

# POLICE DEPARTMENT

# MEMORANDUM

TO: CHIEF TURANO  
FROM: Deputy Chief Dawson *KD*  
SUBJECT: PROPOSED ORDINANCE AMENDING TITLE 9, CHAPTER 2 AND  
TITLE 5, CHAPTER 3, SECTION 14 OF THE WARRENVILLE CITY  
CODE  
DATE: October 31, 2022

Records Supervisor Turner reviewed City Code Title 9, *Administrative Adjudication*, Chapter 2, *Administrative Adjudication of Vehicular Standing, Parking and Compliance Violations*, and discovered that several sections were no longer applicable because of recent Illinois law changes. Additionally, this Chapter contains other outdated language and procedures that no longer apply because of changes to the City adjudication process itself.

Effective July 1, 2020, the State of Illinois passed Public Act 101-0623, referred to as the *License to Work Act*. This Act repeals the Secretary of State's authority to suspend a driver's license for failure to pay 10 or more violations of a municipality's vehicular standing, parking or compliance ordinance pursuant to Section 11-208.3 of the Illinois Vehicle Code.

I requested City Attorney Lenneman to review the chapter in its entirety, along with the proposed suggested changes by Supervisor Turner, for any additional applicable law and language updates.

The following are some key points of the proposed revisions:

- Proposed revisions will bring affected City Code in compliance with State law
- Removes outdated language regarding suspension of driver's licenses due to failure to pay municipal violations
- Removes Chapter 2, Section 9, *Nonresident Procedures*, in its entirety, as residency has no influence over or bearing on procedure and fine structure
- Removes Title 5, *Motor Vehicles and Traffic*, Chapter 3, Stopping, Standing or Parking, Section 14, *Penalty*, subparagraph C in its entirety due to its reference to suspension of driver's licenses, as suggested by Attorney Lenneman

Attached to this memo is the Office of the Secretary of State's Public Act 101-0623 notification made to the Police Department, and the proposed ordinance amendments, as reviewed by City Attorney Lenneman, illustrated through language strikeouts and inserts.



cc: Dr Dawson  
Dr Jacobson

## OFFICE OF THE SECRETARY OF STATE

JESSE WHITE – Secretary of State

March 2, 2020

As you are most likely aware, Public Act 101-0623, referred to as the License to Work Act, which takes effect on July 1, 2020 repeals the Secretary of State's (SOS) authority to suspend a person's driver's license when the person has failed to pay 10 or more violations of a municipality's or county's vehicular standing, parking or compliance regulations established by ordinance pursuant to Section 11-208.3 of the Illinois Vehicle Code.

As these suspensions do not take effect until 60-days after the SOS processes a certified report submitted by a municipality or county, as of May 1, 2020 the SOS will no longer accept certified reports requesting SOS to suspend a driver's license for these unpaid violations. Additionally, all current driver's license suspensions for unpaid standing, parking or compliance violations pursuant to 11-208.3 will be rescinded, effective July 1, 2020.

If you have any questions regarding this process, please contact us at 217-785-9439

Driver Services Department  
Compliance & Support Section  
2701 S. Dirksen Parkway  
Springfield, IL 62723

RECEIVED  
MAR 07 2020  
BY: [Signature]

ORDINANCE NO. O2022-    

**AN ORDINANCE AMENDING THE WARRENVILLE CITY CODE REGARDING THE ADMINISTRATIVE ADJUDICATION OF PARKING AND COMPLIANCE VIOLATIONS**

WHEREAS, the City is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, Chapter 2 of Title 9 of the Warrenville City Code ("**City Code**") sets forth regulations and procedures regarding the administrative adjudication of vehicular standing, parking, and compliance violations; and

WHEREAS, Section 5-3-14 of the City Code sets for the penalties for general traffic violations; and

WHEREAS, the City desires to amend Chapter 2 of Title 9 and Section 5-3-14 of the City Code so that driver's license revocation is no longer a penalty for parking, compliance and general traffic violations; and

WHEREAS, the Mayor and the City Council have determined that it is in the best interest of the City and the public to amend the City Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF WARRENVILLE, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Recitals. The recitals listed above are incorporated in this Ordinance as if fully set forth in this Ordinance.

SECTION 2: Penalty. Section 5-3-14, titled "Penalty," of Chapter 3, titled "Stopping, Standing, or Parking," of Title 5, titled "Motor Vehicles and Traffic," is hereby amended to read as follows:

**"5-3-14: PENALTY:**

A. Any person convicted of a violation of the provisions of this chapter, shall be fined twenty five dollars (\$25.00) except any person violating any provision of section 5-3-13 of this chapter shall be fined two hundred fifty dollars (\$250.00). (Ord. O2017-75, 12-4-2017)

B. The fact that a vehicle illegally parked is registered in the name of any person shall be considered prima facie proof that such person was in control of the vehicle at the time of such violation. (Ord. 785, 8-19-1985)

~~C. If a person has failed to satisfy any fine or penalty imposed by final judgment on ten (10) or more parking violations, after exhaustion of judicial review procedures, the City may cause a suspension of that person's driver's license pursuant to 625 Illinois Compiled Statutes 5/6-306.5, incorporated herein by reference. In order to do so, the City shall comply with the following provisions:~~

[additions are **bold and double underlined**; deletions are ~~struck through~~]

~~— 1. A notice shall be sent to such person and shall state that the failure to pay the fine or penalty owing within forty five (45) days of the date of the notice will result in the City's notifying the Secretary of State that such person's driver's license is eligible for suspension pursuant to 625 Illinois Compiled Statutes 5/6-306.5. The notice shall contain the following information:~~

~~— a. The name of the person who failed to pay the fine or penalty and the vehicle make and the registration number of any vehicle owned or leased by such person that was cited for parking violations listed in the notice.~~

~~— b. The date, location and type of each violation for which a fine or penalty remains unpaid.~~

~~— c. The total amount of fine or penalty owing.~~

~~— d. That the person named in the notice may challenge the accuracy of the notice, but only on the grounds that: 1) said person was not the owner or lessee of the vehicle or vehicles receiving the parking violation notices listed in the notice, or 2) said person has already paid the fine or penalty for the violations listed in the notice. Said challenge must be made in writing, within twenty (20) days of the mailing of the notice. The Chief or his designee shall determine whether or not the notice is accurate, and notify the person named in the notice of the determination, by mail, within twenty (20) days of receipt of the challenge.~~

~~— 2. The notice shall be sent by first class United States mail, postage prepaid, to the address recorded with the Secretary of State.~~

~~— 3. If the accuracy of the notice is not successfully challenged, the City shall, upon expiration of the forty five (45) day period, send a certified report to the Secretary of State, containing the information specified in 625 Illinois Compiled Statutes 5/6-306.5(c).~~

~~— 4. Once the City has sent the certified report to the Secretary of State, it shall notify the Secretary of State whenever a person named in a certified report has paid the previously reported fine or penalty or whenever the City determines the original report was in error. A certified copy of such notification shall also be given upon request and at no additional charge to the person named therein. (Ord. 1445, 11-6-1995; amd. Ord. O2017-75, 12-4-2017)”~~

SECTION 3: Administrative Adjudication of Vehicular Standing Parking and Compliance Violations. Chapter 2, titled “Administrative Adjudication of Vehicular Standing Parking and Compliance Violations,” of Title 9, titled “Administrative Adjudication,” is hereby amended to read as set forth on ***Exhibit A***.

SECTION 4: This Ordinance shall be in full force and effect upon its passage, approval, and publication in the manner provided by law.

*[Signatures and Voting Record on Following Page]*

[additions are **bold and double underlined**; deletions are ~~struck through~~]

PASSED THIS \_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

[additions are **bold and double underlined**; deletions are ~~struck through~~]

{00128645.1}

**EXHIBIT A**  
**CHAPTER 2**  
**ADMINISTRATIVE ADJUDICATION OF VEHICULAR STANDING, PARKING AND COMPLIANCE VIOLATIONS**

**9-2-1: PURPOSE:**

The purpose of this chapter is to provide a means for fair and efficient enforcement of city vehicular standing, parking, and condition of vehicle regulation violation(s) as may be allowed by law, through an administrative adjudication of such violation(s) within the geographic boundaries of the city and a schedule of uniform fines and penalties and authority and procedures for collection of unpaid fines and penalties pursuant to section 11-208.3 of the motor vehicle code 1 . (Ord. 2742, 9-17-2012)

Notes

- 1            1. 625 ILCS 5/11-208.3.

**9-2-2: DEFINITIONS:**

For the purposes of this chapter, the following words or phrases shall have the meanings respectively ascribed to them by this section:

COMPLIANCE VIOLATION: A violation of a city regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal vehicle tax license.

NONMOVING TRAFFIC VIOLATION: A. A violation of any vehicular standing or parking ordinance or regulation of the city, or

- B. A compliance violation. (Ord. 2742, 9-17-2012)

**9-2-3: TRAFFIC COMPLIANCE ADMINISTRATION:**

The system of administrative adjudication of vehicular standing, parking, and compliance regulation violations shall provide for a traffic compliance administrator with the power, authority and limitations as are hereinafter set forth to:

A. Operate and manage the system of administrative adjudication of vehicular standing, parking and compliance regulation violation(s).

B. Adopt, distribute and process standing, parking, and compliance violation notices and other notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.

C. Collect monies paid as fines and/or penalties assessed after a final determination of vehicular standing, parking, or compliance regulation violation(s) liability.

D. Certify copies of final determination(s) of standing, parking, and compliance regulation violation(s) liability and factual report(s) verifying that the final determination of standing, parking, and compliance regulation violation(s) liability issued in accordance with this chapter and with 625 Illinois Compiled Statutes 5/11-208.3.

[additions are **bold and double underlined**; deletions are ~~struck through~~]

~~E. Certify reports to the secretary of state concerning initiation of suspension of driving privileges in accordance with the provisions of this chapter, as hereinafter set forth, and those of 625 Illinois Compiled Statutes 5/6-306.5.~~

~~F. Review final determination(s) of vehicular standing, parking, and compliance regulation violation(s) liability and validity of notices of impending driver's license suspension in an administrative review capacity in accordance with the provisions of this chapter, as hereinafter set forth.~~

~~EG.~~ Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.

~~FH.~~ Collect unpaid fines and penalties through collection agencies or by directing the city attorney to file complaints in the circuit court seeking judgments for unpaid fines or penalties and pursuit of all postjudgment remedies available by law. (Ord. 2742, 9-17-2012)

#### **9-2-4: PROCEDURES:**

The system of administrative adjudication of vehicular standing, parking, and compliance regulation violations shall be in accordance with the following procedures. Final determinations of vehicular standing, parking, and compliance regulation violation(s) liability, validity of notice of impending impoundment, ~~validity of notice of impending driver's license suspension,~~ and collections shall be made only in accordance with the provisions set forth below:

A. Nonmoving Traffic Violation Notice: Vehicular standing, parking, and compliance regulation violations notice(s) ("nonmoving traffic violation notice(s)") shall be issued by the person(s) authorized herein and shall contain information and shall be served, certified and have evidentiary admissibility as is hereinafter set forth.

B. Authorization: All full time, part time, and auxiliary police and community service officers, as well as other specifically appointed individuals, shall have the authority to issue nonmoving traffic violation notices.

C. Detection Of Nonmoving Traffic Violations: Any individual authorized herein to issue violation notices and who detects a nonmoving traffic violation of any section of any applicable city ordinance, shall issue a notice of nonmoving traffic violation thereof and shall make service thereof as hereinafter set forth.

D. Contents Of Nonmoving Traffic Violation Notice: The nonmoving traffic violation notice shall contain, but shall not be limited to, the following information:

1. The date, time and place of the violation (date of issuance).
2. The particular vehicular standing, parking, or compliance regulation violated.
3. Either the vehicle make and state registration number or the license number of the vehicle.
4. The fine and any penalty which may be assessed for late payment prior to the hearing date.
5. The signature and identification number of the person issuing the notice.

