

ORDINANCE NO. 473

VILLAGE OF BELLEVUE, ILLINOIS

ORDINANCE ESTABLISHING FINES
AND PROVIDING FOR PROSECUTION
OF ORDINANCE VIOLATIONS

WHEREAS, the Illinois Municipal Code authorizes municipalities to pass ordinances with such fines as may be deemed proper (65 ILCS 5/1-2-1); and

WHEREAS, the Village Board has reviewed the fine structure currently in place and has determined that the fine amounts should be revised as set forth in this Ordinance;

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

Section 1: General Fine. Unless specifically set forth below, or unless specifically set forth in an ordinance of the Village enacted after this Ordinance, the fine for violation of an ordinance of the Village shall be not less than Fifty Dollars (\$50.00) nor more than Seven Hundred Fifty Dollars (\$750.00) for each offense.

Section 2: No Parking Ordinances. Notwithstanding the previous section, the fine for violation of any no parking ordinance (other than a handicapped parking violation) shall be Twenty-five Dollars (\$25.00).

Section 3: Suits and Prosecutions.

- A. **Actions Before Proper Officer:** All suits, actions or prosecutions for the recovery of any fine, forfeiture or penalty by the Village against any person for the violation of any ordinance of the Village where said fine, forfeiture or penalty does not exceed Seven Hundred Fifty Dollars (\$750.00), as provided in Section 1 hereof, may be instituted by any officer of the Village, or other responsible person, before the proper prosecuting officer.
- B. **Notice to Appear; Summons:** All such actions aforesaid may be commenced against any person by a "notice to appear" or summons in the ordinary form, as near as may be, of the summons now issued by proper officers in civil actions or a peace officer of a duly constituted Illinois unit of government, except that such summons shall state the number and section or sections of the Village ordinance alleged to have been violated, and the particular breach thereof substantially in the language of the said ordinance; provided, however, that a warrant for the arrest of the offender may issue in the first instance upon the affidavit of any person that any such Village ordinance has been violated and that the person making the complaint has responsible grounds to believe the party charged is guilty thereof. Said complaint shall specify the number and section or sections of the Village ordinance alleged to have been violated and the nature of the offense as near as may be in the language of said ordinance.
- C. **Examination or Trial; Judgment:** Any such proper officer aforesaid is authorized and directed to proceed without unnecessary delay with the examination or trial of any offender of any Village ordinance, whether brought before such court by summons or otherwise and, immediately upon conviction of such offender, enter judgment in

favor of the Village for the amount of the fine or penalty and costs of prosecution, and to proceed to collect any fine so levied using all legal process available.

- D. Payment of Fines: All fines and penalties shall be paid by the defendant or officer collecting the same to the proper officer in charge of the docket upon which the judgment against such defendant is entered, and such officer shall immediately pay to the Village such collections.

Section 4: General Provisions. All multiple acts shall constitute separate offenses, each subject to punishment as set forth in this Ordinance. Each day that an offense of a continuing nature continues shall constitute a separate offense.

Section 5: Effective Date. This Ordinance shall be effective on the date of its passage or provided by law.

PASSED AND APPROVED THIS 14 DAY OF DECEMBER, 1998.

AYES:	<u>5</u>
NAYS:	<u>0</u>
ABSENT:	<u>1</u>

VILLAGE OF BELLEVUE, ILLINOIS

By: _____
Ralph E. Wilson, President

Attest: _____
Carol S. Howard, Clerk