

CHAPTER 15

MISCELLANEOUS REGULATIONS

- ARTICLE 1. CIVIL EMERGENCIES
- ARTICLE 2. BRIDGEVIEW DEPARTMENT OF HOMELAND SECURITY &
EMERGENCY MANAGEMENT AGENCY
- ARTICLE 3. PARADES
- ARTICLE 4. REPEALED
- ARTICLE 5. PROCEDURES FOR VIOLATION OF CITATIONS
- ARTICLE 6. FAIR HOUSING
- ARTICLE 7. ADMINISTRATIVE ADJUDICATION OF VIOLATIONS OF TRAFFIC
REGULATIONS CONCERNING THE STANDING, PARKING OR
CONDITION OF VEHICLES
- ARTICLE 8. ADMINISTRATIVE ADJUDICATION OF NON-VEHICULAR
REGULATIONS VIOLATIONS
- ARTICLE 9. BLOCK PARTIES
- ARTICLE 10. NOISE RESTRICTIONS
- ARTICLE 11: SEIZURE AND IMPOUNDMENT OF VEHICLES

CHAPTER 15

MISCELLANEOUS REGULATIONS

ARTICLE 1. CIVIL EMERGENCIES

SECTION

- 15-1-1: Definitions
- 15-1-2: Declaration of Emergency
- 15-1-3: General Curfew Order
- 15-1-4: Other Orders
- 15-1-5: Notice
- 15-1-6: Length of Effectiveness
- 15-1-7: Penalty .

15-1-1: DEFINITIONS:

a. A civil emergency is hereby defined to be:

1. a riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three (3) or more persons acting together without authority of law; or
2. any natural disaster or manmade calamity, including flood, conflagration, cyclone, tornado, earthquake or explosion within the corporation limits of the municipality, resulting in the death or injury of persons or the destruction or property to such an extent that extraordinary measures must be taken to protect the public health, safety or welfare.

b. "Curfew" is hereby defined as a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the municipality, excepting officials of any governmental unit and persons officially designated to duty with reference to said civil emergency.

15-1-2: DECLARATION OF EMERGENCY: Whenever a civil emergency, as defined herein, exists, the Village President shall declare the existence by means of a written declaration, signed under oath, setting forth the facts which constitute the civil emergency.

15-1-3: GENERAL CURFEW ORDER: After proclamation of a civil emergency by the Village President, he may order a general curfew applicable to such geographical areas of the municipality or to the municipality as a whole, as he deems advisable, and applicable during such hours of the day or night as

he deems necessary in the interest of the public safety and welfare.

15-1-4: OTHER ORDERS: After the proclamation of a civil emergency, the Village President may also in the interest of public safety and welfare make any or all of the following orders:

a. order the closing of all liquor stores and establishments, including restaurants and private clubs or portions thereof, wherein the consumption of alcoholic liquor is permitted;

b. prohibit the sale, serving or giving away of any intoxicating liquor in or by any store, restaurant, private club or other establishment having an alcoholic liquor license issued by the municipality;

c. order the discontinuance of the sale of alcoholic liquor by any wholesaler or retailer;

d. order the discontinuance of selling, distributing or giving away of gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle;

e. order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever;

f. such other orders as are imminently necessary for the protection of life and property.

15-1-5: NOTICE: Upon issuance of the proclamation authorized, it shall be filed with the Clerk as soon as practicable, and the Chief of Police shall notify the news media of the municipality and shall cause three (3) copies of the proclamation, declaring the existence of the emergency, to be posted in three (3) prominent places within the municipality.

15-1-6: LENGTH OF EFFECTIVENESS: A state of emergency declared as provided in this Article, shall expire not later than the adjournment of the first regular meeting of the corporate authorities after the state of emergency is declared.

15-1-7: PENALTY: It shall be unlawful for any person to violate the provisions of any curfew or any other order issued by the Village President under the provisions of this Article, or to fail or refuse to obey promptly any reasonable order, direction or command issued by any police officer acting in the performance of his duty or power in the enforcement of the provisions of this Article for the preservation of the public peace, health, and safety.

Any person guilty of such violation shall, upon conviction thereof, be punished by a fine of not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00) for each offense.