[additions are **bold and double underlined**; deletions are ~~struck through~~]

~~6. A section entitled "request for hearing" which shall clearly set forth that the registered owner or lessee may appear at the initial administrative hearing to contest the validity of the violation notice on the date and at the time and place as specified in the violation notice by:~~

~~— a. Checking or placing a mark in a space provided and clearly identified, "request for hearing".~~

~~— b. Placing his/her name and current address in the place provided.~~

~~— c. Signing his/her name in the appropriate indicated place.~~

~~— d. Filing the violation notice with the "request for hearing" portion fully completed, with the traffic compliance administrator postmarked within ten (10) days of the violation notice issuance. The request shall be deemed filed upon receipt by the traffic compliance administrator.~~

~~67.~~ That payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation.

E. Service: Service of violation(s) notice(s) shall be made by the person issuing such notice by:

1. Affixing the original or a facsimile of the notice to an unlawfully standing or parked or noncomplying vehicle, or

2. Handing the notice to the registered owner, operator or lessee of the vehicle, if present.

F. Certification: The correctness of facts contained in the vehicular standing, parking, or compliance regulation violation notice(s) shall be certified by the person issuing said notice by:

1. Signing his/her name to the notice(s) at the time of service, or

2. In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the traffic compliance administrator, attesting to the correctness of all notices produced by the device while under his/her control.

G. Record Of Notice: The original or a **digital file** ~~facsimile~~ of the violations notice(s) shall be retained by the traffic compliance administrator and kept as a record in the ordinary course of business.

H. Prima Facie Evidence Of Correctness: Any violations notice(s) issued, signed and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.

I. Admissibility: The violations notice(s) or a copy(ies) shall be admissible in any subsequent administrative or legal proceeding.

J. Hearing Date: ~~Upon receipt of a request for a hearing, t~~The traffic compliance administrator shall schedule a date for the hearing and shall provide written notice of the hearing date to the registered owner or lessee of the vehicle who has requested the hearing.

~~K. Nonresident: A nonresident registered owner or lessee may appear at the initial administrative hearing to contest the validity of the violation notice without personally appearing by following the procedures set forth in section 9-2-9 of this chapter.~~

~~KL.~~ Final Notice: If the registered owner or lessee of the vehicle either fails to request **attend the** hearing or fails to pay the fine, the traffic compliance administrator shall send a final

[additions are **bold and double underlined**; deletions are ~~struck through~~]



parking/code violation notice to the registered owner or lessee of the vehicle as provided in section 9-2-5 of this chapter. (Ord. 2742, 9-17-2012)

#### **9-2-5: FINAL NOTICE:**

Upon the failure of the registered owner or lessee of the "cited vehicle" ~~to attend the~~ **to request** a hearing as set forth in the vehicular standing, parking, or compliance regulation violations notice(s), or pay the fine, a final notice:

- A. Shall be sent to the registered owner or lessee of the "cited vehicle" at the address as is recorded with the secretary of state.
- B. Shall be sent to the lessee of the "cited vehicle" at the address last known to the lessor of the "cited vehicle" at the time of the lease.
- C. Shall be sent by first class mail, postage prepaid.
- D. Service of the final notice sent in accordance herewith shall be complete as of the date of deposit in the United States mail.
- E. The final notice sent in accordance herewith shall contain, but not be limited to, the following information:
  1. Date and location of violation cited in the vehicular standing, parking, or compliance regulation violations notice(s).
  2. Particular standing, parking, or compliance regulation violated.
  3. Vehicle make and state registration or license number.
  4. Fine and any penalty that may be assessed for late payment.
  5. Notice to the registered owner or lessee of their current status, other than paid in full.
  6. Date, time and place of the administrative hearing at which the alleged violation may be contested on its merits.
  7. Statement that failure to either pay fine and any applicable penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a final determination of vehicle standing, parking, or compliance regulation violations liability for the "cited" violation in the amount of the fine and penalty indicated, which final determination shall constitute a debt due and owing the city. (Ord. 2742, 9-17-2012)

#### **9-2-6: NOTICE OF FINAL DETERMINATION:**

A. A notice of final determination of vehicular standing, parking, or compliance regulation violations liability shall be sent following an appearance by the violator and a determination of liability, or the failure to appear by the violator by the final hearing date upon conclusion of any review, as is hereinafter set forth herein, and the notice shall contain, but not be limited to, the following information and warnings:

1. A statement that the unpaid fine and any penalty assessed is a debt due and owing the city.

[additions are **bold and double underlined**; deletions are ~~struck through~~]

2. A warning that failure to pay the fine and any penalty due and owing the city within the time specified may result in the city's use of a collection agency or the city's filing a complaint in the circuit court to have the unpaid fine or penalty rendered a judgment in accordance with 625 Illinois Compiled Statutes 5/11-208.3(f), incorporated herein by reference.

