

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
REGARDING MAXIMUM FINES AND PAY-BY-MAIL MINIMUM FINES**

WHEREAS, since approximately 1993, the City of Urbana has had a pay-by-mail system for settling ordinance violation matters by payment of minimum fines prior to suit being filed, as set forth in sections 1-17 and 1-18 of the Code of Ordinances; and

WHEREAS, most or all of the minimum fines established for the pay-by-mail system have remained unchanged since the system was first established in 1993; and

WHEREAS, those fines no longer offer a realistic deterrence to the commission of the offenses; and

WHEREAS, the maximum fine for all ordinance violation offenses (with the exception of certain repeat BOCA code violations, Code of Ordinances section 1-10(k)) has remained at \$500 or less since 1993, although State law has since been amended to set the statutory maximum for municipal fines at \$750; and

WHEREAS, certain section numbers set forth in Section 1-18 are no longer accurate citations of the pertinent sections setting forth the violations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. Minimum Fines. That Section 1-18 of the Code of Ordinances of the City of Urbana is amended, so that offenses shall carry minimum fines as follows as set forth in the attached table which is incorporated by reference into this ordinance, and in which the underlined text shows new text to be added, the strikethrough text shows text to be deleted, and the unmarked text shows text that is to remain unchanged.

Section 2. Maximum Fines. That Section 1-10, subparagraphs (b), (c), and (d) of the Code of Ordinances of the City of Urbana are amended, to reflect

that the default maximum fines established by those subparagraphs shall be \$750.00, rather than \$500.00 and, further, that Section 16-8(f) (noise violations related to use of motor vehicles) is amended to change the maximum fine for offenses under Section 16-8 to \$750.00.

Section 3. Cleanup of Section 1-18. That Section 1-18 of the Code of Ordinances of the City of Urbana is amended to correct inaccurate citations to section numbers and section titles, as set forth in the attached strikethrough/underline version of the Section 1-18.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

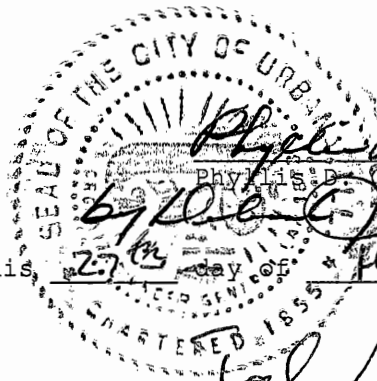
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this 17th day of May, 2004.

AYES: Chynoweth, Hayes, Huth, Otto, Patt, Wyman

NAYS: Whelan

ABSTAINS:



Phyllis D. Clark
Phyllis D. Clark, City Clerk

by [Signature] Deputy Clerk
APPROVED by the Mayor this 27th day of May, 2004.

Tod Satterthwaite
Tod Satterthwaite, Mayor

This Ordinance:
AMENDS the Code of Ordinances.

ATTACHMENT

to Ordinance No. 2004-03-026
 (As amended on May 10, 2004, and forwarded to
 Council for May 17, 2004)

(AN ORDINANCE AMENDING THE CODE OF ORDINANCES
 REGARDING MAXIMUM FINES AND PAY-BY-MAIL MINIMUM FINES)

Sec. 1-18. Minimum fine schedule for certain violations.

The minimum fine for violating certain sections of the Code of Ordinances, City of Urbana, Illinois shall be as follows:

Section	Section Title	Minimum Fine
Chapter 3 Alcoholic Liquors		
3-3	Hours of operation.	\$75.00 200.00
3-4	Sale to minors, drunkards, and the like	75.00 135.00
3-5	Transporting in motor vehicle.	75.00 200.00
3-20	Allowing to frequent or remain in public areas of Class A establishments. {[Minors]}	75.00 135.00
3-21	Failure to w Warning to minors [to be posted].	75.00 135.00
3-22	Purchase, consumption or acceptance of gift by minors; misrepresentation of age.	75.00 135.00
3-23	Identification cards.	75.00 135.00
3-24	Purchase, possession prohibited; exceptions. (Minors) Employment of Minors	75.00 135.00
3-39	Required. (Liquor license)	75.00 200.00
3-59	Consumption [& Possession] of open container of alcoholic liquor on public property - Prohibited.	75.00 135.00
3-60	Carrying open container of alcoholic liquor out of liquor service premises.	50.00 135.00
Chapter 3.5 Ambulances		
3.5-257	Cooperation with other public safety and emergency services Compliance with emergency dispatch procedures.	75.00 135.00
3.5-358	Monitoring emergency dispatch calls.	75.00 135.00
3.5-430	Ambulance service license Rrequired; exceptions. (Ambulance license)	75.00 135.00
Chapter 3.7 Amusements		
3.7-13	License required. (Amusement devices)	75.00 135.00

