

..Title

AN ORDINANCE AMENDING TITLE 6 (HEALTH, NUISANCES) CHAPTER 2 (NUISANCES) SECTION 6-2-4-4.

..Body

WHEREAS, the Illinois Compiled Statutes, including the Illinois Municipal Code, regulate purchases and contracts entered into by the Village of Orland Park, a home-rule municipality; and

WHEREAS, the Village has recently undertaken a comprehensive review of its fine and penalty structure to ensure the existing ordinance provisions are still applicable to the Village operations and regulatory needs; and

WHEREAS, the portion of the ordinance proposed for removal has become obsolete due to changes in law, policy, or practice, and retaining such language would no longer serve a valid public purpose; and

WHEREAS, the Village finds that eliminating this outdated section will improve clarity, accuracy, and effectiveness of the Village's Municipal Code; and

WHEREAS, it is in the best interests of the Village and its residents to amend the existing ordinance to ensure the Code accurately reflects its current standards and requirements.

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: Title 6 (Health, Nuisances) Chapter 2 (Nuisances) Section 6-2-4-4 shall hereby be amended in part (additional language marked by underlining and deletions marked with strikethrough) as reflected and attached hereto as EXHIBIT "A".

SECTION 2: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

SECTION 3: The Village Clerk be and herby is authorized and directed to publish this Ordinance in pamphlet form.

EXHIBIT A

6-2-4-4: CITATION PROCEDURE:

1. Whenever a police officer is authorized to give a citation to a person because of a violation of this Chapter said police officer may, in lieu of the filing of a complaint in court, in the first instance issue to such alleged violator, a preliminary citation:

- (1) Advising said person that he has violated a specified portion of this Chapter;
- (2) Requesting him to make payment in any amount applicable to said alleged violation as set forth herein as settlement of said violation claim and to cease said alleged violation; and
- (3) Informing him that upon failure to settle, a complaint will be filed in the Circuit Court of Cook County, charging him with such violation.

2. Pursuant to said preliminary citation, the person so accused of said violation may settle the violation claim in respect of such portion of this Chapter by paying to the Village the applicable amount as shown in the schedule set forth herein, within a period to be specified in said preliminary citation - not more than thirty (30) days of the time said alleged offense was committed.

Such payment shall be made in accordance with the instructions contained in the aforesaid citation, at the office of the Police Department which shall issue a receipt for the money so received and promptly remit said amount to the Village Treasurer to be credited to the proper Municipal fund.

3. In the event that the person to whom said preliminary citation is issued fails to settle and pay said violation claim within the prescribed time, or within a period of time specified in a final notice (if one is served upon him), then the police officer is authorized to cause a notice to appear to be served upon said alleged violator and is authorized to file a complaint and to prosecute the same in the Circuit Court of Cook County.

4. The violation claim described in said preliminary citation so to be issued pursuant to the terms of this Chapter, may be settled and paid in the respective amounts set forth in the following schedule:

(1) In the event that said payment is made prior to the mailing by the Municipality or by the police officer of a final notice, a fine amount according to the fine schedule located in [Appendix B](#) for each offense shall be accepted as settlement for each violation.

~~(2) In the event that the same person is given a second or greater number citation or preliminary citation for the same violation under this Chapter within a period of three years the amount in (1) above may be increased to an amount not greater than \$750.00 (every day shall be considered a separate violation).~~

~~(3)~~ In the event that payment is not made within the time prescribed in the final notice, and a notice to appear has been served and a complaint filed in the Circuit Court of Cook County, payment of any fine and costs shall be in such amounts as may be determined by the Circuit Court of Cook County.

(Ord. 881, 8-28-78; Amd. Ord. 5224, 10-2-17)