

ORDINANCE NUMBER 19 - 04

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE,  
COOK AND KANE COUNTIES, ILLINOIS,  
AMENDING THE VILLAGE CODE  
TO INCREASE MAXIMUM FINES FOR CERTAIN OFFENSES

**WHEREAS**, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the President and Board of Trustees of the Village have deemed it to be in the best interest of the Village that the Village of East Dundee Village Code ("Village Code") be amended to increase the maximum amount of fines for certain offenses set forth in the Village Code;

**NOW THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

**SECTION 2: Village Code Amendments.** That the Village Code is hereby amended as follows, with additions underlined and deletions struck through:

**Amendment 1:**

Section 36.09(D) of the Village Code is hereby amended as follows:

A monetary sanction for a violation under this Title III shall not exceed ~~\$750~~ \$5,000 per violation per day, ~~or up to a maximum of \$50,000~~ for one violation for which daily fines are assessed, for all code violations relating to building or structures.

**Amendment 2:**

Section 37.01 of the Village Code, entitled "Fee and Fine Schedule," is hereby amended in part to add the following text at the beginning of the Section:

The fines in this Chapter 37 are minimum amounts.

*Fee Schedule*

[. . .]

**Amendment 3:**

Section 93.99 of the Village Code, entitled "Penalty," is hereby amended as follows:

(A) Any person violating any provision of this chapter for which no penalty is prescribed shall be subject to § 10.99.

(B) Any person violating § 93.08 shall be fined not less than \$25, nor more than \$750, for each offense. The violation of § 93.08 is hereby declared to be a public nuisance and shall be abated in the manner provided by law.

(C) (1) Except as provided below in division (C)(2), any person, firm, or corporation violating any provision of § 93.11 shall be fined not less than \$25 nor more than ~~\$750~~ \$5,000 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(2) The first violation of § 93.11(E) in a 12-month period shall be punishable by a fine of not less than \$450 or more than ~~\$750~~ \$5,000. A subsequent violation by the same person which occurs within 12 months of a previous conviction shall be punishable by a fine of not less than \$100 more than the prior minimum fine but not more than ~~\$750~~ \$5,000.

**SECTION 3: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 4: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 5: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**SECTION 6: Effect.** That this Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

**[THIS SPACE INTENTIONALLY LEFT BLANK]**


ADOPTED this 4<sup>th</sup> day of February, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Wood, Hall, Mahony and Andresen

NAYES: Ø

ABSENT: Ø

APPROVED by me this 4<sup>th</sup> day of February, 2019.

  
\_\_\_\_\_  
Lael Miller, Village President

ATTEST:

  
\_\_\_\_\_  
Katherine Holt, Village Clerk

Published in pamphlet form this 5<sup>th</sup> day of February, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on February 5, 2019.