

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 20-01-01-70

**AN ORDINANCE AMENDING TITLE 5, CHAPTER 2 AND TITLE 1, CHAPTER
4 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS

6th Day of January, 2020

PRESENTED: **January 6, 2020**

PASSED: **January 6, 2020**

APPROVED: **January 6, 2020**

RECORDED: **January 6, 2020**

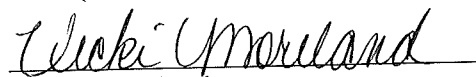
PUBLISHED: **January 6, 2020**
In Pamphlet Form

Voting "Aye" 7

Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)


Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

Dated: **January 6, 2020**

ORDINANCE NO. 20-01-01-70

AN ORDINANCE AMENDING TITLE 5, CHAPTER 2 AND TITLE 1, CHAPTER 4 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006

WHEREAS, the Mayor and City Council of the City of Le Roy, McLean County, Illinois, an Illinois municipal corporation, has enacted Municipal Code Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people; and

WHEREAS, the State of Illinois has enacted the Illinois Cannabis Regulation and Tax Act, 410 ILCS 705/1-1 *et seq.* (the Act), which pertains to the possession, use, cultivation, transportation, and dispensing of adult-use cannabis, and which became effective June 25, 2019; and

WHEREAS, pursuant to the Act, the Mayor and City Council wish to amend the LeRoy City Code to reflect the changes made by the Act;

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Le Roy, Illinois in lawful meeting assembled on Monday, January 6, 2020, as follows:

SECTION 1. Title 5 – Police Regulations, Chapter 2: General Offenses, of the Municipal Code of the City of Leroy shall be amended by the addition of language **underlined** and the omission of language **~~struck through~~** as follows:

5-2-14: POSSESSION OF DRUG PARAPHERNALIA

- A. “Drug Paraphernalia” means all equipment, products, and materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of the controlled substances laws of this state.
- B. It shall be a violation to possess any drug paraphernalia **in violation of the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.), the Illinois Controlled Substances Act (720 ILCS 550/1 et seq.), or the Illinois Cannabis Control Act (720 ILCS 550/1 et seq.)**

SECTION 2. Title 5 – Police Regulations, Chapter 2: General Offenses, of the Municipal Code of the City of Leroy shall be amended by the addition of language **underlined** and the omission of language **~~struck through~~** as follows:

5-2-15: POSSESSION OF CANNABIS

- A. “Cannabis” means any marijuana, hashish, or other substances which are identified as including any parts of the plant Cannabis Sativa, whether growing or not; the seeds

thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, mixture, preparation of such plant, its seeds, or resin, including tetrahydrocannabinol (THC) and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plants, fiber produced from such stalks, oil or cake made from the seed of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination. “Cannabis” also means cannabis flower, concentrate, and cannabis-infused products. “Cannabis” does not include industrial hemp as defined and authorized under the Industrial Hemp Act (505 ILCS 89/1 et seq.)

- B. It shall be unlawful for any person to possess more than ten grams (10g) ~~or less of~~ any substance containing cannabis in violation of the Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) or the Illinois Cannabis Control Act (720 ILCS 550/1 et seq.)
- C. The minimum fine for possession of ~~less~~ more than ~~two and a half grams (2.5g) ten grams (10g)~~ of a substance containing cannabis is two hundred fifty dollars (\$250.00) and the minimum fine for the possession of ~~more than two and a half grams (2.5g) or more of cannabis but less than ten grams (10g)~~ thirty grams (30g) of a substance containing cannabis is five hundred dollars (\$500.00).

SECTION 3. Title 1 – Administration, Chapter 4: General Penalty, of the Municipal Code of the City of Leroy shall be amended by the addition of language underlined and the omission of language ~~struck through~~ as follows:

1-4-3: SETTLEMENT OF CERTAIN ORDINANCE VIOLATION CHARGES

- A. Citation Procedures: The police chief and all other officers may issue citations for violations of sections of this code hereinafter specified. The citation form will inform the alleged violator of the opportunity to settle the violation by paying the amount specified herein. Settlement payment may be made in person at the LeRoy City Hall, Monday through Friday, seven o'clock (7:00) A.M. to four o'clock (4:00) P.M., or by mail after the issuance of each such citation. If an alleged violator has not settled such charges as specified herein, a complaint of an ordinance violation for each charge on the citation will be filed in the Circuit Court of McLean County by one or more legal representatives of the City in accordance with this code and the policies of the City concerning prosecution of ordinance violations. The penalty for each such violation shall be as provided in Section 1-4-1 of this Chapter.

