

CHAPTER 10 - PENALTIES

ARTICLE 1 - VIOLATIONS SUBJECT TO CITATION

10.1.01 (a) Violations Enforced by Police Department

10.1.01 (b) Violations Enforced by Emergency Service Disaster Agency (ESDA) Members

10.1.02 Violations Enforced by the City Manager

10.1.03 Issuance of a Citation

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ARTICLE 2

10.2.01 Complaints Subject to Fine

SCHEDULE 10.1

SUMMARY OF SETTLEMENT FOR A CITATION VIOLATION OF ANY PROVISION OF
THE FOLLOWING CHAPTERS AND ARTICLES OF THE MUNICIPAL CODE OF THE
CITY

OF COUNTRY CLUB HILLS:

A B

Prior to Due Prior to Final

Date. S Notice Date. S

Chapter 5: Streets & Sidewalks 10 15

All Articles

Chapter 6: Motor Vehicle & Traffic 30 20

Except 6.2.02 A; 6.2.02 B;

6.2.02 C; 6.2.02 D; 6.2.02 E;

6.2.03 A; 6.5.01 B 25 35

6.2.02 G 50 100

Chapter 7: Miscellaneous Offenses

Class "A" 10 15

Class "B" 25 50

Chapter 8: Taxes ...8.1.08 25 35

Chapter 9: Animal Control 10 20

Article 2

Chapter 12: Health & Environmental

Regulations..All Articles 25 50

Chapter 13: Businesses, Licenses

Permits..All Articles 25 50

Chapter 14: Building Code 50 75

All Articles

Chapter 15: Zoning..Except 50 75

15.6.07, 15.9.02 & 25 35

15.3.10

Chapter 16: Flood Damage Prevention 50 75

Regulating Development in

Flood Hazard Areas..All Articles

Chapter 17: Subdivision Control 50 75

All Articles

Chapter 18: Water & Sewer 10 15

Emergency Water use

CHAPTER 10

PENALTIES

ARTICLE 1 - VIOLATIONS SUBJECT TO CITATION

10.1.01(a) VIOLATIONS ENFORCED BY POLICE DEPARTMENT:

A police officer is authorized to issue a citation in lieu of filing a complaint in court for alleged

violations of any section of the following articles of the Municipal Code.

CHAPTER 6: Motor Vehicle and Traffic Ordinances All Articles excepting speeding violations

subject to local ordinance

CHAPTER 7: Miscellaneous-offenses All Articles

CHAPTER 8: Taxes

Article 1: Motor Vehicle Tax

CHAPTER 9: Animal Control

Article 1 General Provisions and Article 2: Dogs and Cats

CHAPTER 12: Health & Environmental Regulations

All Articles

CHAPTER 13: Businesses, Licenses and-Permits

All Articles

CHAPTER 18: Water and Sewer

Article 5.10: Emergency Water Use Restrictions

10.1.01(b) VIOLATIONS ENFORCED BY EMERGENCY SERVICE DISASTER AGENCY (ESDA) MEMBERS:

Emergency Service Disaster Agency (ESDA) Members who have received delegated authority

from the Chief of Police are authorized to issue a citation in lieu of filing a complaint in court for alleged

violations of any section of the following articles of the Municipal Code.

CHAPTER 6: Motor Vehicle and Traffic Ordinances All Articles excepting speeding violations

subject to local ordinance

CHAPTER 7: Miscellaneous Offenses

Article 8: Garbage, Refuse and Ashes

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10.1.01 (b) Continued:

Before any E.S.D.A. Member is authorized to issue "P" Citations, they will receive a minimum of two (2) hours training on the following:

1. How to write out a "P" Citation.
 - A. Practical Exercise

2. Authority to issue a "P" Citation.
 - A. City Ordinance
 - B. Sworn Member of E.S.D.A.

3. Authority to go on private property.
 - A. City Ordinance

4. Irate Offenders
 - A. Courtesy Always
 - B. Chain of Command

10.1.02 VIOLATIONS ENFORCED BY THE CITY MANAGER:

A police officer and the City Manager, or his delegated authority, are authorized to issue a citation in lieu of filing a complaint in court for alleged violations of any section or article of the following Chapters of the Municipal Code.

