

VILLAGE OF BRADLEY

ORDINANCE NO. 0-06-22-07

AN ORDINANCE AMENDING CHAPTER 1 (GENERAL PROVISIONS), SECTION 1-6
(GENERAL PENALTY FOR VIOLATION OF CODE; CONTINUING VIOLATIONS) OF THE
BRADLEY VILLAGE CODE OF ORDINANCES

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 13th DAY OF June, 2022

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 13th day of June, 2022

ORDINANCE NO. O-06-22-07

AN ORDINANCE AMENDING CHAPTER 1 (GENERAL PROVISIONS), SECTION 1-6 (GENERAL PENALTY FOR VIOLATION OF CODE; CONTINUING VIOLATIONS) OF THE BRADLEY VILLAGE CODE OF ORDINANCES

WHEREAS, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, 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 Section 1-2-1 of the Illinois Municipal Code (65 ILCS 5/1-2-1), the Corporate Authorities of the Village are authorized to pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

WHEREAS, the Corporate Authorities of the Village previously exercised the foregoing authority by, *inter alia*, enacting Chapter 1 (General Provisions), Section 1-6 (General Penalty for Violation of Code; Continuing Violations) of the Village's code of ordinances; and

WHEREAS, the Corporate Authorities of the Village have determined that it is necessary, expedient, and in the best interests of the Village and its citizens to amend said Section 1-6 as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. Chapter 1 (General Provisions), Section 1-6 (General Penalty for Violation of Code; Continuing Violations) of the Village's code of ordinances is hereby amended to read as follows:

Sec. 1-6. General penalty for violation of Code; continuing violations.

Unless otherwise specified in this Code or limited by state statute:

- (1) Whenever in this Code or in any village ordinance any act is prohibited or is made or declared to be unlawful or a violation or an offense, or whenever in this Code or village ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, where no specific penalty is provided, the violation of any of the provisions of this Code or any village ordinance shall be punished by fines in the amounts below with respect to the Code provision violated:

First offense:	Not less than \$125 but not more than \$250
Second Offense:	Not less than \$250 but not more than \$500
Third and Subsequent Offense(s):	Not less than \$500 but not more than \$750

- (2) Whenever in this Code or in any village ordinance any act or omission is declared to be a misdemeanor, the violation of that provision of this Code or any ordinance shall be a misdemeanor punishable by incarceration for a period not exceeding six months and a fine for the Code provision or ordinance violated to be imposed as follows:

First offense:	Not less than \$125 but not more than \$250
Second Offense:	Not less than \$250 but not more than \$500
Third and Subsequent Offenses:	Not less than \$500 but not more than \$750

- (3) In addition to fine and incarceration as stated in this section, a penalty imposed for a violation of a provision of this Code or of a village ordinance may consist of or include a requirement that the defendant perform some reasonable public service work, such as, but not limited to, the picking up of litter in public parks or along public highways or the maintenance of public facilities.
- (4) Whenever in this Code any act or omission is made unlawful, it shall include causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.
- (5) Each day any violation of any provision of this Code or of any village ordinance shall continue constitutes a separate offense.

SECTION 3. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

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PASSED by the Board of Trustees on a roll call vote on the 13th day of June, 2022.

TRUSTEES:

RYAN LEBRAN	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN BILLINGSLEY	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
DARREN WESTPHAL	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
BRIAN TIERI	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
GRANT D. VANDENHOUT	Aye - <u> </u>	Nay - <u> </u>	Absent - <u>X</u>
GENE JORDAN	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>

VILLAGE PRESIDENT:

MICHAEL WATSON Aye - Nay - Absent -

TOTALS: Aye - 5 Nay - 0 Absent - 1

ATTEST:



JULIE TAMBLING, VILLAGE CLERK

APPROVED this 13th day of June, 2022.



MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:

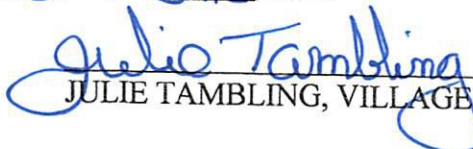


JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS)
)
COUNTY OF KANKAKEE) §§

I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 0-06-2207 "AN ORDINANCE AMENDING CHAPTER 1 (GENERAL PROVISIONS), SECTION 1-6 (GENERAL PENALTY FOR VIOLATION OF CODE; CONTINUING VIOLATIONS) OF THE BRADLEY VILLAGE CODE OF ORDINANCES," which was adopted by the Village Corporate Authorities at a meeting held on the 13 day of June, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 13 day of June, 2022.

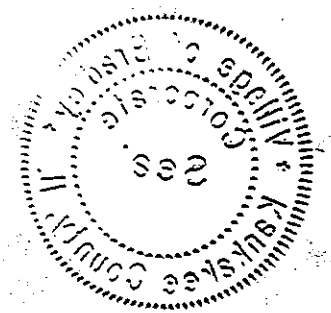


JULIE TAMBLING, VILLAGE CLERK



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Agenda Cover Memorandum

Meeting Date: June 13th, 2022

Fiscal Year: 2022

Agenda Item: Ordinance amending chapter 1 general provisions, Sec. 1-6 (general penalty for violation of code: continuing violations)

Item Type: Ordinance Resolution Other

Action Requested: Approval First Reading For Discussion Informational

Staff Contact: **Name:** Bruce Page - Director Community Development Department

Phone: 815-936-5100 ext. 1111

Email: bepage@bradleyil.org

Internal Review
Initials
Date

Summary: The department of community development would ask the Village Board review and approve the amendment to the fine structure for the violations of the village code. This change will strengthen the adjudication process by equalizing and enforcing the fines for code violations consistently within the village.

Is this a budgeted item? Yes No Requires Budget Amendment

Line Item: _____ Title: _____

Amount Budgeted: _____