

**VILLAGE OF BUCKINGHAM**  
**ORDINANCE NO. 26-\_\_\_\_\_**

**AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE ADJUDICATIONS  
SYSTEM FOR THE VILLAGE**

WHEREAS, the Board of Trustees believes that establishing an administrative adjudications system to handle building code violations and certain ordinance violations is a more efficient method than litigation and other measures previously employed by the Village; and

WHEREAS, neighboring municipalities have expressed interest in joining with the Village to establish a pooled administrative adjudications system to share costs and personnel; and

WHEREAS, the Board of Trustees believes that establishing an administrative adjudications system is in the best interests of the Village,

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF  
TRUSTEES OF THE VILLAGE OF BUCKINGHAM, AS FOLLOWS:**

- A. Title One of the Village Code is amended to include Chapter 11, “Administrative Adjudication of Ordinance Violations,” with the text following this Ordinance.
- B. This Ordinance is adopted pursuant to procedures set forth in the Illinois Municipal Code.
- C. The Village Clerk is authorized and directed to publish this Ordinance in pamphlet form, and this Ordinance shall be in full force and effect upon its adoption, approval and publication as provided by law.
- D. If any section, subdivision or sentence of this Ordinance shall for any reason be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions and provisions of this Ordinance.

**PASSED AND APPROVED** this 6th day of April, 2026.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT**

**ATTEST:** \_\_\_\_\_  
**VILLAGE CLERK**

**TITLE 1, CHAPTER 11**  
**ADMINISTRATIVE ADJUDICATION OF ORDINANCE**  
**VIOLATIONS**

**Sec. 1-11-1. - Purpose.**

The stated purpose of this article is to provide for fair and efficient enforcement of village vehicular standing and parking regulations violations; village vehicle license requirements, and other village ordinance violations as may be allowed by law, through an administrative adjudication of violations of such village ordinances and establishing a schedule of uniform fines and penalties, and authority and procedures for collection of unpaid fines and penalties.

**Sec. 1-11-2. - Jurisdiction.**

Violations of the ordinances hereinafter listed may hereby be prosecuted under the administrative procedure hereinafter set forth, to wit:

- Title 3 - Business Regulations
- Title 4 - Building Regulations
- Title 5 - Zoning
- Title 7 - Public Ways and Property
- Title 8 - Public Health and Safety
- Title 9 - Police Regulations

**Sec. 1-11-3. - Appointments.**

All appointments required in this article shall be made by the Village President of the Village of Buckingham with the concordance of the board of trustees.

**Sec. 1-11-4. - Administrative composition.**

The system of administrative adjudication of ordinance violations shall be composed of a hearing officer, ordinance enforcement administrator,

system coordinator and hearing room personnel, with the power and authority as follows:

- (1) The hearing officer is hereby authorized and directed to:
  - A. Preside over administrative hearings, as the adjudicator.
  - B. Administer oaths.
  - C. Issue subpoenas to secure the attendance of witnesses and production of relevant papers or documentation.
  - D. Assess fines and penalties for any ordinance violation.
  - E. Make final determination of:
    1. Vehicular standing and/or parking regulation violation(s) liability; vehicle sticker liability; or any other ordinance violation authorized to be adjudicated pursuant to this chapter.
    2. Validity of notice of impending impoundment.
    3. Validity of notice of impending driver's license suspension.
  - F. Provide for recording of all administrative adjudication hearings.
- (2) Ordinance enforcement administrator is authorized and directed to:
  - A. Operate and manage the system of administrative adjudication of vehicular standing and parking regulation violations; vehicle license or sticker requirements; and any other village ordinance violation as may be permitted by law and directed by ordinance.

B. Adopt, distribute and process all notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.

C. Collect moneys paid as fines and/or penalties assessed after a final determination of liability.

D. Conduct hearings, as a hearing officer, with the same power and authority as is hereinafter set forth during the absence of the appointed hearing officer.

E. Certify copies of final determinations of standing and/or parking regulation violation liability; vehicle sticker violation; or any other ordinance violation adjudicated pursuant to this chapter, and any factual reports verifying the final determination of any violation liability which was issued in accordance with this article, the laws of the State of Illinois, including 625, Section 5/11-208.3 of the Illinois *Compiled Statutes* as from time to time amended.

F. Certify reports to the secretary of state concerning initiation of suspension of driving privileges in accordance with the provisions of the chapter as hereinafter set forth, and those of Chapter 625, Section 5/6-306.5 of the Illinois *Compiled Statutes*.

G. Review any final determination of vehicular standing and/or parking regulation violation liability, validity of notices of impending impoundment or validity of notice of impending drivers license suspension, in an administrative review capacity in accordance with the provisions of this ordinance.

H. Review any final determination of any vehicle sticker violation or any other ordinance violation adjudication pursuant to this chapter.

I. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.

J. Collect unpaid fines and penalties by filing complaints in the county circuit court or selecting or appointing an individual or agency to act on behalf of this village in filing complaints seeking judgments or

unpaid fines or penalties and pursuit of all post-judgment remedies available by current law.

K. Select or appoint an individual, agency or firm to tow and impound vehicles in accordance with the provisions of this chapter as hereinafter set forth.

(3) System coordinator is hereby authorized and directed to operate and maintain the computer programs for the administrative adjudication system hereby created, on a day-to-day basis, including but not limited to:

A. Input of violation notice information.

B. Establishing court dates and notice dates.

C. Record fine and penalty assessment and payments.

D. Issue payment receipts.

E. Issue succeeding notice of hearing dates and/or final determination of liability, notice of impending impoundment of impending drivers license suspension, as directed by the ordinance enforcement administrator in accordance with the provisions hereinafter set forth.

F. Keep accurate records of appearances and nonappearances at administrative hearings, pleas entered, fines and penalties assessed and paid.

(4) Hearing room personnel shall be qualified off-duty, full-time, part-time or auxiliary police officers who are hereby authorized and directed to:

A. Maintain hearing room decorum.

B. Have and execute authority as is granted to courtroom deputies of the circuit court.

C. Perform such other duties or acts as may reasonably be required and as directed by the hearing officer or ordinance enforcement administrator.

(5) The village president is hereby authorized to appoint persons to hold the positions above set forth. One person may hold and fulfill the requirements of one or more of the above stated positions and compensation for each of the above stated positions shall be as approved by the board of trustees.

#### **Sec. 1-11-5. - Procedure.**

The system of administrative adjudication of vehicle standing or parking regulation, vehicle sticker violation, or any other ordinance violation authorized to be adjudicated hereunder, shall be in accordance with the following procedures:

(1) Violation notice of vehicular standing or parking regulation or vehicle sticker violation (violation notice) shall be issued by the persons authorized herein and shall contain information and shall be served, certificated and have evidentiary admissibility as is hereinafter set forth.

(2) All full-time, part-time and auxiliary police officers as well as other specifically appointed individuals shall have the authority to issue violation notices.

(3) Any individual authorized hereby to issue violation notices and who detects a violation any section of any village ordinance restricting, regulating or prohibiting the standing or parking of motor vehicles or vehicle sticker requirements, shall issue a notice of violation thereof and shall make service thereof as is hereinafter set forth.

(4) The violation notice shall contain, but shall not be limited to, the following information:

- A. The date, time and place of the violation (date of issuance).
- B. The particular regulation violated.
- C. Vehicle make and state registration number.
- D. The fine and any penalty which may be assessed for late payment.
- E. The signature and identification number of the person issuing the notice.

F. A section entitled "request for hearing" which shall clearly set forth that the registered owner, operator or lessee may appear at an administrative hearing to contest the validity of the violation notice on the date and at the time and place as specified in the violation notice by:

1. Checking or placing a mark in a space provided and clearly identified, "request for hearing";
2. Placing his/her name and current address in the place provided;
3. Signing his/her name in the indicated place; and
4. Filing the violation notice with the "request of hearing" portion fully completed with the ordinance enforcement administrator within, but not later than, 14 days from the date of issuance of the violation notice. The request shall be deemed filed upon receipt by the ordinance enforcement administrator.

G. The date, time, and place of an administrative hearing at which the violation may be contested on its merits.

H. That payment of the indicated fine and any late payment penalty shall operate as a final disposition.

I. A section entitled, nonresident request for hearing—Nonappearance, which clearly sets forth that a nonresident registered owner, operator or lessee may have a hearing to contest the validity of the violation notice for any vehicular standing or parking violation without personally appearing by:

1. Checking or placing a mark in a space provided and clearly identified, "nonresident request for hearing—Nonappearance";
2. Placing his/her name and current address in the place provided;
3. Signing his/her name in the indicated place;
4. Filing the violation notice with the nonresident request for hearing portion fully completed, with the ordinance enforcement administrator within, but not later than 14 days from date of issuance of the violation notice. The request shall be deemed filed upon receipt by the ordinance enforcement administrator; and
5. Filing a notarized statement of facts specifying the grounds for challenging the violation notice which must be filed, with the ordinance enforcement administrator, no later than five days prior to the hearing date specified on the violation notice.

J. A clearly marked statement that execution of the nonresident request for hearing is a waiver of the nonresident's right to a personal appearance and that the adjudication will be made based upon the

notarized statement of facts submitted by the nonresident and the facts contained in the violation notice.

**Sec. 1-11-6. - Service.**

(a)

Service of any violation notice shall be made by the person issuing such notice by:

(1)

Affixing the original or a facsimile of the notice to a vehicle, or

(2)

Handing the notice to the registered owner, operator or lessee of the vehicle, if present.

(b)

The correctness of facts contained in any violation notice shall be certified by the person issuing said notice by:

(1)

Signing his/her name to the notice at the time of issuance, or

(2)

In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the ordinance enforcement administrator, attesting to the correctness of all notices produced by the device while under his/her control.

(3)

The original or a facsimile of the violation notice shall be retained by the ordinance enforcement administrator and kept as a record in the ordinary course of business.

(4)

Any violation notice issued, signed and served in accordance herewith, or a copy of the notice, shall be *prima facie* correct and shall be *prima facie* evidence of the correctness of the facts shown on the notice and shall be admissible in any subsequent administrative or legal proceeding.

**Sec. 1-11-7. - Administrative hearings.**

An administrative hearing to adjudicate any alleged ordinance violation on its merits, or to contest the validity of a notice of impending impoundment, or the validity of a notice of impending drivers license suspension shall be granted to the registered owner or operator of the

"cited vehicle", pursuant to Illinois *Compiled Statutes* Chapter 625, Subsection 5/11-208.3 or the lessee of the "cited vehicle", pursuant to Illinois *Compiled Statutes*, Chapter 625, Subsection 5/11-1306, incorporated herein by reference and at the date, time and place as is set forth in the violation notice issued and served, the second notice issued in accordance with this ordinance or as is set by the ordinance enforcement administrator and served upon the registered owner, operator or lessee for hearings contesting the validity of notices of impending impoundment or drivers license suspension. All administrative hearings shall be recorded and shall culminate in a determination of liability or nonliability, made by the hearing officer, who shall consider facts and/or testimony without the application of the formal or technical rules of evidence. The hearing officer shall, upon a determination of liability, assess fines and penalties in accordance with Section 1-4-1. Persons appearing to contest the alleged violation on its merits may be represented by counsel at their own expense. The final determination of any matter which may be decided by the hearing officer may be reviewed as is hereinafter set forth.

**Sec. 1-11-8. - Additional notices.**

(a) Upon failure of the registered owner, operator or lessee of the "cited vehicle" to appear at the administrative hearing indicated in the violation notice, or upon final determination of violation liability, the ordinance enforcement administrator shall send or cause to be sent additional notices by first class mail, postage prepaid to the registered owner or operator of the "cited vehicle" at the address as is recorded with the secretary of state, and shall be sent to the lessee of the "cited vehicle" at the address last known to the lesser of the "cited vehicle" at the time of the lease. Service of additional notices sent in accordance herewith shall be completed as of the date of deposit in the United States mail.