CHAPTER 5: Streets and Sidewalks

CHAPTER 7: Miscellaneous Offenses

Article 5: Nuisances

Article 7: Public Safety

CHAPTER 12: Health & Environmental Regulations

CHAPTER 13: Businesses, Licenses and Permits

CHAPTER 14: Building Code

CHAPTER 15: Zoning

CHAPTER 16: Flood Damage Prevention, Regulating Development in Flood
Hazard Areas

CHAPTER 17: Subdivision Control

CHAPTER 18: Water and Sewer

10.1.03 ISSUANCE OF A CITATION:

The Citation shall:

A. Advise the alleged violator that he has violated a specified provision of the Municipal Code.

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- (8) Make restitution or reparation in an amount not to exceed actual loss or damage to property and pecuniary loss. The court shall determine the amount and the conditions of payment;
 - (9) Perform some reasonable public service work, such as, but not limited to, picking up litter along public highways or the maintenance of public facilities.
- (D) The court shall defer entering any judgment on the charges until the conclusion of the supervision.
- (E) At the conclusion of the period of supervision, if the court determines that the person has successfully complied with all of the conditions of supervision, the court shall discharge the person and enter a judgment dismissing the charges.
- (F) Discharge and dismissal upon a successful conclusion of a disposition of supervision shall be deemed without adjudication of guilt and shall not be termed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime. A person may have his record of arrest expunged as may be provided by law.
- (G) No person assigned to a public service employment program shall be considered an employee for any purpose, nor shall the City be obligated to provide any compensation to such person.
- (H) Neither the State, nor any unit of local government, nor any official or any employee thereof acting in the course of his official duties shall be liable for any tortious acts of any person placed on supervision who is given any public service work as a condition of supervision, except for willful misconduct or gross negligence on the part of such governmental unit, official or employee.

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10.1.03 Continued:

- B. Request the alleged violator to make payment in an amount applicable to said violation, in accordance with the schedule of penalties set forth in this Chapter, and
- C. Inform the alleged violator that, upon failure to settle, a complaint will be filed in the Circuit Court of Cook County, charging him with such violation.

10.1.04 SETTLEMENT OF CITATION FOR VIOLATION:

Any person receiving a citation for an alleged violation, who agrees or admits to having committed such violation, may settle the citation by paying the penalty to the City Collector of Country Club Hills, in accordance with Schedule 10.1. Any person having paid a fine for such a violation shall not be subject to further judicial process for the prosecution of such same offense or offenses.

- A. In the event that said payment is made prior to the Due Date, the amount shown in Column A of Schedule 10.1 herein shall be accepted as settlement.
- B. In the event that payment has not been made prior to the Due Date or on or prior to a hearing date if a hearing is requested, the amount accepted for settlement after a final notice of determination shall be that shown in Column B of Schedule 10.1 herein. No person can pay the penalty prescribed for a violation, in accordance with this section, after complaint has been sworn to and complaint filed in the Circuit Court of Cook County.
- C. In the event that payment is not made prior to the final notice of determination, a Notice to Appear shall be served and a complaint filed in the Circuit Court of Cook County.

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ARTICLE 1 - VIOLATIONS SUBJECT TO CITATION

- 10.1.01 (a) Violations Enforced by Police Department
- 10.1.01 (b) Violations Enforced by Emergency Service Disaster Agency (ESDA)
Members
- 10.1.02 Violations Enforced by the City Manager
- 10.1.03 Issuance of a Citation
- 10.1.04 Settlement of Citation for Violation

ARTICLE 2

- 10.2.01 Complaints Subject to Fine

SCHEDULE 10.1

SUMMARY OF SETTLEMENT FOR A CITATION VIOLATION OF ANY PROVISION OF THE FOLLOWING CHAPTERS AND ARTICLES OF THE MUNICIPAL CODE OF THE CITY OF COUNTRY CLUB HILLS:

		A	B
		Prior to due date	Having failed to
		<u>With no request</u>	<u>pay fine after</u>
		<u>For hearing or or or</u>	<u>finding of</u>
		<u>Before hearing date</u>	<u>liability for</u>
		<u>If hearing is requested</u>	<u>violation notice</u>
			<u>of final</u>
			<u>determination</u>
Chapter 5:	Streets & Sidewalks	40	80
	All Articles		
Chapter 6:	Motor Vehicle & Traffic	40	80
	Except 6.2.02 A; 6.2.02 B;		
	6.2.02 C; 6.2.02 D; 6.2.02 E;		
	6.2.03 A; 6.5.01 B	25	50
	6.2.02 G	50	100
Chapter 7:	Miscellaneous Offenses		
	Class "A"	25	50
	Class "B"	50	100
Chapter 8:	Taxes ...8.1.08	50	100
Chapter 9:	Animal Control	100	200
	Article 1 and Article 2		
Chapter 12:	Health & Environmental		

