







### PART X

# ZONING REGULATIONS For CHICAGO-O'HARE INTERNATIONAL AIRPORT

ZONING PROVISIONS REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY, IN THE VICINITY OF THE CHICAGO-O'HARE INTERNATIONAL AIRPORT BY CREATING AIRPORT APPROACH ZONES, TRANSITION ZONES, HORIZONTAL ZONES AND CONICAL ZONE, AND ESTABLISHING THE BOUNDARIES THEREOF: PROVIDING FOR CHANGES IN THE RESTRICTIONS AND BOUNDARIES OF SUCH ZONES: DEFINING CERTAIN TERMS USED HEREIN; REFERRING TO THE CHICAGO-O'HARE INTERNATIONAL AIRPORT APPROACH PLAN AND ZONING MAP WHICH IS INCORPORATED IN AND MADE A PART OF THIS REGULATION; PROVIDING FOR ENFORCEMENT; AND IMPOSING PENALTIES IN THE INTEREST OF PUBLIC SAFETY AND WELFARE,

TRANSPORTATION CENTER
These zoning regulations are adopted at the request of the City of ANY

Chicago, a municipal corporation of the State of Illinois, as owner and operator of Chicago-O'Hare International Airport, pursuant WESTERN UNIVERSITY to the authority conferred by an Act entitled "An Act Relating to Airport Zoning" as approved July 17, 1945, as amended by acts approved July 9, 1951 and August 8, 1961. It is hereby found that within the zones hereinafter described an airport hazard area exists in connection with the maintenance and operation of Chicago-O'Hare International Firport and, if of the obstruction type, in effect reduces the size of the area available for the landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of Chicago-O'Hare International Airport and the public investment therein. Accordingly, it is declared: (1) that the creation or establishment of an airport hazard is a public nuisance and an injury to the region served by Chicago-O'Hare International Airport; (2) that it is necessary in the interest of the public health, public safety and general welfare that the creation or establishment

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of airport hazards be prevented, and; (3) that the prevention of these hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

IT IS HEREBY DETERMINED BY THE DEPARTMENT OF AERONAUTICS, STATE OF ILLINOIS: that the zoning regulations for Chicago-O'Hare
International Airport be adopted as follows:

### SECTION 10. 1: SHORT TITLE

These zoning regulations shall be known and may be cited as "Chicago-O'Hare International Airport Zoning Regulations."

### SECTION 10.2: DEFINITIONS

As used in these zoning regulations, unless the context otherwise requires:

(1) "Airport" - means Chicago-O'Hare International Airport,
located in Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 20,
Township 40 North, Range 12 East of the Third Principal
Meridian, in Cook County, Illinois; Sections 25, 35, 36,
Township 41 North, Range 11 East of the Third Principal
Meridian in Cook County, Illinois; Sections 30, 31, 32,
Township 41 North, Range 12 East of the Third Principal
Meridian, in Cook County, Illinois; and Sections 1, 12,
13, Township 40 North, Range 11 East of the Third Principal
Meridian in DuPage County, Illinois;

- (2) "Airport Elevation" means the established elevation of the highest point on the usable landing area; the established airport elevation shall be 667 feet above mean sea level.
- (3) "Airport Hazard" means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking-off at the airport or is otherwise hazardous to such landing or taking-off of aircraft or to the area surrounding the airport.
- (4) "Airport Reference Point" means the point established as the approximate geographic center of the airport landing area and so designated.
- (5) "Alteration" means any construction which would result in a change in height or lateral dimensions of an existing structure.
- (6) "Construction" means the erection or alteration of any structure either of a permanent or temporary character.
- (7) "Department" means the Department of Aeronautics of the State of Illinois.
- (8) "Height" means the over-all height of the top of a structure including any appurtenance installed thereon, the city datum is the datum of the City of Chicago which shall be 579. 9 feet above mean sea level elevation unless otherwise specified.

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- (9) "Instrument Runway" means a runway equipped or having the potential of being equipped with electronic or visual air navigation aids adequate to permit the landing of aircraft under restricted visibility conditions.
- (10) "Landing Area" means the area of the Airport used for the landing, taking-off or taxiing of aircraft.
- (11) "Non-Conforming Use" means any structure, tree, or use of land which is lawfully in existence at the time these zoning regulations or an amendment thereto becomes effective and does not then meet the requirements of said regulation.
- (12) "Non-Instrument Runway" means a runway other than an instrument runway.
- (13) "Permit" means a permit issued by an affected political subdivision where referred to herein.
- (14) "Person" means an individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.
- (15) "Political Subdivision" means any municipality, city, incorporated town, village, county, township, district or authority, or any combination of two or more thereof situated

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- in whole or in part within any of the zones established by Sections 10,3 and 10,5 hereof.
- (16) "Runway" means the paved surface of an airport landing strip.
- (17) "Slope Ratio" means a numerical expression of a stated relationship of height to horizontal distance, e.g., 1 to 100 means one foot vertically for each one hundred feet of horizontal distance.
- (18) "State" means the State of Illinois.
- (19) "Structure" means any form of construction or apparatus of a permanent or temporary character, including any implements or material used in the erection, alteration, or repair of such structure, including but without limitation, buildings, towers, smokestacks, and overhead transmission lines.
- (20) "Tree" means any object of natural growth.
- (21) "Variance" means a grant of relief by the Department from the requirements of these zoning regulations, in accordance with Section 10, 10.

### SECTION 10.3: ZONES

In order to carry out the provisions of these zoning regulations, there are hereby created and established certain zones which include  $\mathcal{H}^{p,p} = \{ (a,b,b) \mid a \in \mathcal{A}^{p} \}$  (i.e.,  $\mathcal{A}^{p,p} = \mathcal{H}^{p,p}$ 

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all of the land lying within the Instrument Approach Zones, Non-Instrument Approach Zones, Transition Zones, Horizontal Zones and Conical Zones.

Such areas and zones are shown on the Chicago-O'Hare International Airport Approach Plan and Zoning Map consisting of one (1) sheet, prepared by the Department of Aeronautics, and dated December 16th, 1964 (Revision 1 to O'Hare Field Airport Approach Plan) which is attached to these zoning regulations and made a part thereof, and referred to hereinafter as the zoning map. The various zones are hereby established and defined as follows:

- (1) INSTRUMENT APPROACH ZONE an instrument approach zone is hereby established at each end of each instrument runway for instrument landings and take-offs. The justrument approach zones shall have a width of 1000 feet at a point 200 feet from the end of the runway widening thereafter uniformly to a width of 16,000 feet at a distance of 50,200 feet from the end of the runway, its centerline being the continuation of the centerline of the runway.
- (2) NON-INSTRUMENT APPROACH ZONE a non-instrument approach zone is hereby established at each end of each non-instrument runway for non-instrument landings and take-offs.

  The non-instrument approach zone shall have a width of 1000 feet at a point 200 feet from the end of the runway widening thereafter uniformly to a width of 4000 feet at a distance of 10, 200 feet from the end of the runway, its centerline being

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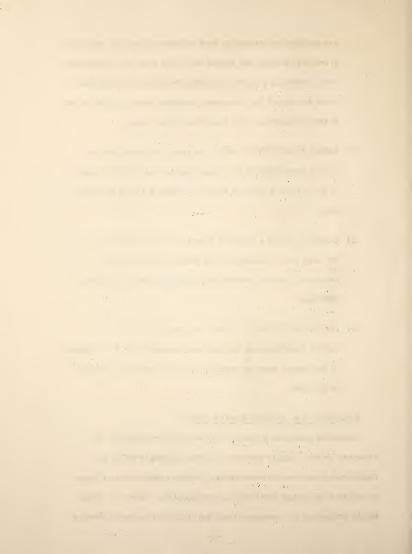
- the continuation of the centerline of the runway.
- (3) TRANSITION ZONES transition zones are hereby established adjacent to each instrument and non-instrument runway and approach zone as indicated on the zoning map. Transition zones located normal to and at the elevation of the centerline of instrument and non-instrument runways, have variable widths as shown on the zoning map. Transition zones extend outward from a line 500 feet normal to and at the elevation of the centerline of the non-instrument runway, for the length of such runway plus 200 feet on each end; and 500 feet normal to and at the elevation of the centerline of the instrument runway, for the length of such runway plus 200 feet on each end, and are parallel and level with such runway centerlines. The transition zones along such runways slope upward and outward one (1) foot vertically for each seven (7) feet horizontally to the point where they intersect the surface of the inner horizontal zone. Further, transition zones are established adjacent to both instrument and non-instrument approach zones, having variable widths, as shown on the zoning map. Such transition zones flare symmetrically with either side of the runway approach zones from the base of such zones and slope upward and outward at the rate of one (1) foot vertically for each seven (7) foot horizontally to the points where they intersect the surface of the inner horizontal zone. . Additionally, transition zones

