



LEGAL DIVISION
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Memorandum

DATE: June 15, 2005
TO: The Urbana City Council
FROM: Jack Waaler
RE: Curfew Ordinance/Minimum Fines

The attached ordinance and its attachment are being presented to reinstate the escalating fine provision for curfew ordinance violations. The language concerning repeal of the maximum fine has been deleted from the proposed ordinance, preserving the maximum fine of \$75. The ordinance modifies Section 1-18 to reflect both minor and parent/guardian offenses and the escalating fine schedule for subsequent violations of the curfew ordinance. Also attached is the Champaign curfew ordinance and fine information.

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2004-09-125, the fines for curfew violations that were previously amended in Ordinance No. 2004-06-068, were mistakenly repealed.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. 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

ATTACHMENT

to Ordinance No. _____

An Ordinance amending Section 1-18 and 15-63 of the Code of Ordinances

(Pay-by-mail Schedule and Curfew Ordinance)

Sec. 1-18. Minimum fine schedule for certain violations.

The minimum fine for violating certain sections of the Code of Ordinances, City of Urbana, Illinois shall be as follows:

Section	Section Title	Minimum Fine
<u>Chapter 3 Alcoholic Liquors</u>		
3-3	Hours of operation.	\$ 200.00
3-4	Sale to minors, drunkards, and the like.	135.00
3-5	Transporting in motor vehicle.	200.00
3-20	Allowing to frequent or remain in public areas of Class A establishments. [Minors]	135.00
3-21	Warning to minors [to be posted].	135.00
3-22	Purchase, consumption or acceptance of gift by minors; misrepresentation of age.	135.00
3-23	Identification cards.	135.00
3-24	Employment of Minors	135.00
3-39	Required. (Liquor license)	200.00
3-59	Consumption [& Possession] on public property - Prohibited.	135.00
3-60	Carrying open container of alcoholic liquor out of liquor service premises.	135.00
<u>Chapter 3.5 Ambulances</u>		
3.5-57	Compliance with emergency dispatch procedures.	135.00
3.5-58	Monitoring emergency dispatch calls.	135.00
3.5-30	Ambulance service license required; exceptions.	135.00
<u>Chapter 3.7 Amusements</u>		
3.7-13	License required. (Amusement devices)	135.00

<u>Chapter 4 Animals and Fowl</u>		
4-6	Cruelty.	200.00
4-11	Mistreating, interfering with, etc., police dogs.	135.00
4-12	Disturbing the peace. (Animals)	135.00
4-23	Animals Running At Large.	135.00
4-31	Removal of dog excrement.	135.00
<u>Chapter 6 Civil Emergencies</u>		
6-1	Proclamation by mayor for public curfew.	135.00
<u>Chapter 8 Fire Prevention and Protection</u>		
8-2	Obstructing fire hydrants.	135.00
8-3	Removal of property salvaged at fires.	135.00
<u>Chapter 9 Food and Food Establishments</u>		
9-3	Health District permit prerequisite.	135.00
<u>Chapter 9.5 Games of Chance</u>		
9.5-21	License required. (Raffle license)	135.00
9.5-27	Conduct of raffles; tickets; advertisements.	135.00
<u>Chapter 10 Garbage and Refuse</u>		
10-25	Vehicle operating requirements.	135.00
10-81	Unauthorized tampering	50.00
<u>Chapter 11 Health and Sanitation</u>		
11-19	Open Burning.	135.00
11-34	Prohibitions generally. (Smoking)	135.00
11-36	Prohibited smoking on buses.	135.00
11-37	Responsibility of proprietors. (Smoking)	135.00
11-52	Collection required.	135.00
11-53	Containers.	135.00
<u>Chapter 13 Library</u>		
13-1	Creating disturbances	135.00
13-2	Loitering	50.00
13-3	Failure to return books or pay fines	135.00
13-4	Mutilating, etc., books, etc.	135.00

13-5	Unlawful removal of articles.	135.00
13-6	Those prohibited from use not to visit.	135.00
<u>Chapter 15 Miscellaneous Offenses and Provisions</u>		
15-3	Hindering performance by or refusing to obey direction of city officer or employee.	50.00
15-4	Impersonation of city officers and employees.	200.00
15-16	Assault.	200.00
15-17	Battery.	200.00
15-18	Reckless conduct.	135.00
15-31	Breaking and entering.	200.00
15-32	Theft.	135.00
15-33	Destroying or injuring property--Generally.	135.00
15-34	Same--Caps or lids connected with water, sewerage or gas companies.	135.00
15-35	Criminal trespass to land generally.	135.00
15-36	Criminal trespass to city-supported land.	135.00
15-43	Definitions. (Retail theft)	135.00
15-59	Loitering.	50.00
15-60	Disorderly conduct.	50.00
15-61	Mob action.	200.00
15-62	Fireworks.	135.00
15-63	Curfew for minors and parent/guardian violations. (first/second/third offense)	25/50/75
15-64	Public urination and defecation prohibited.	135.00
15-71	Throwing stones, missiles, etc.	135.00
15-72	Use of slings and air guns prohibited.	135.00
<u>Chapter 16 Noises and Vibrations</u>		
16-2	Prohibitions generally.	200.00
16-7	Construction operations.	200.00
16-8	Motor vehicles [Noise offenses]	135.00
16-9	Horns and signaling devices on vehicles.	135.00
<u>Chapter 17 Peddlers, Solicitors and Transient Merchants</u>		
17-3	Refusing to leave premises; posting of premises.	135.00
17-4	Use of residential streets prohibited; exception peddlers and permit holders.	135.00

17-16	Required. (Solicitor license)	135.00
<u>Chapter 20 Streets, Sidewalks and Other Public Places</u>		
20-44	Permission required. (Obstructions)	50.00
20-45	Merchandise. (Obstructions)	135.00
20-46	Building materials. (Obstructions)	135.00
<u>Chapter 23 Local Traffic Code</u>		
23-35	Use of coasters, roller skates and similar devices restricted	50.00
23-107	Climbing on vehicles in motion	50.00
23-108	Clinging to moving vehicles	50.00
23-109	Unlawful riding	50.00
23-110	Required. (Parade permit)	135.00
23-119(a)	Interference. (Parades)	135.00
23-119(b)	Driving through parades.	135.00
23-144	Riding on sidewalks	50.00
<u>Chapter 26 Vehicles for Hire</u>		
26-41	Required. (Taxicab business license)	135.00
26-26	Required. (Illinois Driver's License and City taxicab driver's license)	135.00