(b) The additional notices sent in accordance herewith shall be in the following sequence and contain, but not be limited to, the following information:

(1) Upon the failure of the registered owner, operator or lessee of the "cited vehicle" to appear at the hearing set forth in the violation notice, a second notice shall be sent, as above set forth, and shall contain, but not be limited to the following information:

- A. Date and location of violation cited in the violation notice;
- B. Particular ordinance violated;

- C. Vehicle make and state registration number;
- D. Fine and any penalty that may be assessed for late payment;
- E. A section entitled "request for hearing" which shall clearly set forth that the registered owner, operator or lessee may appear at an administrative hearing to contest the validity of the violation notice on the date and at the time and place as specified in the violation notice by:
  - 1. Checking the space provided and clearly identified, "request for hearing";
  - 2. Placing his/her name and current address in the place provide;
  - 3. Signing his/her name in the appropriate indicated place; and
  - 4. Filing the violation notice with the "request for hearing" portion fully completed with the ordinance enforcement administrator within, but not later than, 21 days from the date of issuance of the violation notice. The request shall be deemed filed upon receipt by the ordinance enforcement administrator.
- F. A section entitled "Nonresident request for hearing—Nonappearance", which clearly sets forth that a nonresident registered owner, operator or lessee may have a hearing to contest the validity of the violation notice without personally appearing by:
  - 1. Checking the space provided and clearly identified, "Nonresident Request for Hearing—Nonappearance";
  - 2. Placing his/her name and current address in the place provided;
  - 3. Signing his/her name in the indicated place; and
  - 4. Filing the violation notice with the nonresident request for hearing portion fully completed with the ordinance enforcement administrator within, but not later than, 21 days from the date of issuance of the violation notice. The request shall be deemed filed upon receipt by the ordinance enforcement administrator. A notarized statement of facts specifying the grounds for challenging the violation notice must be filed with the ordinance enforcement administrator, no later than five days prior to the hearing date specified on the violation notice. A clearly marked statement that execution of the nonresident request for hearing—Nonappearance, is a waiver of the nonresident's right to a personal appearance and that the adjudication will be made based upon the notarized statement of facts submitted by the nonresident and the facts contained in the violation notice.
- G. Date, time, and place of the administrative hearing at which the alleged violation may be contested on its merits.

H. Statement that failure to either pay fine and applicable penalty or failure to appear at the hearing on its merits on the date and at the time and place specified will result in a final determination of liability for the "cited" violation in the amount of the fine and penalty indicated.

I. Statement that upon the occurrence of a final determination of liability for the failure, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the village.

(c) A notice of final determination of liability shall be sent following at conclusion of administrative and/or judicial review, as is hereinafter set forth, and shall contain, but not be limited to, the following information and warnings:

(1) A statement that the unpaid fine and any penalty assessed is a debt due and owing the village.

(2) A warning that failure to pay the fine and any penalty due and owing the village within the time specified may result in the village's filing a complaint in the circuit court to have the unpaid fine or penalty rendered a judgment in accordance with Illinois *Compiled Statutes*, Chapter 625, Section 5111 208.3(f), incorporated herein by reference or any other applicable state law.

(3) A warning that the person's drivers licenses may be suspended for failure to pay fines or penalties for ten or more vehicular standing or parking violations under Illinois *Compiled Statutes*, Chapter 625, Section 5/6-06.5, incorporated herein by reference.

(4) A warning that the vehicle owned by the person and located within the village may be impounded for failure to pay fines or penalties for ten or more vehicular standing or parking regulation violations.

(d) A notice of impending suspension of a person's drivers license shall be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing on ten or more vehicular standing or parking regulation violations:

(1) The notice shall state that the failure to pay the fine or penalty owing within 45 days of the date of the notice will result in the village's notifying the secretary of state that the person is eligible for initiation of suspension proceedings under Illinois *Compiled Statutes*, Chapter 625 Section 5/6-306.5, incorporated herein by reference.

