

VILLAGE OF FOREST VIEW

ORDINANCE NO. 22-02

**AN ORDINANCE AMENDING SECTION 9-1-3(B) AND 9-1-3(D) OF THE
FOREST VIEW VILLAGE CODE RELATING TO CITATIONS
IN CERTAIN TRAFFIC VIOLATION CASES**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF FOREST VIEW,
COOK COUNTY, ILLINOIS, this 11th
day of January, 2022.**

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Forest View, Cook
County, Illinois, this 11th day
of January, 2022.**

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BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF FOREST VIEW, COOK COUNTY, ILLINOIS, IN THE EXERCISE OF
THE VILLAGE'S HOME RULE POWERS, as follows:

SECTION 1: Amendment: Section 9-1-3(B) of the Forest View Village Code is hereby amended by increasing the settlement amount of various violations from \$50.00 to \$75.00 as follows [New language indicated in **bold and strikeouts**]:

9-1-3: CITATIONS ("P" TICKETS) IN CERTAIN TRAFFIC VIOLATION CASES:

(A) Issuance Of "P" Tickets: Whenever a police officer is authorized to arrest a person without a warrant because of a violation of any section or provision of this Code or Illinois Vehicle Code listed in subsection (B) of this section, said police officer, may, in lieu of the filing of a complaint in court, issue a citation ("P" ticket) to the alleged violator. Such citation, on a form prescribed by the Chief of Police, shall: (Ord. 17-07, 4-11-2017)

1. Advise said person that he has violated a specified ordinance;
2. Request said person to make payment of a specified amount applicable to said alleged violation, as set forth in subsection (B) of this section, as settlement of said violation claim;
3. Inform said person that upon failure to settle said claim as provided herein, a complaint will be filed in the Circuit Court of Cook County charging him with such violation. (Ord. 10-03, 2-23-2010)

(B) Applicable Sections: The procedure for citations ("P" tickets) set forth herein shall be applicable with respect to the violations of the following sections:

Violations

Settlement Amount

1. Parking regulations - section 9-2-1 et seq., of this Code
~~\$50.00~~ **\$75.00**

2. Vehicle license requirements - section 3-4-1 et seq., of this Code
~~\$50.00~~ **\$75.00**

3. Illinois Vehicle Code (IVC) sections as follows:

IVC Section

Description

Settlement Amount

5/3-413(a,b,f)

Improper display of registration plates or stickers

~~\$50.00~~ **\$75.00**

5/3-701

No valid registration plates or stickers

~~50.00~~ **\$75.00**

5/6-116

Failure to notify Secretary of State of address/change

~~50.00~~ **\$75.00**

5/11-1406

Obstruction to driver's view

~~50.00~~ **\$75.00**

5/11-1407

Improper opening of door into traffic

~~50.00~~ **\$75.00**

5/11-1502

Disobey traffic control signal (bicycle)

~~50.00~~ **\$75.00**

5/12-101

Unsafe motor vehicle

~~50.00~~ **\$75.00**

5/12-201(a)

Driving without lighted lamp (motorcycle)

~~50.00~~ **\$75.00**

5/12-201(b)

Driving without lights when required

~~50.00~~ **\$75.00**

5/12-201(b)
No taillights
~~50.00~~ **\$75.00**

5/12-201(b)
No red taillight
~~50.00~~ **\$75.00**

5/12-201(b)
Only one red taillight
~~50.00~~ **\$75.00**

5/12-201(c)
No rear registration light
~~50.00~~ **\$75.00**

5/12-205.1
No lights when required (specific vehicle)
~~50.00~~ **\$75.00**

5/12-208
No signal lamp or device
~~50.00~~ **\$75.00**

5/12-211
Improper lighting
~~50.00~~ **\$75.00**

5/12-212
Illegal lights (red or flashing)
~~50.00~~ **\$75.00**

5/12-215
Illegal use of oscillating, rotating or flashing lights
~~50.00~~ **\$75.00**