CHAPTER 15

MISCELLANEOUS REGULATIONS

ARTICLE 2. BRIDGEVIEW DEPARTMENT OF HOMELAND SECURITY &
EMERGENCY MANAGEMENT AGENCY

SECTION

- 15-2-1: Creation
- 15-2-2: Appointment of Coordinator
- 15-2-3: Duties of Agency
- 15-2-4: Members of Mobile Support Team; Compensation
- 15-2-5: Mutual Aid Agreements
- 15-2-6: Cooperation with State ESDA
- 15-2-7: Compensation for Training
- 15-2-8: Reimbursement to Village
- 15-2-9: Contracts
- 15-2-10: Oath of Member
- 15-2-11: Office Space
- 15-2-12: Appropriation; Tax Levy

15-2-1: CREATION: There is hereby created the Bridgeview Department of Homeland Security & Emergency Management Agency for the purpose of exercising such powers and authority as necessary under the Illinois Emergency Management Agency Act. The officers and employees shall be as provided for by the Mayor and Board of Trustees.

15-2-2: APPOINTMENT OF COORDINATOR: The Coordinator of Bridgeview Department of Homeland Security & Emergency Management Agency shall be appointed by the Village President and shall serve until removed by same. The Coordinator shall have direct responsibility for the organization, administration, training, and operation of the EMA, subject to the direction and control of the Village President as provided by statute.

In the event of the absence, resignation, death or inability to serve as the Coordinator, the Village President, or any person designated by him, shall be and act as Coordinator until a new appointment is made as provided herein.

15-2-3: DUTIES OF AGENCY: The EMA shall perform such functions within the Village as shall be prescribed in and by the State EMA Plan and Program prepared by the Governor, and such orders, rules and regulations as may be promulgated by the Governor, and in addition shall perform such duties outside the corporate limits as may be required pursuant to any

Mutual Aid Agreement with any other political subdivision, municipality, or quasi-municipality entered into as provided in 'The Illinois Emergency Management Agency Act.'

15-2-4: MEMBERS OF MOBILE SUPPORT TEAM; COMPENSATION: All or any members of the EMA organization may be designated as a Mobile Support Team created by the Director of the State EMA as provided by law.

The leader of such Mobile Support Team shall be designated by the Coordinator of the Bridgeview Department of Homeland Security & Emergency Management Agency.

Any member of a Mobile Support Team who is a Village employee or officer while serving on call to duty by the Governor, or the State Director, shall receive the compensation and have the powers, duties, rights, and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the Village, while so serving, shall receive from the State reasonable compensation as provided by law.

15-2-5: MUTUAL AID AGREEMENTS: The Coordinator of the Bridgeview Department of Homeland Security & Emergency Management Agency may negotiate mutual Aid Agreements with other municipalities or political subdivisions of the State, but no such agreement shall be effective until it has been approved by the Village President and by the State Director of the EMA.

15-2-6: COOPERATION WITH STATE EMA: If the Governor proclaims that a disaster emergency exists in the event of actual enemy attack upon the United States, or the occurrence within the State of Illinois of a major disaster resulting from enemy sabotage or other hostile action, or from man-made or natural disaster, it shall be the duty of the Village EMA to cooperate fully with the State EMA and with the Governor in the exercise of emergency powers as provided by law.

15-2-7: COMPENSATION FOR TRAINING: Members of the EMA who are paid employees of officers of the Village, if called for training by the State Director of EMA, shall receive for the time spent in such training the same rate of pay as is attached to the position held; members who are not such Village employees or officers shall receive for such training time compensation as may be established by the Village President.

15-2-8: REIMBURSEMENT TO VILLAGE: The State Treasurer may receive and allocate to the appropriate fund, any reimbursement by the State to the Village for expenses incident to training members of the EMA, as prescribed by the State Director of EMA, compensation for services and expenses of members of a Mobile Support Team while serving outside the Village in response to a call by the Governor or State Director of EMA, as provided by law, and any other reimbursement made by the State incident to EMA activities as provided

by law.

12-2-9: **CONTRACTS:** The Village President may, on recommendation of the Village Coordinator of the Bridgeview Department of Homeland Security & Emergency Management Agency, authorize the Village to enter into contracts necessary to place the Village in a position to combat effectively any disaster resulting from the explosion of any nuclear or other bomb or missile, and to protect the public health and safety, protect property, and provide emergency assistance to victims in the case of such disaster, or from man-made or natural disaster.

In the event of enemy caused or other disaster, the Coordinator of Bridgeview Department of Homeland Security & Emergency Management is authorized, on behalf of the Village, to procure such services, supplies, equipment or material as may be necessary for such purposes, in view of the exigency without regard to the statutory procedures or formalities normally prescribed by law pertaining to Village contracts or obligations, as authorized by 'The Illinois Emergency Management Agency Act;' provided that if the Village President and Board of Trustees meet at such time the Village shall act subject to the directions and restrictions imposed by that body.

15-2-10: **OATH OF MEMBERS:** Every person appointed to serve in any capacity in the EMA organization shall, before entering upon his or her duties, subscribe to the following oath, which shall be filed with the Coordinator:

I, _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence; and that during such time as I am affiliated with the Village EMA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this State by force or violence.

15-2-11: **OFFICE SPACE:** The Village President is authorized to designate space in a Village building, or elsewhere as may be provided for by the Village President, for the Village EMA as its office.

15-2-12: APPROPRIATES; TAX LEVY: The Village President may make an appropriation for EMA purposes in the manner provided by law, and may levy in addition, for EMA purposes only, a tax not to exceed five cents (\$0.05) per One Hundred Dollars (\$100.00) of the assessed value of all taxable property in addition to all other taxes, as provided by "The Illinois Emergency Management Agency Act;" however, that amount collectible under such levy shall in no event exceed twenty five cents (\$0.25) per capita.

Revised 3/01/06, 5/04/2011

CHAPTER 15

MISCELLANEOUS REGULATIONS

ARTICLE 3. PARADES

SECTION

- 15-3-1: Definitions
- 15-3-2: Permit Requirements
- 15-3-3: Permit Application
- 15-3-4: Permit Fees
- 15-3-5: Application Review and Issuance of Permit
- 15-3-6: Permit Denial
- 15-3-7: Traffic Safety and Traffic Congestion
- 15-3-8: Parade Alternatives
- 15-3-9: Transfer of Permits
- 15-3-10: Permitted Days and Hours
- 15-3-11: Permits Suspension and Revocation
- 15-3-12: Appeals
- 15-3-13: Appeals to the Corporate Authorities

15-3-1: DEFINITIONS:

The following words, terms and phrases, and their derivations, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Attendee means a person who will not actually participate in the parade but will attend to view or watch the procession.

Barricade means a wooden "horse" acting as a divider or boundary to separate traffic and attendees from the parade route.

Corporate Authorities means the Mayor and Board of Trustees of the Village.

Organizer means any person, group or entity charged with organizing, managing, or promoting a parade.

Parade means any group of people, cars, animals and floats traveling in procession down a street in celebration, recognition, or for purposes of promoting an idea or cause.

Revised 09/02/09

Parade route means the length of any street primarily intended for the parade procession from commencement to conclusion.

Peace Officer means a duly appointed police officer of the Village.

Street means any public street, highway or other thoroughfare primarily intended for use by motor vehicles. Street shall mean the entire area between a curb-cut, including but not limited to any and all medians and crosswalks.

Village means the Village of Bridgeview.

Village Clerk means the Village Clerk of the Village including employees in the office thereof.

15-3-2 PERMIT REQUIREMENTS:

No parade shall be permitted upon any street in the Village unless a permit is obtained from the Village Clerk.

15-3-3 PERMIT APPLICATION:

At least fourteen (14) days prior to parade, an organizer shall file with the Village Clerk an application in writing, on a form to be furnished by the Village Clerk, which shall consist of the following information:

- (a) Name, address, age and telephone number of the organizer, which shall be confirmed through the organizer's driver's license or state identification card, articles of incorporation, or other legally recognized form of identification;
- (b) The date of the parade, approximate time of commencement and conclusion, and the proposed parade route;
- (c) An approximate number of participants and attendees;
- (d) An approximate number of floats, vehicles, animals (and what type), to be used in the parade;
- (e) The location of staging and disassembly areas;
- (f) The time at which staging will commence and disassembly shall conclude;
- (g) The route of travel to and from the parade route;

- (h) An alternative date or parade route which the organizer would be willing to conduct the parade in the event the Village is unable to issue the permit as originally proposed;
- (i) A statement as to whether the organizer has had a permit denied, suspended or revoked for noncompliance with this Article in the past; and
- (j) If the parade route is to be located on any street or highway under the jurisdiction of Cook County or the State of Illinois, an applicant must submit a letter or permit from the jurisdictional authority which grants permission to conduct a parade on that street or highway during the date and times specified on the Village's application.

15-3-4: PERMIT FEES:

At the time the application is filed with the Village Clerk, the applicant shall pay a non-refundable fee to cover the cost of processing the application. The permit fee shall be \$25.00 for each parade.

15-3-5: APPLICATION REVIEW AND ISSUANCE OF PERMIT:

- (a) Upon receipt of an application, the Village Clerk shall review the application to determine if all of the information required by this Article is present. If the application has listed all of the information necessary, and there exists no reason to deny the permit for the reasons set forth in § 15-3-6, the Village Clerk shall issue the permit for the parade.
- (b) Any permit issued pursuant to this Article shall contain the name and address of the organizer along with the date upon which the parade will be conducted. The permit shall also contain a permit number which shall match the number listed on the application.
- (c) The Village Clerk shall complete an application review and advise an applicant of the decision within seventy-two (72) hours of receipt of the application, excepting weekends and holidays. An applicant may obtain the permit from Village Hall once advised that a decision to grant the permit has been issued by the Village Clerk.
- (d) The Village Clerk shall notify the applicant of the decision to grant or deny a permit by the telephone number listed on the application.

- (e) If an application is incomplete, the Village Clerk shall allow the applicant an opportunity to provide the information necessary for review.
- (f) Once issued, the permit shall only be subject to suspension or revocation as provided by § 15-3-11 of this Article.
- (g) In the case of a denial, the Village Clerk shall telephone the applicant and advise why the permit is being denied. The Village Clerk shall also issue a written decision advising the application why the permit was denied. The written decision shall specifically articulate the factual basis for the denial pursuant to the reasons set forth in § 15-3-6. The written decision shall be mailed to the applicant *via* U.S. Mail at the address contained on the application. The written decision shall be postmarked no later than three (3) business days subsequent to the expiration of the seventy-two (72) hour review period or the oral advisement of a denial of a permit, whichever is later.
- (h) A denial of a permit may be appealed in the manner provided in § 15-3-12 of this Article.
- (i) A record of all permits issued and denied pursuant to this Article shall be maintained by the Village Clerk for a period of two (2) years.

15-3-6: PERMIT DENIAL:

The Village Clerk shall deny a permit if it is found:

- (a) The application is incomplete and the applicant refuses or fails to provide the requested information which is necessary to complete a review.
- (b) An investigation reveals that the applicant has falsified information on the application;
- (c) The parade will substantially or unnecessarily interfere with: pedestrian or vehicle traffic; access to a fire station or fire hydrants; or, access to the businesses or residences in the immediate vicinity of the parade and the Village lacks the resources to mitigate the aforementioned disruptions at the time of the parade;
- (d) There will be unavailable a sufficient number of peace officers to police and protect the participants and attendees from traffic related hazards in light of other demands for police protection at the time of the parade;

- (e) The parade will substantially or unnecessarily interfere with the police, fire, water, electric, public works or other services to the Village as a whole and there is not available at the time of the parade sufficient resources to mitigate the disruption.
- (f) Another parade has already been scheduled to be conducted in the Village on the date proposed;
- (g) The applicant has not paid or refuses to pay for the costs of the Village to detour traffic in order to mitigate or eliminate traffic congestion caused by the parade;
- (h) The applicant has not paid or refuses to pay for the costs of the Village to mitigate or eliminate traffic hazards to participants and attendees;
- (i) The applicant has not paid or refuses to pay for the costs of the Village to assign paramedics to the parade; or,
- (j) The applicant has had a permit denied under this Article within the immediate past year and cannot show that the basis for the previous denial no longer exists;

The Village Clerk's denial and the reasons for disapproval shall be noted on the application.

15-3-7: TRAFFIC SAFETY AND TRAFFIC CONGESTION:

One hour prior, during, and one hour after a parade, the Village will assign peace officers and erect barricades to ensure the safety of the participants and attendees from traffic hazards along the parade route and in order to mitigate traffic congestion caused by the parade. The Village will assign two ambulances, with paramedics, to the parade in order to ensure a quick response and access to persons in the case of an emergency. Applicants shall be responsible for the Village's costs associated with this purpose.

At the completion of the Village Clerk's 72-hour review period for an application, a written cost estimate will be submitted to the applicant based upon a specific number of peace officers and EMT personnel necessitated by the parade multiplied by their hourly rate established by their respective collective bargaining agreements. The cost of the barricades will be established according to the contract governing their use on a daily basis. Copies of the applicable contracts may be obtained from the Village Clerk.

The cost estimate will be based upon the following criteria:

- (a) There shall be one peace officer and two barricades present at each street intersection along a parade route. If a parade route is intersected by a street on two sides, a peace officer and two barricades will be required on each side of the parade route.
- (b) There shall be four peace officers assigned at both the beginning and termination of the parade route. Two barricades will be required separating the flow of traffic from the parade route on the street on which the parade is to be conducted. If the parade route begins or terminates at a four-way intersection, two barricades will be erected at each intersecting street.
- (c) An ambulance will be stationed at the beginning and termination of the parade routes. Two paramedics will be assigned to each ambulance.
- (d) Within the Village's corporate limits, one peace officer shall be assigned to any intersection through which traffic is being detoured as a result of the parade.

15-3-8: PARADE ALTERNATIVES:

In the event a permit is denied pursuant to subsections (c)-(f) of § 15-3-6, the Village Clerk must authorize and issue a permit for the parade on a different date, time, location, or parade route with comparable visibility as the original parade. If the alternative permit cannot be issued as per the applicant's request, the Village Clerk shall advise the applicant of the reason and shall reschedule the parade to a date, time and location acceptable to the applicant.

15-3-9: TRANSFER OF PERMITS:

No permit issued to an organizer shall be transferable to another date, time, parade route or person.

15-3-10: PERMITTED DAYS AND HOURS:

Parades shall only be permitted during daylight hours at times other than peak traffic periods (7:30 a.m. to 9:00 a.m.) and (4:30 p.m. to 6:00 p.m.) Monday through Saturday, and not before 12:00 noon on Sunday.

15-3-11: PERMIT SUSPENSION AND REVOCATION:

- (a) Any permit issued under this Article may be suspended or revoked by the Village Clerk after notice and a hearing due to a misrepresentation or false statement on the application. A pre-deprivation hearing will not be given prior to a suspension or revocation if time requires an immediate suspension or revocation. In such cases, a post-deprivation hearing will be provided.
- (b) The Village Clerk shall provide notice to the organizer by telephone and *via* U.S. Mail setting forth the time and place of the hearing. The notice shall consist of the charges for which the permit's suspension or revocation is being considered. The notice shall contain the date(s) on which any charge is alleged to have occurred along with the name(s) of any witness(es) that will testify at the hearing. Any written or tangible evidence of the occurrence shall be identified in the notice.
- (c) A hearing pursuant to this section shall occur no earlier than seven (7) days nor later than fourteen (14) days from the date the notice of hearing is postmarked.
- (d) After the hearing, the Village Clerk shall orally advise the permittee of the decision to suspend or revoke a permit under this Article. After the decision has been orally related to the permittee, the Village Clerk shall issue a written decision setting forth the decision and the basis for the ruling. The written decision shall be mailed to the organizer *via* U.S. Mail at the address contained in the application. The written decision shall be postmarked no later than three (3) business days subsequent to the hearing.

15-3-12: APPEALS:

Any person aggrieved by the action or decision of the Village Clerk to deny, suspend or revoke a permit may choose to appeal that decision to the Corporate Authorities or to the Circuit Court of Cook County. An appeal to the Corporate Authorities is not meant to be exclusive, but rather, a less costly alternative to the courts in the event a timely decision can be rendered before the date of the parade. In the event an appeal is taken to the Corporate Authorities, no appeal to the Circuit Court of Cook County shall be valid unless the appeal to the Corporate Authorities is dismissed or decided. A final decision of the Corporate Authorities may be appealed to the Circuit Court of Cook County pursuant to the Administrative Review Law.