(2) The notice of impending drivers license suspension shall be sent by first class mail, postage prepaid, to the address recorded with the secretary of state.

**Sec. 1-11-9. - Final determination of liability.**

A final determination of liability shall occur following the failure to pay the fine or penalty after the hearing officer's determination of liability and the exhaustion of, or the failure to exhaust, any administrative review procedures hereinafter set forth. Where a person fails to appear at the administrative hearing to contest the alleged violation on the date and at the time and place specified in a prior served or mailed notice, the hearing officer's determination of liability shall become final either upon a denial of a timely petition to set aside that determination or upon the expiration of the period for filing a petition without a filing having been made.

**Sec. 1-11-10. - Administrative review.**

(a) A petition to set aside a determination of liability may be filed by a person owing an unpaid fine or penalty with the office of the ordinance enforcement administrator within, but not later than, 14 days from the date the determination of liability is made. The ordinance enforcement administrator shall act upon the petition timely filed and render a decision thereon within 14 days of the date filed.

(b) The grounds for setting aside a determination of liability shall be limited to the following:

(1) The person against whom the determination of liability is made was not the owner or operator of the "cited vehicle" on the date the violation notice was issued.

(2) The persons having paid the fine or penalty prior to the determination of liability for the violation in question.

(3) Excusable failure to appear at or request a new date for hearing.

© Should the determination of liability be set aside, the ordinance enforcement administrator shall notify the registered owner, operator or lessee, as the case may be, that the determination of liability has been set aside and the date, time and place for a hearing on the merits. The notice shall be by first class mail, postage prepaid to the address set forth on the petition to set aside the determination of liability, and shall be complete on the date the notice is deposited in the United States mail.

(Ord. No. 2002-05-14C, § 1, 5-14-02)

**Sec. 1-11-11. - Nonresident procedures.**

(a) Nonresidents of this village who have been served vehicular standing or parking regulation violation notice, in accordance with this ordinance, may contest the alleged violation on its merits, as could a resident, or may contest the validity without personally appearing at an administrative hearing by:

(1) Completing, in full, the "nonresident request for hearing" section of the "violation notice", served upon him/her or the nonresident request for hearing of the "second notice" sent to him/her pursuant to this ordinance.

(2) Signing the nonresident request for hearing in the space specified in the "violation notice" or "second notice", as the case may be, and acknowledging that his/her personal appearance is waived and submitting to an adjudication based upon the notarized statement filed by him/her and the facts contained in the "violation notice".

(3) Filing the "violation notice" or "second notice" with the request for hearing section fully completed with the ordinance enforcement administrator within 14 days from the issue date of the "violation notice". Filing of the request for hearing shall be deemed complete upon receipt by the ordinance enforcement administrator.

(4) Filing a notarized statement of facts specifying the grounds for challenging the "violation notice" not later than five days prior to the hearing date as specified in the "violation notice" or the "second notice", as the case may be. This statement will be deemed filed upon receipt by the ordinance enforcement administrator.

(b) The hearing officer shall make an adjudication based upon the facts set forth in the notarized statement of facts filed by the nonresident as is contained in the "violation notice" and a notice of the determination shall be served upon the nonresident by first class mail, postage prepaid, addressed to the nonresident at the address set forth in the statement of facts submitted. Service of the notice shall be complete on the date the notice is placed in the United States mail. All other provisions of this article shall apply equally to nonresidents of this village.

**Sec. 1-11-12. - Schedule of fines/penalties.**

(a) The fines and penalties imposed under this article shall be in accordance with Section 1-4-1 with regard to maximum amounts that are authorized to be assessed.

(b) A person accused of violating a section of the Code set forth in tables 1 and 2 of this section may settle the alleged violation by paying the minimum fines set forth in tables 1 and 2, if payment is made within the time and in the manner set forth herein.

(c) Within 48 hours after the date that the violation notice was issued, a person accused of the violation may settle the case by paying the minimum fine set forth in table 1 of this section. A payment shall be considered to have been made within 48 hours if it is actually received at the village office, or such other place designated by the village for receipt of fines, within that time period.

(d) Between 48 hours and 14 days after the date that the violation notice was issued, a person accused of the violation may settle the case by paying the minimum fine set forth in table 2 of this section. A payment shall be considered to be made within 14 days if it is actually received at the village office, or such other place designated by the village for receipt of fines, within that time period.

TABLE 1		
9-4-2	Animal running at large	\$50.00
8-3-2	Abandoned or derelict vehicles	50.00

5-10	Parking violations	100.00
	Illinois Vehicle Code	100.00
_8-4	Littering	50.00
3-6-14B	Drunkenness	100.00
9-1-5	Disorderly conduct	100.00
9-2-1	Curfew Violation	50.00

TABLE 2		
9-4-2	Animal running at large	\$100.00

8-3-2	Abandoned or derelict vehicles	100.00
5-10	Parking violations	200.00
	Illinois Vehicle Code	200.00
8-4	Littering	100.00
3-6-14B	Drunkenness	200.00
9-1-5	Disorderly conduct	200.00
9-2-1	Curfew Violation	100.00

**Sec. 1-11-13. - Immobilization/towing and impoundment.**

- (a) Any motor vehicle whose registered owner has been determined to be liable for ten or more vehicular standing or parking regulation violation(s), for which the fines or penalties assessed remain unpaid, may be immobilized or towed and impounded if
  - (1) The ordinance enforcement administrator has determined that a person has been determined to be liable for ten or more vehicular

standing or parking regulation violation(s), the fines or penalties for which remain unpaid.

(2) The person determined to be liable for ten or more violations is the registered owner of a motor vehicle located within the village geographical boundaries.

(3) A pre-towing notice has been sent to the registered owner of the motor vehicle located within the geographical boundaries of the village which contains, but shall not be limited to the following:

A. That a final determination has been made on ten or more vehicular standing or parking regulation violation(s), the fines and penalties for which remain unpaid.

B. A listing of the violation(s) for which the person has been determined to be liable, which shall include for each violation:

1. The vehicular standing or parking regulation violation notice number.

2. Date of issuance.

3. Total amount of fines and penalties assessed.

C. That the motor vehicle owned by the person and located within the village are subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within, but not later than 14 days of the date of the notice.

D. That the registered owner may contest the validity of the notice by fully completing and signing the request for hearing portion of one notice and by filing the request for hearing with the ordinance enforcement administrator within, but not later than 14 days of the date of the notice. The request for hearing shall be deemed filed upon receipt by the ordinance enforcement administrator.

(4) The motor vehicle of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and no timely request for hearing has been filed with the ordinance enforcement administrator to contest the validity of the notice.

(5) Upon the receipt of the request for hearing to contest the validity of the notice of impending immobilization or towing and impoundment, the ordinance enforcement administrator shall schedule an administrative hearing to contest the validity of said notice on the next scheduled hearing date, (but in no case shall the hearing be scheduled later than 30 days after the request of hearing is filed) and shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid to the address as is set forth on the request for hearing. Service of

the notice shall be complete on the date it is placed in the United States mail.

(b) The registered owner of a vehicle(s) immobilized or towed and impounded under this section shall have the right to a prompt administrative hearing without the requirement of payment of outstanding fines and penalties for which final determination has been made.

(1) The ordinance enforcement administrator shall serve a post-towing notice upon the registered owner of a vehicle immobilized or towed and impounded under this section which notice shall contain, but not be limited to the following information:

A. Date of immobilization or towing and date of impoundment.

B. Location of vehicle.

C. That the vehicle was immobilized under this section of this article for nonpayment of fines or penalties assessed for the violation of ten or more violations of vehicular standing or parking regulation for which the registered owner has been determined liable and notified of impending immobilization or towing and impoundment.

D. Date of notice of impending immobilization or towing and impoundment.

E. That the registered owner may contest the validity of the immobilization or towing and impoundment by completing and signing the request for hearing portion of the notice and filing the request for hearing with the ordinance enforcement administrator within, but not later than, 14 days of the date of the notice which shall be deemed filed upon receipt by the ordinance enforcement administrator.

© Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the ordinance enforcement administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next scheduled hearing date or if sooner scheduled by the ordinance enforcement administrator for good cause shown, but in no case shall the hearing be scheduled later than 30 days after the request for hearing is filed and shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid to the address as is set forth on the request for hearing. Service of the notice shall be complete on the date it is placed in the United States mail.

(d) An order entered after the hearing to contest the validity of the immobilization or towing and impoundment is a final administrative

decision within the meaning of Section 5/3- of Chapters 735 of the Illinois *Compiled Statutes*, incorporated herein by reference.

(e) A vehicle impounded pursuant to this section shall be released to the registered owner thereof, or his agent, upon payment of the fines and penalties due and owing the village as specified in the notice sent and the payment of towing charges and accrued daily impound charges or upon order of the hearing officer following hearing contesting the validity of the impoundment.

(f) The ordinance enforcement administrator shall appoint or retain the services of an individual agency or company to tow and impound vehicles in accordance herewith, provided that the individual, agency or company is fully insured and licensed according to local or state law and has available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this section a secured area shall mean an area bounded by a fence, chainlink or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

**Sec. 1-11-14. - Judicial review.**

Judicial review of administrative decisions issued after hearing for any violation authorized by this ordinance shall be subject to the provisions of the administrative law review as is set forth in Section 5/3-101 et seq. of Chapter 735 of the Illinois *Compiled Statutes*, incorporated herein by reference.

**Sec. 1-11-15. - Debt to village.**

Any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of this article and remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this article and the conclusion of any judicial review procedures shall be a debt due and owing the village and, as such, may be collected in accordance with the applicable law. Payment in full of any fine or penalty resulting from a standing or parking violation shall constitute a final disposition of that violation.

**Sec. 1-11-16. - Judgment.**

The ordinance enforcement administrator shall, following the expiration of the period within which administrative or judicial review may be sought for a final determination of parking violation, take all necessary action, execute all required documents and appoint or retain any individual or agency deemed appropriate to obtain a judgment against and collect moneys from the person who has been assessed fines or penalties which remain unpaid and have become a debt due and owing the village in accordance with the provisions of this article and 625 ILCS 5111 208.3 by:

(1) Filing a complaint in the circuit court praying for the entry of a judgment against the person for whom a final determination of standing or parking regulation violation liability has been made.

(2) The complaint filed by the ordinance enforcement administrator or individual or agency on behalf of the village seeking entry of a judgment against an individual for unpaid fines and/or penalties pursuant to a final determination of standing or parking regulation violation shall have appended:

A. A certified copy of the final determination of the standing regulation violation.

B. A certification that recites facts sufficient to show that the final determination of standing or parking regulation violation was issued in accordance with this article and 625 ILCS 5/11-208.3.

C. Nothing shall prevent the village from consolidating multiple final determinations of any decision relating to any violation authorized under this against an individual and pursuing all available remedies, allowed by law.

D. Service of summons and a copy of the complaint may be served upon the person against whom a judgment is sought under the provisions of this article by any method provided under 735 ILCS 5/2-203; incorporated by reference or by certified mail, return receipt requested, provided the total amount of fines and penalties for final determination of standing or parking regulation violation does not exceed \$2,500.00.

**Sec. 1-11-17. - Nonsufficient check charge.**

Any person, firm or corporation who issues or delivers a check or other order to the village that is not honored on two occasions by the financial

institution upon which it is drawn because of insufficient funds on account, the account is closed, or a stop payment has been placed on the check or order shall pay to the village, in addition to the amount owing upon the check or other order, a fee of \$50.00. 225 ILCS 2/120.