e e e \$ 15 g . . are established adjacent to each instrument approach zone where it projects through and beyond the limits of the outer horizontal zone, extending a distance of 5000 feet measured horizontally from the edge of the instrument approach zones at right angles to the continuation of the centerline of the runway.

- (4) INNER HORIZONTAL ZONE an inner horizontal zone is hereby established as the area within a circle with its center at the Airport Reference Point and having a radius of 20, 200 feet.
- (5) CONICAL ZONE a conical zone is hereby established as the area that commences at the periphery of the inner horizontal zone and extends outward therefrom a distance of 8000 feet.
- (6) QUTER HORIZONTAL ZONE an outer horizontal zone is hereby established as the area that commences at the periphery of the conical zone and extends outward therefrom a distance of 6000 feet.

### SECTION 10.4: HEIGHT LIMITATIONS

Except as otherwise provided in these zoning regulations, no structure or tree shall be erected, altered, allowed to grow, or maintained in any zone created by these zoning regulations to a height in excess of the height limit herein established for such zone. Such height limitations are computed from the established airport elevation



and are hereby established for each of the zones in question as follows:

- (1) INSTRUMENT APPROACH ZONE One (1) foot in height for each sixty (60) feet in horizontal distance beginning at a point 200 feet from the end of the instrument runway and extending to the distance of 10,200 feet from the end of the runway; thence one (1) foot in height for each fifty (50) feet in horizontal distance to a point 50,200 feet from the end of the runway.
- (2) NON-INSTRUMENT APPROACH ZONE One (1) foot in height for each fifty (50) feet in horizontal distance beginning at a point 200 feet from the end of the non-instrument runway and extending to a point 10, 200 feet from the end of the runway.
- (3) TRANSITION ZONES One (1) foot in height for each seven (7) feet in horizontal distance beginning at a point 500 feet normal to and at the elevation of the centerline of non-instrument runways, extending 200 feet beyond each end thereof and 500 feet normal to and at the elevation of the centerline of the instrument runway, extending 200 feet beyond each end thereof, extending upward to a maximum height of 150 feet above the established airport elevation which is + 237.1 feet above city datum. In addition to the foregoing, there are established height limits of one (1) foot vertical height for each seven (7) feet horizontal distance measured from the edges

of all approach zones and extending upward and outward to the points where they intersect the inner horizontal surface. Further, where the instrument approach surface projects through and beyond the outer horizontal zone, a height limit at the rate of one (1) additional foot for each seven (7) feet of horizontal distance shall be maintained beginning at the edge of the instrument approach zone and extending a distance of 5000 feet from the edge of the instrument approach zone measured normal to the continuation of the centerline of the runway extended.

- (4) INNER HORIZONTAL ZONE Thirty-five (35) feet above the established airport elevation which is + 122. I feet above city datum, measured at the periphery of Chicago-O'Hare International Airport, thence extending upward and outward at the rate of one (1) additional foot in height for each sixty (60) feet in horizontal distance to a height of one-hundred-fifty (150) feet above the established airport elevation which is + 237. I feet ab ove city datum, which height is then constant to the outer end of the inner horizontal zone.
- (5) CONICAL ZONE One (1) foot in height for each forty (40) feet of horizontal distance beginning at the periphery of the inner horizintal zone and at the elevation established therein, extending to a height of 350 feet above the established airport elevation which is + 437.1 feet above city datum; and

(6) OUTER HORIZONTAL ZONE - Three hundred-fifty (350) feet above the established airport elevation which is + 437, 1 feet above city datum.

Where a zone is covered by more than one (1) height limitation, the more restrictive limitation shall prevail.

### SECTION 10.5: USE RESTRICTIONS

(1) GENERAL - Notwithstanding any other provisions in these zoning regulations, no use may be made of land within any zone in such a manner as to create electrical or electronic interference with radio or radar communication between the airport and aircraft; or to the installation and use of flashing or illuminated advertising or business signs, billboards, or any other type of illuminated structure which would be hazardous for flyers because of the difficulty in distinguishing between airport lights and others, or which result in glare in the eyes of flyers using the airport, thereby impairing visibility in the vicinity of the airport or endangering the landing, taking-off, or maneuvering of aircraft; or which would emit or distharge smoke that would interfere with the health and safety of flyers and the public in the use of the airport, or which would otherwise be detrimental or injurious to the health, safety and general welfare of the public in the use of the airport,

(2) LAND USE RESTRICTION ZONE - In that portion of the approach zone at each end of each instrument and noninstrument runway as indicated on the zoning map, is hereby established an area hereinafter referred to as the land use restriction zone. The land use restriction zone shall have a width of 1000 feet at a point 200 feet from the end of each runway widening thereafter uniformly to a width of 4000 feet at a distance of 10, 200 feet from the end of each runway. Any land use established within the land use restriction zone subsequent to the effective date of these zoning regulations shall be subject to the control of the affected political subdivision. To the extent where feasible, such political subdivision shall discourage further development of residential buildings and places of public assembly involving educational, institutional, amusement, and recreational uses. Any repeal or application for an amendment, variation, or special use to a zoning ordinance or other ordinance of a political subdivision affecting land use within the land use restriction zone shall require a public hearing and notice to be made to the City of Chicago, the Department, and the Federal Aviation Agency, at least thirty (30) days prior to the public hearing.

### SECTION 10.6: NON-CONFORMING USES,

 REGULATIONS NOT RETROACTIVE. These zoning regulations shall not be construed to require the removal, lowering, or

other changes or alteration of any structure or tree not conforming to these zoning regulations as of this effective date, or otherwise interfere with the continuance of any non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of these zoning regulations, and is diligently prosecuted.

(2) MARKING AND LIGHTING. Notwithstanding the provision of Saction 10.6 (1), the owner of any non-conforming structure or tree is hereby required to permit the trimming of trees or the installation, operation, and maintenance on such structures of such markers and lights as shall be deemed necessary by the Department to indicate to flyers in the vicinity of the airport, the presence of such airport hazards, all to be performed at the expense of the City of Chicago.

SECTION 10. 7: SPACING ADJACENT AIRPORTS,
RESTRICTED LANDING AREAS,
RESTRICTED LANDING AREAS - HELIPORTS.

No airport or restricted landing area or restricted landing area - heliport shall be established within the zones hereinbefore described.

### SECTION 10.8: PERMITS

After the effective date of these zoning regulations, the plans and specifications submitted by any person in connection with the

application to any political subdivision for a building permit must be in compliance with the regulations as herein set forth and with the requirements of Part 77 of the Federal Aviation Regulations issued by the Federal Aviation Agency and, if applicable, with the requirements of Parts 15, 17 and 18 of the Rules and Regulations of the Federal Communications Commission. Any permit issued in contravention of these zoning regulations shall be void.

## SECTION 10. 9: NON-CONFORMING STRUCTURES OR USES ABANDONED OR DESTROYED

Whenever the Department determines that a non-conforming structure or use has been abandoned or more than 80 per cent torn down, destroyed or deteriorated:

- (a) No permit shall be granted that will allow such structure or use to exceed the applicable height limit or otherwise deviate from these zoning regulations; and
- (b) Whether application is made for a permit or not, the Department may, by appropriate action, compel the owner of the non-conforming structure or use, at his own expense, to lower, remove, reconstruct or equip such structure or use as may be necessary to conform to these zoning regulations. If the owner of the non-conforming structure or use shall neglect or refuse to comply with such order within 10 days after notice thereof, the Department may proceed to have such structure or use so lowered, removed, reconstructed or equipped

and shall have a lien, upon behalf of the State, upon the land whereon it is or was located, in the amount of the cost and expense thereof. Such lien may be enforced by the Department on behalf of the State by suit in equity for the enforcement thereof as in the case of other liens.

### SECTION 10. 10: VARIANCES

- (1) GENERAL. Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property, not in accordance with these zoning regulations, may apply to the Department for a variance from these regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of these zoning regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but would do substantial justice and be in accordance with the spirit of these zoning regulations.
- (2) MARKING AND LIGHTING. Any variance granted by the

  Department may be so conditioned as to require the owner of
  the structure to permit, at the expense of the City of Chicago,
  the installation, operation and maintenance thereon of such
  markers and lights as may be required to indicate to flyers
  the presence of such structure.

### SECTION 10.11: ENFORCEMENT

It shall be the duty of the Department to administer and enforce these zoning regulations. Applications for variances required by these zoning regulations to be submitted to the Department shall be on forms furnished by the Department and shall be promptly considered and granted or denied by the Department.

### SECTION 10.12: JUDICIAL REVIEW

Any person aggrieved by any decision of the Department may appeal in accordance with the provisions of an act entitled "An Act in Relation to Judicial Review of Decisions of Administrative Agencies" approved May 8, 1945, as amended.

### SECTION 10.13: PENALTIES

Each violation of these zoning regulations or of any order or ruling promulgated hereunder shall constitute an airport hazard and a misdemeanor, and such hazard shall be removed by proper legal proceedings and such misdemeanor shall be punished by a fine of not more than two hundred dollars (\$200) and each day a violation continues to exist shall constitute a separate offense.

In addition, the Department may institute in the Circuit Court of Cook or DuPage County, in whichever county the airport hazard area is located, in whole or in part, in connection with which these zoning regulations were adopted, an action to prevent and restrain, correct or abate, any violation of these zoning regulations, or of any order or ruling made in connection with their administration or enforcement, and

the court shall adjudge such relief by way of injunction (which may be mandatory) or otherwise as may be proper under all the facts and circumstances of the case, in order fully to effectuate the purposes of these zoning regulations as adopted and orders and rulings made pursuant thereto.

## SECTION 10.14: CONFLICTING REGULATIONS

Where there exists a conflict between any of these zoning regulations and any other regulations or ordinances applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent regulation or ordinance shall govern and prevail.

## SECTION 10.15: SEVERABILITY

If any of the provisions of these zoning regulations or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of these zoning regulations which can be given effect without the invalid provision or application, and to this end the provisions of these zoning regulations are declared to be severable.

## SECTION 10.16: EFFECTIVE DATE

WHEREAS, the immediate application of the provisions of these zoning regulations are necessary for the preservation of the public health, public safety, and general welfare, an EMERGENCY is hereby declared to exist, and these zoning regulations shall be in full force and

effect from and after its adoption by the Department, concurrence by the Illinois Commerce Commission, and filing with the Secretary of State.

Adopted by the Department of Aeronautics this 16th day of December, 1964.

- JE Wingil

Concurred in by the Illinois Commerce Commission this 6th day of January, 1965.

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Certified copy filed with the Secretary of State this 20th day of

January , 1965.

Paul Powell



ORDINANCE NO. \_\_\_\_ flored runningelitus

WHEREAS, the Department of Aeronautics of the State of
Illinois, by the adoption of certain zoning regulations for ChicagoO'Hare International Airport, dated \_\_\_\_\_\_, has
determined and declared that certain territory adjoining, surrounding
and in the vicinity of said Chicago-O'Hare International Airport,
including lands within the corporate limits of the Village of \_\_\_\_\_\_,
constituted an airport hazard area; and

WHEREAS, said zoning regulations of the Department of
Aeronautics creates certain zones related to the operation and
maintenance of said airport in which certain restrictions are imposed
on the height of structures and on the use of electrical and electriconic
devices, illumination, and on the emission of smoke, gases and odors
which might interfere with or endanger the safe flight of aircraft over
such zones; and

WHEREAS, established authorities (See The Report of President's Airport Commission entitled "The Airport and Its Neighbors", Washington, D. C., May 16, 1952; also see Senate Report No. 446



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Illinois, by the adoption of certain zoning regulations for ChicagoO'Hare International Airport, dated \_\_\_\_\_\_\_, has
determined and declared that certain territory adjoining, surrounding
and in the vicinity of said Chicago-O'Hare International Airport,
including lands within the corporate limits of the Village of \_\_\_\_\_\_,
constituted an airport hazard area; and

WHEREAS, said zoning regulations of the Department of
Aeronautics creates certain zones related to the operation and
maintenance of said airport in which certain restrictions are imposed
on the height of structures and on the use of electrical and electriconic
devices, illumination, and on the emission of smoke, gases and odors
which might interfere with or endanger the safe flight of aircraft over
such zones; and

WHEREAS, established authorities (See The Report of President's Airport Commission entitled "The Airport and Its Neighbors", Washington, D. C., May 16, 1952; also see Senate Report No. 446 to accompany S-1153, August 20, 1963, and House Report No. 1002 to accompany S-1153, December 5, 1963, 88th Congress, First Session (Pub. L. 88-280, March 11, 1964)) have recommended and it is recognized that safety measures in the form of restrictions on land use are required in order to reduce to the extent possible the inherent danger arising out of aircraft operations to persons and property located within proximity to said airport; and

WHEREAS, pursuant to the provisions of An Act Relating to
Airport Zoning, Chapter 15-1/2, Sections 48.1, et seq., Illinois
Ravised St atutes, 1963, the President and Board of Trustees heretofore
appointed the Plan Commission of the Village of
as an airport zoning commission, which commission considered and
submitted a preliminary report recommending the adoption of certain
airport zoning regulations; and

WHEREAS, said airport zoning commission, pursuant to the statute made and provided, held a public hearing after due notice in accordance with the provisions of said statute and based thereon submitted to the President and Board of Trustees its final report recommending the adoption of certain airport zoning regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT
AND BOARD OF TRUSTEES OF THE VILLAGE OF
COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE:	That the Comprehensive Zoning Ordinance				
of the Village of	, she and the same is hereby				
amended by adding the following new chapter, entitled "Airport Zoning					
Regulations" and the several sections thereunder:					

CHAPTER \_\_\_\_\_\_: AIRPORT ZONING REGULATIONS

SECTION 1: In order to carry out the purposes and provisions of this Chapter, there is hereby created an Airport Zoning District, which district shall be in addition to all other zoning districts or classifications established and created by the Comprehensive Zoning Ordinance of the Village of \_\_\_\_\_\_.

SECTION 3: Any other provisions in this Chapter or in the Comprehensive Zoning Ordinance to the contrary notwithstanding, the following land uses are not permitted within the firport Zoning District:

- (a) Storage or manufacture of materials or products which decompose by detonation,
- (b) Storage or utilization of above ground tanks containing flammable liquids or liquid petroleum gases, except when such materials are used in secondary processes or are required in emergency equipment or for uses as power or heating fuels.
- (c) High voltage tower transmission lines (subject to concurrence of the Illinois Commerce Commission).

SECTION 4: Except as provided in Section 3 hereof, land within the Airport Zoning District may be used for those purposes which are now or hereafter may be permitted by reason of the classification of such land in one of the several zoning districts under the provisions of this Ordinance; provided, however, that in considering any future requests for rezoning or special use permits or for a variation from the regulations of this Ordinance, to the extent feasible further development of residential buildings and places of public assembly of an educational, institutional, amusement, or recreational character shall be discouraged therefrom.

SECTION TWO: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

	PASSED this	day of	A.D.	1964.
	APPROVED this	day of,	A. D.	1964.
	-	President		
TTEST	':			

Village Clerk







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