



LEGAL DIVISION
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Memorandum

DATE: June 2, 2005
TO: The Urbana City Council
FROM: Jack Waaler
RE: Curfew Ordinance/Minimum Fines

When Ordinance No. 2004-06-068 was passed by the Council, the intention was to establish escalating fines for violations of the curfew ordinance for the City's "pay-by-mail" ordinance violation cases. Unfortunately, when the Council passed Ordinance No. 2004-09-125, the escalating fines section was inadvertently repealed by that ordinance.

In order to correct the error, the attached ordinance is being presented to reinstate the escalating fine provision for curfew ordinance violations.

ORDINANCE NO. 2005-06-084

AN ORDINANCE AMENDING SECTIONS 1-18 AND 15-63
OF THE CODE OF ORDINANCES

(PAY-BY-MAIL SCHEDULE AND CURFEW ORDINANCE)

WHEREAS, on August 16, 2004 the City Council passed Ordinance No. 2004-06-068, which such ordinance amended Sections 1-18 and 15-63 of the Code of Ordinances relating to Curfew for minors and minimum and maximum fines for curfew offenses; and

WHEREAS, on September 20, 2004 the City Council passed Ordinance No. 2004-09-125, which such ordinance amended Section 1-18 of the Code of Ordinances pertaining to the Minimum Fine Schedule for Certain Violations; and

WHEREAS, as a result of the passage of Ordinance No. 2004-09-125, the fines for curfew violations that were previously amended in Ordinance No. 2004-06-068, were mistakenly repealed.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That Section 1-18 "Minimum fine schedule for certain violations" of the Code of Ordinances of the City of Urbana is amended to read as follows:

"15-63. Curfew for minors:
1st offense: \$25.00
2nd offense: \$50.00
3rd offense: \$75.00

Violations by parents, guardians, etc.:
1st offense: \$25.00
2nd offense: \$50.00
3rd offense: \$75.00"

Section 2. That Section 15-63 "Curfew for Minors" of the Code of Ordinances of the City of Urbana is amended by deleting subsection (e) pertaining to the maximum fine to be charged for curfew violations.

Section 3. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this ____ day of _____, 2005.

AYES:

NAYS:

ABSTAINED:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this ____ day of _____, _____.

Laurel L. Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I CERTIFY THAT ON THE ____ DAY OF _____, _____, THE CORPORATE AUTHORITIES OF THE CITY OF URBANA PASSED AND APPROVED ORDINANCE NO. _____, ENTITLED "AN ORDINANCE AMENDING SECTIONS 1-18 AND 15-63 OF THE CODE OF ORDINANCES (PAY-BY-MAIL SCHEDULE AND CURFEW ORDINANCE)" WHICH PROVIDED BY ITS TERMS THAT IT SHOULD BE PUBLISHED IN PAMPHLET FORM.

The pamphlet form of the Ordinance was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the ____ day of _____, _____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this ____ day of _____, _____.

(SEAL)

Phyllis D. Clark, CITY CLERK