B. Resolving Citation Charges: To settle charges in this manner, each alleged violator must make payment in person or by mail in the amount(s) shown on the citation to the City of LeRoy within fifteen (15) calendar days of the date the citation was issued. Payment may be made in person by cash, money order, or check; by mail it may be made by money order or check. Making a settlement payment as provided in this Section shall operate as a release of the City, its employees and agents, from any all claims of any variety associated with the violation or the events surrounding the issuance of the citation against the person. The information associated with the case may be used in administrative or judicial litigation against other parties. Violations which may be charged and the penalties for the same, all of which may be resolved in the manner previously set forth herein, are as follows:

<u>Offenses</u>	<u>Code Section</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third And Subsequent Offenses</u>
1. Disorderly Conduct: Making, aiding, or assisting another person in making any improper noise, riot, disturbance, breach of the peace, or diversion tending to a breach of the peace	5-2-1A	\$100.00	\$150.00	\$200.00
Engaging in aiding or abetting any fight, quarrel, or other disturbance	5-2-1B	\$100.00	\$150.00	\$200.00
Disturbing a religious service funeral, public or private meeting, place of amusement, or lawful assembly of persons	5-2-1C	\$750.00	\$750.00	\$750.00
Using any obscene, profane, threatening or inciting language in any public place	5-2-1D	\$50.00	\$75.00	\$100.00
Public Intoxication	5-2-1F	\$100.00	\$150.00	\$200.00
Public Urination	5-2-1G	\$50.00	\$100.00	\$150.00
Illegal Discharge of firearm or hunting	5-2-2A	\$750.00	\$750.00	\$750.00
Unlawful use of weapons	5-2-2B	\$750.00	\$750.00	\$750.00
Illegal sale or use of fireworks	5-2-3	\$100.00	\$150.00	\$200.00

<u>Offenses</u>	<u>Code Section</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third And Subsequent Offenses</u>
Illegal fire	5-2-4	\$50.00	\$100.00	\$150.00
Illegal fence	5-2-5	\$100.00	\$150.00	\$200.00
Disturbing the peace	5-2-6	\$100.00	\$150.00	\$200.00
Littering	5-2-7	\$75.00	\$100.00	\$150.00
Polluting the air or any watercourse by excessive discharge of waste products or foreign matter	5-2-8	\$200.00	\$200.00	\$200.00
Keeping, maintaining, frequenting, being an inmate of, connected with, or contributing to the support of a disorderly house or house of ill fame or any other place used for practice of fornication or adultery	5-2-9	\$750.00	\$750.00	\$750.00
Exhibiting, selling, or offering to sell any obscene or immoral publication, printed matter, pictures or illustrations	5-2-10	\$200.00	\$200.00	\$200.00
Smoking prohibited	5-2-12B	\$50.00	\$100.00	\$150.00
Sale of alcohol to a minor	5-2-13A	\$250.00	\$500.00	\$750.00
Sale of alcohol to a minor with false ID	5-2-13B	\$50.00	\$100.00	\$150.00
Sale of alcohol to a minor: purchasing a beverage for, or gives an alcoholic beverage to a minor	5-2-13C	\$250.00	\$500.00	\$750.00
Possess of drug paraphernalia	5-2-14B	\$250.00	\$500.00	\$750.00

Offenses	Code Section	First Offense	Second Offense	Third And Subsequent Offenses
Possession of cannabis <u>under 2.5 grams more than 10 grams of a substance containing cannabis</u>	5-2-15	\$250.00	\$500.00	\$750.00
Possession of cannabis weighing <u>between 2.5 and 10 grams between 30 and 100 grams of a substance containing cannabis</u>	5-2-15	\$500.00	\$600.00	\$750.00
Curfew hours violation	5-3-1	\$100.00	\$100.00	\$100.00
2. Dogs, Cats, and Other Animals:				
Cruelty	5-1-2A	\$200.00	\$250.00	\$300.00
Keeping dangerous animals	5-1-2B	\$200.00	\$250.00	\$300.00
Failure to restrain a dangerous or vicious animal by leash and muzzle off the owner's premises	5-1-2B1	\$200.00	\$250.00	\$300.00
Failure to post warning signs for dangerous or vicious animals	5-1-2B2	\$200.00	\$250.00	\$300.00
Noisy animal	5-1-2G 5-2-6B	\$50.00	\$75.00	\$100.00
Strays running at large	5-1-2H	\$100.00	\$150.00	\$200.00
Diseased animals	5-1-2J	\$200.00	\$250.00	\$300.00
Unclean or unwholesome housing	5-1-2K	\$100.00	\$150.00	\$200.00
Failure to obtain license for dogs and cats	5-1-2L	\$100.00	\$150.00	\$200.00
Failure to restrain animals off premises	5-1-2M	\$100.00	\$150.00	\$200.00
Biting animal	5-1-2O	\$200.00	\$250.00	\$300.00

<u>Offenses</u>	<u>Code Section</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third And Subsequent Offenses</u>
Failure to remove and clean up animal excreta from public or private property	5-1-2R	\$100.00	\$150.00	\$200.00
Failure to give rabies inoculation	5-1-2S	\$100.00	\$150.00	\$200.00
Dogfighting	5-1-7	\$200.00	\$250.00	\$300.00
Possession of certain animals prohibited	5-1-BA	\$100.00	\$200.00	\$300.00
Harboring more animals than allowed	5-1-BC	\$100.00	\$200.00	\$300.00
Farm animals prohibited	5-1-8D	\$100.00	\$200.00	\$300.00
Public display of certain animals to cause fear or apprehension of bodily harm	5-1-BE	\$100.00	\$200.00	\$300.00
Abusing, beating, or cruelly injuring any animal or bird	5-2-1E	\$200.00	\$200.00	\$200.00
3. Parks and Recreation Areas:				
Permitting a domesticated animal to run at large in a park or recreation area	5-1-1	\$200.00	\$200.00	\$200.00
Camping prohibited in any City park except Howard Virgin	7-4-1A1	\$50.00	\$100.00	\$150.00
Illegal campfire or fire of any other nature in a park or recreation area	7-4-1B	\$100.00	\$150.00	\$200.00

<u>Offenses</u>	<u>Code Section</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third And Subsequent Offenses</u>
Failure to properly attend and Supervise a campfire or fire of any nature, in a place where such fire is permitted, in a park or recreation area	7-4-1B	\$100.00	\$150.00	\$200.00
Swimming or boating in a prohibited area	7-4-1D	\$50.00	\$50.00	\$50.00
No fishing with specified apparatus	7-4-1E1	\$50.00	\$100.00	\$150.00
Fishing limits	7-4-1E2	\$50.00	\$100.00	\$150.00
No vehicle allowed	7-4-1F1	\$50.00	\$100.00	\$150.00
Vehicle speed limit in any City park	7-4-1F2	\$50.00	\$100.00	\$150.00
No vehicle, horse, ATV or bicycle on park trails	7-4-1F3	\$50.00	\$100.00	\$150.00
Throwing, leaving, or depositing of tin cans, bottles, or any other trash or refuse, other than in a properly designated trash container, in a park or recreation area	7-4-1G	\$75.00	\$100.00	\$150.00
Failure to remove animal feces in a park or recreation area after using such park or recreation area as an exercise area for a domesticated animal	7-4-1H2	\$100.00	\$150.00	\$200.00
No fireworks in any City park or recreation area	7-4-1I	\$50.00	\$100.00	\$150.00
Possession or use of firearms, BB guns, slingshots, bows and arrows, weapons or missiles of any nature in City parks	7-4-1J	\$200.00	\$200.00	\$200.00

Offenses	Code Section	First Offense	Second Offense	Third And Subsequent Offenses
Illegal consumption of alcoholic beverages of any kind in a park or recreation area	7-4-1K	\$300.00	\$300.00	\$300.00
Illegal transportation of alcoholic beverages of any kind in a park or recreation area	7-4-1K	\$300.00	\$300.00	\$300.00
Illegal possession of alcoholic beverages of any kind in a park or recreation area	7-4-1K	\$300.00	\$300.00	\$300.00
Molesting, damaging, cutting, or trimming, or other misuse of trees or shrubs in a park or recreation area	7-4-1L1	\$200.00	\$200.00	\$200.00
No damage or tampering with picnic tables in Howard Virgin Park	7-4-1L2	\$50.00	\$100.00	\$150.00
Being in a park or recreation area after hours	7-4-2	\$100.00	\$150.00	\$200.00
4. Traffic:				
Provisions of the Illinois Vehicle Code, as incorporated by reference into Title 6 of this code	6-1-1	\$75.00	\$75.00	\$75.00
Obstructing an intersection	6-2-1	\$50.00	\$100.00	\$150.00
Obeying a stop sign	6-2-2C1	\$50.00	\$100.00	\$150.00
Obeying a yield sign	6-2-2C2	\$50.00	\$100.00	\$150.00
Speed limits on city streets	6-2-3A1	\$50.00	\$100.00	\$150.00

Offenses	Code Section	First Offense	Second Offense	Third And Subsequent Offenses
Speed limits on city alleys	6-2-3A2	\$50.00	\$100.00	\$150.00
Speed limits in school zones	6-2-3A3	\$100.00	\$200.00	\$300.00
Speed limits in special marked areas	6-2-3B	\$50.00	\$100.00	\$150.00
Illegal U-turn	6-2-4	\$75.00	\$75.00	\$75.00
Driving through a procession	6-2-6A	\$100.00	\$200.00	\$300.00
Driving in a procession	6-2-6B	\$50.00	\$100.00	\$150.00
Funeral procession	6-2-6C	\$50.00	\$100.00	\$150.00
No procession permit	6-2-6D	\$50.00	\$200.00	\$350.00
Illegal use of coasters, roller skates and similar devices	6-2-7	\$75.00	\$75.00	\$75.00
Driving a commercial vehicle on a street or alley other than for a legal purpose and not on a commercial vehicle route	6-2-8	\$75.00	\$75.00	\$75.00
Driver of any motor vehicle within the city operating or permitting the operation of a sound amplification system which can be heard outside the vehicle from a point 75 or more feet away when the vehicle is being operated upon a highway in the city	6-2-9	\$75.00	\$75.00	\$75.00
Illegal parking in "no parking" zones	6-3-1	\$25.00	\$50.00	\$75.00
Illegally parking in an alley	6-3-2A	\$25.00	\$50.00	\$75.00

Offenses	Code Section	First Offense	Second Offense	Third And Subsequent Offenses
Illegally parking vehicle for sale	6-3-2B	\$25.00	\$50.00	\$75.00
Illegal parking	6-3-2C	\$25.00	\$50.00	\$75.00
Illegally parking in a space for persons with disabilities	6-3-3	\$250.00	\$250.00	\$250.00
Loading zones violations	6-3-4	\$50.00	\$100.00	\$150.00
Time limit parking	6-3-5A	\$50.00	\$100.00	\$150.00
Snow route – no parking during restricted times	6-4-3A	\$50.00	\$100.00	\$150.00
Snow route – other parking during restricted times	6-4-3B	\$50.00	\$100.00	\$150.00
Provisions of the Snowmobile Registration Safety Act, as incorporated by reference into Title 6 of this code	6-5-1	\$75.00	\$100.00	\$150.00
Illegal registration or illegal use of a snowmobile	6-5-2-1 6-5-2-2 6-5-2-3 6-5-2-4	\$75.00	\$100.00	\$150.00
5. Minors:				
Purchase, acceptance, or consumption of alcoholic liquor by a person under the age of 21 years	3-3-22	\$200.00	\$200.00	\$200.00
Sale, barter, exchange, or gift of cigarettes to any person under the age of 18 <u>21</u> years within the corporate limits of the city	3-4-6	\$200.00	\$200.00	\$200.00

<u>Offenses</u>	<u>Code Section</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third And Subsequent Offenses</u>
6. Nuisances:				
Public indecency	4-1-4F	\$50.00	\$100.00	\$150.00
Permitting any weeds, such as jimson, burdock, ragweed, cocklebur, or other weeds of a like kind, to grow or remain on any lot or tract of land in the city	4-3-1	\$75.00	\$125.00	\$175.00
Permitting any grass, weeds, or plants, other than trees, bushes, flowers, or other ornamental plants to grow to a height exceeding 8 inches anywhere in the city	4-3-2	\$75.00	\$125.00	\$175.00
Planting or permitting to grow a bush or shrub commonly known as the "tall, common, or European barberry", also known as <i>Barberis vulgaris</i> , or any of its horticultural varieties, within the city	4-3-3	\$75.00	\$125.00	\$175.00
Open fires	4-4-2	\$250.00	\$500.00	\$750.00
Private property nuisance	4-5-1	\$50.00	\$100.00	\$150.00
Unsheltered storage of 1 or more vehicles, including snowmobiles and watercraft (all sorts)	4-5-2B1	\$75.00	\$125.00	\$175.00
Unsheltered storage of machinery, implements, and/or equipment and personal property of any kind no longer safely usable for the purpose for which it was manufactured, said unsheltered storage being	4-5-2B1	\$75.00	\$125.00	\$175.00

