

AN ORDINANCE AMENDING CHAPTER 18
OF THE MUNICIPAL CODE OF THE VILLAGE OF ARLINGTON HEIGHTS
REGARDING COMPLIANCE WARNING TICKETS FOR BICYCLISTS
AND PENALTIES FOR IMPROPER USE OF VILLAGE PARKING FACILITIES

WHEREAS, the Village of Arlington Heights is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, pursuant to Chapter 18 of the Municipal Code of Arlington Heights, Illinois, 1995, as amended (“*Village Code*”), the Village sets forth rules and regulations regarding vehicle and bicycle traffic and the use of Village parking facilities; and

WHEREAS, the President and Board of Trustees desire to amend Chapter 18 of the Village Code to add additional regulations relating to bicycle traffic citations and penalties for improper use of Village parking facilities; and

WHEREAS, the President and Board of Trustees have determined that it will serve and be in the best interests of the Village and its residents to amend Chapter 18 of the Village Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION 2. COMPLIANCE WARNING TICKETS. Section 18-601, titled “Compliance Warning Tickets,” of Article VI, titled “Compliance Warning Tickets,” of Chapter 18, titled “Traffic,” of the Village Code is hereby amended further to read as follows:

“**Section 18-601 Compliance Warning Tickets.** The following offenses are adopted by reference from the Illinois Vehicle Code 625 ILCS 5/11-101 eq seq.:

625 ILCS 5/3-413(a)	Improper Display of Registration (License) Plates
625 ILCS 5/3-413(b)	Improper Display of Registration (License) Plates
625 ILCS 5/3-416	Failure to Notify the Secretary of State of Name/Address Change within Ten Days (Registration/Title)
625 ILCS 5/6-116	Failure to Notify the Secretary of State of Name/Address Change within Ten Days (Divers License)
625 ILCS 5/12-201(b)	Driving Vehicles without Two Lighted Headlamps and Tail Lamps When Required
625 ILCS 5/12-201(c)	No White Rear Registration Light
625 ILCS 5/12-503(a)	Obstructed View of Windshield or Side Windows Adjacent to Driver
625 ILCS 5/12-503(c)	Obstructed View Due to Defective Condition or Repair of any Window

Additions are bold and double-underlined; deletions are struck through.

625 ILCS 5/11-1502

Traffic Laws Apply to Persons Riding Bicycles

A police officer may, in the first instance or an alleged violation of any of these offenses, in lieu of filing a complaint in court, issue a compliance warning ticket.”

SECTION 3. ALTERNATIVE PENALTIES – COMPLIANCE WARNING TICKETS. Section 18-602, titled “Alternative Penalties – Compliance Warning Tickets,” of Article VI, titled “Compliance Warning Tickets,” of Chapter 18, titled “Traffic,” of the Village Code is hereby amended to read as follows:

“Section 18-602 Alternative Penalties – Compliance Warning Tickets.

- a. Any person who has been issued a compliance warning ticket alleging a violation of any of the sections of the Illinois Vehicle Code adopted by reference in Section 18-601 of this Code may settle and compromise that ticket as follows:
 - 1. If proof of compliance ~~is can be~~ validated by the Village prior to the date set for hearing, no fine shall be assessed.
 - 2. If proof of compliance has not been validated by the Village **within the time period set forth in Section 18-602.a.1 of this Code** ~~prior to the date set for hearing~~, the ticket will be processed in accordance with the Administrative Adjudication Process set forth in Article VIII of this Chapter. A \$30 fine shall be assessed for failure to respond prior to the hearing date.
 - 3. An additional late payment penalty of \$30 shall be assessed 21 days following the hearing date for failure to respond to the violation.
- b. The issuance of compliance warning tickets shall be as a courtesy in lieu of instituting a prosecution in court for the alleged offense. However, nothing herein contained shall prevent the filing of a complaint in the first instance in the Circuit Court of Cook County **or through the Administrative Adjudication Process set forth in Article VIII of this Chapter** and the payment of fines and costs, which shall be established by the Circuit Court **or Hearing Officer**.”

SECTION 4. REGULATIONS FOR VILLAGE PARKING FACILITIES. Section 16-216, titled “Regulations for Village Parking Facilities,” of Article II, titled “Parking,” of Chapter 18, titled “Traffic,” of the Village Code is hereby amended to read as follows:

“Section 18-216 Regulations for Village Parking Facilities. Village parking facilities are limited use public facilities. It shall be unlawful for any person:

* * *

Any person violating Section **18-216.h or Section** 18-216.i of this Code is subject to the penalties set forth in Section 8-601 of this Code, except that, for the first violation of Section **18-216.h or Section** 18-216.i, a penalty of community service may be imposed in lieu of the penalties in Section 8-601.”

SECTION 5. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force

and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 6. PUBLICATION. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois

SECTION 7. EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED THIS ___ day of _____, 2023.

Village President

ATTEST:

Village Clerk