

VILLAGE OF BRADLEY

ORDINANCE NO. 0-04-25-01

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), CHAPTER 10
(BUILDINGS AND BUILDING REGULATIONS), AND CHAPTER 18 (FEES AND OTHER
CHARGES) OF THE VILLAGE OF BRADLEY CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 14th DAY OF April, 2025

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 14th day of April, 2025

ORDINANCE NO. 04-2501

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), CHAPTER 10 (BUILDINGS AND BUILDING REGULATIONS), AND CHAPTER 18 (FEES AND OTHER CHARGES) OF THE VILLAGE OF BRADLEY CODE

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 the Village, with such fines or penalties as may be deemed proper; and

WHEREAS, the Corporate Authorities of the Village previously exercised the foregoing authority by enacting, *inter alia*, Chapter 18 (Fees and Other Charges), Section 18-2 (Penalty; fines) of the Village code; 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 18-2 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 2 (Administration), Article VII (Administrative Adjudication of Ordinance Violations), Section 2-586 (Hearing officer determination) is hereby amended, in part, by adding the following bold and underlined text:

Sec. 2-586. – Hearing officer determination.

...

(c) Any individual who, after receiving proper notice, fails to appear for the adjudication of their violation shall have an Ex Parte judgement entered against them. Additionally, they shall be assessed an Ex Parte Fee of \$50.00, for additional administrative costs associated with a failure to appear, provided that the total amount of fines and fees owed does not exceed \$750.00.

SECTION 3. Chapter 10 (Buildings and Building Regulations), Article VI (Administration and Enforcement), Section 10-360 (Hearing officer determination) is hereby amended, in part, by adding the following bold and underlined text:

Sec. 10-360. – Hearing officer determination.

At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing whether or not a code violation exists. The determination may be in writing and may be designated as findings, decision and order. If a code violation is proved, the order may also impose the sanctions that are provided for in this Code and include code hearing department costs in the amount of \$50.00. **If an individual fails to appear for the adjudication of their violation, an Ex Parte judgement shall be entered against them and they shall be assessed an Ex Parte Fee in the amount of \$50.00, for additional administrative costs associated with a failure to appear, provided that the total amount of fines and fees owed does not exceed \$750.** A copy of any findings, decision, and order shall be served on the defendant within five days after it is issued; service shall be in the same manner as the report form and summons are served pursuant to section 10-353. Payment of any penalty, costs or fine and the disposition of fine money shall be in the same manner as set forth in this Code.

SECTION 4. Chapter 18 (Fees and Other Charges), Section 18-2 (Penalty; fines) is hereby amended, in part, with the removal of stricken through text and addition of bold and underlined text as follows:

Sec. 18-2. Penalty; fines.

| Section | Description | Min/Max (\$) | |
|-------------------------------------|---|-------------------------------------|-------------------------------------|
| <i>Chapter 1—General Provisions</i> | | | |
| 1-6 | General penalty | 50.00 | 750.00 |
| 1-6(1) | First Offense | 50.00 <u>125</u> | 50.00 <u>250</u> |
| | Second Offense | 100.00 <u>250</u> | 100.00 <u>500</u> |
| | Third Offense <u>& Subsequent Offenses</u> | 250.00 <u>500</u> | 250.00 <u>750</u> |
| | Subsequent Offenses | 500.00 | 750.00 |
| 1-6(2) | First Offense | 50.00 <u>125</u> | 50.00 <u>250</u> |
| | Second Offense | 100.00 <u>250</u> | 100.00 <u>500</u> |
| | Third Offense <u>& Subsequent Offenses</u> | 250.00 <u>500</u> | 250.00 <u>750</u> |
| | Subsequent Offenses | 500.00 | 750.00 |

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| | | | |
|----------------------------|---|-------------------------------------|-------------------------------------|
| <i>Chapter 30—Offenses</i> | | | |
| 30-34 | Offense against public peace, order and safety (article II) | 500.00 <u>125</u> | 500.00 <u>750</u> |

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| <i>Chapter 52—Traffic and Vehicles</i> |
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|----------------------|---|----------------------|
| <u>52-296</u> | <u>Seizure and impoundment of motor vehicles—bond for release</u> | <u>500.00</u> |
| <u>52-297</u> | <u>Bond for release of impounded vehicles, plus towing and storage costs</u> | <u>500.00</u> |
| <u>52-298</u> | <u>Bond for release of impounded vehicles, plus towing and storage costs</u> | <u>500.00</u> |

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SECTION 5. The Village Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SECTION 6. All ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed, but only to the extent necessary to avoid the conflict.

SECTION 7. 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 8. This ordinance shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Bradley.

[Intentionally Blank]

PASSED by the Board of Trustees on a roll call vote on the 14th day of April, 2025.

TRUSTEES:

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

VILLAGE PRESIDENT:

MICHAEL WATSON Aye – Nay – Absent –

TOTALS: Aye – 6 Nay – 0 Absent – 0

ATTEST:


KELLI BRZA, VILLAGE CLERK

APPROVED this 14th day of April, 2025.


MICHAEL WATSON, VILLAGE PRESIDENT

ATTEST:


KELLI BRZA, 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 0-04-25-01, "AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), CHAPTER 10 (BUILDINGS AND BUILDING REGULATIONS), AND CHAPTER 18 (FEES AND OTHER CHARGES) OF THE VILLAGE OF BRADLEY CODE," which was adopted by the Village Corporate Authorities at a meeting held on the 14th day of April, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 14th day of April, 2025.



KELLI BRZA, VILLAGE CLERK

(SEAL)





Agenda Cover Memorandum

Meeting Date: April 14th, 2025

Fiscal Year: FY2024-25

Agenda Item: Amending adjudication fee schedule

Item Type: X Ordinance Resolution ☐ Other

Action Requested: ☒ Approval ☒ First Reading ☐ For Discussion ☐ Informational

Staff Contact: Name: Chief Donald Barber
Phone: 815-936-5115
Email: dbarber@bradleyil.org

| |
|-----------------|
| Internal Review |
| Initials |
| Date |

Brief Summary:

The Village of Bradley Police Department is in the process of updating the current fee and fine schedule to make the fine more consistent across violations, and to give the adjudication officer more discretion related to the violations committed.

Recommendation:

The recommendation is that an ordinance be drafted, reviewed and adopted.

Supporting Documents:

Financial (if applicable)

Is this a budgeted item? ☐ Yes ☒ No ☐ Requires Budget Amendment

Line Item: Title:

Amount Budgeted:

Actual Cost:

Outcome: