

VILLAGE OF BARTLETT

COMMITTEE AGENDA

JULY 17, 2018

PUBLIC WORKS, CHAIRMAN REINKE

Groot Customer Service Issues

POLICE & HEALTH, CHAIRMAN CARBONARO

Review of Proposed Amendments to Local Adjudication Procedures



Agenda Item Executive Summary

Item Name Groot Industries

Committee
or Board Committee

BUDGET IMPACT

<i>Amount:</i>	N/A	<i>Budgeted</i>	N/A
<i>List what fund</i>	N/A		

EXECUTIVE SUMMARY

Groot Industries has been Bartlett's waste hauler since the fall of 2017. Beginning in 2018, the company has had several difficulties relative to billing and customer service. Tonight, the Board has requested that Groot come to the Committee of the Whole to talk about the challenges it has faced, and what steps are being made to eliminate further issues for our residents.

ATTACHMENTS (PLEASE LIST)

Memo

ACTION REQUESTED

For Discussion Only:

Resolution:

Ordinance:

Staff: Scott Skrycki

Date: July 10th, 2018

Assistant Administrator

Memorandum

To: Village President and Board of Trustees
From: Scott Skrycki, Assistant Village Administrator
Date: 7/10/2018
Re: Groot Industries

Discussion: Board Members have asked our waste hauler contractor, Groot Industries to come in to discuss some of the challenges the company has had from an operational perspective as well as customer service issues.

Background: The Village had been with Republic Services for a long time, prior to entering into a contract with Groot Industries. In the fall of 2017 Groot Industries purchased several routes from Republic Services as well as their station in Elgin, thus making Groot the Village's new waste hauler. Also, in the fall of 2017, the Village of Bartlett went out for bids through an RFP process. The bid included a base bid price plus the features of electronic recycling and weekly "bundled" brush pick up. When the results from the RFP came back, Groot submitted a bid for the same-day pick up, as well as the new features of brush collection and electronics recycling. The price was substantially lower than the other submittals, as well as the Village's current price. After a review by the Committee of the Whole, the contract was then approved at the Village Board meeting.

Challenges/Timeline: When Groot took the route over in the fall, there was no spike in complaints or issues. Since January, upon entering into an agreement there have been several challenges with the billing department, thus spilling over into their customer service department and daily operations. The original mistake that occurred the first week of January was on nearly every single bill. Groot reported an error in the system that applied a \$5 "service fee" to each account. This mistake also hit several neighboring communities that Groot services. Staff spoke to Groot the day the mistake was made and Groot agreed to reverse the charge and credit accounts the following billing cycle. Staff notified the residents via social media and the Village website the same day.

Billing Mistakes/Hold Times: The initial billing mistake (*first week of January*) created absurd hold times, not allowing residents to call in and reach a Groot associate. The calls flooded Village Hall for approximately two weeks with Groot issues. Staff took each call and each e-mail and contacted Groot and resolved 100% of all service and billing oriented issues created by the billing mistake. Issues included questions about the fee itself, common issues such as missed pickups that would normally be worked out between the contractor and the resident, as well as the first couple of weeks of electronics pick-up.

Due to an automatic setting in some customer/residents accounts, a \$5 late fee was charged to 700 accounts (*first week of June*). Again, Groot notified staff and agreed to reverse all charges that same day. The programming error was created by having a past due amount and a credit that canceled each other out. This program error did create frustration once again. However, it was fixed very quickly and occurred to far less accounts, thus staff time spent on this issue was minimal.

Billing turnaround time issue: On June 30th/July 1st of this year, several residents had notified me about the latest bill that was received on June 30th/July 1st with a due date of July 4th. This gave residents a period of two business days to pay a bill. Groot notified me that most of these bills were on auto pay, and that they would not charge a late fee to any residents that paid the bill within a period of 60 days, this would go to 30 days once these billing issues have settled down.

Operations/Daily pickups: The billing errors that created long hold times caused residents to contact the Village, where normally they would just speak to the waste hauler. During this time staff acted as a conduit to the operations department. Once the hold times were decreased residents still contacted Village Hall due to their initial bad experience. Village staff continued to see to it that issues were fixed, but still redirected the residents to Groot. Calls and complaints to Village Hall have decreased since Groot agreed to make several changes per the staff's request, which are highlighted below.

Brush/Bundling: The brush collection has been a transition, much like when the Village went to recycling and toters, there has been a spike in inquiries. A majority of complaints have come from homeowners who did not properly bundle or may have had a bundle behind the bins, or inconsistent flagging by Groot. Groot will tag each and every bundle going forward.

Steps to Resolutions/Progress: In addition to dozens of phone calls with Groot, there were several in person meetings with management at Village Hall. After the most recent meeting with the General Manger and his team, Groot has made several adjustments. Below was in an e-mail from Shawn McDowell (June 27).

- *We have increased our CSR Staff by 40% in the past 6 weeks to reduce average wait times to less than 1:30 per call (including the 34 second greeting), this has also resulted in a caller hang up rate of less than 8% over the past 2 weeks.*
- *We are continuing to notify customers of the change in service levels on loose brush pick up on a case by case basis by stickering the piles and informing the customers on an account by account basis, reaffirming the information we provided to all residents via the community newsletter at the start of the new contract.*
- *Additionally, as of next Tuesday, 07/03/18, any brush piles left by our drivers will be called into their supervisors and then proactively notified by our CSR staff of why the piles were left on an account by account basis.*
- *We are currently running an additional truck through town on Wednesdays at no additional cost to the Village residents to pick up any customers that put material out late or that we incorrectly missed.*

- *In the past 4 weeks we have gone back on Wednesdays for 93 stops in the village (Out-lates and Misses by our drivers) out of a possible 108,000 collections attempts leading to a 99.9% collection rate.*

Closing: Staff has been in daily communications with Groot to see to it that progress has been made. The mistakes have been significantly higher than they should be, but Groot has fixed each mistake. When there has been conflicting information from the resident and the driver, Groot has always taken the side of the resident.

Groot is here to answer any additional questions, the Village Board may have this evening.



Agenda Item Executive Summary

Item Name	Review of the Proposed Amendments to the Bartlett Municipal Code Including Local Adjudication Procedures	Committee or Board	Board
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BUDGET IMPACT			
Amount:	N/A	Budgeted	N/A
List what fund	N/A		
EXECUTIVE SUMMARY			
<p>The Police Department proposes to amend Chapter 15 entitled "Administrative Adjudication of Ordinance Violations", Chapter 11-1300 entitled "Stopping, Standing, and Parking" and Chapter 4 entitled "General Penalty" of the Bartlett Municipal Code. Additionally, the Police Department proposes to create a Chapter 12 entitled "Vehicular Compliance Citations" and Chapter 20 entitled "Administrative Adjudication of Parking and Vehicle Compliance Violations" of the Bartlett Municipal Code.</p> <p>The proposed amended and newly created ordinances are needed to comply with the requirements of the Illinois Office of the Comptroller's IDROP Local Debt Recovery Program and Section 11-208.3 entitled, "Administrative Adjudication of Violations of Traffic Regulations Concerning the Standing, Parking, or Condition of Vehicles, Automated Traffic Law Violations, and Automated Speed Enforcement System Violations" of the Illinois Vehicle Code.</p>			
ATTACHMENTS (PLEASE LIST)			
<p>Police Department Memo Proposed Amended and Newly Created Ordinances</p>			

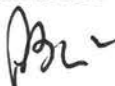
ACTION REQUESTED

For Discussion Only



Staff: Patrick Ullrich, Chief of Police Date: July 6, 2018
Geoffrey Pretkelis, Deputy Chief of Police

POLICE DEPARTMENT MEMORANDUM

DATE: July 6, 2018
TO: Paula Schumacher, Village Administrator
FROM: Patrick B. Ullrich, Chief of Police 
RE: Amendments to the Bartlett Municipal Code Including Local Adjudication Procedures

The Police Department proposes to amend Chapter 15 entitled "Administrative Adjudication of Ordinance Violations", Chapter 11-1300 entitled "Stopping, Standing, and Parking" and Chapter 4 entitled "General Penalty" of the Bartlett Municipal Code. Additionally, the Police Department proposes to create a Chapter 12 entitled "Vehicular Compliance Citations" and Chapter 20 entitled "Administrative Adjudication of Parking and Vehicle Compliance Violations" of the Bartlett Municipal Code.

The proposed amended and newly created ordinances are needed to comply with the requirements of the Illinois Office of the Comptroller's IDROP Local Debt Recovery Program and Section 11-208.3 entitled, "Administrative Adjudication of Violations of Traffic Regulations Concerning the Standing, Parking, or Condition of Vehicles, Automated Traffic Law Violations, and Automated Speed Enforcement System Violations" of the Illinois Vehicle Code.

On November 21, 2017, the Village of Bartlett entered into an intergovernmental agreement with the Illinois Office of the Comptroller to utilize the IDROP Local Debt Recovery Program to collect delinquent debts, such as outstanding parking citations, vehicular compliance citations and building, health or code enforcement violation fines or fees owed to the Village by individuals who receive state income tax refunds, payroll checks, or other state payments from the State of Illinois. Shortly afterwards, Village staff set up a telephone conference call with the Illinois Office of the Comptroller to discuss the different requirements that needed to be reviewed before the Village could start utilizing the IDROP Local Debt Recovery Program.

The Police Department, Community Development Department, Village Attorney and the Village's Administrative Hearing Officer compared the Village's current ordinances with the requirements of the IDROP Local Debt Recovery Program and the state law concerning the "Administrative Adjudication of Violations of Traffic Regulations Concerning the Standing, Parking, or Condition of Vehicles, Automated Traffic Law Violations, and Automated Speed Enforcement System Violations." They identified the need to separate the current administrative adjudication process for parking and vehicle compliance violations from the nonvehicular ordinance violations, update the Village's current parking, vehicle compliance and local adjudication citations, and create additional notification forms required under Section 11-208.3 of the Illinois Vehicle Code.

Here are the highlights of the Police Department's proposed amended and newly created ordinances:

Chapter 4 “General Penalty” of the Bartlett Municipal Code

- Identifies the proposed procedures, schedule of violations and penalties that may be cited on the Village’s local adjudication citations.
- Provides individuals the option to settle and compromise certain minor local adjudication offenses by ceasing and/or abating the violation and paying a \$25.00 fine on or before ten days after the local adjudication citation is issued to avoid a required appearance at an administrative hearing.
- The Illinois Vehicle Code violations that were adopted by reference in Section C of 1-4-11: “Alternative Penalties, Compliance Warning Tickets” of Chapter 4 entitled “General Penalty” of the Bartlett Municipal Code would be amended to include only ordinance violations governing the condition or use of equipment on a vehicle or non-moving vehicular regulations. The Police Department proposes to relocate these particular violations to the procedures described in the proposed newly created Chapter 12 entitled “Vehicular Compliance Citations.”

Chapter 15 “Administrative Adjudication of Nonvehicular Ordinance Violations” of the Bartlett Municipal Code

- Provides the fair and efficient enforcement of the Village’s nonvehicular ordinance violations through a system of administrative adjudication that creates a schedule of fines and penalties and the Village’s authority and procedures for collection of unpaid fines and penalties through the IDROP Local Debt Recovery Program.
- Adds subsection 8-6-1, “Discharge, Exhibition Prohibited” (of fireworks) to allow individuals the option to avoid an appearance at an administrative hearing by paying a mandatory fine of \$100.00 within ten days after service of the notice of violation.
- Allows the administrative hearing officer to vacate or set aside a default judgment within 21 days and provide a petitioner with a notice of a new administrative adjudication hearing if a petition is received and there is a determination of good cause for the petitioner’s failure to appear at the original administrative adjudication hearing.
- Eliminates the option to allow individuals cited for Section 5-3-2B “Fighting” to avoid an appearance at an administrative hearing by paying a mandatory fine of \$100.00 within ten days after service of a notice of violation.
- Eliminates the option to allow individuals to avoid an appearance at an administrative hearing by paying a mandatory fine of \$100.00 within ten days after service of a notice of violation for subsections 5-3-3B, “Windblown Refuse” and 5-3-3C, “Deposit of Grass and Rubbish Prohibited In Public Streets.” These particular subsections should be relocated to the procedures for settling minor local adjudication offenses with payment of a \$25.00 fine described in the proposed amended Chapter 4 entitled “General Penalty.”

Chapter 11-1300 “Stopping, Standing and Parking” of the Bartlett Municipal Code

- Identifies the proposed authority and procedures for the issuance of parking citations, the penalties and settlement of penalty procedures for parking citations, and the second notice of parking violation issuance and mailing procedures pursuant to the proposed newly created Chapter 20 entitled “Administrative Adjudication of Parking and Vehicle Compliance Violations” of the Bartlett Municipal Code.

Chapter 12 “Vehicular Compliance Citations” of the Bartlett Municipal Code

- The Police Department proposes to amend the Illinois Vehicle Code violations that were adopted by reference in Section C of 1-4-11: “Alternative Penalties, Compliance Warning Tickets” of Chapter 4 entitled “General Penalty” of the Bartlett Municipal Code to include only ordinance violations governing the condition or use of equipment on a vehicle or non-moving vehicular regulations. The Police Department proposes to relocate these particular vehicle compliance violations to the procedures described in Chapter 12 entitled “Vehicular Compliance Citations.”

Chapter 20 “Administrative Adjudication of Parking and Vehicle Compliance Violations” of the Bartlett Municipal Code

- Provides for the fair and efficient enforcement of the Village’s stopping, standing, parking and vehicle compliance ordinance violations through a system of administrative adjudication. It would also create a schedule of fines and penalties, establish the Village’s authority and procedures to issue parking or vehicle compliance citations, and authorize the collection of unpaid fines and penalties through the IDROP Local Debt Recovery Program.
- Provides Bartlett residents and non-residents the option to contest a parking citation or a vehicle compliance citation in writing in lieu of attending an administrative adjudication hearing.
- Formalizes the “Request for Parking Citation Review” process to allow a person to have his/her parking citation reviewed by the Chief of Police or his/her designee within ten days from the date of receiving a citation for a vehicular standing and parking violation.
- Provides for the service of the additional notices such as the second notice of parking, standing, or compliance violation, final determination of liability and the notice of impending driver’s license suspension required under Section 11-208.3 of the Illinois Vehicle Code.
- Allows the administrative hearing officer to vacate or set aside a default judgment within 21 days and provide a petitioner with a notice of a new administrative adjudication hearing if a petition is received and there is a determination of good cause for the petitioner’s failure to appear at the original administrative adjudication hearing.
- Complies with Section 6-306.5 of the Illinois Vehicle Code to allow a person to contest and challenge the accuracy of the certified report that is sent to the Illinois Secretary of State when a person fails to pay ten or more parking violations.

Chapter 15
ADMINISTRATIVE ADJUDICATION OF NONVEHICULAR
ORDINANCE VIOLATIONS

1-15-1: PURPOSE:

1-15-2: CREATION OF CODE HEARING UNIT; JURISDICTION:

1-15-3: CODE HEARING UNIT ADMINISTRATION:

1-15-4: COMPLAINTS AND NOTICES OF HEARINGS PROCEDURES:

1-15-5: ADMINISTRATIVE HEARING PROCEDURES:

1-15-6: FINE; COMPLIANCE BOND:

1-15-7: JUDICIAL REVIEW:

1-15-8: FINAL DETERMINATION OF LIABILITY

1-15-9: ENFORCEMENT OF ORDERS; JUDGMENT:

1-15-10: DEBT TO THE VILLAGE:

1-15-1: PURPOSE:

The stated purpose of this chapter is to provide for fair and efficient enforcement of the village's codes and ordinances as may be allowed by law and directed by ordinance, through an administrative adjudication of violations of, including but not limited to, title 3, "Business And License Regulations"; title 4, "Health And Sanitation"; title 5, "Police Regulations"; chapter 607 "Motorbikes" of title 6, "Motor Vehicles And Traffic"; title 7, "Public Ways And Properties"; title 8, "Fire Protection And Prevention"; title 9, "Bartlett Building Code"; and title 10, the Bartlett Zoning Ordinance, of this code and other ordinances of the village (excluding Adjudication of Parking and Vehicle Compliance Violations as provided in chapter 20 of this title 6 of this code) and by establishing a schedule of fines and penalties, and authority and procedures for collection of unpaid fines and penalties.

Pursuant to the authority conferred by section 1-2.1-1 et seq., of the Illinois municipal code¹ which authorizes home rule municipalities to provide by ordinance for a system of administrative adjudication of municipal code violations to the extent permitted by the Illinois constitution, the village hereby creates a system of administrative adjudication of charges of violations of this code, as amended from time to time by this reference. The village hereby adopts 65 Illinois Compiled Statutes 5/1-2.1-1 et seq., as amended from time to time. In the event of a conflict between the provisions of said statutes and the provisions of this chapter, the provisions of this chapter shall prevail. The adoption of this chapter does not preclude the village from using other lawful methods to enforce the provisions of this code, including, but not limited to, the institution of any action in the circuit court of Cook County, Illinois; the circuit court for the 18th judicial circuit, DuPage County, Illinois; or the circuit court for the 16th judicial circuit, Kane County, Illinois; or any other administrative proceeding.

1-15-2: CREATION OF CODE HEARING UNIT; JURISDICTION:

There is hereby created within the village of Bartlett an executive unit of the municipal government to be known as the code hearing unit, which is authorized to provide for and operate a "system of administrative adjudication", which shall be defined as the adjudication of any violation of any municipal ordinance of the village of Bartlett, including, but not limited to, those actions brought pursuant to title 3, "Business And License Regulations"; title 4, "Health And Sanitation"; chapter 607 "Motorbikes" of title 5, "Police Regulations"; title 6, "Motor Vehicles And Traffic"; title 7, "Public Ways And Properties"; title 8, "Fire Protection And Prevention"; title 9, "Bartlett Building Code"; and title 10, the Bartlett Zoning Ordinance, of this code and other ordinances of the village, provided that proceedings not within the statutory or home rule authority of the village, any offense under the Illinois vehicle code² or similar offense that is a traffic regulation governing the movement of vehicles, any reportable offense under section 6-204 of the Illinois vehicle code³, and any other offense for which a court appearance is required under Illinois supreme court rule 551, shall not be subject to administrative adjudication pursuant to the provisions of this chapter. Administrative Adjudication of Parking and Vehicle Compliance Violations are not subject to this chapter, but are subject to the provisions of chapter 20 of title 6 of this code.

1-15-3: CODE HEARING UNIT ADMINISTRATION:

The code hearing unit shall be composed of an administrative hearing officer, an ordinance enforcement administrator, and may include any one or more of the following: a system coordinator/computer operator, hearing room personnel, and any other duly appointed person or persons deemed necessary for the efficient administration of the code hearing unit, with the following powers, duties and authority:

- A. Powers Of The Administrative Hearing Officer: The administrative hearing officer shall have all of the powers granted to hearing officers under state law, set forth at chapter 65, act 5, section 1-2.1-4 of the Illinois municipal code (65 Illinois Compiled Statutes 5/1-2.11-4), as amended, the provisions of which are incorporated herein by this reference, including the power to:
1. Preside over the administrative hearings, established herein, as the adjudicator.
 2. Administer oaths.
 3. Hear testimony and/or accept evidence that is relevant to the existence of an ordinance violation;
 4. Issue subpoenas to secure the attendance of witnesses and the production of relevant papers or documentation provided the applicable witness fees provided in section 4.3 of the Circuit Courts Act⁴, as amended, have been paid by the party requesting the subpoena;
 5. Rule upon objections and the admissibility of evidence;

6. Preserve and authenticate the record of the hearing, including all exhibits and evidence introduced at the hearing;
 7. Issue a determination, based on the evidence presented at the hearing, of whether a code or ordinance violation occurred or exists. The administrative hearing officer's determination shall be in writing and shall include written findings of fact, decision, and order including the fine, penalty, or other action with which the respondent must comply; and
 8. Impose penalties consistent with applicable code provisions and assess costs upon finding a party liable for the charged violation. Notwithstanding those violations for which the Illinois municipal code³, as amended, limits the fine or penalty to seven hundred fifty dollars (\$750.00), the administrative hearing officer shall have the authority to impose fines and penalties up to fifty thousand dollars (\$50,000.00). When applicable, each day a code provision is found to have been violated by the defendant shall constitute a separate offense, and each separate offense subjects the respondent to the penalty provided by the governing penalty provision. In addition to imposing penalties consistent with applicable code provisions and assessing costs upon finding a party liable for the charged violation, the administrative hearing officer may:
 - a. Impose, in addition to fines, administrative and/or enforcement costs and when applicable, impose costs incurred by the village for effecting compliance with code provision(s) for which a defendant has been found liable.
 - b. Order, notwithstanding fines imposed or costs assessed, the defendant to comply with code provision(s) found to have been violated, and, if appropriate, order the respondent to post a compliance bond as provided by section 1-15-6 of this chapter. The maximum monetary fine of this section shall be exclusive of costs of enforcement or costs imposed to secure compliance with this code and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the village.
 - c. Order, regardless of fines imposed or costs assessed, the defendant to perform a term of community service.
 9. In no event shall an administrative hearing officer have the authority to:
 - a. Impose a penalty of incarceration.
 - b. Impose a fine in excess of fifty thousand dollars (\$50,000.00).
- B. Powers Of The Ordinance Enforcement Administrator: The ordinance enforcement administrator shall be empowered and is authorized and directed to:

1. Operate and manage this system of administrative adjudication of nonvehicular ordinance or code violations.
 2. Adopt, distribute and process nonvehicular ordinance and code violation citations and other notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.
 3. Collect money paid as fines and/or penalties assessed after a final determination of a code violation.
 4. Promulgate rules and regulations reasonably required to operate and maintain this administrative adjudication system.
 5. Collect unpaid fines and penalties and otherwise pursue all post judgment remedies available under law, including but not limited to the Illinois Debt Recovery Offset Portal (IDROP) program through the Illinois State Comptrollers' Office.
 6. Compromise or otherwise settle violation notices prior to a hearing date. However, any such compromise should be made of record by the ordinance enforcement administrator on the date the violation notice was scheduled to appear for hearing, with an explanation by the ordinance enforcement administrator as to the reasons for such compromise. The administrative hearing officer is also required to approve any such compromise or settlement at the hearing.
- C. Powers Of The System Coordinator/Computer Operator: The system coordinator/computer operator shall be appointed by the village administrator and is hereby authorized and directed to operate and maintain computer programs for the administrative adjudication system created in this chapter, the system coordinator/computer operator shall be responsible for entering and tracking data and producing and when applicable, generating written documentation pertaining to:
1. Input of violation notice information.
 2. Input of hearing and notice dates.
 3. Input of fine and penalty assessments and payments.
 4. Issuance of receipts for payment.
 5. Issuance of succeeding notices of hearing dates or court dates and/or final determination of liability as directed by the ordinance enforcement administrator or by the administrative hearing officer in accordance with the provisions hereinafter set forth.
 6. Maintenance of accurate records of appearances and nonappearances at administrative hearings, pleas entered, fines and penalties assessed and paid.

D. Powers Of The Hearing Room Personnel: The hearing room personnel shall be appointed by the village administrator and shall otherwise be employed as full time village police officers. The hearing room personnel are hereby authorized and directed to:

1. Maintain hearing room decorum.
2. Have and carry out such authority as is granted to courtroom deputies of the circuit court for Cook County, Illinois.
3. Perform such other duties or acts as may reasonably be required to maintain hearing room decorum as directed by the administrative hearing officer or the ordinance enforcement administrator.

E. Selection And Appointment Of Personnel: The persons who shall hold the positions of administrative hearing officer, ordinance enforcement administrator, system coordinator/computer operator, and hearing room personnel under this chapter shall be selected and appointed according to the following procedures:

1. Administrative Hearing Officer Appointment: The administrative hearing officer shall be appointed by the village president with the advice and consent of the village board (the "corporate authorities") and shall serve pursuant to the terms set forth in an employment agreement for such services as determined by the corporate authorities of the village. The administrative hearing officer under this chapter may be one and the same administrative hearing officer appointed and conducting administrative hearings of parking and vehicular compliance violations under title 6, chapter 20, of this code. The administrative hearing officer shall be subject to removal by the corporate authorities.
2. Information Considered: In making selections, the corporate authorities shall consider all pertinent information, including at a minimum:
 - a. Candidate's ability to comply with the job descriptions as set forth herein; and
 - b. Background and performance data made available to the village administrator on file with the village, or otherwise obtained by the village; and
 - c. Whether the candidate meets the statutory criteria as an attorney licensed to practice law in the state of Illinois for at least three (3) years.
3. Ordinance Enforcement Administrator, System Coordinator/Computer Operator And Hearing Room Personnel:
 - a. The village administrator shall assign the duties of ordinance enforcement administrator, system coordinator/computer operator and hearing room personnel to village employees.

- F. Compensation: Authorization for compensation for each of the above stated positions shall be made by the president and board of trustees through the annual budget process, and such compensation shall be determined by the village board.
- G. Training Of Personnel: Prior to an administrative hearing officer conducting these administrative adjudication proceedings, the administrative hearing officer must either:
 - 1. Demonstrate a minimum of three (3) years experience as an administrative hearing officer for a program of administrative adjudication of violations of nonvehicular regulations; or
 - 2. Successfully complete a formal training program, which includes instruction on the rules of procedure of the administrative hearings which they will conduct; orientation to each subject area of the code violations that they will adjudicate; observation of administrative hearings; and participation in hypothetical cases, including ruling on evidence and issuing final orders pursuant to chapter 65, act. 5, section 1-2.1-4(c) of the Illinois municipal code (65 Illinois Compiled Statutes, 5/1-2.1-4(c)), as amended.

1-15-4: COMPLAINTS AND NOTICES OF HEARING PROCEDURES:

The system of administrative adjudication of nonvehicular regulations violations shall be conducted in accordance with the following procedures to assure defendants are afforded due process of law:

- A. Issuance Of Violation Notices And Citations: Violation notices may be issued by any authorized person and shall contain information and shall be served, certified and have evidentiary value as hereinafter stated. Certain violation notices may be issued in the form of a "LA" citation allowing the recipient to pay the stated fine prior to any hearing. If the recipient fails to pay the required fine within the allotted time under the "LA" ticket, the violation notice will be processed through the administrative adjudication system as otherwise provided for in this chapter.

Options For Persons Charged With Certain Offenses:

- 1. Persons charged with a violation of the following sections and/or subsections: subsection 5-3-2A, "Disorderly Conduct"; subsection 5-3-2C, "False Alarms"; subsection 5-3-2D, "Loitering On Public Property Or In Public Places"; subsection 5-3-2E, "Loitering On Business Property"; subsection 5-3-3D, "Trespassing Prohibited"; section 5-5-1, "Curfew"; section 5-5-3, "Truancy Prohibited"; subsection 7-1-8C "Offenses to Public Ways"; section 8-6-1, "Discharge, Exhibition Prohibited", of this code, shall have the option of avoiding an appearance at an administrative hearing by paying a mandatory fine of one hundred dollars (\$100.00) within ten (10) days after service of the notice of violation. Payment of the fine is an admission of liability and will act as a final determination of liability disposition of the violation.

2. Persons charged with a violation listed in section 1-4-6 of title 1, chapter 4 of this code shall have the option of avoiding penalties and an appearance at an administrative hearing by timely paying the fine and following the procedures set forth in Section 1-4-7 of this code entitled "Settlement Procedures for Certain LA Offenses". Payment of the fine is an admission of liability and will act as a final determination of liability disposition of the violation.
- B. Authorization: All police officers and community service officers, and other specifically appointed individuals including, but not limited to, the village's code official, the building director and the community development director, and his or her respective designees, including, but not limited to, code enforcement officers, health inspectors and building inspectors, shall have the authority to issue violation notices. For the purposes of this section and for the purposes of any inspections relating to the enforcement of any village ordinances or codes, authorized designees of the village's code official or approved inspection agencies or approved individuals to conduct inspections, shall also include, but not be limited to, any person retained by the village pursuant to a contract to perform ordinance/code enforcement or inspection related services.
- C. Detection Of Violations: Any individual authorized to issue a violation notice who detects a violation of any nonvehicular regulation shall issue a notice of violation thereof and shall serve the violation notice as herein provided.
- D. Content: Violation notices shall contain, at a minimum, the following information:
1. The particular code section or regulation violated and a description of the violation;
 2. The date, time and place of the violation;
 3. The common address of the building or property alleged to be in violation (the "cited property"), if applicable;
 4. The signature and identification number, if applicable, of the person issuing the violation notice.
 5. The date, time and place of the administrative hearing at which the charge may be contested on its merits. This date shall be no less than fifteen (15) days after the date of service of the violation notice. A hearing may be set at a date less than fifteen (15) days after the date of service of the violation in an emergency situation where the violation constitutes a threat to public interest, safety or welfare. If service is provided by mail, the fifteen (15) day period shall begin to run on the day that the notice is deposited in the mail.
5. The legal authority and jurisdiction under which the hearing is to be held; and

6. A statement of the penalties for failure to appear at the hearing.
 7. If the violation notice is issued is for an offense that can be paid in advance according to section 1-15-4A(1) of this chapter or section 1-4-6 of title 1, chapter 4, of this code as provided in section 1-15-4A(2) of this chapter, the notice shall include the amount of the fine and the date required for payment of the fine. The notice shall also apprise the recipient that the failure to pay the stated fine within the allotted time will operate to process the violation notice within the administrative adjudication system as otherwise provided for by this chapter and the recipient shall be required to appear at the hearing date indicated on the notice.
- E. Service Of Violation Notices: Service of violation notices shall be made in a manner reasonably calculated to give the defendant actual notice by:
1. Personal Service or handing a copy of the violation notice to the person charged or a party's employees or agents if the respondent is a business entity; or
 2. Provided a violation is not of an offense or provision of title 5, title 6, title 7 or title 8 of this code, delivering a copy of the violation notice to the person charged by first class mail, postage prepaid, or if the respondent is a business entity, at the address identified for its registered agent or principal place of business. Such service shall be completed as of the date of deposit in the United States mail.
 3. If a violation of title 9, the "Bartlett Building Code", or of title 10, the "Bartlett Zoning Ordinance, of this code is alleged where the person charged is an owner or manager of the property, by posting a copy on the cited property after service has not been made pursuant to those methods provided in subsection 1 and 2 of this section after at least one attempt.
- F. Certification: The correctness of facts contained in the violation notice shall be certified by the issuing person by:
1. Signing his or her name to the violation notice at the time of issuance; or
 2. In the case of a violation notice produced by a computer device, by signing a single certificate, to be retained by the ordinance enforcement administrator, attesting to the correctness of all violation citations or printed records produced by the device while under his/her control when the citation is produced by a computer device.
- G. Business Records: The original or a facsimile of the citation or in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice shall be retained by the ordinance enforcement administrator and kept as a record in the ordinary course of business.
- H. Prima Facie Evidence: Any violation notices, citations issued, signed and served in accordance herewith, or a copy of the notice or the computer generated record, shall

be prima facie correct and shall be prima facie evidence of the correctness of the facts alleged therein.

- I. Admissibility: The violation notices, citations, copies, or computer generated records shall be admissible in any subsequent administrative or legal proceeding.

1-15-5: ADMINISTRATIVE HEARING PROCEDURES:

An administrative hearing of nonvehicular ordinance violations under this chapter shall be held to adjudicate an alleged code or ordinance violation on its merits, or to contest the validity of a violation notice. Specifically, hearings shall be held to adjudicate alleged violations of all code sections, except those excluded by law from the village's administrative adjudication system, those that the village elects to proceed directly to circuit court to enforce the codes and/or ordinances of the village, or those parking and vehicle compliance violations for which administrative hearings are initiated by the Village under title 6, chapter 20, of this code. At administrative hearings initiated by the village under this chapter:

- A. Time And Date: Hearing dates shall be held on the date, time and place set forth in the violation notice or such additional notices issued and served in accordance with the provisions of this chapter.
- B. Recording: Hearings shall be recorded.
- C. Failure To Appear: Persons who do not appear on their scheduled administrative hearing date shall have a default judgment entered against them.
- D. Representation By Attorney: Persons appearing to contest an alleged code or ordinance violation on its merits may be represented by counsel of their own choice at their own expense, present witnesses, present testimony and documents and cross examine opposing witnesses. Parties may request the administrative hearing officer to issue subpoenas to direct the attendance and testimony of relevant witnesses and the production of relevant documents.
- E. Village's Presentation Of Case: The case for the village may be presented by a village employee, the village prosecutor, or by an attorney designated by the village attorney, but not by an employee or other representative of the code hearing unit, subject to the following exception: Documentary evidence prepared by another department of the village and submitted to the code hearing unit may be presented at the hearing by the administrative hearing officer.
- F. Defendant's Presentation Of Case: The case for the defendant may be presented by the defendant or by an attorney or agent of the defendant, except that corporate or limited liability company defendants must be represented by an attorney. An attorney or agent appearing at an administrative hearing on behalf of a defendant shall present the administrative hearing officer with a signed appearance form stating on oath or

affirmation that he or she has been authorized by the defendant to represent the defendant at the hearing.

G. Rules Of Evidence: The formal and technical rules of evidence shall not apply in an administrative hearing conducted in compliance with this chapter, and evidence, including hearsay, may be admitted, pursuant to state law set forth at section 1-2.1-6 of the Illinois municipal code⁵, as amended, only if it is of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

H. Administrative Hearing Officer's Determination: (i) Failure to appear at an administrative adjudication hearing properly noticed shall result in a default judgment, and a determination of liability or nonliability, made by the administrative hearing officer, who shall consider facts and/or testimony; (ii) administrative adjudication hearings shall result in a determination of liability or nonliability made by the administrative hearing officer, who shall consider facts and/or testimony. The administrative hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with this chapter or as otherwise provided in this code, and issue a notice of determination that shall contain, at a minimum, the following information and warnings:

1. The findings, decision and order of the administrative hearing officer.
2. A date by which the violation must be brought into compliance with this code, if applicable.
3. The amount of the fine imposed and any penalty assessed, and a statement that the unpaid fine and any penalty assessed is a debt due and owing the village.
4. A warning that the findings, decision and order of the administrative hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction. In the case in which a defendant fails to comply with a judgment ordering the correction of a code violation or imposing any fine or other sanction as a result of the code violation, a statement that any expenses incurred by the village to enforce the judgment, including, but not limited to, attorney fees, court costs and costs related to property demolition or foreclosure, shall be a debt due and owing the village and may be collected in accordance with applicable law.
5. A notice of judgment entered by default shall be forwarded to any person who fails to appear and shall contain the same information as a determination of liability, but shall also state that the judgment may be set aside by the administrative hearing officer for good cause if, within twenty one (21) days of issuance of the default judgment, a completed petition to vacate default judgment form is received by the ordinance enforcement administrator. The administrative hearing officer shall act upon a petition to vacate timely filed and render a decision thereon within thirty (30) days of the date filed. In the event the administrative hearing officer makes a determination of good cause shown, the ordinance enforcement officer shall provide the petitioner with notice of a new hearing date, or if the administrative

hearing officer denies the petition to vacate or set aside the default judgment, the ordinance enforcement officer shall promptly notify the petitioner thereof. The default judgment shall state that it shall constitute a final determination of liability if such petition is not received, if the petition is denied or if after setting of a new hearing date the person fails to appear.

1-15-6: FINE; COMPLIANCE BOND:

- A. All fines, penalties and other monies to be paid to the village in accordance with this chapter shall be remitted to the village and deposited in the appropriate village account as designated by the village administrator.
- B. To ensure that code and ordinance violations are remedied in a timely manner, the administrative hearing officer, upon issuing a determination of liability that includes an order of compliance, may order the defendant in the case to obtain a bond to ensure defendant's timely compliance with the code or ordinance provision(s) found to have been violated. Any bond ordered pursuant to this subsection shall name the village as beneficiary and shall be in the amount specified by the administrative hearing officer, provided that the amount of the bond shall be reasonably related to the cost of compliance. Any bond issued as a result of the administrative hearing officer's order is subject to review and modification by the village administrator as to form and amount. If the defendant fails to remedy in a timely manner the code or ordinance violation(s) for which a bond has been ordered and issued and the village undertakes remediation or otherwise expends funds related to the code or ordinance violation(s) for which a bond has been ordered and issued, the administrative hearing officer, after giving the parties notice and opportunity to be heard, may issue an order permitting the village to draw against the bond in an appropriate amount. The administrative hearing officer shall order the bond amount, less the reasonable costs incurred by the village returned to the defendant upon proof of compliance with the code or ordinance violation provision(s) found to have been violated.
- C. In the event a defendant ordered to secure a bond as provided by subsection B of this section seeks judicial review of that portion of the administrative hearing officer's order requiring a bond and prevails on that issue, the village shall release the bond, and if the village has drawn against the bond, the village shall refund to the defendant the total amount drawn within thirty (30) days of receiving a copy of the reviewing court's mandate. (Ord. 2014-75, 9-16-2014, eff. 1-1-2015)

1-15-7: JUDICIAL REVIEW:

Judicial review of determinations of liability violations made under this chapter shall be subject to the provisions of the administrative review law as set forth in 735 Illinois Compiled Statutes 5/3-101 et seq., as amended and incorporated herein by reference.

1-15-8: FINAL DETERMINATION OF LIABILITY

A final determination of liability shall occur following the failure to pay the total assessed fine and penalty after the administrative hearing officer's determination of liability; the failure to file a timely motion to vacate as set forth in section 1-15-5 of this chapter or the denial of a petition to vacate and exhaustion of or the failure to exhaust any judicial review procedures set forth in sections 1-15-7 of this chapter. The notice of final determination of liability shall contain, but not be limited to, the following information and warnings:

- A. A statement that the unpaid fine or penalty, or both is a debt due and owing the village.
- B. A warning that failure to pay the fine or penalty due and owing the village within fourteen (14) days of the issuance of the final determination of liability may result in the village utilizing the Illinois Debt Recovery Offset Portal (IDROP) program through the Illinois State Comptrollers' Office as a lawful means of collecting the judgment or the filing of a petition in the Circuit Court to have the unpaid fine or penalty, or both, rendered a judgment as provided by this Section.