15-3-13: APPEALS TO THE CORPORATE AUTHORITIES:

- (a) Any person aggrieved by the action or decision of the Village Clerk to deny, suspend or revoke a permit shall have the right to appeal such action to the Corporate Authorities within fourteen (14) days from the date on which the Village Clerk's decision has been mailed to the applicant/permittee. This date shall be determined by the date on which the written decision was postmarked. In the event the Village Clerk fails to issue a written decision, the appellant shall have seventeen days (17) from the date on which orally informed of the Village Clerk's decision to deny, suspend or revoke a permit to appeal that decision.
- (b) An appeal shall be perfected by filing a written statement with the Village Clerk setting forth the grounds for the appeal. If a written decision was provided to the appellant from the Village Clerk, a copy of that decision shall be attached to the appellant's written statement. In the event that no written decision was provided, an applicant must set forth the basis for the Village Clerk's action as was transmitted orally. After the receipt of said appeal, the Village Clerk shall schedule the appeal for the next regularly scheduled meeting of the Corporate Authorities. Provided, however, if said appeal is received within ninety-six (96) hours of a regularly scheduled meeting, said appeal shall be heard at the following regularly scheduled meeting.
- (c) A hearing shall be set no later than thirty (30) days from the date on which an appeal is received. Notice of the time and place of the hearing shall be given to the appellant both by telephone and *via* U.S. Mail at the address provided on the person's application. An appellant shall be given notice of the hearing at least 5 days before the hearing.
- (d) A hearing before the Corporate Authorities shall be *de novo*. An applicant may be represented by an attorney, issue subpoenas, and present documentary evidence and witness testimony. An applicant shall have the right to cross-examine witness testifying at the hearing. The formal rules of evidence will not apply at the hearing.
- (e) It shall be the duty of the applicant to supply a court reporter in order to preserve the record for further appeal.

- (f) The Village Clerk's decision to deny, suspend or revoke a permit shall be presumed valid. An applicant has the burden of overcoming this presumption by establishing proof beyond a preponderance of evidence.
- (g) The Corporate Authorities decision to affirm or reverse the decision of the Village Clerk shall be limited to the facts presented to it at the hearing. The decision to affirm or reverse the Village Clerk's decision must be based upon the reasons contained in this Article but may not be limited to the reason stated by the Village Clerk.
- (h) The decision of the corporate authorities of the Village shall be final and binding on all parties concerned.
- (i) A decision to affirm or reverse a decision of the Village Clerk shall be made by a majority vote of the Corporate Authorities present at the meeting. A written decision setting forth the Corporate Authorities' findings of fact and determination shall be issued within fourteen (14) days of the hearing. The time period by which an applicant has the right to appeal the decision to Circuit Court of Cook County shall begin to run upon receipt of the written decision but not later than three (3) days after the written decision is post-marked.

CHAPTER 15

MISCELLANEOUS REGULATIONS

ARTICLE 4. SOUND AMPLIFIERS

SECTION: 15-4-1 THRU 15-4-5 REPEALED

No person shall cause or permit to be emitted from any such device any lewd, obscene, profane or indecent language or sounds, or any false representation of any matter, product or product advertised whereby the sale of which is prohibited by law, ordinance or statute.

CHAPTER 15

MISCELLANEOUS REGULATIONS

ARTICLE 5. ISSUANCE OF CITATIONS.

SECTION

- 15-5-1: Authorization
- 15-5-2: Non-Moving Vehicular Violations
- 15-5-3: Moving Vehicular Violations
- 15-5-4: Non-Vehicular Violations
- 15-5-5: Other Procedures

15-5-1: AUTHORIZATION: All appointed/sworn officers of the Village of Bridgeview and their designees shall have the authority to issue citations for violations of the Municipal Code of Bridgeview.

15-5-2: NON-MOVING VEHICULAR VIOLATIONS: All citations for non-moving vehicular violations shall be issued, processed and heard in accordance with the provisions of Chapter 15, Miscellaneous Regulations Article 7, Administrative Adjudication of Violations of Traffic Regulations Concerning the Standing, Parking or Condition of Vehicles. Unless otherwise provided, the fine schedule set forth in Section 15-7-9 shall apply to all violations of the Municipal Code of Bridgeview written on a Hang-On Violation Notice.