~~— 3. A warning that the person's driver's license may be suspended for failure to pay fines or penalties for ten (10) or more vehicular standing or parking violations under 625 Illinois Compiled Statutes 5/6-306.5, incorporated herein by reference.~~

~~— B. A notice of impending suspension of a person's driver's license shall also be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing on ten (10) or more vehicular standing or parking regulation violations:~~

~~— 1. The notice shall state that the failure to pay the fine or penalty owing within forty five (45) days of the date of the notice will result in the city's notifying the secretary of state that the person is eligible for initiation of suspension proceedings under 625 Illinois Compiled Statutes 5/6-306.5 incorporated herein by reference and section 9-2-11 of this chapter.~~

~~— 2. The notice shall also state that the person may obtain a photostatic copy of an original ticket imposing a fine or penalty by sending a self-addressed, stamped envelope to the municipality along with a request for the photostatic copy.~~

~~— 3. The notice of impending driver's license suspension shall be sent by first class mail, postage prepaid, to the address recorded with the secretary of state. (Ord. 2742, 9-17-2012)~~

#### **9-2-7: FINAL DETERMINATION OF LIABILITY:**

A final determination of vehicular standing, parking, or compliance regulation violations liability shall:

A. Occur following the failure to pay the total assessed fine or penalty after the hearing officer's determination of vehicular standing, parking, or compliance regulation violation(s) liability and the exhaustion of or the failure to exhaust the administrative petition procedure set forth in section 9-2-12 of this chapter, or

B. Where a person fails to appear at a prior hearing or by the final administrative hearing provided to contest the alleged violations on the date and at the time and place specified in a prior served or mailed notice, the hearing officer's determination of vehicular standing, parking, or compliance regulation violation(s) liability shall become final:

1. Upon denial of a timely petition to set aside that determination, or

2. Upon the expiration of the period for filing petition without a filing having been made. (Ord. 2742, 9-17-2012)

#### **9-2-8: PETITION TO SET ASIDE DETERMINATION OF LIABILITY:**

A petition to set aside a determination of vehicular standing, parking, or compliance regulation violations 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:

[additions are **bold and double underlined**; deletions are ~~struck through~~]

A. A written petition to set aside a determination of liability must be filed in the office of the traffic compliance administrator within, but not later than, fourteen (14) days from the date the determination of liability is made.

B. The traffic compliance administrator shall act upon the petitions timely filed and render a decision thereon within fourteen (14) 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, parking, or compliance regulation violations notice(s) were issued.

2. The person's having already paid the fine or penalty for the violations in question.

3. Excusable failure to appear at or request a new date for a hearing.

D. Should the determination of liability be set aside, the traffic compliance 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 a date, time and place, for a hearing on the merits of the violation for which determination of liability has been set aside, as appropriate.

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 notice(s) are deposited in the United States mail. (Ord. 2742, 9-17-2012)

#### 9-2-9: ~~RESERVED~~.NONRESIDENT PROCEDURES:

~~Nonresidents of the city who have been served vehicular standing, parking, or compliance regulation violations notice(s) or code or ordinance violation notices in accordance with this chapter may contest the alleged violation on its merits, as could a resident, or may contest the validity without personally appearing at an administrative hearing by:~~

~~—A.— Requesting a "nonresident request for hearing" form from the traffic compliance administrator after receiving the final notice as provided in section 9-2-5 of this chapter.~~

~~—B.— Signing the nonresident request for hearing in the space specified in the violation notice or citation and acknowledging that his/her personal appearance is waived and submitting to an adjudication based upon the notarized statement filed by him/her and the facts contained in the notice or citation.~~

