

AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF PEORIA PERTAINING TO ENVIRONMENTAL VIOLATION FINES, and ADMINISTRATIVE FEE for WORK ORDERS.

WHEREAS, the City of Peoria, Illinois is a home rule municipality pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, Illinois as follows:

Section 1. There shall be added to the Code of the City of Peoria the following underlined words and deleting the following stricken words in Article I of Chapter 13 of the Code of the City of Peoria pertaining to GARBAGE, LITTER, VEGETATION AND INOPERABLE MOTOR VEHICLES.

Article I. In General

Sec. 13-8. - Lien and personal judgment.

- (a) The cost, administration fee not to exceed ~~\$12575.00~~, mailing cost, recording and releasing of lien fees, service of process fees, and any attorney fees, of cutting the weeds and the removal of the litter or motor vehicle parts from private property shall be recoverable from the owner or person in control of the real estate and is a lien thereon. The lien shall be superior to all prior existing liens and encumbrances, except taxes; provided, however that within one year after completion of the cutting of the weeds, or the removal and disposal of the litter or motor vehicle parts, the corporation counsel shall file a notice of lien for the all cost and expenses as stated above incurred by the city in the office of the recorder of deeds of the county. Upon payment of the all cost and expenses as stated above, the lien shall be released by the corporation counsel.

Sec. 13-10. - Penalty and settlement option.

- (a) Penalty for conviction: Anyone convicted in a court of law of a violation of any act prohibited or declared to be unlawful by this chapter, except section 13-41, 13-45 and 13-46, shall be punished by a fine of not less than \$50.00 for the first offense, not less than ~~\$2400.00~~ for the second offense, ~~not less than \$200.00 for the third offense, not less than \$300.00 for the fourth offense, not less than \$400.00 for the fifth~~, and not less than \$500.00 for ~~third~~six or subsequent offense within any two-year period. No one shall be punished by a fine in excess of the amount provided for in section 1-5 of this Code for each violation. The court shall have discretion to modify the penalties as stated in this paragraph (a) based on exigent circumstances.
- (b) Pre-court settlement: For the violation of any section of this chapter, except sections 13-41, 13-45 and 13-46, a person may settle the violation by making a payment of ~~\$50.00 for the first violation, \$100.00 for the second violation, \$200.00 for the third violation, \$300.00 for the fourth violation, \$400.00 for the fifth violation and \$500.00 for any subsequent violation within any two-year period~~the fine amount as outlined in Sec. 13-10(a) to the city treasurer for each violation indicated on the complaint at least seven calendar days prior to the court appearance date indicated on the complaint. Said payment must be actually received by the city at least seven days prior to the court date. Payment shall be made by cash, certified check, cashier's check or money order made payable to the City of Peoria.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this ____day
of _____, 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel