

**AGENDA ITEM EXECUTIVE SUMMARY**

Agenda Item number: INN

Title:

Recommendation to approve an Ordinance Amending Title 9 “Public Peace, Morals and Welfare”, Chapter 9.64 “Penalties”, Section 9.64.010 “Penalties” of the City of St. Charles Municipal Code

Presenter:

Police Chief Keegan

Meeting: City Council

Date: April 27, 2020

Proposed Cost: N/A

Budgeted Amount: \$

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

The Police Department is requesting a penalty modification for Title 9, “Public Peace, Morals and Welfare,” to allow officers the ability to cite violators on-scene with minimum fines codified within the ordinance/violation as opposed to mandatory court dates (Administrative Adjudication). This broadens our ability to expedite violations and free up officers while on patrol with unnecessary paperwork and time restraints. It also reduces those mandated to appear in court (adjudication).

9.64.010 specifically covers this entire chapter unless fines are codified within a specific subsection such as Fighting in Public (9.09).

**Attachments** *(please list):*

Ordinance with proposed changes

**Recommendation/Suggested Action** *(briefly explain):*

The Police Department recommends approval of these updates to Title 9 “Public Peace, Morals and Welfare” of the City Ordinance, to include modifications to Chapter 9.64 “Penalties” of the City Ordinance.

## **Proposed Changes to Chapter 9.64.010 “Penalties”**

Any person, firm or corporation violating any provision of this title shall be fined not less than **one hundred dollars (\$100.00) for their first offense nor more than seven hundred fifty dollars (\$750.00) for each subsequent offense**, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Further, any person, firm or corporation violating any provision of this Title may also be required to perform some reasonable public service work, such as, but not limited to, the pickup up of litter in public parks or along public highways or the maintenance of public facilities.

**City of St. Charles, Illinois**  
**Ordinance No. 2020-M-\_\_\_\_\_**

**An Ordinance Amending Title 9 “Public Peace, Morals and Welfare”, Chapter 9.64  
“Penalties”, Section 9.64.010 “Penalties” of the City of St. Charles Municipal Code**

Be it ordained by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

**Section 1.** Title 9 “Public Peace, Morals, and Welfare”, Chapter 9.64 “Penalties”, Section 9.64.010 “Penalties” of the City of St. Charles Municipal Code Book be and is hereby amended by removing the section entirely and replacing it with the following:

Any person, firm or corporation violating any provision of this title shall be fined not less than one hundred dollars (\$100.00) for their first offense nor more than seven hundred fifty dollars (\$750.00) for each subsequent offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Further, any person, firm or corporation violating any provision of this Title may also be required to perform some reasonable public service work, such as, but not limited to, the pickup up of litter in public parks or along public highways or the maintenance of public facilities.

**Section 2:** That after the adoption and approval hereof this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

**Section 3:** This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

**PRESENTED** to the City Council of the city of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**PASSED** by the City Council of the city of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**APPROVED** by the Mayor of the city of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Raymond P. Rogina, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

COUNCIL VOTE:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_