

ORDINANCE NO. 2026-09

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE  
VILLAGE OF BRIGHTON  
MACOUPIN AND JERSEY COUNTIES, ILLINOIS

CHAPTER 32.13  
PURCHASES AND EXPENDITURES

WHEREAS, on July 1, 2024, the President and Board of Trustees of the Village of Brighton adopted the above Ordinance regarding purchases as may be made during an emergency in the Village and the governance thereof; and

WHEREAS, the President and Board of Trustees of the Village of Brighton have the authority to amend the Village of Brighton Code of Ordinances from time to time as deemed necessary; and

WHEREAS, the President and Board of Trustees of the Village of Brighton acknowledge that Illinois Municipal Code 65 ILCS 5/11-1-6 provides that the corporate authorities of each municipality may grant the Mayor the extraordinary power and authority to exercise, by executive order, during a state of emergency, such of the powers of the corporate authorities as may be reasonably necessary to respond to the emergency; and

WHEREAS, the President and Board of Trustees of the Village of Brighton realize the necessity to resolve a state of emergency should the need arise within the Village of Brighton; and

WHEREAS, the Illinois Municipal Code 65 ILCS 5/8-10-5 provides that, after an emergency affecting public health or safety has been declared by affirmative vote of the majority of the corporate authorities of a municipality, where the nature of the danger to the public health or safety has been identified, the corporate authorities may authorize the letting of contracts to the extent necessary to resolve such emergency without public advertisement.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF BRIGHTON, MACOUPIN AND JERSEY COUNTIES, ILLINOIS, as follows:

Section 1. That Chapter 32.13, "Purchases and Expenditures," shall be amended, as follows:

§32.13 – Purchases and Expenditures

(A) The Village Board of Trustees may, on recommendation of the Village Coordinator of ESDA, authorize any purchases or contracts necessary to place the Village in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from human-made or natural disasters.

(B) The Mayor is authorized to:

- (i) declare a state of emergency if such emergency is severe enough to require the declaration of emergency in order to supplement local resources in preventing loss of life or injury, alleviating damages, loss, hardship or suffering or to necessitate measures to be taken, including the identification of any applicable procedures, rules or regulations that will be waived or suspended during the emergency;
- (ii) exercise, by executive order, such powers of the corporate authorities as may be reasonably necessary to respond to the emergency; and
- (iii) exercise, by executive order, the authority to procure such services, supplies, equipment, or material as may be necessary for such purposes, or let contracts to the extent necessary to resolve such emergency upon declaration, without public advertisement where the amount thereof is not in excess of \$40,000.00, as authorized by the State EMA Act, being 20 ILCS 3305, and Illinois Municipal Code 65 ILCS 5/8–10-5.

(C) Any state of emergency declared pursuant to this authority shall expire no later than the adjournment of the first regular meeting of the corporate authorities after the state of emergency has been declared in accordance with the Illinois Municipal Code 65 ILCS 5/11-1-6; however, if the state of emergency has not been resolved as of commencement of the first regular meeting of the corporate authorities after the state of emergency has been declared, the

authorizations set forth in this above Section shall remain in full force and effect without further action by the Mayor or corporate authorities until such state of emergency has been resolved as declared in writing by the Mayor or until the authorizations are withdrawn by passage of an ordinance by an affirmative majority vote of the corporate authorities at a public meeting.

(D) A declaration of emergency pursuant to this authority may not suspend the rights of residents of the Village under the Illinois Constitution or the United States Constitution.

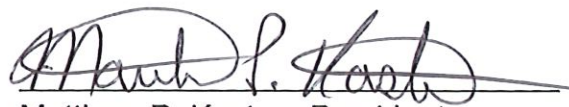
Section 2. Pursuant to the Illinois Municipal Code 65 ILCS 5/1-2-4, if the Mayor and Village Board of Trustees of the Village of Brighton find and decide that it is in the best interests of the Village that the provisions of this Ordinance shall be effective immediately for purposes of implementation and enforcement, such provisions shall be effective immediately provided that this Ordinance receives a favorable vote of two-thirds (2/3rds) of the Corporate Authorities of the Village then holding office, that is 4 of 6 of the Corporate Authorities vote in favor of the Ordinance.

Section 3. If any provisions of this amendment is held invalid, the invalidity shall not affect other provisions or applications of this section or related sections which can be given effect without the invalid provision or application.


Section 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the President and Board of Trustees of the Village of Brighton.

PASSED, APPROVED, and PUBLISHED IN PAMPHLET FORM, by the president and Board of Trustees of the Village of Brighton this 1st day of June, 2026.

VILLAGE OF BRIGHTON  
Macoupin and Jersey Counties, Illinois

  
Matthew P. Kasten, President

Attest:

  
Tamara Jenkins, Village Clerk

