be host to the supervisors, mayors of Lake County, presidents of villages, Farm Bureau Board, Home Bureau Board, the Extension Service Council.
4. The finalist of the Queen Contest will be hostess for the evening.
5. The Great Lakes Naval Band will play a concert on the evening of the 24th.

RAYMOND G. FLOOD, President  
EARL KANE, JR., Director  
WALTER KRUMREY, Director

C. NAFFZIGER, Vice-President  
L. A. NORDHAUSEN, Secretary  
RICHARD WARFIELD, Director

RICHARD JENKINS, Treasurer  
WILLIAM DUNCAN, Director  
LYLE MATTHEWS, Director

## LAKE COUNTY FAIR ASSOCIATION

Office Phone Area Code 312 223-8554  
GRAYSLAKE, ILLINOIS

The producing and staging of this play will be an expensive project to the Lake County Fair Association. It has been suggested that the cities, towns or villages might like to be a part of this county-wide event.

We are therefore writing you as Mayor or President of your respective organization for help to underwrite this program to the amount of \$25.00 to \$50.00, according to the population, or whatever would be your pleasure. Please make the check payable to the Lake County Fair Sesquicentennial Committee.

Thanking you for your favorable consideration, we are

Sincerely yours,

Lake County Fair Association

Raymond G. Flood, President

L.A. Nordhausen, Secretary  
General Manager

BY L.A. Nordhausen

LAN.d

INTEROFFICE MEMO

DATE 5/16/68

TO: President and Board of Trustees  
FROM: R. D. Heninger, Village Manager  
SUBJECT: Request of Funds - Lake County Fair Association

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The copy of a letter received from subject mentioned Association is self-explanatory and would require Board action if you wish to make a contribution in accordance with the last paragraph.

If any Trustee wishes this item to appear on the Agenda, please notify my office or you may handle by a motion at any Board meeting.

*R. D. Heninger*  
R. D. Heninger  
Village Manager

RDH:hj  
Encl.

JOHN H. D. BLANKE  
President

MAY L. PINKERMAN  
Village Clerk

R. D. HENINGER  
Village Manager

BERNARD J. ZELSDORF  
Finance Director

# Village of Barrington

COOK AND LAKE COUNTIES, ILLINOIS

206 South Hough Street

Barrington, Illinois 60010

Phone 381-2141 (Area Code 312)



*Mr. Wyatt*  
Board of Trustees

DAVID R. CAPULLI  
PAUL J. SHULTZ  
J. FRANK WYATT  
FREDERICK J. VOSS  
JAMES F. HOLLISTER  
MARVIN M. KAISER

May 21, 1968

Mr. Ed Gieske  
Barrington Launderers and Cleaners  
209 E. Station Street  
Barrington, Illinois 60010

Dear Mr. Gieske:

In reply to your letter of April 15, 1968, I am transmitting a copy of my response to your use of water from our engineers.

I call your attention to paragraph five requesting certain information. If you can furnish me statistical proof or verification of water losses, consistent with audits, I then might be in a position to evaluate your problem. As of this writing I am at a loss to find any condition in a retail business establishment that would warrant a special rate.

You do have my personal sympathy but from Mr. Johnson's letter I trust you can also recognize the position I am in.

Sincerely yours,

*R. D. Heninger*  
R. D. Heninger  
Village Manager

RDH:hj  
cc: President and Board  
of Trustees  
cc: Attorney Braithwaite  
cc: Village Clerk

COPY

Mr. R. D. Heninger  
Village Manager  
Village Hall  
206 So. Hough St.  
Barrington, Ill. 60010

May 20, 1968

Dear Mr. Heninger:

Thank you for seeing me in your office on Tuesday, May 14, 1968, in regard to your letter of April 24, 1968, pertaining to Barrington Launderers.

To my knowledge, we have never been requested to compute evaporation losses, or other water losses, in a laundry operation, with a particular determination of metered water not returned to the sewer system. We know of no single instance where a municipality has made a special sewer rate for such an operation.

There are several instances when new sewer rates have been established by appropriate ordinance where a survey has been conducted by the City Water Superintendent and the owner and a determination made, either on a fixed volume basis or on a percentage basis, of metered water volume that is tributary to the sanitary sewer system only.

Barrington Launderers and Cleaners, in their letter of April 15, 1968, raise two questions, as follows:

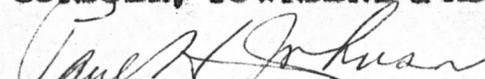
1. Volume of metered water not returned to the sanitary sewer system (evaporation loss)
2. Sewer rate double water rate.

We suggest that Mr. Ed Gieski be requested to furnish information as to the amount of water losses or the volume of water actually returned to the sewer system.

Sewer rates were established to produce an annual income necessary to operate and maintain the new facilities and to finance \$800,000 of new 5%, 30-year revenue bonds. In order to produce such an annual income, it has been necessary to establish a sewer rate that is equal to the water rate (not double the water rate).

We definitely are opposed to any modification of sewer rates established in Ordinance 1003.

