

060410

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

Resolution or Ordinance (Blue) Waiver of First Requested
Recommendations of Board, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: July 31, 2006 (BOT) Date: August 17, 2006

TITLE: An Ordinance Amending Article V of the Lombard Traffic Code

SUBMITTED BY: Ray Byrne, Chief of Police

BACKGROUND/POLICY IMPLICATIONS:

This ordinance will increase the minimum fine amount for a violation of Driving While Under the Influence (DWI) from \$750.00 to \$1,000.00. The fine increase is being recommended in response to legislation that would reduce the amount of fine monies municipalities would receive following court dispositions.

FISCAL IMPACT/FUNDING SOURCE: None

Review (as necessary):

Finance Director X

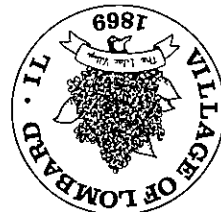
Village Manager X

W. M. T. Lichter

Date: 8/1/06

NOTE: All materials must be submitted to and approved by the Village Manager's office by 12:00 noon, Wednesday, prior to the Agenda Distribution.

LOMBARD POLICE DEPARTMENT



Date: July 31, 2006

To: William T. Lichter
Village Manager

From: Ray Byrne
Chief of Police

Re: **Proposed Increase of Minimum Fine for DUI Ordinance Violations**

The attached ordinance recommends that the minimum fine for an ordinance offense of Driving While Under the Influence (DWI) be raised from \$750.00 to \$1,000.00. The rationale is predicated on the same legislation that has resulted in a recommendation to raise the minimum fines for all vehicle code violations written as local ordinances. The legislation is expected to reduce revenues to the Village of Lombard by approximately 28%. The recommendation to increase the fine amounts is designed to offset the loss of the anticipated revenues.

I have reviewed this issue with our local prosecutor, Harry Smith, and he is in agreement with the proposed increase. Carol Stream and Downers Grove have also increased their minimum fine amounts to \$1,000.00 in response to this legislation. As with the ordinance increasing the minimum traffic fine amounts, a waiver of first reading is being requested to expedite the implementation of the new fine amount.

If you should have any questions, or would like additional information, please do not hesitate to contact me.

cc: Len Flood, Director of Finance
Dep. Chief Cunny
Dep. Chief Rollins

**AN ORDINANCE AMENDING THE LOMBARD TRAFFIC CODE
(ORDINANCE NO. 1186) IN RELATION TO THE OFFENSE OF
DRIVING WHILE UNDER THE INFLUENCE**

ORDINANCE NO. _____

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard,

DuPage County, Illinois, as follows:

SECTION 1: That the Lombard Traffic Code is hereby amended by revising Article V thereof to delete in its entirety Section 10-5-2(b) and replacing it with a new Section 10-5-2(b) which shall read as follows:

“(b) The court, upon making a finding of guilty for any offense under section 10-5-2 of this Article, in addition to any sentencing alternative elected by the court, shall impose a fine of not less than one thousand dollars (\$1,000.00) for each such offense. In the event that the Illinois Vehicle Code imposes a minimum fine greater than one thousand dollars (\$1,000.00) for such an offense, the greater of the statutory minimum fine or one thousand dollars (\$1,000.00) shall be imposed.”

SECTION 2: 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.

Passed on first reading this _____ day of _____, 2006.

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

2006.

Passed on second reading this _____ day of _____, 2006, pursuant

to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

Brigitte O'Brien
Village Clerk

Published by me in pamphlet form this _____ day of _____, 2006.

Brigitte O'Brien
Village Clerk

ATTEST:

William J. Mueller
Village President

APPROVED by me this _____ day of _____, 2006.