

060547

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

X Resolution or Ordinance (Blue) X 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: September 19, 2006 (BOT) Date: October 5, 2006

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

SUBMITTED BY: Ray Byrne, Chief of Police

BACKGROUND/POLICY IMPLICATIONS:

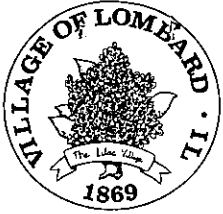
At the Village Board meeting on August 17, 2006, Ordinance # 5900 was approved increasing the minimum fine amounts for all traffic offenses. This proposed ordinance makes a slight modification to the ordinance language to clarify that certain Village ordinance violations can have higher minimum fine amounts.

FISCAL IMPACT/FUNDING SOURCE: None

Review (as necessary):

Finance Director X _____ Date _____
Village Manager X William T. Lichter _____ Date: 9/20/06

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: September 19, 2006

To: William T. Lichter
Village Manager

From: Ray Byrne
Chief of Police

**Re: Minor Ordinance Modification
Proposed Increase of Fines for All Local Ordinance Traffic Violations**

At the August 17th regular Village Board meeting, the Village Board approved Ordinance # 5900 which raised the minimum fine amounts for all traffic offenses. Village Prosecutor Linda Pieczynski has recommended that a minor modification to the language of the ordinance be made to clarify that certain Village ordinance offenses can have higher minimum fine amounts. This would help to clarify any alternative interpretations of the language.

The only modification involves the insertion of the phrase "except those where a minimum fine is otherwise specified by State statute." A good example would be some of the fines authorized for violations of our overweight vehicle offenses. The ordinance has been prepared by Village Attorney Tom Bayer. As with Ordinance # 5900, a waiver of first reading is being requested to expedite the implementation of the new fines.

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

cc: Dep. Chief Cuny
Dep. Chief Rollins

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MEMORANDUM

To: Raymond Byrne, Chief of Police, Village of Lombard
From: Tom Bayer, Village Attorney
Date: September 14, 2006
Subject: **Traffic Court Fines**

Per our discussion on September 12, 2006, enclosed please find the following Ordinance relative to the above-captioned matter:

AN ORDINANCE AMENDING ARTICLE XIX, SECTION 10-19-2
OF THE LOMBARD TRAFFIC CODE (ORDINANCE NO. 1186) IN
RELATION TO TRAFFIC VIOLATION FINES

The Ordinance amends Section 10-19-2 to add the language requested by the Village Prosecutor.

If there are any questions, please feel free to call.

encl.
cc: William T. Lichter, Village Manager (w/ encl.)
Linda Pieczynski, Village Prosecutor (w/ encl.)

180660-49/41

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ARTICLE XIX, SECTION 10-19-2
OF THE LOMBARD TRAFFIC CODE (ORDINANCE NO. 1186)
IN RELATION TO TRAFFIC VIOLATION FINES**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Article XIX, Section 10-19-2 of the Lombard Traffic Code is hereby amended to read in its entirety as follows:

"10-19-2 PENALTIES FOR VIOLATIONS

For all Illinois Vehicle Code violations written as local ordinance violations pursuant to Section 10-19-1 above, except those where a minimum fine is otherwise specified by State statute, the fine shall be not less than seventy-five and no/100 dollars (\$75.00) and not more than seven hundred fifty and no/100 dollars (\$750.00), exclusive of court costs and fees, except that speeding violations shall be subject to the following minimum fines:

<u>Miles Per Hour Over Posted Limit</u>	<u>Minimum Fine Exclusive of Court Costs and Fees</u>
1-19	\$75.00
20-29	\$95.00
30 or more	\$105.00"

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: _____

APPROVED by me this _____ day of _____, 2006.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

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

Brigitte O'Brien
Village Clerk