

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

_____ Resolution or Ordinance (Blue) _____ *Waiver of First Requested*
X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: May 8, 2013 (COW)(B of T) May 16, 2013

TITLE: ORDINANCE AMENDING TITLE 7, CHAPTER 73,
SECTION 73.09 OF THE LOMBARD VILLAGE CODE
IN REGARD TO SCHEDULE OF FINES/PENALTIES

SUBMITTED BY: Timothy Sexton, Director of Finance

BACKGROUND/POLICY IMPLICATIONS:

The Finance Committee and the Transportation & Safety Committee recommend changes to the current Administrative Adjudication Fine Schedule. Both Committees felt the current fines are too high and discourage violators from paying. Both Committees voted to reduce the fines to a maximum of \$75 for General and Commuter Lot fines and \$150 for Fire Lane fines. The maximum fine for Handicapped Parking violations would remain unchanged at \$250.

Attachment 1 is the current schedule of fines and the proposed changes. Steps 2 and 3 are the same amount, as the Village Attorney stated that both steps are needed as part of the Administrative Adjudication program authorized by state statute. Also attached is an ordinance required to change the Administrative Adjudication Fine Schedule. The Finance Committee and the Transportation & Safety Committee both recommended Board of Trustee approval of the attached ordinance.

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X _____	Date _____

Current Administrative Adjudication Fine Schedule

	Fine Schedule	General Fine Amount	Handicapped Parking Fine Amount	Commuter Lot Fine Amount	Fire Lane Fine Amount
STEP 1	Upon service of a "violation notice, " the fine amount owed prior to or on the first hearing date shall be:	\$25.00	\$250.00	\$50.00	\$50.00
STEP 2	Upon failure to pay the fine amount specified in Step 1 prior to or on the first hearing date, the fine amount after the first hearing date shall be:	\$100.00	\$250.00	\$150.00	\$150.00
STEP 3	Upon failure to pay the fine amount specified in Step 2 prior to the second hearing date, the fine amount on the second hearing date shall be:	\$175.00	\$250.00	\$200.00	\$200.00
STEP 4	Upon failure to pay the fine amount specified in Step 2 and failing to appear at the second hearing the fine amount shall be:	\$250.00	\$250.00	\$250.00	\$250.00

Proposed Administrative Adjudication Fine Schedule

	Fine Schedule	General Fine	Handicapped Parking Fine Amount	Commuter Lot Fine Amount	Fire Lane Fine Amount
STEP 1	Upon service of a "violation notice, " the fine amount owed prior to or on the first hearing date shall be:	\$25.00	\$250.00	\$25.00	\$50.00
STEP 2	Upon failure to pay the fine amount specified in Step 1 prior to or on the first hearing date, the fine amount after the first hearing date shall be:	\$50.00	\$250.00	\$50.00	\$100.00
STEP 3	Upon failure to pay the fine amount specified in Step 2 prior to the second hearing date, the fine amount on the second hearing date shall be:	\$50.00	\$250.00	\$50.00	\$100.00
STEP 4	Upon failure to pay the fine amount specified in Step 2 and failing to appear at the second hearing the fine amount shall be:	\$75.00	\$250.00	\$75.00	\$150.00

ORDINANCE NO. _____

**ORDINANCE AMENDING TITLE 7, CHAPTER 73,
SECTION 73.09 OF THE LOMBARD VILLAGE CODE
IN REGARD TO SCHEDULE OF FINES/PENALTIES**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

Section 1: That Title 7, Chapter 71, Section 73.09 (A) of the Lombard Village Code is amended to read in its entirety, effective May 16, 2013, as follows:

§ 73.09 SCHEDULE OF FINES/PENALTIES

(A) Notwithstanding any other provisions to the contrary in this Code or in the Village's Traffic Code for violations of any provision of this Code or the Village's Traffic Code regulating, restricting or prohibiting the standing or parking of motor vehicles along the streets, byways, alleyways, regulated parking lots or such other locations as may be controlled by off-street parking agreements, located within the geographical boundaries of the Village, including handicapped parking, for violations regarding the use or condition of vehicular equipment, the fines relative to the administrative adjudication of vehicular regulation violation notices issued pursuant to this Chapter shall be as set forth in the following schedule:

	Fine Schedule	General Fine	Handicapped Parking Fine Amount	Commuter Lot Fine Amount	Fire Lane Fine Amount
STEP 1	Upon service of a "violation notice, " the fine amount owed prior to or on the first hearing date shall be:	\$25.00	\$250.00	\$25.00	\$50.00
STEP 2	Upon failure to pay the fine amount specified in Step 1 prior to or on the first hearing date, the fine amount after the first hearing date shall be:	\$50.00	\$250.00	\$50.00	\$100.00
STEP 3	Upon failure to pay the fine amount specified in Step 2 prior to the second hearing date, the fine amount on the second hearing date shall be:	\$50.00	\$250.00	\$50.00	\$100.00
STEP 4	Upon failure to pay the fine amount specified in Step 2 and failing to appear at the second hearing the fine amount shall be:	\$75.00	\$250.00	\$75.00	\$150.00

Section 2: That this Ordinance shall be in full force and effect from and after its passage, approval, publication in pamphlet form as provided by law.

Ordinance Amending the Lombard Traffic Code
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Passed on first reading this _____ day of _____, 2013

First reading waived by action of the Board of Trustees this ____ day of _____, 2013.

Passed on second reading this _____ day of _____, 2013

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2013

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk