

ORDINANCE NO. 2011-09-113

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER ONE,
SECTION 1-17, CONCERNING ISSUANCE OF NOTICES TO APPEAR**

WHEREAS, the City Council heretofore has enacted Urbana City Code Section 1-17 concerning settlement of violations prior to suit being filed; and

WHEREAS, the City Council finds that the best interests of the City are served by amending said Section.

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

Section 1. Urbana City Code Chapter 1, "General Provisions," Section 1-17, "Settlement of violations prior to suit being filed; minimum fines," is hereby amended and as amended shall read as follows:

Sec. 1-17. Settlement of violations prior to suit being filed; minimum fines.

(a) A person accused of violating a section of this Code set forth in section 1-18 may be permitted to pay the minimum fine which is set forth in section 1-18 as settlement of such violation if payment is made within the time and in the manner set forth in subsection (c) of this section.

(b) Any animal control officer or peace officer may issue a notice to appear if authorized by the chief of police. Officers who have issued a notice to appear to a person for an offense under this Code for which the minimum fine is set forth in section 1-18 shall indicate on the notice to appear whether the person may pay the minimum fine which is set forth in section 1-18 as settlement of such violation.

(c) Payments in settlement of violations set forth in section 1-18 shall be made within fourteen (14) days after the date that the Notice to Appear was issued to the person accused of such violation. A payment shall be considered made within said fourteen (14) days if the payment is actually received by the city's finance department by 5:00 p.m. on the fourteenth day following the date the Notice to Appear was issued. Payments shall be made by cash or certified check, money order or cashier's check made payable to the City of Urbana, or by MasterCard or VISA under such conditions as the city comptroller shall specify.

(d) If a person pays the minimum fine pursuant to this section, then no complaint charging the person with the particular violation shall be filed by the city attorney.

(e) The minimum fine for those violations listed in section 1-18 shall be as set forth in section 1-18 in lieu of the minimum fine set forth in other provisions of the Code.

(Ord. No. 9394-17, § 2, 8-16-93)

Section 2. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage.

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 3rd day of October, 2011.

AYES: Bowersox, Lewis, ~~Marlin, Smith~~, Stevenson

NAYS:

ABSTAINS:



Phyllis E. Clark
Phyllis E. Clark, City Clerk

APPROVED by the Mayor this 14th day of October, 2011.

Laurel Lunt Prussing
Laurel Lunt Prussing, Mayor