1-15-9: ENFORCEMENT OF ORDERS; JUDGMENT:

- A. Enforcement: Upon expiration of the period in which judicial review under the Illinois administrative review law may be sought for a final determination of an ordinance violation, unless stayed by a court of competent jurisdiction, the findings, decision and order of the administrative hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.
- B. Any person, having received notice and an opportunity for a hearing as provided in this chapter, who knowingly fails to comply with an order issued by the administrative hearing officer under this chapter, including the issuance of a subpoena, shall, if the order is not stayed by a court of competent jurisdiction prior to its effective date, be guilty of contempt. Contempt shall be enforceable only by the judicial system of the circuit court for Cook County, the circuit court of the 18th judicial circuit, DuPage County, Illinois, or the circuit court of the 16th judicial circuit, Kane County, Illinois, and shall be punishable by applicable law. Each day that the violation continues shall be considered a separate and distinct offense. In a prosecution under this section, it shall not be a defense that a person came into compliance with an order, sought judicial review of it, or made efforts to comply with an order, subsequent to its effective date.
- C. Court Costs, Attorney Fees and Costs of Collection: In any case in which a defendant has failed to comply with an administrative hearing officer's judgment ordering that defendant to correct an ordinance violation or imposing any fine, penalty or other sanction as a result of any code or ordinance violation, any expenses incurred by the village to enforce the judgment entered against that defendant, to the extent permitted by law, including, but not limited to, attorney fees, court costs and costs related to property demolition or foreclosure, after they are

fixed by a court of competent jurisdiction or the administrative hearing officer, shall be a debt due and owing the village of Bartlett and may be collected in accordance with applicable law.

1. Prior to any expenses being fixed by the administrative hearing officer pursuant to this subsection, the village shall provide a notice to the defendant that states that the defendant shall appear at a hearing before the administrative hearing officer to determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such hearing, which shall not be less than seven (7) days from the date that notice is served. If notice is served by mail, the seven (7) day period shall begin to run on the date that the notice was deposited in the mail.
2. Upon being recorded in the manner required by article XII of the code of civil procedure⁷, or by the uniform commercial code⁸, a lien shall be imposed on the real estate or personal estate, or both, of the respondent in the amount of any debt due and owing the village under this chapter. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

1-15-10: DEBT TO THE VILLAGE:

Any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of this chapter remaining unpaid after the exhaustion of or the failure to exhaust administrative remedies created under this chapter, and the conclusion of any judicial review procedures, shall be a debt due and owing the village and, as such, may be collected in accordance with the applicable law, including the utilization of the Illinois Debt Recovery Offset Portal (IDROP) program through the Illinois State Comptrollers' Office. Any fees or costs incurred by the village with respect to attorneys or private collection agents retained by the village for the collection of debts pursuant to this chapter shall be charged to the offender. Nothing contained in this chapter shall prevent the village from pursuing all available remedies allowed by law to collect money judgments. (Ord. 2014-75, 9-16-2014, eff. 1-1-2015)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1](#): 65 ILCS 5/1-2.1-1 et seq.

[Footnote 2](#): 625 ILCS 5/1-100 et seq.

[Footnote 3](#): 625 ILCS 5/6-204.

[Footnote 4](#): 625 ILCS 5/1-100 et seq.

[Footnote 5](#): 65 ILCS 5/1-2.1-6.

[Footnote 6](#): 735 ILCS 5/3-101 et seq.

[Footnote 7](#): 735 ILCS 5/12-101 et seq.

[Footnote 8](#): 810 ILCS 5/1-101 et seq.

**Chapter 11-1300
STOPPING, STANDING AND PARKING**

- 6-11-1300 STATE LAW ADOPTED:**
- 6-11-1301: CROSS REFERENCE BETWEEN IVC AND BARTLETT MUNICIPAL CODE:**
- 6-11-1302: RESERVED:**
- 6-11-1303.1: SCHEDULE V, NO PARKING ZONES:**
- 6-11-1303.2: SCHEDULE VI, TIME LIMIT PARKING:**
- 6-11-1303.3: SCHEDULE VII, PARALLEL, DIAGONAL AND PERPENDICULAR PARKING:**
- 6-11-1303.4: SCHEDULE VIII, METERED PARKING AND DAILY PAY COMMUTER PARKING AREAS:**
- 6-11-1303.5: SCHEDULE IX, PERMIT PARKING:**
- 6-11-1303.6: NO STOPPING ZONES:**
- 6-11-1303.7: NO STANDING ZONES:**
- 6-11-1304.1: ADDITIONAL PARKING REGULATIONS; PARKING RESTRICTED AND LIMITED:**
- 6-11-1304.2: ALL NIGHT PARKING:**
- 6-11-1304.3: PARKING IN ALLEYS:**
- 6-11-1304.4: PARKING IN LOADING ZONES:**
- 6-11-1304.5: PARKING DURING SNOW REMOVAL AND STREET CLEANING OPERATIONS:**
- 6-11-1304.6: PARALLEL, DIAGONAL AND PERPENDICULAR PARKING REGULATIONS:**
- 6-11-1304.7: METERED PARKING:**
- 6-11-1304.8: PERMIT PARKING:**
- 6-11-1304.8.1: RESIDENTIAL PERMIT PARKING AREA:**
- 6-11-1304.9: CAB, BUS STANDS:**
- 6-11-1304.10: SIGNS POSTED:**
- 6-11-1304.11: PARKING OF VEHICLE WITH EXPIRED REGISTRATION:**
- 6-11-1304.12: LESSOR OF VISITOR VEHICLES - DUTY UPON RECEIVING NOTICE OF VIOLATION:**
- 6-11-1304.13: PARKING LIABILITY OF LESSOR:**
- 6-11-1304.14: CENTRALIZED PARKING METER SYSTEMS:**
- 6-11-1304.15: UNAUTHORIZED USE OF PARKING PLACES RESERVED FOR ELECTRIC VEHICLES:**
- 6-11-1305.1: AUTHORITY AND PROCEDURE FOR ISSUANCE OF CITATIONS:**
- 6-11-1305.2: PENALTIES AND SETTLEMENT OF PENALTY PROCEDURES:**
- 6-11-1305.3: REGISTRATION PRIMA FACIE EVIDENCE:**
- 6-11-1305.4: SECOND NOTICE OF PARKING VIOLATION:**

6-11-1300: STATE LAW ADOPTED:

Sections 11-1301 through 11-1308 of the Illinois Vehicle Code¹ are hereby expressly incorporated herein by reference and made a part hereof. (Ord. 2017-144, 11-7-2017)

6-11-1301: CROSS REFERENCE BETWEEN IVC AND BARTLETT MUNICIPAL CODE:

Pertinent to this part 11-1300 of title 6 of the Bartlett Municipal Code is chapter 11, Rules of the Road, article XIII of the Illinois Vehicle Code entitled "Stopping, Standing and Parking", 625 Illinois Compiled Statutes, sections 5/11-1301 through 5/11-1308.

The following table includes Illinois Vehicle Code ("IVC") section numbers and in some cases corresponding section numbers and cites in the Bartlett Municipal Code for the authority to adopt such violations of the IVC that are adopted as prohibitions and violations of the Bartlett Municipal Code as a local ordinance violation.

Description	Illinois Vehicle Code Citation	Bartlett Municipal Code Citation
Stopping, standing and parking:		
Powers of local authorities	625 ILCS 5/11-208	6-11-208
Uniformity	625 ILCS 5/11-208.1	6-11-208.1
Limitation on home rule units	625 ILCS 5/11-208.2	6-11-208.2
Administrative adjudication of violations	625 ILCS 5/11-208.3	6-11-208.3
Powers of municipalities and counties to contract with private property owners for regulation of traffic	625 ILCS 5/11-209	6-11-209
Powers of local authorities - enforcing the provisions of this Code on private streets and roads	625 ILCS 5/11-209.1	6-11-209.1
Failure to pay fine or penalty for standing, parking compliance	625 ILCS 5/6-306.5(f)	6-6-306.5(f)
Suspension of driving privileges	625 ILCS 5/6-306.5(g)	6-6-306.5(g)
Stopping, standing or parking outside of business or residence district	625 ILCS 5/11-1301(a)	6-11-1301(a)
	625 ILCS 5/11-1301(b)	6-11-1301(b)

	625 ILCS 5/11-1301(c)	6-11-1301(c)
	625 ILCS 5/11-1301(d)	6-11-1301(d)
Persons with disabilities - parking privileges - exemptions	625 ILCS 5/11-1301.1	6-11-1301.1
Special decals for parking: persons with disabilities	625 ILCS 5/11-1301.2	6-11-1301.2
Unauthorized use of parking places reserved for persons with disabilities	625 ILCS 5/11-1301.3	6-11-1301.3
Reciprocal agreements with other jurisdictions	625 ILCS 5/11-1301.4	6-11-1301.4
Fictitious or unlawfully altered disability license plate or parking decal or device	625 ILCS 5/11-1301.5	6-11-1301.5
Fraudulent disability license plate or parking decal or device	625 ILCS 5/11-1301.6	6-11-1301.6
Appointed volunteers and contracted entities; parking violations for persons with disabilities	625 ILCS 5/11-1301.7	6-11-1301.7
Obstruction of parking places for persons with disabilities	625 ILCS 5/11-1301.8	6-11-1301.8
Officers authorized to remove vehicles	625 ILCS 5/11-1302	6-11-1302
Stopping, standing or parking prohibited in specified places	625 ILCS 5/11-1303	6-11-1303
	625 ILCS 5/11-1303(a)1a	6-11-1303(a)1a
	625 ILCS 5/11-1303(a)1b	6-11-1303(a)1b
	625 ILCS 5/11-1303(a)1c	6-11-1303(a)1c

625 ILCS 5/11-1303(a)1d	6-11-1303(a)1d
625 ILCS 5/11-1303(a)1e	6-11-1303(a)1e
625 ILCS 5/11-1303(a)1f	6-11-1303(a)1f
625 ILCS 5/11-1303(a)1g	6-11-1303(a)1g
625 ILCS 5/11-1303(a)1h	6-11-1303(a)1h
625 ILCS 5/11-1303(a)1i	6-11-1303(a)1i
625 ILCS 5/11-1303(a)1j	6-11-1303(a)1j
625 ILCS 5/11-1303(a)1k	6-11-1303(a)1k
625 ILCS 5/11-1303(a)1l	6-11-1303(a)1l
625 ILCS 5/11-1303(a)2a	6-11-1303(a)2a
625 ILCS 5/11-1303(a)2b	6-11-1303(a)2b
625 ILCS 5/11-1303(a)2c	6-11-1303(a)2c
625 ILCS 5/11-1303(a)2d	6-11-1303(a)2d
625 ILCS 5/11-1303(a)2e	6-11-1303(a)2e
625 ILCS 5/11-1303(a)2f	6-11-1303(a)2f

	625 ILCS 5/11-1303(a)3a	6-11-1303(a)3a
	625 ILCS 5/11-1303(a)3b	6-11-1303(a)3b
	625 ILCS 5/11-1304	6-11-1304
Schedule V, no parking zones	625 ILCS 5/11-1303(a)3.b.	6-11-1303.1
Schedule VI, time limit parking	625 ILCS 5/11-1303	6-11-1303.2
Schedule VII, parallel, diagonal and perpendicular parking	625 ILCS 5/11-1304(a)(b)(c)(d)	6-11-1303.3
Schedule VIII, metered parking and daily pay commuter parking areas	625 ILCS 5/11-1307(a)(b)	6-11-1303.4
Schedule IX, permit parking	625 ILCS 5/11	6-11-1303.5
No stopping zones	625 ILCS 5/11-1303(a)1.i.	6-11-1303.6
No standing zones	625 ILCS 5/11-1303(a)2.f.	6-11-1303.7
Additional parking regulations parking restricted and limited:	625 ILCS 5/11-1304	6-11-1304
All night parking		6-11-1304.2
Parking in alleys		6-11-1304.3
Parking in loading zones		6-11-1304.4
Parking, snow removal and street cleaning		6-11-1304.5
Parallel, diagonal and perpendicular parking		6-11-1304.6
Metered parking		6-11-1304.7
Permit parking		6-11-1304.8
Residential permit parking area		6-11-1304.8.1

Cab, bus stands		6-11-1304.9
Signs posted		6-11-1304.10
Parking of vehicle with expired registration	625 ILCS 5/1304.5	6-11-1304.11
Lessors of visitor vehicles - duty upon receiving notice of violation of this or local parking regulations	625 ILCS 5/11-1305	6-11-1304.12
Parking liability of lessor	625 ILCS 5/11-1306	6-11-1304.13
Centralized parking meter system	625 ILCS 5/11-1307	6-11-1304.14
Unauthorized use of parking places reserved for electric vehicles	625 ILCS 5/11-1308	6-11-1304.15
Procedure for issuance of tickets	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.1
Settlement procedures	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.2
Registration prima facie evidence	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.3
Notice to appear; citation	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.4
Arrests	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.5
Penalties	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.6

6-11-1302: RESERVED:

(Ord. 2017-144, 11-7-2017)

6-11-1303.1: SCHEDULE V, NO PARKING ZONES:

It shall be unlawful to park any vehicle at any time on any of the streets hereinafter named at the locations hereinafter set forth:

A. Streets Designated:

SOUTH BARTLETT ROAD at Stearns Road

SOUTH BARTLETT ROAD at Struckman Boulevard

WEST BARTLETT ROAD, along the length of the improvement of FAP Route 77 section 110X-N

BREWSTER CREEK BOULEVARD, from Stearns Road to Munger Road

CREST AVENUE, on the west side from North Avenue to Taylor Avenue

EASTERN AVENUE, on the east side between the north line of North Avenue and the south line of Oneida Avenue from Monday through Friday both inclusive

SOUTH EASTERN AVENUE

FOSTER AVENUE at Cuyahoga Drive

FOSTER AVENUE at Martingale Drive

GRANT STREET, on the west side from 200 feet south of Lincoln Drive to the intersection of Grant and Lincoln Drive

HARBOR TERRACE at Voyager Drive

HARDT CIRCLE, from Humbracht Circle to Humbracht Circle

HECHT COURT, from Hecht Circle to west end

HECHT DRIVE, from Brewster Creek Boulevard to Spitzer Road

HICKORY AVENUE, on the east side from the south line of Oneida Avenue to the south line of Bartlett Avenue

HUMBRACHT CIRCLE, from Munger Road to Munger Road

ILLINOIS ROUTE 59 (INGALTON AVENUE) AND ILLINOIS ROUTE 59 (SUTTON ROAD) from 500 feet south of Army Trail Road to 450 feet north of Red Oak Drive

LAMBERT LANE on the east side from Versailles Drive to Thornbury Drive

SOUTH MAIN STREET from Devon Avenue to Oak Glenn Drive, both inclusive

SOUTH MAIN STREET, on the east and west sides from the north line of the AT&T property (26 South Main Street) south 110 feet

SOUTH MAIN STREET, on the east side except the 5 spaces from a point 330 feet to a point 460 feet south of the south line of Railroad Avenue to Devon Avenue

SOUTH MAIN STREET, on the west side from the south line of Railroad Avenue to Devon

MARION AVENUE, on the west side from North Avenue to Taylor Avenue

MEADE COURT, north side, on school days

NAPERVILLE ROAD at Spaulding Road

NEWPORT BOULEVARD at Coral Avenue

NEWPORT BOULEVARD at Harbor Terrace

NEWPORT BOULEVARD, on the west side of Newport Boulevard from its intersection with the north curblineline of Coral Avenue to a point 40 feet north of its intersection with the north curblineline of Coral Avenue, and on the west side of Newport Boulevard from its intersection with the south curblineline of Coral Avenue to a point 40 feet south of its intersection with the south curblineline of Coral Avenue

NORTH AVENUE at Western Avenue

NORTH AVENUE, between Eastern Avenue and Elroy Street

NORTH AVENUE, on the north side between Chase Street and Crest Street

NORTH AVENUE, on the north side from Oak Avenue to Oliver Street

NORTH AVENUE, on the south side between the west line of Eastern Avenue and the east line of Elroy Street, from Monday through Friday, both inclusive

EAST NORTH AVENUE from Eastern Avenue to Hale Street, both inclusive

NORWOOD LANE, north and south sides from Route 59 to 350 feet east

OAK AVENUE, on the east and west sides from Bartlett Avenue to Oneida

OAK AVENUE, on the east and west sides from Railroad Avenue to Bartlett Avenue

OAK AVENUE, on the west side from Morse Avenue to the north edge of the Fire Station Drive approaches

OAK STREET, on the west side from Railroad Avenue to Natoma Avenue, as vacated

NORTH OAK STREET from Morse Street to North Hickory Street, both inclusive

SOUTH OAK STREET from Oneida Avenue to Railroad Avenue, both inclusive

ONEIDA AVENUE at Hickory Avenue

ONEIDA AVENUE, on the north side from Oak Avenue to the east end of Bartlett Hills Golf Course

RAILROAD AVENUE from a point 80 feet east of the centerline of Oak Avenue to Oak Avenue

RAILROAD AVENUE from South Oak Street to South Western Avenue, both inclusive

RAILROAD AVENUE, on the south side from the southwest corner of the intersection of Railroad Avenue and South Main Street to a point 50 feet west of said intersection

ROUTE 20 (WEST LAKE STREET) AND ROUTE 20 (EAST LAKE STREET) from 650 feet east of Lambert Drive to 400 feet east of Park Boulevard

SCHICK ROAD, north and south side from Route 59 to 375 feet east and 375 feet west

SCHIFERL ROAD, from Brewster Creek Boulevard to Munger Road

SCOTT COURT, north side, and south side on school days

SPITZER ROAD, from Brewster Creek Boulevard to north end

STEARNS ROAD at Balsam Lane

STEARNS ROAD at Cottonwood Lane

STEARNS ROAD from Cuyahoga Drive to Munger Road, both inclusive

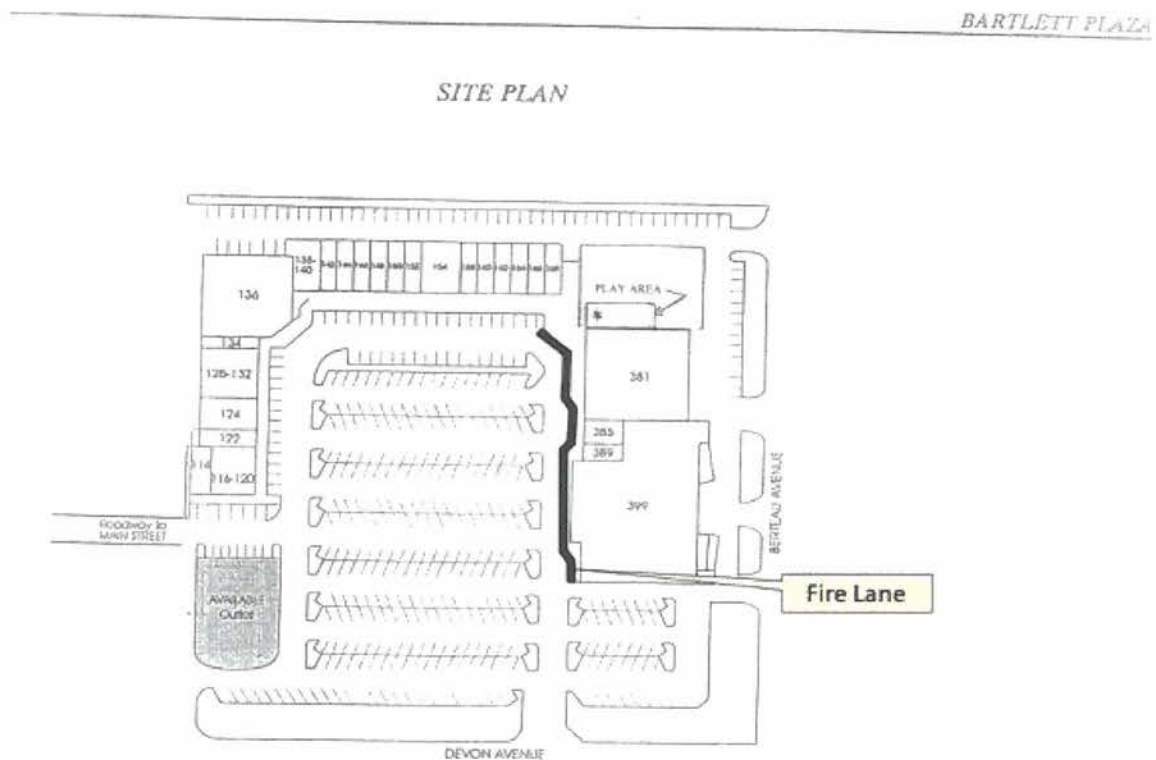
STEARNS ROAD north and south sides from South Bartlett Road to County Farm Road

