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AN ORDINANCE AMENDING TITLE 1, CHAPTER 10, SECTION 1 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO THE FAILURE TO PAY DEBT DUE AND OWING THE VILLAGE

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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 protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to 65 ILCS 5/1-2-1, the Village may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities; and

WHEREAS, the Village may retain attorneys and private collection agents for the purpose of collecting any default in payment of any debt due and owing the Village or installment of that debt and may charge any fees or costs incurred by the Village with respect to retained attorneys or private collection agents to the debtor; and

WHEREAS, the Village deems it to be in the best interest of the public to shift any fees and costs incurred by the Village with respect to attorneys or private collection agents retained for the purpose of collecting any default in payment of any debt.

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

Title 1, Chapter 10, Section 1 of the Orland Park Village Code is amended by adding a new subsection 3 to Section 1-10-1 thereto which shall read in its entirety as follows:

“1-10-1-3: ATTORNEY AND COLLECTION AGENT FEES AND COSTS

The failure to pay any debt due the Village, including but not limited to, amounts owed on account of a fee, lease, rent, service, water or garbage collection charge, sale of real or personal property, overpayment, administrative or judicial judgment, fine, penalty, restitution, damages, interest, tax reimbursement, recovery of a cost incurred by the Village or other source of indebtedness to the Village, after the period granted for payment has expired by any person liable for such debt shall constitute a violation of this Section. Judgment shall be entered against any person who violates this Section in the amount of the debt remaining unpaid on the date the judgment is entered plus litigation and collection costs, attorney's fees and an amount representing all fines and penalties assessed pursuant to this Section or any other Chapter of this

Code. Nothing in this Section shall be construed to impair any other cause of action or legal remedy.”

SECTION 3:

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