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AN ORDINANCE AMENDING TITLE 8, CHAPTER 6, OF THE ORLAND PARK VILLAGE CODE IN REGARD TO THE DEFINITIONS OF RETAIL THEFT AND FELONY THEFT

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WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the “Village”) have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to 65 ILCS 5/1-2-1 (2012), the President and Board of Trustees may enact penal ordinances and, by ordinance, impose fines and penalties for violations of those penal ordinances;

WHEREAS, it is in the best interests of the health, safety and welfare of the citizens and residents of the Village that the Village Code provide that theft and retail theft of merchandise or property of a certain value are offenses, and penalties or fines are to be imposed for the commission of such offenses.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

The above recitals are incorporated herein by reference as though fully set forth herein.

SECTION 2

That Title 8, Chapter 6, Section 8-6-5-17(8)(5) is amended so as to read in its entirety as follows:

“(5) The full retail value of the property in question under either subsection (1), (2), (3) or (4) above is less than THREE HUNDRED DOLLARS (\$300.00).”

SECTION 3

That Title 8, Chapter 6, Section 8-6-5-18 is amended so as to read in its entirety as follows:

“8-6-5-18: THEFT OF PROPERTY, NOT FROM A PERSON, OF VALUE NOT EXCEEDING \$500.00:

A. A person who knowingly takes possession of, carries away, transfers or causes to be transferred property, not from a person, and of a value not exceeding FIVE HUNDRED DOLLARS (\$500.00) shall be guilty of violating this section.

B. A person who is convicted of violating this subsection shall be fined not less than ONE HUNDRED DOLLARS (\$100.00) and not more than SEVEN HUNDRED FIFTY DOLLARS

(\$750.00). In addition to a fine, any person convicted of a violation may be required by the Court or administrative hearing officer to perform public/community service work.

C. A person who is convicted under Subsection A above of this section, and is arrested a second time under subsection A shall be charged under the state statutory provision, 720 ILCS 5/16-1.”

#### SECTION 4

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

#### SECTION 5

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