SYCAMORE LANE, west side, between Cedar Lane and the Northern Illinois Gas easement, on school days

WESTERN AVENUE, on the west side from the south line of Railroad Avenue to a point 50 feet north of the north line, if extended west, of Bartlett Avenue, and on the east side of Western Avenue from the south line of Railroad Avenue to the north line of Oneida Avenue

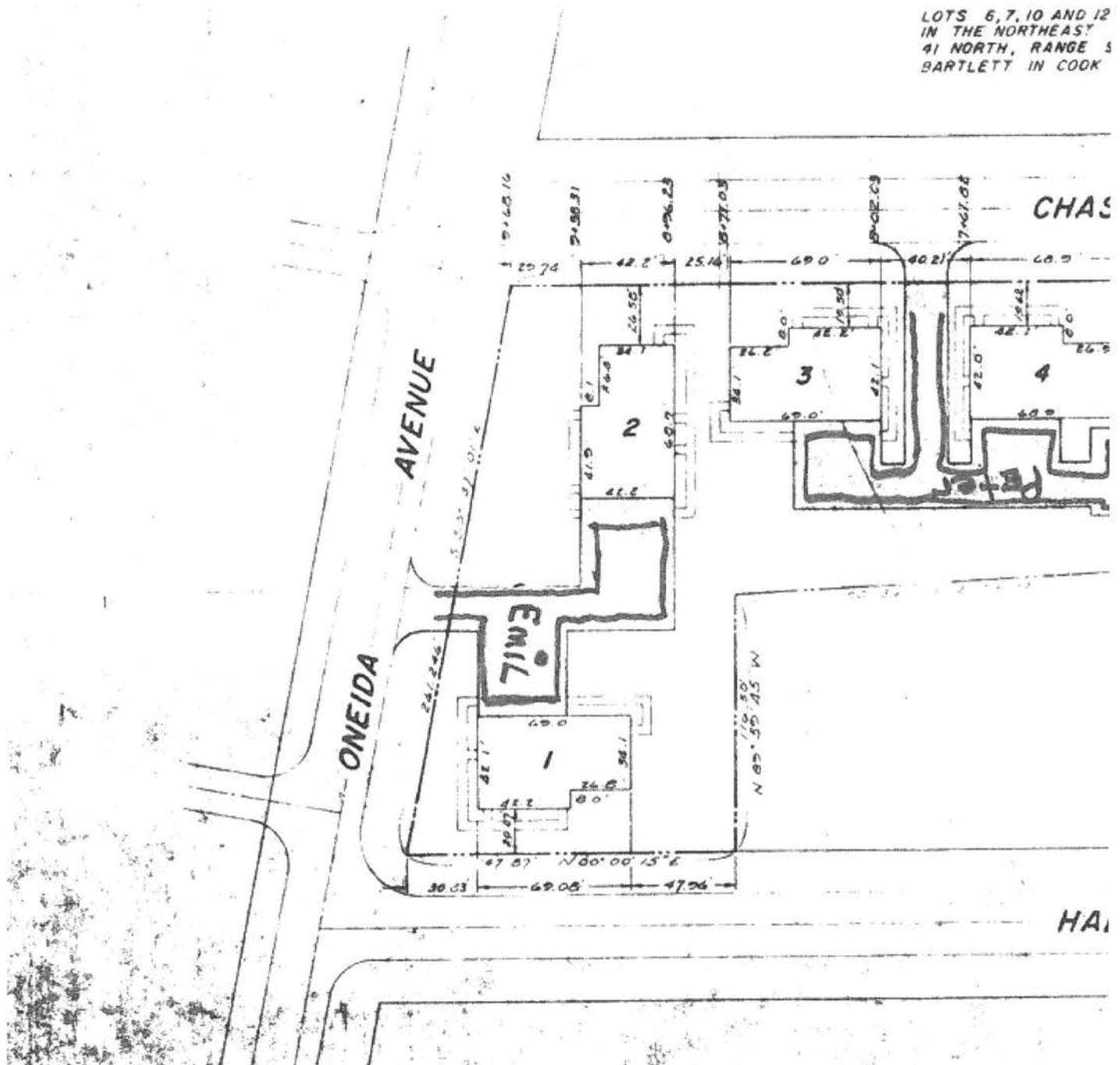
B. Areas Designated:

BARTLETT PLAZA, within or upon any of the fire lanes designated on the map below, other than an authorized emergency vehicle:

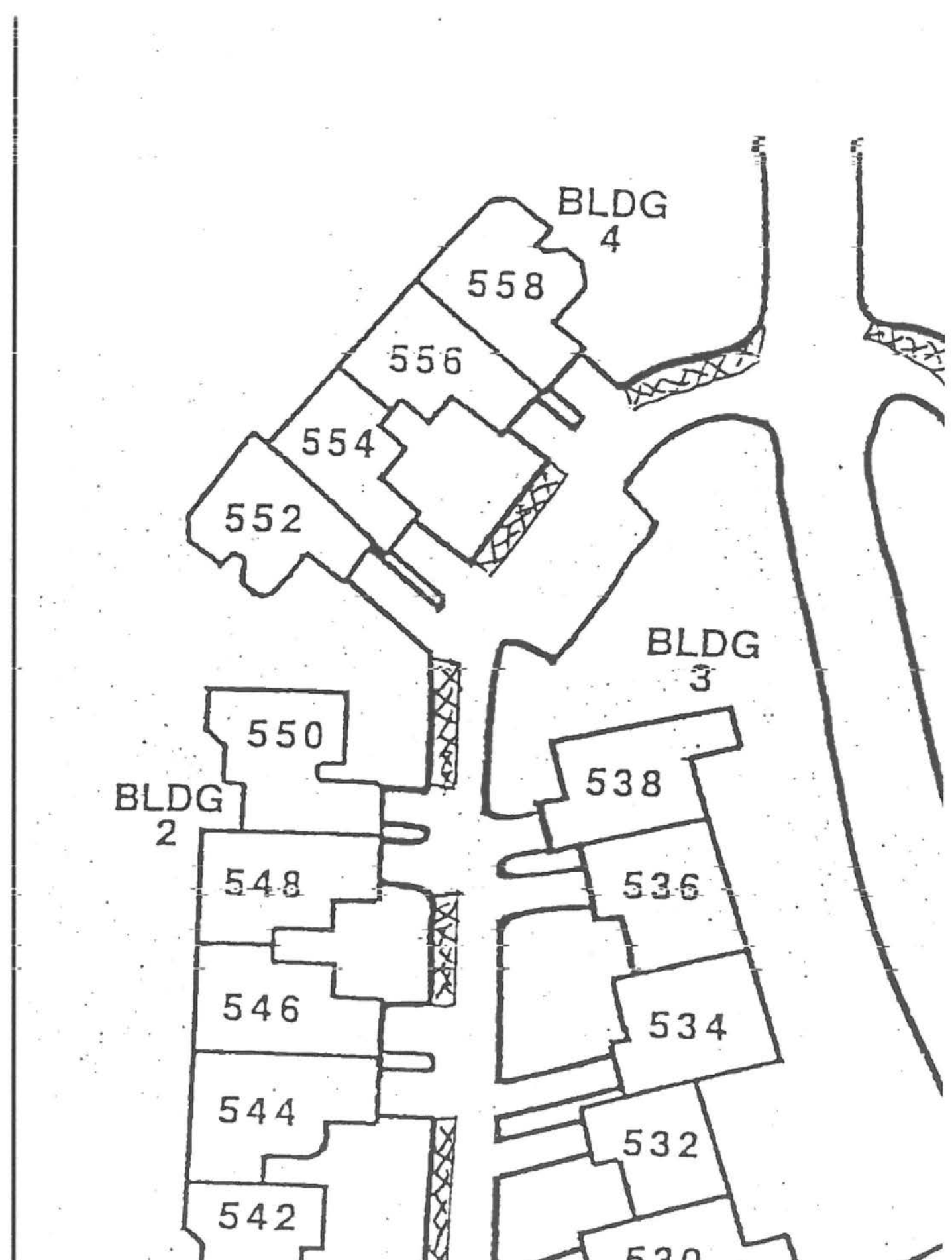


BARTLETT QUADRO-HOME AREA, within or upon any of the fire lanes designated on

the map below, other than an authorized emergency vehicle:



FOUR SEASONS TOWNHOME SUBDIVISION, within or upon any of the fire lanes in the Four Seasons Townhome Subdivision designated on the map below:



BLDG
4

558

556

554

552

BLDG
3

550

538

BLDG
2

548

536

546

534

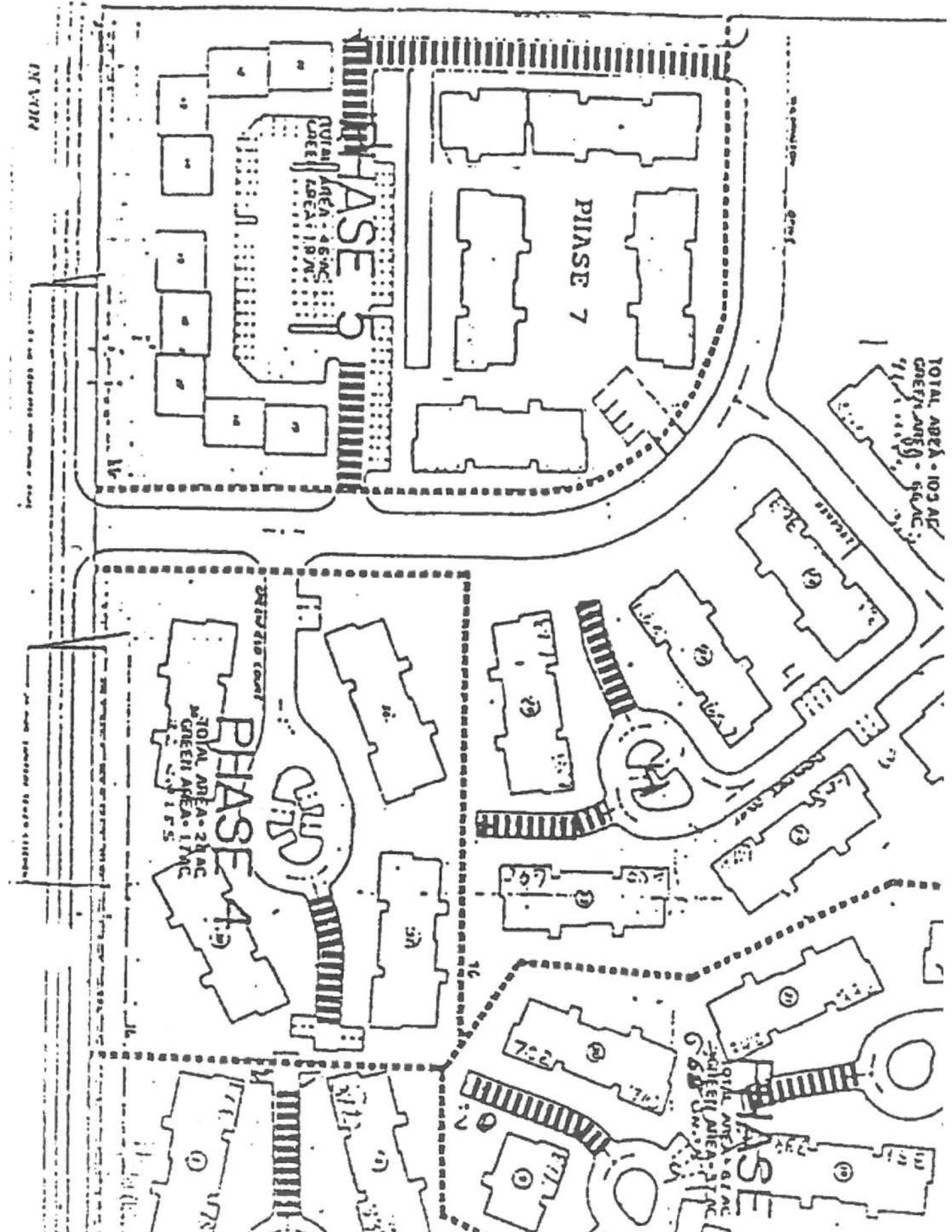
544

532

542

530

HEARTHWOOD FARMS SUBDIVISION, within or upon any of the fire lanes designated on the map below, other than an authorized emergency vehicle:



IN 1001

TOTAL AREA - 103 AC
GREEN AREA - 64 AC

PHASE 4
TOTAL AREA - 24 AC
GREEN AREA - 17 AC

PHASE 5
TOTAL AREA - 4.6 AC
GREEN AREA - 1.9 AC

PHASE 7

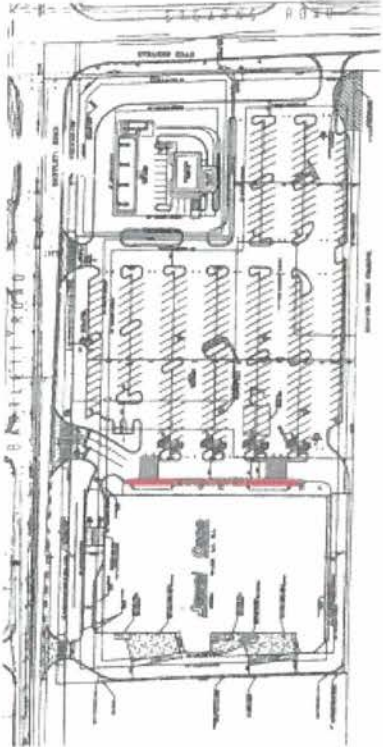
TOTAL AREA - 6 AC
GREEN AREA - 3 AC

PRIVATE ROAD

ROAD

DRIVE

JEWEL SHOPPING CENTER, within or upon any of the fire lanes designated on the map below, other than an authorized emergency vehicle:



(Ord. 2017-144, 11-7-2017)

6-11-1303.2: SCHEDULE VI, TIME LIMIT PARKING :

A. Two Hour Parking: It shall be unlawful to park any vehicle for longer than two (2) consecutive hours on Monday through Friday, both inclusive, in any of the following locations:

BARTLETT AVENUE, on the north side between its intersection with the east line of Oak Street and the west line of Eastern Avenue, except on Sundays and legal holidays.

EASTERN AVENUE, on the east side between the south line of Oneida Avenue and the south line of Bartlett Avenue and between the north line of Morse Avenue and the north line of North Avenue.

EASTERN AVENUE, on the west side between the north line of Morse Avenue and the south line of Bartlett Avenue.

WEST RAILROAD AVENUE, on the north side, between a point 72 feet east of the east line of Oak Street and a point 181 feet east of the east line of Oak Street.

B. Four Hour Parking:

AREA, described by beginning at the intersection of the north line of North Avenue with the west line of Western Avenue, and running thence east along the north line of North Avenue to the east line of Eastern Avenue; thence south along the east line of Eastern Avenue, and the prolongation thereof, to the north line of the Chicago, Milwaukee, St. Paul and Pacific Railroad right-of-way; thence west along the north line of said railroad right-of-way, to its intersection with the prolongation of the east line of South Main Street; thence south along the prolongation of the east line of South Main Street and along the east line of South Main Street to the south line of Devon Avenue; thence west along the south line of Devon Avenue and the prolongation of the south line of Devon Avenue to the west line of Western Avenue; thence north along the west line of Western Avenue to its intersection with the north line of North Avenue; it shall be unlawful to park any vehicle on any Village street for more than 4 consecutive hours between the hours of 8:00 A.M. and 6:00 P.M., except on Sundays and legal holidays.

BARTLETT AVENUE, on the south side, between its intersection with the east line of Oak Street and the west line of Eastern Avenue, except on Sundays and legal holidays.

ONEIDA AVENUE, on the south side from the east line of Eastern Avenue to the west line of Prospect Avenue, for a period of time longer than 4 hours.

POND VIEW LANE, on either side, between its intersections with the east line of Devon Avenue and the west line of Western Avenue.

C. Monday Through Friday: No parking Monday through Friday, inclusive, six o'clock (6:00) A.M. to six o'clock (6:00) P.M.

BERTEAU AVENUE, on either side from the south side of Oneida Avenue to the Milwaukee Road right-of-way on Monday, Tuesday, Wednesday, Thursday and Friday.

ONEIDA AVENUE, on the north side from the east line of Eastern Avenue to the west line of Prospect Avenue.

D. League Play Restriction:

CORAL AVENUE, on the north side, from Newport Boulevard to Voyager Drive.

NEWPORT BOULEVARD, on the east side from Coral Avenue to Millwood Drive.

The "no parking" restriction on the above named streets is during regular league play hours only. (Ord. 2017-144, 11-7-2017)

6-11-1303.3: SCHEDULE VII, PARALLEL, DIAGONAL AND PERPENDICULAR PARKING:

BARTLETT AVENUE, north and south side, diagonal parking shall be permitted from the east line of Oak Street to the west line of Eastern Avenue, where vehicles shall be parked at the angle to the curb indicated by markings on the pavement. (Ord. 2017-144, 11-7-2017)

6-11-1303.4: SCHEDULE VIII, METERED PARKING AND DAILY PAY COMMUTER PARKING AREAS:

The following streets and places, depicted in appendix 1 on file in the Village, are hereby declared to be metered parking areas or daily pay commuter parking areas subject to the regulations of section 6-11-1304.7 of this part, and it shall be unlawful to park a vehicle upon such streets and places except in compliance with the regulations set forth in said section 6-11-1304.7 of this part:

The parking area on the north side of Railroad Avenue from the east line of Western Avenue easterly to the west line of Oak Avenue, consisting of 58 spaces (Lot 4).

The east 1/2 of Lot 6 (61 spaces) located north of the Metra railroad tracks.

The parking lot located at the southeast corner of Western Avenue and Oneida Avenue consisting of 86 spaces (Lot 11).

The parking area located on the north side of Bartlett Avenue from the east line of Hickory Avenue easterly approximately 100 feet consisting of 12 spaces (Lot 2, motorcycle parking).