<u>Offenses</u>	<u>Code Section</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third And Subsequent Offenses</u>
for a period of 15 days or more				
Unsheltered parking of any trailer, wagon, or similar vehicle 15 or more days (or in excess of 120 days if used as temporary storage for a construction project on the premises)	4-5-2B2	\$75.00	\$125.00	\$175.00
7. Business:				
No liquor license	3-3-3	\$250.00	\$500.00	\$750.00
Failure to post license	3-3-13	\$50.00	\$100.00	\$150.00
Outdoor sales and service violation	3-3-17	\$50.00	\$100.00	\$150.00
Premises sanitation violation	3-3-18A	\$50.00	\$100.00	\$150.00
Diseased worker	3-3-18B	\$250.00	\$500.00	\$750.00
Hours of operation violation	3-3-19	\$250.00	\$500.00	\$750.00
Underage on premises	3-3-20	\$50.00	\$100.00	\$150.00
Underage employment	3-3-21	\$100.00	\$200.00	\$300.00
Sale/serve to anyone under the age of 21 years	3-3-22A	\$100.00	\$200.00	\$300.00
Sale to motor vehicle	3-3-22B	\$100.00	\$200.00	\$300.00
Leaving with an open container	3-3-22C	\$100.00	\$200.00	\$300.00
Possession during prohibited hours	3-3-22D	\$100.00	\$200.00	\$300.00
Gambling	3-3-22E	\$100.00	\$200.00	\$300.00

<u>Offenses</u>	<u>Code Section</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third And Subsequent Offenses</u>
Disorderly conduct in or around a licensed facility	3-3-22F	\$100.00	\$200.00	\$300.00
Peddling alcoholic liquor in the city	3-3-22G	\$250.00	\$500.00	\$750.00
Soliciting drinks	3-3-22H	\$100.00	\$200.00	\$300.00
Open container in public	3-3-22I	\$100.00	\$200.00	\$300.00
Possession/consumption by an underage person	3-3-22J	\$100.00	\$200.00	\$300.00
License facility considered a nuisance	3-3-26	\$100.00	\$200.00	\$300.00
Failure to acquire a tobacco dealer's license	3-4-2	\$250.00	\$500.00	\$750.00

SECTION 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Rick Kline and seconded by Greg Steffen by roll call vote on the 6th day of January, 2020 as follows

Aldermen elected 8

Aldermen Present 7

Voting Aye:

Dawn Hanafin, Rick Kline, Kyle Merkle, Brad Poindexter, Ron Legner, Matt Steffen, Greg Steffen.

Voting Nay:

None

Absent:

Kelly Lay

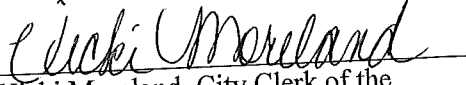
Abstain:

None


Other:

None

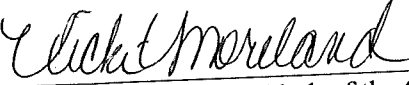
And deposited and filed in the office of the City Clerk in said municipality on the 6th day of January, 2020.


Vicki Moreland, City Clerk of the
City of Le Roy
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 6th day of January, 2020


Steven M. Dean, Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)


Vicki Moreland, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **January 6, 2020** the Corporate Authorities of such municipality passed and approved **ORDINANCE NO. 20-01-01-70**

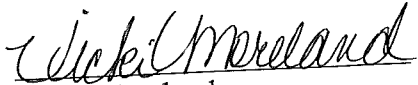
**AN ORDINANCE AMENDING TITLE 5, CHAPTER 2 AND TITLE 1,
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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 20-01-01-70**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **January 6, 2020** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 6th day of January, 2020.

(SEAL)


Vicki Moreland
City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE AMENDING TITLE 5, CHAPTER 2 AND TITLE 1,
CHAPTER 4 OF THE MUNICIPAL CODE OF LE ROY, ILLINOIS, 2006**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 6th day of January, 2020 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 6th day of January, 2020

(SEAL)

Vicki Moreland
Vicki Moreland, City Clerk of the
City of Le Roy,
McLean County, Illinois