Very truly yours,  
CONSOER, TOWNSEND & ASSOCIATES

  
Paul H. Johnson

PHJ:eh  
3 cc: Addressee

A G E N D A for Village Board Regular Meeting on May 13, 1968

\*\*\*\*\*

- ✓1 Roll Call at 8:00 P.M. ✓
- ✓2 Approval of Minutes of April 22, 1968 Meeting ✓
- ✓3- Inquiries from the Audience ✓
  
- 4 Village President Reports:
  - ✓A. Proclamation of Poppy Day, Thursday, May 23, 1968 ✓
  - ✓B. Re-Appointment of Village Treasurer by President ✓
  - ✓C. Re-Appointment of Chief of Police by President ✓
  - ✓D. President's Appointments to Electrical Commission -
  - ✓E. Cost Report on York Homes Versus Barrington Case
  - ✓F. Status Report on William Panker Liquor License Request  
*Sales tax 16, 545, 44 Fed.*
- 5 Village Clerk Reports:
  - ✓A. Licenses and Permits Issued in Last Four Years ✓
- 6 Village Treasurer Reports:
  - ✓A. Parking Meter Collections in April---\$5,022.05
  - ✓B. First National Bank Statement May 6---\$50 Million
  - ✓C. Request for Increase in Petty Cash Fund
  - ✓D. List of Bills for Approval by Board
- 7 Department Reports:
  - ✓A. Sewage, Water, Buildings, Health, Library
- 8 Petitions and Requests:
  - ✓A. Status Report on Draper Re-Zoning Petition Filed 4/22 *+ (Amended petition to come in)*
  - ✓B. Boy Scout Troop 21 Sound Truck for Pancake Day May 18
  - ✓C. Etters Improvement Petition for Setback Variation
- 9 Board of Appeals (Zoning) Reports:
  - ✓A. Village Board Action on Walbaum Sign Variation
  - ✓B. Recommendation on Fox Valley Request for Sign Variation
  - ✓C. Werd and Marotte Petition for Building Line Setback
- 10 Ordinances and Other Legals:
  - ✓A. Granting of Setback Variation for Humbracht Home
  - ✓B. Variation for Sign Setback for Barrington Realty
  - ✓C. Ordinance Relating to Conservators of Peace
  - ✓D. Annexation of Park District Property---Ordinance?
  - ✓E. Release of Pickwick Place Escrow Funds to Village
  - ✓F. Court Order on York Homes Versus Barrington Case
- 11 Village Manager Reports:
  - ✓A. Resolution to Federal Office on Waste Water Project
  - ✓B. Permission to Hold Square Dance on Village Street
  - ✓C. Employment of Research Student from DeKalb
  - ✓D. Authorize Engineers to Prepare Street Repair Project
  - ✓E. Approval to Prepare Hough-Main Phase II Traffic Plans
  - ✓F.
- 12 Round the Table Topics
- 13 Other Topics Not Listed; and Adjournment

*Received*  
Zoning Board of Appeals Public Hearing  
Shoreley Woods Sign Variation  
May 22, 1968 at 8:00 P.M.

*John H. Blank*  
Village President  
Village Manager  
Village Clerk

FW

WILLIAM YORK - BAUER case  
Expense to April 30, 1968

DiLEONARDI & HOFERT

Date	Amount
6/67	\$ 495.20
10/10/67	584.75
2/27/68	641.85
5/2/68	<u>315.00</u>

\$ 2,036.80

DONALD J. KREGER

11/13/66	\$ 350.00
11/29/66	<u>60.00</u>

\$ 410.00

CARL L. GARDNER & ASSOCS. INC.

2/26/68	\$1,080.38
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\$ 1,080.38

J. W. BRAITHWAITE

4/22/68	\$ 300.00
---------	-----------

\$ 300.00

VILLAGE PRESIDENT and  
BUILDING COMMISSIONER

Transportation and meals (estimated)

\$ 75.00

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\$ 3,902.18

# License Summary Report for 1967<sup>+</sup>

(4-22-68)

JFW

	1964	1965	1966	1967
Passenger tags (incl. replace)	2487	2675	2811	2948
Truck " " "	289	341	361	353
Dealers "	63	65	58	60
Bus	35	34	23 15NC	24
Taxi stickers " "	16 (10)	10	17 (10)	15 (10)
Motorcycles + Scooters	9	29	29	37
Dogs	278	302	353	381
Food Dealers (stores + Rest.)	73	70	66	66
Vending Machines (Food-Bov.)	55	54	54	58
Liquor	6	6	6	6
Taxi Licenses	OWNER CHANGE 16 (10)	10	OWNER CHANGE 15 (10)	10
Chauffeurs	22	24	17	23
Motel	1	1	1	1
Bowling Alley	1	1	1	1
Billiards	1	1	1	1
United Motor Coach	1	1	1	1
Fireworks	0	1	1	1
Circus	0	0	1	0
Tree Trimmers	8	8	6	4
Solitons/Handbills/etc.	37	18	8	19
Going Out of Business	0	0	0	ACE - 1
Sidewalk/Dime/etc	52	23	16	6
Building Permits	177	201	228	259

Water + Sewer ofc as of 4/20/54 = 1440  
 " " " " " 4/5/68 = 2446

Refuse + Garbage ofc as of 9/1/59 = 1295 (TOTAL)  
 " " " " " 4/22/68 = 1841 { " }

May L. Pickerman  
 Village Clerk

President and  
Board of Trustees

May 10, 1968

200  
Due to the increased use of the petty cash fund it is requested  
that the amount be raised \$100.00. It can be accomplished by  
motion as was done when the Refuse and Garbage petty cash account  
was established in December 1960.

*B. J. Zelsdorf*

B. J. Zelsdorf, Treasurer