The parking lot located on the north side of East Railroad Avenue from the Metra Station easterly approximately 500 feet east of the east line of Berteau Avenue consisting of 162 spaces (Lot 15).

The parking lot located on the south side of East Oneida Avenue, adjacent to the Bartlett water tower, directly south of South Elroy Avenue consisting of 39 spaces (Lot 13). (Ord. 2017-144, 11-7-2017)

6-11-1303.5: SCHEDULE IX, PERMIT PARKING:

The following described areas, depicted in appendix 1 on file in the Village, are hereby designated as permit parking areas:

The parking area on the south side of West Bartlett Avenue from the east line of

Western Avenue easterly to the west line of Oak Avenue consisting of 45 spaces (Lot 3).

The parking lots (Lots 5, the west 1/2 of Lot 6, 7, 12, and 14) located north of the Metra railroad tracks, south of Oneida Avenue, from the east line of Eastern Avenue easterly to the east line of Berteau Avenue excluding the east 1/2 of Lot 6 and Lot 13 (39 spaces) the east side of Berteau Avenue north of East Bartlett Avenue south of West Oneida Avenue the northern 6 spaces of Lot 14, and the north side of East Bartlett Avenue, first 10 spaces to the permit parking area known as Lot 7. (Ord. 2017-144, 11-7-2017)

6-11-1303.6: NO STOPPING ZONES:

Except where necessary to avoid a conflict with other traffic or in compliance with law or the directions of a police officer or a traffic control device, it shall be unlawful for any person to stop any vehicle at any time on any of the streets hereinafter set forth:

DARTMOUTH COURT

This section shall not apply to a driver of any vehicle which is disabled; school buses; or any second division vehicle used exclusively for the purpose of collection of garbage, refuse or recyclable material. (Ord. 2017-144, 11-7-2017)

6-11-1303.7: NO STANDING ZONES:

Except when necessary to avoid a conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, it shall be unlawful for any person to stand or park a vehicle, whether occupied or not, whether momentary to pick up or discharge passengers or not, or any other purpose, at any time on any of the streets hereinafter named at the locations hereinafter set forth:

DARTMOUTH COURT;

LAMBERT LANE from Spaulding Road to 500 feet north of Spaulding Road; and

SPAULDING ROAD from Metra railroad tracks west of Lambert Lane to Ivory Lane east of Lambert Lane.

This section shall not apply to a driver of any vehicle which is disabled; school buses; or any second division vehicle used exclusively for the purpose of collecting garbage, refuse or recyclable material. (Ord. 2017-144, 11-7-2017)

6-11-1304.1: ADDITIONAL PARKING REGULATIONS; PARKING RESTRICTED AND LIMITED:

- A. It shall be unlawful to park any commercial vehicle or machinery on any street or public right-of-way for more than four (4) consecutive hours.

It shall also be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any business street from which vehicle merchandise is peddled.

- B. It shall be unlawful to park any inoperative vehicle or any machinery of any kind on any street or public right-of-way for more than five (5) consecutive hours.
- C. It shall be unlawful to park any vehicle at any time for more than fifteen (15) minutes on the south side of Railroad Avenue from the west line of Hickory Street to a point fifty feet (50') west of the west line of Hickory Street.
- D. It shall be unlawful for any person who is not visiting the Bartlett Municipal Building on Village or police business to park any vehicle in the parking lot of the Bartlett Municipal Building, and it shall further be unlawful for any person who is not an officer or employee of the Village to park any vehicle in the parking lot of the Bartlett Municipal Building for more than four (4) hours within any twenty four (24) hour period.
- E. It shall be unlawful to park any vehicle at any time for more than five (5) minutes on the east side of Oak Street within fifty feet (50') of the north line of Bartlett Avenue.
- F. It shall be unlawful to park any vehicle on any public street or right-of-way in any location designated in the manner hereinafter set forth:

The Village Police Department, or anyone acting under its direction or control, may, if the condition of traffic so warrants or the public safety so demands, temporarily post or install no parking signs along or upon any public highway, street or parking area in the Village, such parking signs to be temporary in nature and not to be posted or installed for an unreasonable time. A period of beyond seventy two (72) hours shall be deemed prima facie unreasonable as to time, unless the circumstances surrounding the need indicate to the contrary. (Ord. 2017-144, 11-7-2017)

6-11-1304.2: ALL NIGHT PARKING:

No person shall park any vehicle on any street for a period of time longer than thirty (30) minutes between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. of any day, except in a residential permit parking area pursuant to a validly issued residential parking permit issued pursuant to section 6-11-1304.8.1 of this part, or physicians on emergency calls; provided, however, that in the event of an emergency, or in the event of mechanical malfunction of a vehicle, such vehicle may be parked on the street between such hours; provided that the owner or person responsible for the parking of such vehicle on the Village street shall notify the Bartlett Police Department as to the existence of such emergency situation, the location where such vehicle shall be parked, the identity of the owner of the premises in front of which such vehicle shall be parked, the identity of the owner and driver of such vehicle and such additional information as the Bartlett police may require.

The provisions of this section shall not apply to vehicles owned by the United States, State of Illinois, any county or municipality which may be subject to call twenty four (24) hours a day, or to the personal vehicles of volunteer firemen. The Chief of Police is authorized to grant special permits: a) in emergency situations, or b) on a temporary basis in hardship situations. (Ord. 2017-144, 11-7-2017)

6-11-1304.3: PARKING IN ALLEYS:

No person shall park a vehicle within an alley in such manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for the free movement of traffic, and no person shall stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property. (Ord. 2017-144, 11-7-2017)

6-11-1304.4: PARKING IN LOADING ZONES:

It shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not to exceed three (3) minutes, and for the driver to stand any freight carrying vehicles for a period of time longer than is necessary to load, unload and deliver materials, not to exceed thirty (30) minutes in any place designated by the Village Board as a loading zone and marked as such, or in any of the following designated places:

- A. At any place not to exceed seventy five feet (75') along the curb before the entrance to any hospital or hotel at any time.
- B. At any place not to exceed seventy five feet (75') along the curb before the entrance to a public building between the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M. except Sundays.
- C. Directly in front of the entrance to any theater at any time the theater is open for business. (Ord. 2017-144, 11-7-2017)

6-11-1304.5: PARKING DURING SNOW REMOVAL AND STREET CLEANING OPERATIONS:

It shall be unlawful to park any vehicle on any public street in the Village at any time within twelve (12) hours after a snowfall of three inches (3") or more has occurred, or to park any vehicle on any public street or portion thereof in the Village at any time when such street is being cleaned. Signs indicating that a street or portion thereof is being cleaned shall be posted immediately before the cleaning of the street, and shall be removed after the cleaning of the street is finished. (Ord. 2017-144, 11-7-2017)

6-11-1304.6: PARALLEL, DIAGONAL AND PERPENDICULAR PARKING REGULATIONS:

- A. No vehicle shall be parked with the left side of such vehicle next to the curb or street pavement, except on one-way streets.
- B. It shall be unlawful to park or stand any vehicle on any street other than parallel with the curb and with the two (2) right wheels of the vehicle within six inches (6") of the curb or established edge of pavement, except as provided in section 6-11-1303.3 of this part. (Ord. 2017-144, 11-7-2017)

6-11-1304.7: METERED PARKING:

The following regulations shall govern parking on Village streets, in off street facilities owned, leased, controlled or operated by the Village, or in parking areas comprised of both Village streets and off street parking facilities owned, leased, controlled or operated by the Village.

- A. **Parking Meters:** The Chief of Police shall cause parking meters to be placed upon the sidewalk or curb adjacent to the metered parking areas designated for the regulation of the parking of vehicles in such areas in this part. He shall cause such parking areas to be divided and marked for individual parking spaces for each meter so placed and installed. Each parking meter so installed shall bear a legend indicating the number of legal hours prior to the legal parking of a vehicle in such parking space, the days and hours that parking regulations are in effect with respect to such meters, and other information relating to the use of such parking meters. Each meter so placed and used for the regulation of parking in the metered parking areas hereinafter designated shall be so constructed as to permit the placing of coins therein, and shall display a signal or legend showing legal parking for the period indicated on a dial therein provided.
- B. **Procedure On Parking In A Metered Zone Or In Commuter Parking Lot:**
 - 1. It shall be unlawful to park a vehicle in a metered parking space in the designated metered parking areas or in designated commuter parking areas for more than twelve (12) hours for each one dollar fifty cents (\$1.50) deposited in the parking meter collection box or deposited in or charged through an automatic pay station or through the Village authorized mobile parking payment application designated for such parking space.
 - 2. It shall be unlawful for any person to park, and it shall be unlawful for the owner or operator of any vehicle to cause, suffer or permit to be parked, any vehicle in any parking space or stall in any daily pay commuter parking area or lot as described in section 6-11-1303.4 of this part which is regulated by a parking meter, collection box or automated pay station or through the Village authorized mobile parking payment application designated for such daily pay commuter parking area, unless there is deposited in such parking meter, collection box or deposited in or charged by credit

card through an automated pay station or the Village authorized mobile parking payment application designated for said space or stall, the sum of one dollar fifty cents (\$1.50) for each day during which said vehicle is parked in said parking space or stall between the hours of six o'clock (6:00) A.M. and six o'clock (6:00) P.M., except on Saturdays, Sundays and legal holidays. Payment shall be made within thirty (30) minutes of parking the vehicle.

3. The appropriate Village personnel are authorized and directed to take the necessary steps to cause the parking meter, collection boxes, and/or automated pay stations or the Village authorized mobile parking payment application to be changed or adjusted in order to conform with the provisions of this section.
 4. Any person who violates the provisions of this subsection, or causes, suffers or permits the violation of any provision of this section shall be fined not less than twenty five dollars (\$25.00) for each such violation; and a separate offense shall be deemed committed for each day during which the vehicle is parked in violation of this section.
- C. **Parking Hours And Days:** The regulations for metered parking shall be in effect between the hours of six o'clock (6:00) A.M. and six o'clock (6:00) P.M. on each day from Monday through Friday, both inclusive. Such regulations shall not be in effect on Saturdays, Sundays and the following legal holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas.
- D. **Use Of Slugs:** It shall be unlawful for any person to deposit in any meter/collection box any slug, device or metallic substitute for a lawful coin. It shall be unlawful for any person to park in any space adjacent to a parking meter/collection box where the last coin deposited in such meter is not a lawful coin of the United States. It shall be unlawful for any person to deface, injure, tamper with, open, break or destroy or impair the usefulness of any parking meter/collection box. (Ord. 2017-144, 11-7-2017)

6-11-1304.8: PERMIT PARKING:

The following regulations shall govern permit parking on Village streets, in off street parking facilities owned, leased, controlled or operated by the Village, or in parking areas comprised of both Village streets and off street parking facilities owned, leased and controlled or operated by the Village:

- A. It shall be unlawful to park a vehicle in any of the permit parking areas described in section 6-11-1303.5, schedule IX of this part, unless there has been issued for such vehicle a parking permit hanger to allow the parking of such vehicle within such permit parking area. Each such parking permit hanger issued pursuant to this section shall be visibly displayed by hanging from the rear view mirror inside of the vehicle in such a manner that it is clearly visible from the outside of the motor vehicle.

- B. The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, color, and registration number.
- C. The permit shall be renewed quarterly on or before the first day of the new quarter, January 1, April 1, July 1 and October 1. The permit shall display the quarter number for which the permit is issued. This permit shall entitle the permittee to park in the permit parking area for a twelve (12) hour period.
- D. The parking permit hanger will be displayed hanging from the rear view mirror inside of the vehicle in such a manner that it is clearly visible from the outside of the motor vehicle.
- E. The Village Clerk shall cause parking permit hangers to be made available for sale online, and parking permit hangers will be mailed to the requestor at the rates herein set forth.
- F. The following permit fees for permit parking areas described in section 6-11-1303.5 of this part are hereby established:

\$90.00 per calendar quarter.
- G. It shall constitute a violation of this regulation for any person to make false representation of eligibility for parking permit or to furnish any false information in an application in order to obtain a parking permit.
- H. Any person who shall violate any provision of this regulation shall, upon a finding of guilty of or a conviction, be subject to a fine of twenty five dollars (\$25.00) and if not paid within a period of ten (10) days from the date appearing on the violation notice, said person shall be subject to an additional fine of twenty five dollars (\$25.00). (Ord. 2017-144, 11-7-2017)

6-11-1304.8.1: RESIDENTIAL PERMIT PARKING AREA:

- A. "Residential area" shall mean a contiguous or nearly contiguous area containing public highways or parts thereof primarily abutted by residential property or residential and nonbusiness property (such as: schools, parks and churches).
- B. All residents shall be deemed eligible for residential permit parking when the residents would otherwise park the vehicles on the street in violation of the two o'clock (2:00) A.M. to six o'clock (6:00) A.M. prohibition.
- C. "Residential permit parking area" shall mean the residential area west of Berteau Avenue, the north side of East Bartlett Avenue, first ten (10) spaces to the permit parking area known as Lot 7, and the east side of Berteau Avenue north of East Bartlett Avenue south of West Oneida Avenue. The northern six (6) spaces of Lot 14

where parking shall be allowed for vehicles owned or leased by a Village resident who has procured and displays a residential parking permit. This permit parking area is reserved for the use of Village residents who have "residential parking permits" issued one per property on a first come, first issued basis.

- D. The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, registration number, and proof of residency.
- E. The permit shall be renewed quarterly on or before the first day of the new quarter, January 1, April 1, July 1 and October 1. The permit shall display the quarter number for which it is issued. This permit shall entitle the permittee to park in the residential permit area twenty four (24) hours daily.
- F. The parking permit hanger will be displayed hanging from the rear view mirror inside of the vehicle in such a manner that it is clearly visible from the outside of the motor vehicle.
- G. No person shall display a parking permit hanger on any vehicle other than the vehicle described in the application for which the residential parking permit hanger has been made and parking permit hanger issued. Any such use or display of a parking permit hanger on a vehicle as described above shall constitute a violation of the regulation by the permittee and by the person who so used or displayed such parking permit hanger.
- H. It shall constitute a violation of this regulation for any person to make representation of eligibility for a residential parking permit or to furnish any false information in an application in order to obtain a residential parking permit.
- I. Any person who shall violate any provision of this regulation shall, upon conviction, be subject to a fine of twenty five dollars (\$25.00) and if not paid within a period of ten (10) days from the date appearing on the violation notice, said person shall be subject to an additional fine of twenty five dollars (\$25.00). (Ord. 2017-144, 11-7-2017)

6-11-1304.9: CAB, BUS STANDS:

No vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a cab stand; and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. (Ord. 2017-144, 11-7-2017)

6-11-1304.10: SIGNS POSTED:

The Director of Public Works or any other person authorized by the Village Board shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions. It shall be unlawful for any person to park or permit to park

a motor vehicle in contradiction to a sign posted limiting or restricting parking. (Ord. 2017-144, 11-7-2017)

6-11-1304.11: PARKING OF VEHICLE WITH EXPIRED REGISTRATION:

No person may stop, park, or leave standing upon a public street, highway, or roadway a vehicle upon which is displayed an Illinois registration plate or plates or registration sticker after the termination of the registration period. (Ord. 2017-144, 11-7-2017)

6-11-1304.12: LESSOR OF VISITOR VEHICLES - DUTY UPON RECEIVING NOTICE OF VIOLATION:

Every person in whose name a vehicle is registered pursuant to law and who leases such vehicle to others, after receiving written notice of a violation of this part involving such vehicle, shall upon request provide such police officers as have authority of the offense, the Ordinance Enforcement Administrator and/or the Administrative Hearing Officer appointed pursuant to title 1, chapter 15 of this Code, and/or the court having jurisdiction thereof with a written statement of the name and address of the lessee at the time of such offense and the identifying number upon the registration plates and registration sticker or stickers of such vehicle. (Ord. 2017-144, 11-7-2017)

6-11-1304.13: PARKING LIABILITY OF LESSOR:

No person who is the lessor of a vehicle pursuant to a written lease agreement shall be liable for the violation of any parking or standing regulation of this part involving such vehicle during the period of the lease; provided that upon the request of the Ordinance Enforcement Administrator or the Administrative Hearing Officer appointed pursuant to title 1, chapter 15 of this Code, received within one hundred twenty (120) days after the violation occurred, the lessor provides within sixty (60) days after such receipt the name and address of the lessee. The driver's license number of a lessee may be subsequently individually requested by either of such officers if needed for enforcement of this part. (Ord. 2017-144, 11-7-2017)

6-11-1304.14: CENTRALIZED PARKING METER SYSTEMS:

A. As used in this section:

CENTRALIZED PARKING METER SYSTEM: Means a system of regulating the standing or parking of vehicles for the Village public commuter parking lots and a single parking meter.

PARKING METER: Means a traffic control device which, upon being activated by deposit of currency of the United States, or by electronic or other form of payment, in the amount indicated thereon or otherwise, either: 1) displays a signal showing that parking is allowed from the time of such activation until the expiration of the time fixed for parking in the parking meter zone in which it is located, and upon expiration of such time indicates by sign or signal that the lawful parking period has expired; 2) issues a

ticket or other token, or activates a display device, on which is printed or otherwise indicated the lawful parking period in the parking meter zone in which the parking meter is located, such ticket or token, or display device, to be displayed in a publicly visible location on the dashboard or inner windshield of a vehicle parking in the Village commuter parking lot, or such ticket to be affixed on the front lamp of a motorcycle or motor scooter parking in the Village's commuter parking lot; or 3) payment for parking in any Village commuter parking lot through the Village authorized mobile parking payment application.

VILLAGE COMMUTER PARKING LOTS: Means a certain designated and marked off section of Village owned or leased public property within the marked boundaries where a vehicle may be temporarily parked and allowed to remain for such period of time as the parking meter attached thereto, or the ticket or other token issued by the parking meter, or mobile payment application, may indicate.

- B. If for any reason the parking meter serving a space or, in a centralized parking meter system, serving a parking meter zone is malfunctioning due to the accumulation of ice or snow and it has been reported to the local authorities as malfunctioning prior to a violation for the standing or parking of vehicles being issued, it shall be a valid affirmative defense to such violation until such time as the parking meter is brought back into service. (Ord. 2017-144, 11-7-2017)

6-11-1304.15: UNAUTHORIZED USE OF PARKING PLACES RESERVED FOR ELECTRIC VEHICLES:

- A. For the purposes of this section:

ELECTRIC VEHICLE: Means a battery-powered electric vehicle operated solely by electricity or a plug-in hybrid electric vehicle that operates on electricity and gasoline and has a battery that can be recharged from an external source.

ELECTRIC VEHICLE CHARGING STATION: Means any facility or equipment that is used to charge a battery or other energy storage device of an electric vehicle.

- B. It shall be prohibited to park a non-electric vehicle in an electric vehicle charging station designated for use by electric vehicles, including an electric vehicle charging station on any private or public off street parking facility. A person may park only an electric vehicle in an electric vehicle charging station space designated for use by electric vehicles.
- C. Any person or entity owning any public or private off street parking facility may, after notifying the Police Department, remove or cause to be removed to the nearest garage or other place of safety any non-electric vehicle parked within an electric vehicle charging station space designated for use by electric vehicles.

- D. It shall not be a defense to a charge under this section that the sign or notice posted at the electric vehicle charging station or the designated parking space does not comply with applicable rules, regulations, or Village ordinances, if a reasonable person would be made aware by the sign or notice on or near the parking space that the space is reserved for electric vehicles.

Any person found guilty of violating the provisions of subsection B of this section shall be fined one hundred dollars (\$100.00) in addition to any costs or charges connected with the removal or storage of the non-electric vehicle. (Ord. 2017-144, 11-7-2017)

6-11-1305.1: AUTHORITY AND PROCEDURE FOR ISSUANCE OF CITATIONS:

Whenever a police officer, community service officer, parking enforcement officer or other authorized personnel witnesses a violation of an ordinance with respect to any of the following subjects:

- A. Prohibiting the parking of a vehicle in a designated area (see sections 6-11-1300 through 6-11-1304.15 of this part);
- B. Restricting the length of time a vehicle may be parked (see sections 6-11-1300 through 6-11-1304.15 of this part);
- C. Regulating parking in metered parking areas and commuter parking areas (see sections 6-11-1304.7 and 6-11-1304.14 of this part);
- D. Regulating handicapped parking (see sections 6-11-1301.1 through 6-11-1301.8 listed in section 6-11-1301 of this part);
- E. Prohibiting the parking of a vehicle with expired registration (see sections 6-11-1303(a)11 and 6-11-1304.11):

he or she may, in lieu of arrest and the filing of a citation complaint and/or a notice of appear in court, issue a citation to such alleged violator a parking citation which contains, but shall not be limited to the information pursuant to section 6-20-5 D of title 6, chapter 20 Administrative Adjudication Of Parking And Vehicle Compliance Violations.

6-11-1305.2: PENALTIES AND SETTLEMENT OF PENALTY PROCEDURES:

- A. Any person accused of a violation of sections 6-11-1300 to 6-11-1304.15 of this chapter may settle and compromise the claim pursuant to subsection B of this section and prior to such person being issued a second notice of violation and/or notice to appear.
- B. Parking And Minor Ordinance Violations Penalties; Settlement Of Penalties; Authorization And Procedure: The following procedure regarding settlement and

compromise of parking violations and certain minor ordinance violations as set forth in this chapter is hereby authorized:

1. Any owner or operator who is issued a parking citation for a violation of any of sections 6-11-1300 to 6-11-1304.15, excluding 6-11-1301.3 and 6-11-1301.8 of this chapter may settle and compromise that citation by paying twenty five dollars (\$25.00) to the Village on or before ten (10) days after the date of issuance, not counting the date of issuance. If paid after that date but not less than seven (7) days before the hearing date, the parking ticket citation can be settled and compromised for fifty dollars (\$50.00). After that date, upon a finding of liable by the Administrative Hearing Officer, the total amount of the fine and penalty shall be a minimum of fifty dollars (\$50.00) not to exceed two hundred and fifty dollars (\$250.00) for each separate violation. Payments received by mail shall be credited as paid on the date received by the Village.
 2. Any owner or operator who is issued a citation (LA ticket) for a violation of section 6-11-1301.3 or 6-11-1301.8 listed in section 6-11-1301 of this chapter may settle and compromise that citation by paying two hundred and fifty dollars (\$250.00) to the Village on or before ten (10) days after the date of issuance, not counting the date of issuance. If paid after that date but not less than seven (7) days before the ~~earl~~ hearing date, the ticket citation or complaint, as the case may be, may be settled and compromised for two hundred and fifty dollars (\$250.00). After that date upon a determination of liability by the Administrative Hearing Officer, the total amount of the fine and penalty to be entered by the Administrative Hearing Officer shall be two hundred and fifty dollars (\$250.00).
- C. Adjudication Fines and Penalties: Pursuant to sections 6-20-13 and 6-20-14 of chapter 20 Administrative Adjudication of Parking And Vehicle Compliance Violations any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of that chapter remaining unpaid after the exhaustion of or the failure to exhaust administrative remedies created under said chapter, and the conclusion of any judicial review procedures, shall be a debt due and owing the village and the village may take the necessary actions to collect said fines and/or penalties.
- D. Driver's License Suspension: Pursuant to section 6-20-11 of chapter 20 Administrative Adjudication of Parking And Vehicle Compliance Violations, the village may cause the suspension of a person's driver's license in accordance with Section 6-306.5 of the Illinois vehicle code for failure to pay fines and penalties deemed due and owing the village after the exhaustion of administrative procedures set forth in Chapter for ten (10) or more vehicular standing and/or parking regulation violations.

6-11-1305.3: REGISTRATION PRIMA FACIE EVIDENCE:

The fact that an automobile or motor vehicle which is illegally operated or parked is registered with the Secretary of State in the name of said alleged violator; or, in the alternative, in the event that a vehicle sticker issued by a municipality has been issued in

the name of the alleged violator, shall be considered prima facie proof that said alleged violator was in control of or was the operator of the automobile or vehicle at the time of such alleged violation. (Ord. 2017-144, 11-7-2017)

6-11-1305.4: SECOND NOTICE OF PARKING VIOLATION:

Pursuant to section 6-20-5M of chapter 20 Administrative Adjudication Of Parking And Vehicle Compliance Violations, if the citation is not settled in accordance with 6-11-1305.2 within ten (10) days of issuance, a second notice of violation and/or notice to appear will be mailed and the respondent shall have the option of avoiding an appearance at an administrative hearing by paying the fine and penalty amount stated on the Second Notice at least seven (7) days prior to the scheduled hearing date. Notices shall be mailed in accordance with section 6-20-5P of chapter 20 Administrative Adjudication Of Parking And Vehicle Compliance Violations.

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1:](#) 625 ILCS.

[Footnote 2:](#) 625 ILCS 5/6-306.5(f)(2).

[Footnote 3:](#) 625 ILCS 5/6-306.5(f)(2).

[Footnote 4:](#) 625 ILCS 5/6-306.5.

Chapter 4 GENERAL PENALTY

1-4-1: GENERAL PENALTY:

1-4-2: APPLICATION OF PROVISIONS:

1-4-3: DEFINITIONS:

1-4-4: ISSUANCE OF LOCAL LA ORDINANCE CITATIONS FOR CERTAIN VIOLATIONS:

1-4-5: SERVICE OF CITATION OR SERVICE OF PROCESS:

1-4-6: PROCEDURE FOR CERTAIN LA VIOLATIONS:

1-4-7: PENALTIES AND SETTLEMENT PROCEDURES FOR CERTAIN LA OFFENSES:

1-4-8: ALTERNATIVE PENALTIES, COMPLIANCE WARNING TICKETS:

1-4-1: GENERAL PENALTY:

In all cases where the same offense is made punishable or is created by different clauses or sections of this code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

- A. Whenever in this code a minimum but not maximum fine or penalty is imposed, the administrative hearing officer, or the court may, in its discretion, fine the offender any sum exceeding the minimum fine or penalty, but not exceeding five hundred dollars (\$500.00).
- B. Whenever in this code the doing of any act or the omission to do any act constitutes a breach of any section or provision of this code and there shall be no fine or penalty declared for such breach or violation, any person who shall be convicted of any such breach shall be fined not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense.

1-4-2: APPLICATION OF PROVISIONS:

The penalty provided in this chapter shall be applicable to every section of this Code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this Code where any duty is prescribed or obligation imposed, or where any action which is of a continuing nature is forbidden or is declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Code. (Ord. 2017-145, 11-7-2017)

1-4-3: DEFINITIONS: ADMINISTRATIVE ADJUDICATION: Adjudication of alleged code or ordinance violations pursuant to chapter 15 of this title, or chapter 20 of title 6, of this code.

ADMINISTRATIVE HEARING OFFICER: The duly appointed administrative hearing officer of the Village, who shall have the powers and duties as prescribed in section 1-15-3:E.1 of this title and as prescribed in Section 6-20-4:B of title 6, chapter 20, of this code, and/or who shall preside over and shall conduct administrative hearings to adjudicate alleged Code or ordinance violations in accordance with chapter 15 of this title and/or chapter 20 of title 6 of this code.

CIRCUIT COURT: The Circuit Court of Cook County, or the Circuit Court for the Eighteen Judicial Circuit (DuPage County) or the Circuit Court for the Sixteenth Judicial Circuit (Kane County), Illinois, determined by the Village attorney or the Village prosecutor, or as may be appropriate.

OFFICER: Any police officer, the Building Director, Community Developer Director, the Zoning Administrator, the Health Officer, the Village Administrator, or the designee of any such officer, or other enforcement officer of the Village.

PERSON: Includes a natural person, firm, partnership, association, sole proprietorship, corporation, limited liability company, trust, or any other entity as well as any agents, representatives or employees thereof upon whom responsibility or liability is imposed by this code for the violation cited.

VIOLATOR: Any person who violates any provision of this code or other Village ordinances. (Ord. 2017-145, 11-7-2017)

1-4-4: PROCEDURES FOR ISSUANCE OF LOCAL ORDINANCE LA CITATIONS FOR CERTAIN OFFENSES:

Whenever a police officer, community service officer, parking enforcement officer, or other officer of the village witnesses a violation of the village's codes and ordinances including but not limited to, title 3, "Business And License Regulations"; title 4, "Health And Sanitation"; title 5, "Police Regulations"; chapter 607 "Motorbikes" of title 6, "Motor Vehicles And Traffic"; title 7, "Public Ways And Properties"; title 8, "Fire Protection And Prevention"; title 9, "Bartlett Building Code"; and title 10, the "Bartlett Zoning Ordinance", of this code and other ordinance(s) of the village (excluding violations of the "Stopping Vehicles in Specified Places" regulations of this code [title 6, chapter 11-1300] or violations of the equipment, condition and use of vehicle regulations [title 6 chapter 12] of this code), he or she may issue a Local Ordinance citation and notice to appear designated on the citation form as "LA" followed by a citation number, to such alleged violator which contains, but need not be limited to the information pursuant to section 1-15-4D of chapter 15 of this title entitled "Administrative Adjudication Of Nonvehicular Violations". Nothing contained herein shall be construed to preclude the Village from issuing a long form complaint or filing a complaint at law and/or in equity and filing the same in the circuit court.

1-4-5: SERVICE OF CITATION OR SERVICE OF PROCESS:

Citations shall be served in accordance with the procedures set forth in 1-15-4E of title 1, chapter 15, Administrative Adjudication Of Nonvehicular Violations.

1-4-6: CERTAIN LA VIOLATIONS ELIGIBLE FOR PAYMENT OF FINE WITHOUT MANDATORY APPEARANCE:

The following violations of Bartlett Municipal Code shall be subject to the procedures described in section 1-4-7 of this chapter:

Description of Code Violated	Adopted Code Citation	Bartlett Municipal Code Citation
Uninvited Soliciting Prohibited		3-18-5
Limitations on Soliciting		3-18-6
Garage sale permits required		3-21-1
Itinerant Food Establishment		3-25-8
Garbage cans out too early/not removed from curb		3-26-2B3
Mobile Food Vendors		3-30
Deposit on Right of Way		4-2-4A3
Dog License Required		5-2-2
Prohibited Acts w/ respect to animal control		5-2-5 (A,B,E,H or M)
Animal Forbidden in Public Places		5-2-7
Dog Feces		5-2-12 A and B
Wind Blown Refuse		5-3-3B
Deposit of Grass and Rubbish		5-3-3C
Motorbikes Required Equipment (muffler, headlight, taillight)		6-607-2A
Motorbike Required Equipment (brakes)		6-607-2B
Motorbike- Operating without drivers license		6-607-3A
Motorbike- Operating on sidewalk		6-607-3B
Motorbike- Operating without required equipment		6-607-3C
Motorbike Minors, Penalty Provisions		6-607-4.2
Disturbing Barricades		7-1-4B
Deposits on Streets		7-1-7A

Deposits on Sidewalks		7-1-7B
Obstruction of Public Way		7-1-8A
Obstruction of Drain in Public Way		7-1-8B
Skateboarding Prohibited Uses		7-1B-2
Skateboarding on Public Rights of Way		7-1B-3
Noncompliance With Water Conservation Regulations		7-5A-6
Open Burning Restricted		8-1-1A
Burning Refuse, Garbage, Leaves and Other Waste		8-1-2
Fires		8-1-3A
Temporary/Holiday Lighting	NEC 590.2B	9-1-2F
Accessible parking spaces, aisle, and route condition	Illinois Accessibility Code	9-1-2G
Stagnant Water	IPMC 302.2	9-1-2H
Rubbish	IPMC 308.1	9-1-2H
Building Permits required		9-2-1
Display of house number		9-5-12
Disposal of Garbage and Rubbish (garbage cans in front)		9-13-10
Dumpster Enclosure		9-13-10 10-3-5C
Home Occupation		10-3-5E
Commercial Motor Vehicles		10-4A-3A
Inoperable/Unlicensed Vehicles	IPMC 302.8	10-4A-3B
Recreational Vehicles		10-4A-3C
Semi-Trailers		10-4A-3D

Parking on grass		10-11-1-4B
Signs in Right of Way or Public Property		10-12-6C11

1-4-7: PENALTIES AND SETTLEMENT PROCEDURES FOR CERTAIN LA OFFENSES:

- A. Any person accused of a violation listed in section 1-4-6 of this chapter may settle and compromise the claim pursuant to subsection B of this section.
- B. Settlement Of Penalties; Authorization And Procedure: The following procedure regarding settlement and compromise certain LA citation violations as set forth in this section is hereby authorized:
 - 1. Citations issued for violation of those sections of this code specified in section 1-4-6 of this chapter may be settled and compromised by ceasing and/or abating said violation and the payment of a fine of twenty five dollars (\$25.00) if paid on or before ten (10) days after the issuance of the citation not counting the day of issuance. Payment of the fine is an admission of liability and will act as a final determination of liability disposition of the violation alleged in the citation. In the event the fine for any of the violations listed in section 1-4-6 is not paid within ten (10) days of the issuance of the citation (LA ticket) will be processed through the administrative adjudication system as provided in chapter 15 of this title. Upon a finding of liable by the administrative hearing officer, whether by default judgment pursuant to subsection H(i) of section 1-15-5 of this title, or after administrative hearing pursuant to section 1-15-5:A-G, H(ii) of this title, the total amount of the fine and penalty shall be a minimum of twenty-five dollars (\$25.00) for each separate violation, not to exceed the maximum fine and penalty as expressly provided under the applicable chapter of this code, subject to the limits on the authority of the administrative hearing officer as set forth in section 1-15-3:A.8 of this code, or if no maximum fine or penalty is otherwise stated in the title and chapter of this code for the violation, then in accordance with the general penalty provisions set forth in section 1-4-1 of this chapter. Payments received by mail shall be credited as paid on the date received by the Village.
- C. Adjudication Fines and Penalties: Pursuant to sections 1-15-9 and 1-15-10 of title 1, chapter 15 of this code entitled "Administrative Adjudication of Nonvehicular Violations", any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of that chapter remaining unpaid after the exhaustion of or the failure to exhaust administrative remedies created under said chapter, and the conclusion of any judicial review procedures, shall be a debt due and owing the village and the village may take the necessary actions to collect said fines and/or penalties.

**CHAPTER 12
VEHICULAR COMPLIANCE CITATIONS**

6-12-1: STATE LAW ADOPTED

6-12-2: AUTHORITY AND PROCEDURE FOR ISSUANCE OF CITATIONS

6-12-3: PENALTIES AND SETTLEMENT OF PENALTY PROCEDURES

6-12-4: REGISTRATION PRIMA FACIE EVIDENCE

6-12-5: SECOND NOTICE OF VEHICULAR COMPLIANCE VIOLATION

6-12-1: STATE LAW ADOPTED:

The following sections of Chapter 625, Acts 5, 25 and 40 of the Illinois Compiled Statutes; known and cited as the "Illinois Vehicle Code", are hereby adopted by reference to the Bartlett Municipal Code, and violations thereof described as follows shall be subject to the procedures described herein.

Illinois Vehicle Code (625 ILCS)	Description	Bartlett Municipal Code Citation
5/3-112(b)	Failure to transfer title within 20 days	6-12-1:5/3-112(b)
5/3-411(a)	Failure to carry registration card or reciprocity permit - second division vehicle	6-12-1:5/3-411(a)
5/3-413(a)	No front/rear registration plate	6-12-1:5/3-413(a)
5/3-413(b)	Improper display license plates/sticker	6-12-1:5/3-413(b)
5/3-413(b)	Improper Display (tinted or obscured plastic covers)	6-12-1:5/3-413(b)
5/3-413(f)	Operation of vehicle with expired registration plate or sticker	6-12-1:5/3-413(f)
5/3-416	Failure to notify the Secretary of State of name/address change	6-12-1:5/3-416
5/3-417(a)	Failure to immediately apply for lost, stolen, damaged registration card, plate, or registration sticker	6-12-1:5/3-417(a)
5/3-701(a)(1)	No valid registration - no valid plate or sticker obtained	6-12-1:5/3-701(a)(1)
5/3-701(a)(2)	No valid registration - reciprocity, prorated or apportionment	6-12-1:5/3-701(a)(2)
5/5-201(h)	No in-transit plates	6-12-1:5/5-201(h)
5/5-202(e)	Failure to display tow truck plate (towed vehicle)	6-12-1:5/5-202(e)
5/11-1404	Riding motorcycle without special equipment	6-12-1:5/11-1404

5/11-1405	No passenger footrests on motorcycles	6-12-1:5/11-1405
5/11-1419.01	Failure to carry single trip revenue permit	6-12-1:5/11-1419.01
5/11-1419.02	Failure to display motor fuel tax identification card	6-12-1:5/11-1419.02
5/11-1419.03	Failure to display valid external Motor Fuel Tax decals	6-12-1:5/11-1419.03
5/11-1426.1(e)	Improper operation of non-highway vehicles without proper equipment as required	6-12-1:5/11-1426.1(e)
5/11-1426.2 (f)	Improper operation of low speed vehicle without proper equipment as required	6-12-1:5/11-1426.2 (f)
5/11-1507(a)	Bicycle without lamps and other equipment	6-12-1:5/11-1507(a)
5/11-1507(b)	Bicycle shall not be equipped with a siren	6-12-1:5/11-1507(b)
5/11-1507.1	Lamps on motorized pedal-cycles	6-12-1:5/11-1507.1
5/12-101(a)	Operation of vehicle with unsafe equipment	6-12-1:5/12-101(a)
5/12-201(a)	Operation of motorcycle without lighted headlamp	6-12-1:5/12-201(a)
5/12-201(b)	Driving vehicles other than motorcycles without 2 lighted headlamps and tail lamps when required	6-12-1:5/12-201(b)
5/12-201(c)	No rear registration plate light	6-12-1:5/12-201(c)
5/12-202(a)	Insufficient clearance, identification or side marker lamps and reflectors - second division vehicle	6-12-1:5/12-202(a)
5/12-202(b)	Trailers and semitrailers without required red reflectors	6-12-1:5/12-202(b)
5/12-203(a)	Failure to use parking lights while vehicle is standing on highway	6-12-1:5/12-203(a)
5/12-204	Improper lamp or flag on projecting load	6-12-1:5/12-204
5/12-205	Improper use of lamps on towing and towed vehicles	6-12-1:5/12-205
5/12-205.1	Implements of husbandry or slow moving vehicles - display of amber signal lamp	6-12-1:5/12-205.1
5/12-207(a)	Improper use of more than 1 spot lamp	6-12-1:5/12-207(a)
5/12-207(b)	Improper use of more than 3 auxiliary driving lamps	6-12-1:5/12-207(b)
5/12-208(a)	No stop signal lamp or signal device - no stop light	6-12-1:5/12-208(a)
5/12-209(c)	Defective backup lights	6-12-1:5/12-209(c)
5/12-210(a)	Failure to dim headlights/auxiliary driving lamps within 500 feet on approach of vehicle	6-12-1:5/12-210(a)