Chapter 4 Animals and Fowl		
4-1	Prohibited at large; responsibility of owner.	50.00 135.00
4-6	Cruelty.	75.00 200.00
4-11	Mistreating, interfering with, etc., police dogs.	75.00 135.00
4-12	Disturbing the peace. (Animals)	50.00 135.00
4-23	Subject to impoundment for running at large, etc. (Dogs)	50.00 135.00
4-31	Removal of dog excrement	50.00 135.00
Chapter 6 Civil Emergencies		
6-1	Proclamation by mayor for public curfew.	75.00 135.00
Chapter 8 Fire Prevention and Protection		
8-2	Obstructing fire hydrants.	75.00 135.00
8-3	Removal of property salvaged at fires.	75.00 135.00
Chapter 9 Food and Food Establishments		
9-183	Licenses and fees. (Food service license) Health District permit prerequisite.	75.00 135.00
9-39	Required. (Food delivery license) [Note: the code no longer contains a section similar to this provision, which required city licensing of vehicles that delivered food.]	75.00
Chapter 9.5 Games of Chance		
9.5-21	License required. (Raffle license)	75.00 135.00
9.5-27	Conduct of raffles; tickets; advertisements.	75.00 135.00
Chapter 10 Garbage and Refuse		
10-211-52	Municipal waste service Collection required. [Note, this will move to Ch. 11.]	50.00 135.00
11-53	Containers [Note: the prior version of the Code had a containers requirement in the same section (10-52) as the section that required municipal waste service.] [Note, this will move to Ch. 11.]	
10-3	Scavenging prohibited. [Note: re-numbered as 11-57(a)(1), and now part of separate schedule of escalating fines in section 11-57]	50.00
10-5	Depositing waste on property of another. [Note: re-numbered as 11-57(c), and now part of separate schedule of escalating fines in section 11-57]	50.00
10-6	Scattering dirt, gravel, etc. on public streets. [Note: re-numbered as 11-57(d)(2), and now part of separate schedule of escalating fines in section 11-57]	50.00
10-7	Placing grass, leaves or debris in streets and gutters. [Note: re-numbered as 11-57(a)(2), and now part of separate schedule of escalating fines in section 11-57]	50.00

10-25	Vehicle operating requirements.	75.00 135.00
10-81	Unauthorized tampering	50.00
Chapter 11 Health and Sanitation		
11-19	Open burning.	50.00 135.00
11-34	Prohibitions generally. (Smoking)	50.00 135.00
11-36	Prohibited smoking on buses.	50.00 135.00
11-37	Responsibility of proprietors. (Smoking)	75.00 135.00
Chapter 13 Library		
13-1	Creating disturbances	75.00 135.00
13-2	Loitering	75.00 50.00
13-3	Failure to return books or pay fines	75.00 135.00
13-4	Mutilating, etc., books, etc.	75.00 135.00
13-5	Unlawful removal of articles.	75.00 135.00
13-6	Those prohibited from use not to visit.	75.00 135.00
Chapter 15 Miscellaneous Offenses and Provisions		
15-3	Hindering performance by or refusing to obey direction of city officer or employee.	75.00 50.00
15-4	Impersonation of city officers and employees.	75.00 200.00
15-16	Assault.	100.00 200.00
15-17	Battery.	100.00 200.00
15-18	Reckless conduct.	100.00 135.00
15-31	Breaking and entering.	75.00 200.00
15-32	Theft.	75.00 135.00
15-33	Destroying or injuring property--Generally.	75.00 135.00
15-34	Same--Caps or lids connected with water, sewerage or gas companies.	75.00 135.00
15-35	Criminal trespass to land generally.	75.00 135.00
15-36	Criminal trespass to city-supported land.	75.00 135.00
15-43	Definitions. (Retail theft)	75.00 135.00
15-59	Loitering.	75.00 50.00
15-60	Disorderly conduct.	75.00 50.00
15-61	Mob action.	75.00 200.00
15-62	Fireworks.	75.00 135.00
15-63	Curfew for minors.	75.00 50.00
15-64	Public urination and defecation prohibited.	75.00 135.00
15-71	Throwing stones, missiles, etc.	75.00 135.00
15-72	Use of slings and air guns prohibited.	75.00 135.00

Chapter 16 Noises and Vibrations		
16-2	Prohibitions generally.	50.00 200.00
16-7	Construction operations.	75.00 200.00
16-8	(All subsections) Motor vehicles [Noise offenses]	50.00 135.00
16-9	Horns and signaling devices on vehicles.	50.00 135.00
Chapter 17 Peddlers, Solicitors and Transient Merchants		
17-3	Refusing to leave premises; posting of premises.	75.00 135.00
17-4	Use of residential streets prohibited; exception peddlers and permit holders.	75.00 135.00
17-16	Required. (Solicitor license)	75.00 135.00
Chapter 20 Streets, Sidewalks and Other Public Places		
20-44	Permission required. (Obstructions)	75.00 50.00
20-45	Merchandise. (Obstructions)	75.00 135.00
20-46	Building materials. (Obstructions)	75.00 135.00
Chapter 23 Local Traffic Code		
23-35	Use of coasters, roller skates and similar devices restricted	50.00
23-107	Climbing on vehicles in motion	50.00
23-108	Clinging to moving vehicles	50.00
23-109	Unlawful riding	50.00
23-110	Required. (Parade permit)	75.00 135.00
23-119(a)	Interference. (Parades)	75.00 135.00
23-119(b)	Driving through parades.	75.00 135.00
23-144	Riding on sidewalks	50.00
Chapter 26 Vehicles for Hire		
26-27	Required. (Taxicab business license)	75.00 135.00
26-43	Required. (Taxicab driver's license)	75.00 135.00
26-46	State license required. (Taxicab)	75.00 135.00



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 17th day of May, 2004, the Corporate Authorities of the City of Urbana passed and approved Ordinance No. 2004-03-026, entitled:

**“AN ORDINANCE AMENDING THE CODE OF
ORDINANCES REGARDING MAXIMUM FINES AND PAY-
BY-MAIL MINIMUM FINES”**

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2004-03-026 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 19th day of July, 2004, and continuing for at least ten (10) days thereafter. Copies of said Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 19th day of July, 2004.



Phyllis D. Clark

City Clerk

by *Alan J. Robert*

Deputy Clerk