

**VILLAGE OF DOLTON
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 15-025

**AN ORDINANCE AMENDING TITLE 13, CHAPTER 1, SECTION FIVE
OF THE VILLAGE CODE FOR THE VILLAGE OF DOLTON,
COOK COUNTY, ILLINOIS**

WHEREAS, the Village of Dolton, Illinois (the "Village") is a home rule unit of government pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the Village may exercise any power and perform any function pertaining to its governmental affairs and for the protection of the public health, safety, morals and welfare of its residents; and

WHEREAS, the corporate authorities are constantly reviewing the provisions of the Village Code to ensure that it is consistent with state regulation;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF DOLTON, COOK COUNTY, ILLINOIS, in the exercise of its home rule authority as follows:

SECTION I

That Title 13, Chapter 1, Section 5 of the Village Code of the Village of Dolton is hereby deleted in its entirety and replaced with the following:

Sec. 13-1-5. - Administrative composition.

- (a) The ordinance enforcement department shall be composed of a hearing officer, an ordinance enforcement administrator, system coordinator/computer operator and hearing room security personnel, with the power and authority as hereinafter set forth.
 - (1) The hearing officer is authorized and directed to:
 - a. The hearing officer, prior to appointment, must be an attorney licensed to practice law for at least three (3) years in the State of Illinois. The hearing officer shall preside over all adjudicatory hearings and shall have the following powers and duties:
 - 1. To administer oaths;

2. To hear testimony and accept evidence that is relevant to the existence of the Village Code violation;
 3. To issue subpoenas directing witnesses to appear and give relevant testimony at the hearing, upon the request of the parties or their representatives;
 4. To preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;
 5. To issue and sign a written finding, decision and order stating whether a Village Code violation exists;
 6. To impose penalties, sanctions or such other relief consistent with applicable Village Code provisions and assessing costs upon finding a party liable for the charged violation, except however, that in no event shall the hearing officer have authority to impose a penalty of incarceration; and,
 7. To review final determination of liability for an ordinance violation in accordance with the administrative review procedures hereinafter set forth.
- b. Prior to conducting administrative adjudication proceedings under this article, the hearing officer shall have successfully completed a formal training program which includes the following:
1. Instruction on the rules of procedure of the administrative hearings over which the hearing officer shall preside;
 2. Orientation to each subject area of the code violations that he/she will adjudicate;
 3. Observation of administrative hearings; and
 4. Participation in hypothetical cases, including ruling on evidence and issuing final orders.
- (2) The ordinance enforcement administrator is authorized and directed to:
- a. Operate and manage the ordinance enforcement department.
 - b. Adopt, distribute and process all notices as may be required under this article or as may be reasonably required to carry out the purpose of this article.
 - c. Collect moneys paid as fines and/or penalties assessed after a final determination of liability.
 - d. Certify copies of final determinations of an ordinance violation adjudicated pursuant to this article, and any factual reports verifying the final determination of any violation liability which was issued in accordance with this article.
 - e. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.

- f. Collect unpaid fines and penalties through private collection agencies and direct the pursuit of all post-judgment remedies available by law.
- (3) The system coordinator/computer operator is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system of the ordinance enforcement department hereby created, on a day-to-day basis, including but not limited to:
- a. Input of violation notice information.
 - b. Establishing hearing dates and notice dates.
 - c. Record fine and penalty assessment and payments.
 - d. Issue payment receipts.
 - e. Issue succeeding notice of hearing dates and/or final determination of liability.
 - f. Keep accurate records of appearances and nonappearances at administrative hearings, pleas entered, judgments entered, sanctions imposed, if any, fines and penalties assessed and paid.
- (4) All hearing room security personnel shall be qualified off-duty, full-time, part-time or auxiliary police officers who are hereby authorized and directed to:
- a. Maintain hearing room decorum.
 - b. Have and execute authority as is granted to courtroom deputies of the circuit court.
 - c. Perform such other duties or acts as may reasonably be required and as directed by the hearing officer or ordinance enforcement administrator.
- (b) The Mayor is hereby authorized to appoint persons to hold the positions above set forth. Other than the hearing officer, one person may hold and fulfill the requirements of one (1) or more of the above stated positions and compensation for each of the above stated positions shall be as approved by the Board of Trustees.

SECTION II

That this ordinance shall be in full force and effect from and after its adoption, approval, passage and publication in pamphlet form as required by law and the corporate authorities of the Village of Dolton, Cook County, Illinois.

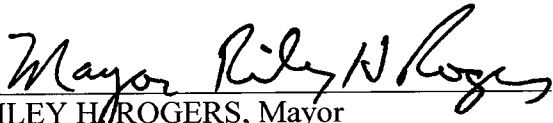
SECTION III

That all ordinances or parts of ordinances in conflict with this ordinance herewith are repealed to the extent of any such conflict.

SECTION IV

That any section or provision of this ordinance that is construed or deemed to be invalid shall not affect the remaining sections or provisions, which shall remain in full force and effect thereafter.

PASSED AND APPROVED this 6th day of July, 2015.


RILEY H. ROGERS, Mayor

ATTEST:


MARYKAY DUGGAN, Clerk

AYES: 6 Brown, Henyard, Hunt, Muhammad, Pierson, Stubbs
NAYS: 0
ABSENT: 0
ABSTAIN: 0