5/12-210(b)	Failure to dim headlights/auxiliary driving lamps within 300 feet of vehicle in same direction	6-12-1:5/12-210(b)
5/12-211(a)	Improper lighting on vehicles other than motorcycles - only 1 headlamp	6-12-1:5/12-211(a)
5/12-211(b)	Improper use of more than 4 lighted headlights/auxiliary driving lamps	6-12-1:5/12-211(b)
5/12-212(a)	Improper use of red light visible from front of vehicle	6-12-1:5/12-212(a)
5/12-212(b)	Unlawful use of oscillating, rotating or flashing lights	6-12-1:5/12-212(b)
5/12-401	Unlawful use of metal studded tire	6-12-1:5/12-401
5/12-405(c)	Use of unsafe tire	6-12-1:5/12-405(c)
5/12-501(a)	Operation of vehicle without windshield	6-12-1:5/12-501(a)
5/12-502	Operation of vehicle without rear reflecting mirror	6-12-1:5/12-502
5/12-503(a)	Obstructed view of windshield or side windows adjacent to driver	6-12-1:5/12-503(a)
5/12-503(b)	Unlawful application of tinted film to windshield or window(s) adjacent to driver - all vehicles manufactured after December 31, 1981	6-12-1:5/12-503(b)
5/12-503(c)	Obstructed view of any window by stationary or suspended object(s)	6-12-1:5/12-503(c)
5/12-503(d)	Operation of vehicle without windshield cleaning device; operation of vehicle with view obstructed by snow, ice or moisture	6-12-1:5/12-503(d)
5/12-503(e)	Obstructed view due to defective condition or repair of any window	6-12-1:5/12-503(e)
5/12-601(a)	Operation of vehicle with defective horn	6-12-1:5/12-601(a)
5/12-601(b)	Unlawful possession or use of siren	6-12-1:5/12-601(b)
5/12-602	Operation of vehicle with defective or modified exhaust system	6-12-1:5/12-602
5/12-603(b)	Operation of vehicle without 2 front seat safety belts - vehicles of 1965 or later model years	6-12-1:5/12-603(b)
5/12-603.1	Failure of driver/front seat occupant(s) to use seat safety belt	6-12-1:5/12-603.1
5/12-604.1(a)	Operation of vehicle with television receiver visible to driver	6-12-1:5/12-604.1(a)

5/12-606	Operation of Tow truck without: 1. Identifying sign attached on each side 2. Required equipment - 1 broom, shovel, trash can and fire extinguisher 3. Removing roadway debris and spreading dirt or sand on oil/grease deposits 4. Insurance policy in cab	6-12-1:5/12-606
5/12-607(a)	Operation of vehicle with unlawfully altered vehicle suspension system - body lifted in excess of 3 inches from chassis	6-12-1:5/12-607(a)
5/12-610(a)	Operation of vehicle while wearing headset receiver	6-12-1:5/12-610(a)
5/12-702(a)	Operation of second division vehicle without carrying flares/warning devices	6-12-1:5/12-702(a)
5/12-702(c,d,e,f,g)	Failure to use flares/warning devices when second division vehicle is disabled	6-12-1:5/12-702(c,d,e,f,g)
5/12-707	Overloaded school bus, commuter van or motor vehicle used for hire	6-12-1:5/12-707
5/12-709(a)(b)	Slow moving vehicle emblem violation	6-12-1:5/12-709(a)(b)
5/12-710	Inadequate or no rear fender splash guards	6-12-1:5/12-710
5/12-711	Operation of garbage truck, roll-off hoist or roll-on container without audible backing warning system	6-12-1:5/12-711
5/12-712(a)	Failure to display company name on construction equipment	6-12-1:5/12-712(a)
5/12-713(a)	Failure to display company name on commercial trucks: construction contractors or subcontractors	6-12-1:5/12-713(a)
5/12-806	Failure to cover school bus sign	6-12-1:5/12-806
5/12-807	Seat belt for driver (school bus)	6-12-1:5/12-807
5/12-808	No fire extinguisher in a school bus	6-12-1:5/12-808
5/12-809	No first aid kit in a school bus	6-12-1:5/12-809
5/12-810	No restraining device for disabled passenger	6-12-1:5/12-810
5/15-106	Failure to fasten loose projecting component	6-12-1:5/15-106
5/15-108	Failure to plank edge of pavement for any vehicle in excess of 8,000 pounds	6-12-1:5/15-108
5/15-109(b)	Spilling load on highway or load not secure	6-12-1:5/15-109(b)
5/15-109.1	Failure to cover load when required	6-12-1:5/15-109.1
5/18c-4604(1)	Operation without current cab card and Illinois identifier stamp	6-12-1:5/18c-4604(1)

5/18c-4604(2)	Transfer a cab card and identifier to a vehicle other than the vehicle for which it was originally executed	6-12-1:5/18c-4604(2)
5/18c-4604(3)	Use of a cab card and Illinois identifier stamp issued to another carrier	6-12-1:5/18c-4604(3)
5/18c-4604(4)	Failure to display or present a cab card and Illinois identifier stamp	6-12-1:5/18c-4604(4)
5/18c-4701(1)	Operating without trade name, license and registration number of carrier painted or affixed to both doors of power unit.	6-12-1:5/18c-4701(1)
25/4	Transporting child under age of 8; restraint system	6-12-1:25/4
25/4a	Children 8 years of age or older but under the age of 19; seat belts	6-12-1:25/4a
40/3-1	Operation of unnumbered snowmobile	6-12-1:40/3-1
40/4-1	Operation of snowmobile without required equipment: 1. 1 white headlamp during darkness 2. 2. 1 rear taillight during darkness 3. 3. Brake system in good mechanical condition 4. 4. Reflective material on each side of cowling 5. 5. Adequate sound suppression equipment	6-12-1:40/4-1
40/5-1(D)	Operation of snowmobile without lighted headlamp and taillight	6-12-1:25/4a

Local ordinance violations of any of the foregoing shall be cited "6-12-1" followed by the applicable act and section number of the Illinois vehicle code as set forth in the left hand column of the above table, and any such citation shall include a description of the violation.

6-12-2: AUTHORITY AND PROCEDURE FOR ISSUANCE OF CITATIONS:

Whenever a police officer, community service officer, parking enforcement officer or other authorized personnel witnesses a violation of this ordinance he or she may, in lieu of arrest and the filing of a citation complaint and/or a notice of appear in court, issue a citation to such alleged violator a vehicular compliance citation which contains, but shall not be limited to the information pursuant to section 6-20-5 D of title 6, chapter 20, of this code.

6-12-3: PENALTIES AND SETTLEMENT OF PENALTY PROCEDURES:

A. Any person accused of a violation listed in 6-12-1 of this part may settle and compromise the claim pursuant to subsection B of this section and prior to such person being issued a second notice of violation and/or notice to appear.

B. Vehicular Compliance Citation Violations Penalties; Settlement Of Penalties; Authorization And Procedure: The following procedure regarding settlement and compromise of vehicular compliance citation violations as set forth in this section is hereby authorized:

1. Any operator or occupants who are issued a vehicular compliance citation for a violation listed in section 6-12-1 of this code, may settle and compromise that citation by paying twenty five dollars (\$25.00) to the Village on or before ten (10) days after the date of issuance, not counting the date of issuance. If paid after that date but not less than seven (7) days before the hearing date, the vehicular compliance citation can be settled and compromised for fifty dollars (\$50.00). After that date, upon a finding of liable by the Administrative Hearing Officer whether by default judgment or after an administrative adjudication hearing, the total amount of the fine and penalty shall be a minimum of fifty dollars (\$50.00) not to exceed two hundred and fifty dollars (\$250.00) for each separate violation. Payments received by mail shall be credited as paid on the date received by the Village.

C. Adjudication Fines and Penalties: Pursuant to sections 6-20-13 and 6-20-14 of title 6, chapter 20, Administrative Adjudication of Parking And Vehicle Compliance Violations any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of that chapter remaining unpaid after the exhaustion of or the failure to exhaust administrative remedies created under said chapter, and the conclusion of any judicial review procedures, shall be a debt due and owing the village and the village may take the necessary actions to collect said fines and/or penalties.

6-12-4: REGISTRATION PRIMA FACIE EVIDENCE

The fact that an automobile or motor vehicle which is registered with the Secretary of State in the name of said alleged violator shall be considered prima facie proof that said alleged violator was in control of or was the operator of the automobile or vehicle at the time of such alleged violation.

6-12-5: SECOND NOTICE OF VEHICULAR COMPLIANCE VIOLATION

Pursuant to section 6-20-5M of title 6, chapter 20, Administrative Adjudication Of Parking And Vehicle Compliance Violations, if the citation is not settled in accordance with 6-12-3B of this code within ten (10) days of issuance, a second notice of violation and/or notice to appear will be mailed and the respondent shall have the option of avoiding an appearance at an administrative hearing by paying the fine and penalty amount stated on the Second Notice at least seven (7) days prior to the scheduled hearing date. Notices shall be mailed in accordance with section 6-20-5P of title 6, chapter 20, Administrative Adjudication Of Parking And Vehicle Compliance Violations.

CHAPTER 20

ADMINISTRATIVE ADJUDICATION OF PARKING AND VEHICLE COMPLIANCE VIOLATIONS

- 6-20-1: TITLE:
- 6-20-2: PURPOSE:
- 6-20-3: ESTABLISHMENT:
- 6-20-4: ADMINISTRATION:
- 6-20-5: PROCEDURE:
- 6-20-6: ADMINISTRATIVE HEARINGS:
- 6-20-7: FINAL DETERMINATION OF LIABILITY:
- 6-20-8: VACATE DEFAULT JUDGMENT:
- 6-20-9: CONTEST IN WRITING PROCEDURES:
- 6-20-10: SCHEDULE OF FINES AND PENALTIES:
- 6-20-11: CERTIFIED REPORT; CONTESTING:
- 6-20-12: JUDICIAL REVIEW:
- 6-20-13: DEBT TO VILLAGE:
- 6-20-14: JUDGMENT:

6-20-1: TITLE:

This chapter shall be entitled the "ADMINISTRATIVE ADJUDICATION OF PARKING AND VEHICLE COMPLIANCE VIOLATIONS".

6-20-2: PURPOSE:

The purpose of this chapter is to provide for the fair and efficient enforcement through administrative adjudication of violations of ordinances regulating the standing and parking of vehicles (Title 6, Chapter 11-1300 of this code entitled "Stopping, Standing and Parking Prohibited in Specified Places"); and the condition and use of vehicle equipment (Title 6, Chapter 12, Section 6-12-1 of this code). The administrative adjudication system set forth in this chapter is established pursuant to the authority conferred by Section 1-2.1-1 et seq. of the Illinois Municipal Code (65 Illinois Compiled Statutes 5/1-2.1-1 et seq.) and Section 11-208.3 of the Illinois Vehicle Code.(625 ILCS 5/11-208.3)

6-20-3: ESTABLISHMENT:

There is hereby created a system providing for the administrative adjudication of vehicular standing and parking violations and vehicle compliance violations. For the purposes of this chapter "compliance violation" or "compliance regulation violations" means a violation of an ordinance governing the condition or use of equipment on a vehicle or non-moving vehicular regulations.

6-20-4: ADMINISTRATION:

The system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations shall provide for an ordinance enforcement administrator, an administrative hearing officer, a system coordinator/computer operator, and hearing room personnel with the power, authority and limitations as are hereinafter set forth:

- A. Ordinance Enforcement Administrator: The ordinance enforcement administrator shall be the fiscal services manager or his designee. The ordinance enforcement administrator shall be empowered and is hereby authorized and directed to:
1. Operate and manage the system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations.
 2. Adopt, distribute and process vehicular standing and parking violations and vehicle compliance citations and other notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.
 3. Collect money paid as fines and penalties assessed for violations of vehicular standing and parking violations and vehicle compliance violations ordinances.
 4. Certify copies of final determinations of vehicular standing and parking violations and vehicle compliance violations liability and factual reports verifying that the final determination of standing, parking, and compliance regulation violations liability was issued in accordance with this chapter and section 11-208.3 of the Illinois vehicle code, as amended.
 5. Certify reports to the Illinois secretary of state concerning initiation of suspension of driving privileges in accordance with the provisions of this chapter, hereinafter set forth, and those of section 6-306.5 of the Illinois vehicle code, as amended.
 6. Review final determinations of vehicular standing and parking violations and vehicle compliance violations liability, or validity of notice of impending driver's license suspension, in an administrative review capacity in accordance with the provisions of this chapter, hereinafter set forth.
 7. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.
 8. Obtain the village attorney's advice and consent regarding the method of collecting unpaid fines and penalties through the Illinois Debt Recovery Offset Portal (IDROP) program through the Illinois State Comptrollers' Office or by either filing complaints in the circuit court or selecting or appointing an individual or agency to act on behalf of this village in filing complaints seeking judgments for unpaid fines or penalties and pursuit of all post judgment remedies available by current law.
- B. Administrative Hearing Officer: The administrative hearing officer shall be appointed by the village president with the advice and consent of the village board and shall serve pursuant to the terms set forth in an employment agreement for such services approved by the corporate authorities of the village. The administrative hearing officer shall be subject to removal by the corporate authorities. In making selections, the corporate authorities shall consider all pertinent information, including at a minimum:
1. A candidate's ability to comply with job description as set forth herein.

2. Background and performance data to the village administrator on file with the village, or otherwise obtained by the village.
3. Whether the candidate meets the statutory criteria as an attorney licensed to practice law in the State of Illinois for at least three (3) years.
4. Demonstrate a minimum of three (3) years' experience as an administrative hearing officer for a program of administrative adjudication of municipal ordinance violations; or
5. Successfully complete a formal training program, which includes instruction on the rules of procedure of the administrative hearings which they will conduct; orientation to each subject area of the code violations that they will adjudicate; observation of administrative hearings; and participation in hypothetical cases, including ruling on evidence and issuing final orders pursuant to chapter 65, act 5, section 1-2.1-4(c) of the Illinois municipal code (65 Illinois Compiled Statutes 5/1-2.1-4(c)), as amended.

C. The administrative hearing officer shall:

1. Preside over the administrative hearings, established herein, as the adjudicator.
2. Administer oaths.
3. Hear testimony and/or accept evidence that is relevant to the existence of an ordinance violation.
4. Issue subpoenas to secure the attendance of witnesses and the production of relevant papers or documentation provided the applicable witness fees provided in section 4.3 of the Circuit Courts Act, as amended, have been paid by the party requesting the subpoena.
5. Rule upon objections and the admissibility of evidence.
6. Assess fines and penalties for the violation of vehicular standing, parking, or compliance regulation violations set forth in section 6-20-10 of this chapter.
7. Make a final determination of the liability for any vehicular standing and parking violations and vehicle compliance violations.
8. Provide for the accurate recording of the administrative adjudication hearings, and preserve and authenticate all evidence introduced on the record of the hearing, including all exhibits.

D. System Coordinator/Computer Operator: The system coordinator/computer operator shall be appointed by the village administrator and is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system created in this chapter. The system coordinator/computer operator shall be

responsible for entering and tracking data and producing and when applicable, generating written documentation pertaining to:

1. Citation information.
 2. Hearing dates and notice dates.
 3. Fine and penalty assessments and payments.
 4. Issuance of payment receipts.
 5. Succeeding notices of hearing dates, final determination of liability, and notice of impending driver's license suspension, as directed by the ordinance enforcement administrator in accordance with the provisions hereinafter set forth.
 6. Records of appearances and nonappearances at administrative hearings, pleas entered, fines and penalties assessed and paid.
- E. Hearing Room Personnel: The hearing room personnel shall be appointed by the village administrator and shall otherwise be employed as full time village police officers. The hearing room personnel are hereby authorized and directed to:
1. Maintain hearing room decorum.
 2. Have and execute the authority granted to courtroom deputies of the circuit court.
 3. Perform such other duties or acts as may reasonably be required and as directed by the administrative hearing officer or ordinance enforcement administrator.
- F. Multiple Positions: Nothing in this chapter shall be intended to prohibit one person from holding and fulfilling the requirements of one or more of the above stated positions or offices, or prohibit an administrative hearing officer appointed to hear matters under this chapter from serving as the administrative hearing officer appointed to hear matters pursuant to title 1, chapter 15, of this code.
- G. Compensation: Compensation to be paid for each of the above stated positions and office(s) shall be as determined and approved by the corporate authorities of the village.

6-20-5: PROCEDURE:

The system of administrative adjudication of vehicular standing and parking violations and vehicle compliance violations shall be in accordance with the following procedures and final determinations of liability of vehicular standing and parking violations and vehicle compliance violations, validity of notice of impending driver's license suspension, and collections shall be made only in accordance with the provisions set forth below:

- A. Violation Citation or Ticket: A vehicular standing and parking violation and vehicle compliance violation citation or ticket ("citation") shall be issued by the persons

authorized herein and shall contain information and shall be served, certified and have evidentiary admissibility as is hereinafter set forth.

- B. Authorization: All police officers, community service officers, the parking enforcement officer and other authorized personnel shall have the authority to issue citations.
- C. Detection Of Violations: Any individual authorized to issue a citation pursuant to this chapter who detects a violation of any applicable provision of this code shall issue and serve a citation as set forth in this chapter.
- D. Contents Of Citation: The vehicular standing and parking violations and vehicle compliance violations citation shall contain, but shall not be limited to, the following information:
 - 1. The date, time and place of the violation.
 - 2. The particular vehicular standing, parking, or vehicle compliance regulation violated.
 - 3. The vehicle make and state registration number.
 - 4. The fine and any penalty which may be assessed for late payment.
 - 5. The identification number of the person issuing the citation and his or her signature which shall certify the correctness of the specified information as provided in section 11-208.3 of the Illinois vehicle code, as amended.
 - 6. Information as to the availability of an administrative hearing at which the registered owner or lessee may appear in person and contest the citation on its merits and the time and manner in which such hearing may be had.
 - 7. Payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation.
 - 8. Information as to the availability for an adjudication in writing by which the registered owner or lessee may contest in writing without personally appearing the merits of the citation and the manner in which such contest in writing may be had.
- E. Service Of Citations: Service of the citations shall be made by the person issuing such notice by either:
 - 1. Affixing the original or a facsimile of the citation to an unlawfully standing or parked vehicle.
 - 2. Handing the citation to the registered owner, operator or lessee of the vehicle, if present.