5/12-301
Defective or no brakes
~~50.00~~ **\$75.00**

5/12-401
Use of illegal tires (studs)
~~50.00~~ **\$75.00**

5/12-405(c)
Use of unsafe tire
~~50.00~~ **\$75.00**

5/12-501
No safety glass
~~50.00~~ **\$75.00**

5/12-502
Mirrors
~~50.00~~ **\$75.00**

5/12-503(a,c,e)
Obstruction of driver's view
~~50.00~~ **\$75.00**

5/12-503(d)
No windshield wiper or cleaning device
~~50.00~~ **\$75.00**

5/12-601
Defective horn/unlawful use of siren
~~50.00~~ **\$75.00**

5/12-602
Muffler (loud; excessive noise; no muffler)
~~50.00~~ **\$75.00**

5/12-603.1
Seat belt not worn, driver/
passenger
~~50.00~~ **\$75.00**

5/12-606
Tow trucks (identification)
~~50.00~~ **\$75.00**

5/12-607
Vehicle suspension system
~~50.00~~ **\$75.00**

5/12-608
Vehicle bumpers
~~50.00~~ **\$75.00**

5/12-610
Wearing headset receiver while driving
~~50.00~~ **\$75.00**

5/12-702(a)
No flags, flares, warning devices carried
~~50.00~~ **\$75.00**

5/12-702(c)
No flags, flares, warning devices displayed
~~50.00~~ **\$75.00**

5/12-703
Dripping oil on roadway
~~50.00~~ **\$75.00**

5/12-710
Inadequate or no splashguards
~~50.00~~ **\$75.00**

~~(Ord. 15-09, 7-28-2015)~~

(C) Settlement:

1. Pursuant to said citation, the person accused of the violation may settle and compromise the violation claim by paying to the village the applicable settlement amount set forth in subsection (B) of this section within ten (10) days of the date said alleged offense was committed.

2. Such settlement shall be made in accordance with the instruction set forth on 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. (Ord. 10-03, 2-23-2010)

SECTION 2: Amendment: Section 9-1-3(D) of the Forest View Village Code, “Second

Notice; Penalty,” is hereby amended to provide as follows [New language indicated in **bold and strikeouts**]:

(D) Second Notice; Penalty: In the event that the person to whom said citation is issued fails to settle and pay the violation within ten (10) days, a second notice may be mailed to him. When the second notice has been mailed, the violation may then be settled by paying ~~seventy five dollars (\$75.00)~~ **double the amount of the initial settlement amount** within ten (10) days of the date the second notice is mailed.

(E) Final Notice; Penalty: In the event the person to whom the citation is issued fails to settle and pay the violation claim within the time specified in the second notice, a final notice may be mailed to him. When the final notice has been mailed, the violation may then be settled by paying ~~one hundred fifty dollars— (\$150.00)~~ **double the amount of the second notice** within ten (10) days of the date the final notice is mailed. (Ord. 15-09, 7-28-2015)

(F) Issuance Of Complaint; Collection:

1. In the event the person to whom the citation is issued fails to settle and pay the violation claim as provided in subsection (C), (D), or (E) of this section, the violation claim may be forwarded to a collection agency for collection on behalf of the village. When the violation claim has been forwarded to a collection agency, the violation may then be settled by paying one hundred fifty dollars (\$150.00) within the time specified by such agency.

2. In the event the person to whom the citation is issued fails to settle and pay the violation claim as provided in subsection (C), (D), (E), or (F)1 of this section, a notice to appear or complaint shall be served upon the alleged violator and filed in the circuit court of Cook County for prosecution. The fine and costs shall be in such amounts as may be determined by the circuit court, but not to exceed the sum of six hundred dollars (\$600.00) for any one violation; provided that the offense(s) may be settled and compromised for the amount specified in a notice to appear at least three (3) working days before the court date. Such amount shall be three (3) times, i.e., four hundred fifty dollars (\$450.00) the settlement amount set forth in subsection (E) of this section.

(G) 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.

(H) 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. (Ord. 10-03, 2-23-2010)

SECTION 3: Home Rule. This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Forest View that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 11th day of January, 2022.

AYES: Trustees Grossi, Sudkamp, Hubacek, Liska

NAYS: Trustee Nevarez

ABSENT: Trustee Ramirez

APPROVED this 11th day of January, 2022.

Nancy L. Miller
Village President

ATTEST:

Laura D. McGuffey
Village Clerk