

ORDINANCE NO. 975

**AN ORDINANCE AMENDING
SECTIONS 1-1-19 AND 1-1-20
OF THE CITY CODE**

WHERE AS, the legislature of the State has changed the parameters of the fines that can be imposed by a municipality for violations of municipal ordinances: and

WHERE AS, it is desirable to reflect the current state of the law; and within the parameters now set by State law, the City believes it in the best interest of the public to increase the minimum fine required for settling and compromising certain ordinance violations prior to referral to the Circuit Court,

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF NOKOMIS, MONTGOMERY COUNTY, ILLINOIS:**

1. Section 1-1-19 of the City Code is hereby AMENDED to read as follows:

“1-1-19 PENALTY

(A) Any person convicted of a violation of any section of this Code shall be fined not less than Fifty Dollars (\$50.00) unless a different minimum fine is provided for herein, nor more than Seven Hundred and Fifty Dollars (\$750.00) for any one offense.

(B) Any minor or person designated as a juvenile by this State convicted of a violation of any section of this Code shall be fined not less than Fifty Dollars (\$50.00) unless a different minimum fine is provided for herein, nor more than Seven Hundred and Fifty Dollars (\$750.00) for any one offense, but may not be confined except by provisions of the Juvenile Court Act of the State of Illinois.

(C) Whoever commits an offense against the City or aids, abets, counsels, commands, induces or procures its commission is punishable as a principal.

(D) Whoever willfully causes an act to be done which, if directly performed by him or another, would be an offense against the City is punishable as a principal.

(E) All municipal ordinance offenses may be satisfied without a court appearance by a written plea of guilty and payment of the minimum fine, plus court costs, unless a court appearance is required by the ordinance violated.

(F) A WARRANT for your arrest may be issued if you fail to appear at any hearing.

(G) Any person accused of a violation of this Code, may request a trial by the court or by jury. You must file a written demand for a jury trial and pay a jury demand fee if you wish a trial by jury.

2. Section 1-1-20 of the City Code is hereby AMENDED to read as follows

1-1-20 PENALTIES FOR VIOLATIONS

(A) Any person accused of a violation of this Code, may settle and compromise the claim by paying to the City Clerk the minimum fine of Fifty Dollars (\$50.00 within ten (10) days from the time of the issuance of the citation therefore, or by paying to the City Clerk the sum of \$75.00 after ten (10) days but prior to a court appearance, unless a different minimum is other wise provided in Section (B) hereof or elsewhere in this Code.

(B) The minimum fine if paid within ten (10) days of issuance of a citation for a violation of the following ordinance shall be as set forth below: Any person accused of a violation of this Code, may settle the citation with the Nokomis City Clerk (phone 217-563-2514) by paying the amount specified below within ten (10) days of the citation or as provided by the attached ordinance. Otherwise, you shall appear in court.

Section

Minimum Fine

Dogs

		First Offense	Second or Subsequent Offense
3-1-4	Barking Dogs/Crying Cats	\$75.00	\$150.00
3-2-3	Rabies Tags	\$75.00	\$150.00
3-2-7	City Tags (Dogs)	\$75.00	\$150.00
3-2-8	Dog at Large/Loose Dog	\$75.00	\$150.00
3-2-11	Biting Dog/Bitten Person	\$75.00	\$150.00

Building Codes

513-1-1	Permit Required	\$100.00
6-2-4	Dangerous and Unsafe Buildings	\$100.00

Garbage

13-1-9	Accumulation of Garbage	\$75.00	\$150.00
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Taverns/Alcohol Sales

		First Offense	Second or Subsequent Offense
21-3-1	Alcohol Sales/Open after Hours	\$250.00	\$500.00
21-3-6	Drinking on Public Way	\$100.00	
21-3-7	Illegal Transportation of Alcoholic Liquor	\$150.00	
21-3-20	Prohibited Sales to Minor/Intoxicated Person	\$200.00	
21-3-22	Unlawful Purchase/Possession of Liquor (Minor)	\$200.00	