- F. Certification Of Facts Alleged In Citation: The correctness of facts contained in the vehicular standing, parking, or compliance regulation citations shall be certified by the person issuing said notice by either:
1. Signing his or her name to the citation at the time of service.
 2. Signing a single certificate, to be retained by the ordinance enforcement administrator, attesting to the correctness of all citations or printed records produced by the device while under his/her control when the citation is produced by a computer device.
- G. Retention Of Citations: The original or a facsimile of the citation or in the case of a notice produced by a computerized device, a printed record generated by the device showing the facts entered on the notice shall be retained by the ordinance enforcement administrator and kept as a record in the ordinary course of business.
- H. Prima Facie Evidence Of Correctness: Any violation notices, citations issued, signed and served in accordance herewith, or a copy of the notice or the computer generated record, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.
- I. Admissibility: The violation notices, citations, copies, or computer generated records shall be admissible in any subsequent administrative or legal proceeding.
- J. Action Upon Receiving Citation: A person to whom a citation has been served pursuant to this section shall within ten (10) days from the date of the citation: 1) pay the indicated fine; or 2) complete and submit the Request for Parking Citation Review form to have his or her citation reviewed by the Chief of Police or his or her designee; 3) submit a request to contest the citation in writing and the materials set forth in subsection L of this section to obtain an adjudication in writing; or 4) request an administrative hearing date as set forth in section 6-20-9B of this chapter to contest the charged violation.

If a respondent has completed and timely submitted the "Request for Parking Citation Review" form to have his or her citation reviewed by the Chief of Police or his or her designee. The respondent will receive a copy of the Chief of Police's decision on whether the citation should be dismissed or remain in effect.

- K. Contest In Writing: If the respondent submits documentary evidence to contest in writing pursuant to section 6-20-9 of this chapter, the respondent shall be served with a copy of the administrative hearing officer's determination of liability or nonliability in accordance with section 6-20-9D of this chapter.
- L. Administrative Hearing: If the respondent requests an administrative hearing date to contest the citation, the respondent shall be served with notice of hearing which will include the date, time and location of the hearing in accordance with section 6-20-5P of this chapter. A submitted, complete "Request for a Local Adjudication Hearing Date" form shall be deemed timely if postmarked and mailed or delivered before the due date on the parking or compliance citation.

Where a respondent who has requested an administrative hearing date either fails to pay the indicated fine prior to the hearing or fails to appear at a hearing, a default judgment and determination liability shall be entered and a fine imposed in the applicable amount of the fine indicated on the notice of violation, unless the administrative hearing officer enters a determination of nonliability based on the testimony or other evidence presented during the hearing resulting in a default judgment. Failure to pay the fine within twenty one (21) days of issuance of a determination of liability by default will result in the imposition of a late payment penalty pursuant to section 6-20-10 of this chapter. Upon the occurrence of a final determination of liability, any unpaid fine and penalty will constitute a debt due and owing the village. The respondent shall be served with a notice of the final determination of liability in accordance with section 6-20-7 of this chapter.

- M. **Second Notice Of Parking, Standing, Or Compliance Violation:** If no response is made in accordance with subsection J of this section, the village ordinance enforcement administrator shall cause a second notice of parking, standing, or compliance violation to be sent to the respondent in accordance with subsection P of this section. The notice shall specify the date and location of the violation, the make and state registration number of the cited vehicle, the code provision violated, the applicable fine, and the time and manner in which the respondent may obtain an adjudication in writing or appear at the scheduled hearing to contest the violation.

The second notice of parking, standing, or compliance violation shall also state that failure to pay the indicated fine and any applicable penalty, or to appear at a hearing or contest a vehicular standing, parking, or vehicle compliance violation in writing on the merits in the time and manner specified, will result in a default judgment and final determination of liability for the cited violation in the amount of the fine or penalty indicated, and that upon the occurrence of a final determination of violation liability for the failure, and the exhaustion of, or failure to exhaust, available administrative or judicial procedures for review, or any unpaid fine or penalty, or both, will constitute a debt due and owing the village.

The respondent shall have the option of avoiding an appearance at an administrative hearing by completing either of the following options at least seven (7) days prior to the scheduled hearing date set forth in the second notice of parking, standing, or compliance violation: 1) paying the fine and penalty amount, or 2) file a request to contest the citation in writing pursuant to section 6-20-9B of this chapter. Payment of the fine is an admission of liability and will act as a final disposition of the violation.

- N. **Final Determination of Liability:** A notice of final determination of vehicular standing, parking, or vehicle compliance liability shall be sent following a determination of liability, or upon conclusion of any administrative or judicial review, as is hereinafter set forth, and the notice shall contain, but not be limited to, the following information and warnings:

1. A statement that the unpaid fine or penalty, or both is a debt due and owing the village.

2. A warning that failure to pay the fine or penalty due and owing the village within fourteen (14) days of the issuance of the final determination of liability may result in the village utilizing the Illinois Debt Recovery Offset Portal (IDROP) program through the Illinois State Comptrollers' Office as a lawful means of collecting the judgment, or the filing of a petition in the Circuit Court to have the unpaid fine or penalty, or both, rendered a judgment as provided by this section.
 3. A warning that the person's driver's license may be suspended for failure to pay fines and/or penalties for ten (10) or more vehicular standing and/or parking regulation violations under section 6-306.5 of the Illinois Vehicle Code (625 ILCS 5/6-306.5), as amended, and incorporated herein by reference.
- O. NOTICE OF IMPENDING DRIVER' LICENSE SUSPENSION: A notice of impending suspension of a person's driver's license shall be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing, or both, on ten (10) or more vehicular standing and/or parking regulation violations:
1. The notice shall state that the failure to pay the fine or penalty owing, or both, within forty five (45) days of the date of the notice will result in the village's notifying the Illinois Secretary of State that the person is eligible for initiation of suspension proceedings under section 6-306.5 of the Illinois vehicle code, as amended, and incorporated herein by reference.
 2. The notice of impending driver's license suspension shall be sent by first class United States mail, postage prepaid, to the address recorded with the Illinois Secretary of State.
 3. The notice shall also state the person may obtain a photostatic copy of an original citation or, in the case of a ticket produced by a computerized device, a signed single certificate of the citation imposing a fine or penalty by sending a self-addressed, stamped envelope to the village along with a request to the ordinance enforcement officer for the photostatic copy or certificate.
- P. Notices: The ordinance enforcement administrator shall serve the notice of hearing, the second notice of parking, standing, or compliance violation, the administrative hearing officer's notice of determination of liability, the notice of final determination of liability, and the notice of impending driver's license suspension, where applicable, by first class mail, postage prepaid, to the address of the registered owner of the cited vehicle as recorded with the Secretary of State or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database, or, under section 11-1306, or subsection (p) of section 11-208.6 or 11-208.9, or subsection (p) of section 11-208.8 of the Illinois vehicle code, to the lessee of the cited vehicle at the last address known to the lessor of the cited vehicle at the time of lease or, if any notice to that address is returned as undeliverable, to the last known address recorded in a United States Post Office approved database. The service shall be deemed complete as of the date of deposit in the United States mail.

If the vehicle is registered in a state other than Illinois, the ordinance enforcement administrator shall send the appropriate notice to the address of the registered owner as recorded in such other state's registry of motor vehicles.

6-20-6: ADMINISTRATIVE HEARINGS:

An administrative hearing to adjudicate the alleged vehicular standing and parking violations and vehicle compliance violations on its merits shall be conducted in accordance with the following provisions:

- A. **Persons Entitled To Hearings:** The registered owner or operator of a vehicle cited for a vehicular standing and/or parking regulation violation or a vehicle compliance violation shall be entitled to an administrative hearing pursuant to section 11-208.3 of the Illinois vehicle code, as amended, and may contest the merits of the alleged violation, and during which formal or technical rules of evidence shall not apply. The lessee of the cited vehicle shall also be entitled to an administrative hearing pursuant to section 11-1306 of the Illinois vehicle code, as amended, both statutory provisions being incorporated into this chapter by reference.
- B. **Hearing Dates:** Hearing dates shall be at the date, time and place as is set forth in the citation issued and served, or such additional notices issued in accordance with this chapter.
- C. **Recordings:** Hearings shall be recorded.
- D. **Failure to Appear:** Persons who do not appear on their scheduled administrative hearing date shall have a default judgement entered against them.
- E. **Administrative Hearing Officer's Determination:** Hearings shall result in a default judgment or a determination of liability or nonliability, made by the administrative hearing officer, who shall consider facts testimony and/or other evidence without the application of formal or technical rules of evidence.

The administrative hearing officer shall, upon a determination of liability, assess fines and/or penalties in accordance with section 6-20-10 of this chapter.

The notice of the determination of the administrative hearing officer shall be served either in person at the administrative hearing or by first class mail, postage prepaid. If mailed, service of the notice of determination shall be complete on the date the notice is placed in the United States mail.

- F. **Representation By Attorney:** Persons appearing to contest the alleged vehicular standing and parking violation and vehicle compliance violation on its merits may be represented by counsel at their own expense, present witnesses, and cross examine opposing witnesses. Parties may request the administrative hearing officer to issue subpoenas to direct the attendance and testimony of relevant witnesses and the production of relevant documents.

G. Review: The final determination of any matter which may be decided by the administrative hearing officer may be reviewed as is hereinafter set forth.

6-20-7: FINAL DETERMINATION OF LIABILITY:

A final determination of vehicular standing and parking violations and vehicle compliance violations liability shall occur following the failure to pay the total assessed fine and penalty after the administrative hearing officer's determination of liability and the exhaustion of or the failure to exhaust any judicial review procedures set forth in sections 6-20-12 of this chapter; or the failure to file a petition to vacate a default judgment as set forth in 6-20-8 of this chapter.

In regard to final determinations of liability of vehicular standing and parking violations and vehicle compliance violations made under this chapter, the administrative hearing officer's determination of liability shall become final upon denial of a timely petition to vacate and/or set aside that determination, or upon expiration of the period for filing the petition to vacate without a filing have been made where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice.

6-20-8: VACATE DEFAULT JUDGMENT:

A petition to vacate or set aside a default judgment and determination of liability may be filed by a person owing an unpaid fine or penalty in the manner and subject to the restrictions and grounds hereinafter set forth:

- A. A petition to set aside a default judgment and determination of liability must be filed with the ordinance enforcement administrator in the police records department within, but not later than, twenty one (21) days from the date the determination of liability is made.
- B. The administrative hearing officer shall act upon the petitions timely filed and render a decision thereon within thirty (30) days of the date filed.
- C. The grounds for setting aside a determination of liability shall be limited to the following:
 - 1. The person against whom the determination of liability is made was not the owner or lessee of the cited vehicle on the date the vehicular standing and parking violation or vehicle compliance violation citation was issued.
 - 2. The person having paid the fine and any penalty.
 - 3. Excusable failure to appear at or request a new date for a hearing.
- D. Should the default judgment and determination of liability by the administrative hearing officer be set aside, the ordinance enforcement administrator shall:
 - 1. Notify the registered owner, or lessee, as the case may be, that the determination of liability has been set aside.

2. Notify the registered owner, or lessee, as the case may be, of the date, time and place for a new hearing on the merits of the violation for which determination of liability has been set aside.
3. Notice of setting aside of the determination of liability and the notice of the hearing date shall be by first class mail, postage prepaid, to the address set forth on the petition to set aside the determination of liability.
4. Service of the notice shall be complete on the date the notices are deposited in the United States mail.

6-20-9: CONTEST IN WRITING PROCEDURES:

Any person who has been served a vehicular standing, parking, or compliance regulation citation, in accordance with this chapter, may contest the validity of the alleged violation without personally appearing at an administrative hearing by:

- A. Completing, in full the "Contest a Citation in Writing" portion of the "Request for a Local Adjudication Hearing Date" form, and filing it with the ordinance enforcement officer in the police records department, postmarked and mailed or delivered before the due date on the parking or compliance citation.

Signing the space on the "Request for a Local Adjudication Hearing Date" form and acknowledging that his or her personal appearance at the administrative hearing is waived and thereby consents to the administrative hearing officer making his/her determination of liability decision based on the statement/testimony and any documentation that was provided by the respondent with his or her request; OR

- B. Completing, in full the "Request for a Written Local Adjudication Hearing" form, and filing it with the ordinance enforcement officer or the police records department, postmarked and mailed or delivered not less than seven (7) days before the scheduled hearing date set forth in the second notice of parking, standing or compliance violation issued pursuant to Section 6-20-5M of this chapter.

Signing the space on the "Request for a Written Local Adjudication Hearing" form and acknowledging that his or her personal appearance at the local adjudication hearing is waived and thereby consents to the administrative hearing officer making his/her determination of liability decision based on the statement/testimony and any documentation provided by the respondent with his or her request.

- C. Determination Of Liability: Upon review of the materials submitted in accordance with subsections A or B of this section, the administrative hearing officer shall make a determination of liability or nonliability. The administrative hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with section 6-20-10 of this chapter.

The administrative hearing officer's decision will be final and the respondent has the right to appeal the administrative hearing officer's decision by filing for judicial review

under the provisions of the Illinois Administrative Review Law (735 ILCS 5/3-101, et seq.).

- D. Notice Of Determination of Liability: Notice of the determination of liability of the administrative hearing officer shall be served upon the person contesting a citation in writing by first class mail, postage prepaid, addressed to the person at the address set forth in the materials submitted in accordance with subsections A or B of this section.
- E. Service Of Notice: Service of the notice of determination for the contest in writing procedures submitted in accordance with this Section shall be deemed complete as of the date of deposit in the United States mail.
- F. Other Provisions Applicable: All other provisions of this chapter shall apply equally to persons contesting the citation in writing.

6-20-10: SCHEDULE OF FINES AND PENALTIES:

- A. Citations issued pursuant to section 6-11-1305.1 of chapter 11-1300 STOPPING, STANDING AND PARKING are subject to the fines and/or penalties and settlement time periods set forth in section 6-11-1305.2 of said chapter 11 of title 6 of this Code.
- B. Citations issued pursuant to section 6-12-1 of chapter 12 VEHICLE COMPLIANCE CITATIONS are subject to the fines and/or penalties, and settlement time periods set forth in section 6-12-3 of said chapter 12 of title 6 of this Code.
- C. Settlement: The person receiving said notice of such of vehicular standing and parking violations and vehicle compliance violations may pay the fine and penalty imposed for such ordinance violation by paying the amount specified in said notice or citation to the Village up until seven (7) days before the administrative hearing date.

6-20-11: CERTIFIED REPORT; CONTESTING IMPENDING DRIVERS LICENSE SUSPENSION:

Certified reports shall be made to the Illinois Secretary of State, in accordance with section 6-306.5 of the Illinois vehicle code, when a person fails to pay ten (10) or more vehicular standing and/or parking regulation violations in accordance with the following provisions:

- A. Upon a failure to pay fines and penalties deemed due and owing the village after the exhaustion of administrative procedures set forth herein for ten (10) or more vehicular parking regulation violations, the ordinance enforcement administrator shall make a certified report to the Secretary of State, in accordance with section 6-306.5 of the Illinois vehicle code, stating that the owner of a registered vehicle has failed to pay any fine or penalty due and owing the village as a result of ten (10) or more violations of village vehicular standing and/or parking regulations and thereby cause the suspension of that person's driver's license.

- B. The ordinance enforcement administrator shall assess a fee against the person named in the certified report to reimburse the village for the expense of filing the certified report with the Secretary of State.
- C. If a person named in a certified report has paid the previously reported fine or penalty or if the report is determined by the ordinance enforcement administrator to be in error, the ordinance enforcement administrator shall notify the Secretary of State in accordance with section 6-306.5(d) of the Illinois vehicle code. A certified copy of such notification shall be given, upon request and at no charge, to the person named therein. Upon receipt of the municipality's or county's notification or presentation of a certified copy of such notification, the Secretary of State shall terminate the suspension.
- D. Persons may challenge the accuracy of the certified report within seven (7) days after receiving notice from the Secretary of State by completing the "License Suspension Review" form available from the ordinance enforcement administrator. The license suspension review request shall specify the grounds on which such challenge is based. Grounds for challenge shall be limited to the following:
 - 1. The person was neither the owner nor the lessee of the vehicle receiving ten (10) or more citations on the date or dates such notices were issued; or
 - 2. The person has paid the fine and any penalties for the ten (10) or more violations indicated on the certified report.
- E. The ordinance enforcement administrator shall render a determination within fourteen (14) business days of receipt of the license suspension review request and shall notify the objector of the determination.
- F. A person may contest an impending suspension or a suspension thru the Secretary of State's adjudication hearing process upon filing a timely written request with the Secretary of State in accordance with the Secretary of State's rules and/or procedures therefor.

6-20-12: JUDICIAL REVIEW:

Judicial review of determinations of liability of vehicular standing and parking violations and vehicle compliance violations made under this chapter shall be subject to the provisions of the administrative review law as set forth in 735 Illinois Compiled Statutes 5/3-101 et seq., as amended and incorporated herein by reference.

6-20-13: DEBT TO VILLAGE:

Any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of this chapter remaining unpaid after the exhaustion of or the failure to exhaust administrative remedies created under this chapter, and the conclusion of any judicial review procedures, shall be a debt due and owing the village and, as such, may be collected in accordance with the applicable law, including, but not limited to, the utilization of the Illinois Debt Recovery Offset Portal (IDROP) program through the Illinois State Comptrollers' Office. Any fees or costs incurred by the village with respect to attorneys or

private collection agents retained by the village for the collection of debts, or filing certified reports with the Secretary of State pursuant to this chapter shall be charged to the offender. Payment in full of any fine, or penalty resulting from a standing, parking, or compliance violation shall constitute a final disposition of that violation.

6-20-14: JUDGMENT:

The ordinance enforcement administrator shall, following the expiration of the period within which administrative or judicial review may be sought for a final determination of violation, take all necessary actions, execute all required documents and subject to the advice and consent of the village attorney, appoint or retain any individual or agency deemed appropriate to obtain a judgment against and collect monies from the persons who have been assessed fines or penalties which remain unpaid and have become a debt due and owing the village in accordance with this chapter and section 11-208.3 of the Illinois vehicle code, as amended, by:

- A. Filing a complaint in the circuit court praying for the entry of a judgment against the person for whom a final determination of vehicular standing and parking violations and vehicle compliance violations liability has been made.
- B. The complaint filed by the ordinance enforcement administrator or individual or agency on behalf of the village seeking entry of a judgment against an individual for unpaid fines and/or penalties pursuant to a final determination of vehicular standing and parking violations and vehicle compliance violations shall have appended thereto:
 - 1. A certified copy of the final determination of the vehicular standing and parking violations and vehicle compliance violations; and
 - 2. A certification that recites facts sufficient to show that the final determination of vehicular standing and parking violations and vehicle compliance violations were issued in accordance with this chapter and section 11-208.3 of the Illinois vehicle code, as amended.
- C. Nothing shall prevent the village from consolidating multiple final determinations of vehicular standing and parking violations and vehicle compliance violations liability in an action in the circuit court against an individual or an entity.
- D. Pursuing all available remedies, allowed by law, to collect money judgments.
- E. Service of summons and a copy of the complaint may be served upon the person or entity against whom a judgment is sought under the provisions of this chapter by any method provided under section 2-203 of the Illinois code of civil procedure³, as amended, incorporated by reference, or by certified mail, return receipt requested, provided the total amount of fines and penalties for final determination of vehicular standing and parking violations and vehicle compliance violations does not exceed two thousand five hundred dollars (\$2,500.00).