

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 21-08

**AN ORDINANCE AMENDING TITLE III AND TITLE VII OF THE VILLAGE CODE
REGARDING CODE HEARINGS AND PENALTIES FOR VIOLATIONS**

DAVE KIMSEY, Village President
AMY DAHLKAMP, Village Clerk

KRISTEN CHIARO
ANDREW DETMERS
BRETT GERGER
RYAN MANN
MATT MAU
PAUL SCHERSCHEL
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on 23 Feb., 2021

Sorling Northrup – 1 North Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NUMBER 21- 11

AN ORDINANCE AMENDING TITLE III AND TITLE VII OF THE VILLAGE CODE REGARDING CODE HEARINGS AND PENALTIES FOR VIOLATIONS

WHEREAS, the Village of Chatham (hereinafter “Village”) is an Illinois Municipal Corporation existing and operating under the Illinois Municipal Code and the laws of the State of Illinois; and

WHEREAS, Chapter 39 of the Village Code regulates the Code Hearing Department of the Administration of the Village; and,

WHEREAS, Chapter 70 of the Village Code regulates General Provision of the Traffic Code of the Village; and,

WHEREAS, Sections 39.05 and 39.07 of the Village Code regulate Code Hearing Procedures and Representation at Code Hearings of the Administration of the Village; and,

WHEREAS, Section 70.99 of the Village Code regulates the penalties for violations of the Traffic Code of the Village; and,

WHEREAS, the Village desires to amend its regulations to change the time limits set forth in Sections 39.05 and 39.07 to reflect the changes as set forth herein.

WHEREAS, the Village desires to amend its regulations to change the penalty amounts set forth in Section 70.99 and to add a penalty for violation of 70.01 (F) (3) to reflect the changes as set forth herein.

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

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Amendment to Village Code. Chapter 39, Sections 39.05 and 39.07, and

Chapter 70, Section 70.99, of the Village Code shall be amended as follows (added; ~~deleted~~):

TITLE III: ADMINISTRATION

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Chapter 39: Code Hearing Department

...

§ 39.05 Instituting Code Hearing Procedures.

...

(B) The violation report form shall be forwarded to the Code Hearing Department where a docket number shall be stamped on all copies of the report and a hearing date shall be noted in the blank spaces provided for that purpose on the form. The hearing date shall not be less than 30 nor more than ~~40~~ 60 days after the violation is reported.

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§ 39.07 Continuances; Representation at Code Hearings.

No continuances shall be authorized by the Hearing Officer in proceedings under this chapter except in cases where a continuance is absolutely necessary to protect the rights of the defendant. Lack of preparation shall not be grounds for a continuance. Any continuance authorized by a Hearing Officer under this chapter shall not exceed ~~25~~ 60 days. The case for the municipality may be presented by an attorney designated by the village. The case for the defendant may be presented by the defendant or his or her attorney. Corporations, limited liability companies, and other legal persons other than natural persons shall be represented by an attorney.

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TITLE VII: TRAFFIC CODE

Chapter 70: General Provisions

...

§ 70.99 Penalty.

(A) Whoever violates any provision of this traffic code for which no penalty is otherwise provided shall be fined \$250.00 ~~not more than \$500~~ for each offense.

(B) Any person found guilty of violating the provisions of § 70.01 shall be punished by a fine of \$50.00 per day per offense. not less than \$ 5 nor more than \$ 100. (Ord. 71-5, passed 10-21-71)

(C) The owner or operator of any vehicle who knowingly operates or permits the operation of any vehicle in violation of § 70.02 shall, upon conviction thereof, for the first offense to be fined ~~not more than \$ 150~~, and for the second offense within a period of one year shall be fined ~~not less than \$ 150 nor more than \$ 250~~, and for the third offense within a period of one year after date of such first offense, shall be fined ~~not less than \$ 250 nor more than \$ 350.~~ (Ord. 79-30, passed 10-9-79)

(D) Any person found guilty of violating § 70.04 shall be fined \$100 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under § 70.04. (Ord. 89-2, passed 1-18-89)

(E) Any person or corporation found guilty of violating 70.01 (F) (3) shall be fined \$250 per day that the violation exists.

Section 3. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Section 4. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 5. Effectiveness. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

SO ORDAINED this 23 day of Feb, 2021, at Chatham, Sangamon County, Illinois.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO	X			
ANDREW DETMERS	X			
BRETT GERGER	X			
RYAN MANN				X
MATT MAU	X			
PAUL SCHERSCHEL	X			

DAVE KIMSEY				
TOTAL	5	0		1

APPROVED by the President of the Village of Chatham, Illinois this 23 day of Feb., 2021.


 Dave Kimsey, Village President

Attest:


 Amy Dahlkamp, Village Clerk