15-5-3: MOVING VEHICULAR VIOLATIONS: All citations for moving vehicular violations shall be issued either in accordance with Illinois Vehicle Code 625 ILCS 5/1-100, or in accordance with the provisions of Chapter 8, Traffic Code, Article 1, Uniform Traffic Code governing moving violations. Under either circumstance, the citation shall be processed and heard in the Circuit Court of Cook County. The fines applicable moving vehicular violations shall be as set forth in the Illinois Vehicle Code or Section 8-1-4 of the Municipal Code of Bridgeview, as the case may be.

15-5-4: NON-VEHICULAR VIOLATIONS: All citations for non-vehicular violations shall be issued, processed and heard in accordance with the provisions of Chapter 15, Miscellaneous Regulations, Article 8, Administrative Adjudication of Non-Vehicular Regulation Violations. The fines applicable to violations of the Municipal Code of Bridgeview written on a Violation Notice shall be as set forth in Section 1-11-1(a) or as otherwise specified by the particular penalty provision applicable to the section or provision violated. Provided, however, a person issued a non-vehicular violation may waive a hearing by paying the minimum fine applicable to the offense violated by the 25th of the month if the citation was issued between the 1st and 15th day of the month or by the 10th of the following month if the citation was issued between the 16th and the end of the previous month.

Revised 4/06/2011, 1/15/2014

15-5-5: OTHER PROCEDURES: Nothing in this article shall require the issuance of a citation in lieu of such other mechanisms, penalties or remedies that may be available to the Village for violations of the Municipal Code of Bridgeview, or to enforce, or prevent the violation of, the Municipal Code of Bridgeview.

Revised 4/06/2011, 1/15/2014

15-5-2: SETTLEMENT: Pursuant to said CITATION, the person accused of the violation may settle and compromise the violation claim by paying to the Village the applicable amount set forth in the schedule in Section 15-5-1 hereof, within ten (10) days of the date said alleged offense was committed.

Such payment shall be made in accordance with the instructions contained in the CITATION, at the office of the Village Clerk, who shall issue a receipt for the money so received and promptly remit said amount to the Village Treasurer to be credited to the proper municipal fund.

15-5-3: FINAL NOTICE; PENALTY: In the event that the person to whom said CITATION is issued fails to settle and pay the violation claim within ten (10) days, a Final Notice shall be mailed to him. When the Final Notice has been mailed, the violation may then be settled by paying two (2) times the amount set forth in Section 15-5-1, within ten (10) days of the date the Final Notice is mailed.

15-5-4: ISSUANCE OF COMPLAINT: In the event that the person to whom said CITATION is issued fails to settle and pay the violation claim within the time specified in the Final Notice (if one is served or mailed to him), the police officer is authorized to cause a Notice to Appear to be served upon the alleged violator, and is authorized to file the same as a Complaint in the Circuit Court of Cook County and to prosecute the same. The officer, as an alternative, may file a formal Complaint in the Circuit Court of Cook County.

15-5-5: COURT PENALTY; SETTLEMENT BEFORE COURT DATE: In the event that the payment is not made within the time prescribed in the Final Notice, and a Notice to Appear or a Complaint is filed in the Circuit Court, payment of any fine and costs shall be in such amounts as may be determined and established by the Circuit Court, but not to exceed the sum of Five Hundred Dollars (\$500.00) for any one violation; provided that the offenses may be settled and compromised for the amount specified in the Notice to Appear at least three (3) working days before the court date. Such amount shall be three (3) times the amount set forth in the schedule contained in Section 15-5-1.

15-5-6: CORRECTION OF VIOLATION: Payment of any amount as settlement herein will not excuse any party from securing a required license and paying the fee therefor, or from correcting the violation described in the CITATION. Proof that the violation has been corrected shall be presented to the Village Clerk.

15-5-7: PARKING VIOLATION: 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 an alleged violator, or that a vehicle sticker issued by a municipality has been issued in the name of the alleged violator was in control of or was the operator of the automobile or motor vehicle at the time of the alleged violation.

The commercial lessor of any vehicle, whether or not the registered owner, shall be responsible for all parking violations and subject to the penalty therefor.

15-5-7: PARKING VIOLATION: 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 an alleged violator, or that a vehicle sticker issued by a municipality has been issued in the name of the alleged violator, shall constitute proof that the alleged violator was in control of or was the operator of the automobile or motor vehicle at the time of the alleged violation.

The commercial lessor of any vehicle, whether or not the registered owner, shall be responsible for all parking violations and subject to the penalty therefor.