Traffic

24-2-1	Obedience to Police	\$100.00
24-2-3	Obey Traffic Signs (Signs and Signals)	\$100.00
24-3-3	Stop Streets / Disobey Stop Sign	\$100.00
24-3-4	Yield Right-of-Way	\$100.00
24-1-1	Any IVC Violation (Rules of the Road)	\$100.00
24-4-2 (a)	Careless Driving	\$100.00
24-4-2 (f)	Speeding	\$100.00
24-4-2 (g)	Speeding School Zone	\$150.00
24-4-9	Excessive Noise While Driving	\$100.00
24-5-1	Any IVC Equipment Violation	\$100.00
24-5-2	Muffler Required	\$100.00
24-6-4	Handicap Parking Only	\$200.00
24-6-7	Parking Violation	\$50.00
24-6-13	Semi-Tractors and Semi-Trailers No Parking Sticker	\$100.00
24-7-2(b)	Abandoned Vehicle (Private Property)	\$100.00

Nuisances/Offenses

25-1-1Q	Litter on Street	\$100.00
25-1-1R	Accumulation of Junk & Trash (Public/Streets)	\$100.00
25-3-1	Accumulation of Garbage (Privet Property)	\$100.00
25-4-4	Inoperable Motor Vehicle	\$100.00
27-2-16	Disturbing the Peace	\$100.00
27-2-16	Public Intoxication	\$100.00
27-2-19	Discharge of Firearm/Bow & Arrow	\$100.00
27-2-20B	Games in Street (Skateboarding on Sidewalk/Street)	\$ 75.00
27-2-22	Throwing Rocks	\$100.00
27-2-23	Destruction of Public Property	\$100.00
27-2-25	Discarded Refrigerators	\$100.00
27-2-27	Curfew (Sun-Thurs 11p-6a/Fri-Sat 12a-6a)	\$100.00
27-4-1	Disorderly Conduct	\$100.00
27-5-2	Littering Prohibited	\$100.00
27-5-7	Littering from a Vehicle	\$100.00

27-5-9	Littering in Parks	\$100.00
27-6-1	Trespassing	\$100.00
27-9-4	Possession of Fireworks	\$100.00
27-9-5A	Throwing Fireworks (burning or non burning)	\$100.00
27-9-5B	Throwing Fireworks (From or at Vehicle)	\$100.00
27-10-3	Possession of Drug Paraphernalia	\$250.00
27-11-2	Burning Garbage/Rubbish	\$100.00
27-11-2I	Burning on Street, Alley, or Sidewalk (City Property)	\$100.00
33-2-7	Vehicles/Bicycles on Sidewalk (Good for City Parks)	\$75.00

Parks

28-1-1-B	In Park after Hours (Closed 10p-7a)	\$75.00
28-1-9	No Motor Vehicles	\$75.00

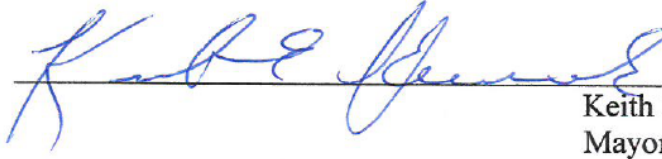
Weeds/Lawns

		First Offense	Second or Subsequent Offense
29-5-10	Weeds/Grass over 8 inches	\$75.00	\$150.00

(C) The minimum fine for any offense listed in paragraph (B) hereof shall be increased by Twenty-Five Dollars (\$25.00) if paid after ten (10) days but before a court appearance.

(D) The citation issued under this Section shall be as a courtesy in lieu of arrest. If the person accused of this violation does not settle the claim, and complaint or notice to appear will be issued for that violation and the person shall be subject to the penalties set forth in Section 1-1-19 of this Code.”

Adopted this 12th day of MARCH, 2012.



 Keith Hancock
 Mayor

ATTEST:



 City Clerk

STATE OF ILLINOIS)
) SS
MONTGOMERY COUNTY)


CERTIFICATION

I, PAMELA J. BURDZILAUSKAS, certify that I am the duly appointed and acting City Clerk of the City of Nokomis, Montgomery County, Illinois.

I further certify that on March 12, 2012 the City Council of such municipality passed and approved Ordinance No. 975, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 975, including the Ordinance and a cover sheet thereof, was prepared and posted in the Municipal Complex commencing on March 13, 2012 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request to the City Clerk.

Dated at Nokomis, Illinois, this **13th** day of **March, 2012**


CITY CLERK