	Regulations..All Articles	50	100	
Chapter 13:	Businesses, Licenses			
	Permits..All Articles	50	100	
Chapter 14:	Building Code	50	100	
	All Articles			
Chapter 15:	Zoning..Except	100	200	
	15.6.07, 15.9.02 &	50	100	
				15.3.1
			0	
Chapter 16:	Flood Damage Prevention	75	150	
	Regulating Development in			
	Flood Hazard Areas..All Articles			
Chapter 17:	Subdivision Control	100	200	
	All Articles			
Chapter 18:	Water & Sewer	40	80	
	Emergency Water use			

CHAPTER 10

PENALTIES

ARTICLE 1 - VIOLATIONS SUBJECT TO CITATION

10.1.01(a) VIOLATIONS ENFORCED BY POLICE DEPARTMENT:

A police officer is authorized to issue a citation in lieu of filing a complaint in court for alleged violations of any section of the following articles of the Municipal Code.

CHAPTER 6: Motor Vehicle and Traffic Ordinances All Articles excepting speeding violations subject to local ordinance

CHAPTER 7: Miscellaneous-offenses All Articles

CHAPTER 8: Taxes

Article 1: Motor Vehicle Tax

CHAPTER 9: Animal Control

Article 1 General Provisions and Article 2: Dogs and Cats

CHAPTER 12: Health & Environmental Regulations

All Articles

CHAPTER 13: Businesses, Licenses and-Permits

All Articles

CHAPTER 18: Water and Sewer

Article 5.10: Emergency Water Use Restrictions

10.1.01(b) VIOLATIONS ENFORCED BY EMERGENCY SERVICE DISASTER AGENCY

(ESDA) MEMBERS:

Emergency Service Disaster Agency (ESDA) Members who have received delegated authority from the Chief of Police are authorized to issue a citation in lieu of filing a complaint in court for alleged violations of any section of the following articles of the Municipal Code.

CHAPTER 6: Motor Vehicle and Traffic Ordinances All Articles excepting speeding violations subject to local ordinance

CHAPTER 7: Miscellaneous Offenses

Article 8: Garbage, Refuse and Ashes

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10.1.01(b) CONTINUED:

CHAPTER 8: Taxes

Article 1: Motor Vehicle Tax

CHAPTER 9: Animal Control

Article 1 General Provisions and Article 2: Dog and Cats

CHAPTER 18: Water and Sewer

Article 5.10: Emergency Water Use Restrictions

Before any E.S.D.A. Member is authorized to issue "P" Citations, they will receive a minimum of two (2) hours training on the following:

1. How to write out a "P" Citation.
 - A. Practical Exercise

2. Authority to issue a "P" Citation.
 - A. City Ordinance
 - B. Sworn Member of E.S.D.A.

3. Authority to go on private property.
 - A. City Ordinance

4. Irate Offenders.
 - A. Courtesy Always
 - B. Chain of Command

10.1.02 VIOLATIONS ENFORCED BY THE CITY MANAGER:

A police officer and the City Manager, or his delegated authority, are authorized to issue a citation in lieu of filing a complaint in court for alleged violations of any section or article of the following Chapters of the Municipal Code.

CHAPTER 5: Streets and Sidewalks

CHAPTER 7: Miscellaneous Offenses

Article 5: Nuisances

Article 7: Public Safety

CHAPTER 12: Health & Environmental Regulations

CHAPTER 13: Businesses, Licenses and Permits

CHAPTER 14: Building Code

CHAPTER 15: Zoning

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10.1.02 CONTINUED:

CHAPTER 16: Flood Damage Prevention, Regulating Development in Flood Hazard Areas

CHAPTER 17: Subdivision Control

CHAPTER 18: Water and Sewer

10.1.03 ISSUANCE OF A CITATION:

The Citation shall:

- A. Advise the alleged violator that he has violated a specified provision of the Municipal Code.
- B. Request the alleged violator to make payment in an amount applicable to said violation, in accordance with the schedule of penalties set forth in this Chapter, and
- C. Inform the alleged violator that, upon failure to settle, a complaint will be filed in the circuit Court of Cook County, charging him with such violation.

10.1.04 SETTLEMENT OF CITATION FOR VIOLATION:

Any person receiving a citation for an alleged violation, who agrees or admits to having committed such violation, may settle the citation by paying the penalty to the City Collector of Country Club Hills, in accordance with Schedule 10.1. Any person having paid a penalty for such a violation shall not be subject to further judicial process for the prosecution of such same offense or offenses.

- A. In the event that said payment is made prior to the Due Date, the amount

shown in Column A of Schedule 10.1 herein shall be accepted as settlement.

- B. In the event that payment has not been made prior to the Due Date, the amount accepted for settlement before the Final Notice Date shall be that shown in Column B of Schedule 10.1 herein. No person can pay the penalty prescribed for a violation, in accordance with this section, after complaint has been sworn to and complaint filed in the Circuit Court of Cook County.
- C. In the event that payment is not made prior to the Final Notice Date, a Notice to Appear shall be served and a complaint filed in the Circuit Court of Cook County.

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SCHEDULE 10.2

SUMMARY OF MINIMUM FINES FOR A COMPLAINT VIOLATION OF ANY PROVISION OF THE FOLLOWING CHAPTERS OF THE MUNICIPAL CODE OF THE CITY OF COUNTRY CLUB HILLS:

	Minimum Fine. \$
Chapter 2: Police Department	40
Chapter 5: Streets and Sidewalks	40
Chapter 6: Motor Vehicle and Traffic	
All Articles except 6.2.02 A; 6.2.02 B;	
6.2.02 C; 6.2.02 D; 6.2.02 E; 6.2.02 G;	
6.2.03 A; 6.5.01 B and speeding violations subject to Local Ordinance	
Speeding Violations Subject to Local Ordinance:	
Less than 21 MPH over limit	25
Between 21 MPH & 30 MPH over limit	40
Greater than 30 MPH over limit	90
Chapter 7: Miscellaneous Offenses	
Class "A"	25
Class "B"	50
Chapter 8: Taxes..Except 8.1.08	50
Chapter 9: Animal Control	100
Chapter 12: Health & Environmental Regs.	25
Chapter 13: Businesses, Licenses & Permits	50

Chapter 14: Building Code	50
Chapter 15: Zoning..Except 15.6.07 and 15.9.02 A	50
Chapter 16: Flood Damage Prevention, Regulating Development in Flood Hazard Areas	75
Chapter 17: Subdivision Control	100
Chapter 18: Water & Sewer	40
Emergency Water Use Restrictions	50

ARTICLE 2 - COMPLAINTS SUBJECT TO FINE

10.2.01: Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with any provisions of this Municipal Code, or who shall refuse to remedy a violation of such provisions, shall, upon conviction, be fined not less than the minimum penalty in accordance with Schedule 10.2 herein, nor more than Five Hundred (\$500) dollars. Each day a violation is permitted to exist or continue shall constitute a separate offense.

In addition to, or in lieu of, any fine or penalty which may be imposed for violation of an ordinance of the City of Country Club Hills, the court may impose a sentence of supervision upon any person if, having regard to the nature and circumstances of the offense and to the history, character and condition. of the person, the court is of the opinion that the penalty provided in this Chapter is inappropriate.

- A. When a person is placed on supervision the court shall enter an order for supervision specifying the period of such supervision, and shall defer further proceedings in the case until the conclusion of the period:
- B. The period of supervision shall be reasonable under all the circumstances of the case, but may not be longer than one (1) year.
- C. The court may, in addition to other considerations, require that the person:
 - 1. Make a report to, appear in person before or participate with the court or such courts, persons or social agency as directed by the court in the order of supervision:
 - 2. Work or pursue a course of study or vocational training;

3. Undergo medical or psychiatric treatment; or treatment for drug addiction or alcoholism;
4. In the case of a minor, reside with his parents or in a foster home;
5. In the case of a minor, attend school;
6. In the case of a minor, attend a non-residential program for youth;

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10.2.01 CONTINUED:

7. In the case of a minor, contribute to his own support at home or a foster home;
 8. Make restitution or reparation in an amount not to exceed actual loss or damage to property and pecuniary loss. The court shall determine the amount and the conditions of payment:
 9. Perform some reasonable public service work, such as, but not limited to, picking up litter along public highways or the maintenance of public facilities.
- D. The court shall defer entering any judgment on the charges until the conclusion of the supervision.
- E. At the conclusion of the period of supervision, if the court determines that the person has successfully complied with all of the conditions of supervision, the court shall discharge the person and enter a judgment dismissing the charges.
- F. Discharge and dismissal upon a successful conclusion of a disposition of supervision shall be deemed without adjudication of guilt and shall not be termed a conviction for purposes of disqualification or disabilities imposed by law upon conviction of a crime. A person may have his record of arrest expunged as may be provided by law.
- G. No person assigned to a public service employment program shall be considered an employee for any purpose, nor shall the City be obligated to provide any compensation to such person.
- H. Neither the State, nor any unit of local government, nor any official or any

employee thereof acting in the course of his official duties shall be liable for any tortious acts of any person placed on supervision who is given any public service work as a condition of supervision, except for willful misconduct or gross negligence on the part of such government unit, official or employee.

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