~~—C.— Filing the violation notice or citation with the "request for hearing" section fully completed with the traffic compliance administrator postmarked within ten (10) days of the violation notice issuance. The request shall be deemed filed upon receipt by the traffic compliance administrator.~~

~~—D.— Filing a notarized statement of facts specifying the grounds for challenging the violation notice or citation which must be filed with the traffic compliance administrator postmarked within~~

[additions are **bold and double underlined**; deletions are struck through]

~~ten (10) days of the violation notice issuance. The request shall be deemed filed upon receipt by the traffic compliance administrator.~~

~~—E. The hearing officer shall make an adjudication based upon the facts set forth in the notarized statement of facts filed by the nonresident and the facts as contained in the violation notice or citation.~~

~~—F. Notice of the determination of the hearing officer shall be served upon the nonresident by first class mail, postage prepaid, addressed to the nonresident at the address set forth in the statement of facts submitted.~~

~~—G. Service of the notice shall be complete on the date the notice is placed in the United States mail.~~

~~—H. All other provisions of this chapter shall apply equally to nonresidents of the city. (Ord. 2742, 9-17-2012)~~

### **9-2-10: FINES; PENALTIES:**

The fines and penalties which shall be imposed for the violation of vehicular standing, parking, or compliance regulation violations shall be as set forth in the codes and ordinances of the city. (Ord. 2742, 9-17-2012)

### **9-2-11: RESERVED. CERTIFIED REPORT AND CONTESTING CERTIFIED REPORT:**

~~—A. Upon a failure to pay fines and penalties deemed due and owing the city after the exhaustion of administrative procedures set forth herein for ten (10) or more vehicular parking regulation violations, the traffic compliance administrator shall make a certified report to the secretary of state in the manner provided by 625 Illinois Compiled Statutes 5/6-306.5 stating that the owner of a registered vehicle has failed to pay any fine or penalty due and owing the city as a result of ten (10) or more violations of the city's vehicular standing or parking regulations and thereby cause the suspension of the driver's license of that person.~~

~~—B. The traffic compliance administrator shall take no further action unless and until the fines and penalties due and owing the city are paid or upon determination that the inclusion of the person's name on the certified report was in error. In such event, the traffic compliance administrator shall submit to the secretary of state a notification which shall result in the halting of a driver's license suspension proceedings. The person named therein shall receive a certified copy of such notification upon request and at no charge.~~

~~—C. Persons may challenge the accuracy of the certified report by completing a form provided by the office of the traffic compliance administrator. The form 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 so receiving ten (10) or more violation notices on the date or dates such notices were issued; or~~

~~—2. The person has paid the fine and/or penalty for the ten (10) or more violations indicated on the certified report.~~

[additions are **bold and double underlined**; deletions are struck through]

~~D. The traffic compliance administrator shall render a determination within fourteen (14) business days of receipt of the objection from and shall notify the objector of the determination. (Ord. 2742, 9-17-2012)~~

#### **9-2-12: ENFORCEMENT OF JUDGMENT:**

A. Any fine, penalty, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies under this chapter and the conclusion of any judicial review procedures shall be a debt due and owing the city and, as such, may be collected in accordance with applicable law. Payment in full of any fine or penalty resulting from a standing, parking, or compliance violation shall constitute a final disposition of that violation.

B. After expiration of the period within which a petition for judicial review under the administrative review law **1** may be sought for a final determination of the standing, parking, or compliance violation, the city may utilize the services of a collection agency or may commence a proceeding in the circuit court for purposes of obtaining a judgment on the final determination of violation. Nothing in this chapter shall prevent the city from consolidating multiple final determinations of standing, parking, or compliance violations against a person in a proceeding. Upon commencement of the action, the city shall file a certified copy of the final determination of standing, parking, or compliance violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this chapter and applicable state law. Service of the summons and a copy of the petition may be by any method provided by section 2-203 of the code of civil procedure or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determination of standing, parking, or compliance violations does not exceed two thousand five hundred dollars (\$2,500.00). (Ord. 2742, 9-17-2012)

[additions are **bold and double underlined**; deletions are ~~struck through~~]