
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2018-013**

**AN ORDINANCE AMENDING TITLE VII, CHAPTER 70 OF THE
MUNICIPAL CODE OF THE CITY OF BLUE ISLAND,
COOK COUNTY, ILLINOIS
(TRAFFIC CODE – GENERAL PROVISIONS)**

**DOMINGO F. VARGAS, Mayor
Randy Heuser, City Clerk**

**DEXTER JOHNSON
LETICIA VIEYRA
NANCY RITA
TOM HAWLEY
BILL FAHRENWALD
CANDACE CARR
KENNETH PITTMAN**

**GEORGE POULOS
FRED BILOTTO
KEVIN DONAHUE
ALECIA SLATTERY
JANICE OSTLING
JAIRO FRAUSTO
NANCY THOMPSON**

Aldermen

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**AN ORDINANCE AMENDING TITLE VII, CHAPTER 70 OF THE MUNICIPAL
CODE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS
(TRAFFIC CODE – GENERAL PROVISIONS)**

WHEREAS, the City OF Blue Island, Cook County, Illinois (City) is a non-home rule municipality pursuant to Section 7(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may only exercise powers granted to it by law or as specified in the aforementioned Section of Illinois Constitution; and

WHEREAS, the Corporate Authorities are charged with the responsibility of regulating and prohibiting certain acts, conduct and offenses for the protection of the public health, safety and welfare of its citizenry and are authorized pursuant to 65 ILCS 5/1-2-1.1 to pass ordinances not inconsistent with the criminal laws of this state; and

WHEREAS, the Cook County State's Attorney's Office notified the City that it declines to prosecute certain misdemeanor traffic offenses governing the movement of vehicles and reportable traffic offenses;

WHEREAS, the Illinois Legislature, pursuant 625 ILCS 5/20-204, gave municipalities the authority to adopt all or any portion of the Illinois Vehicle Code by reference.

WHEREAS, the City has adopted sections of the Illinois Vehicle Code pertaining to non-moving and non-reportable motor vehicle offenses but not sections of the Illinois Vehicle Code pertaining to moving and reportable offenses.

WHEREAS, it is in the best interest of the health, safety, and welfare of the citizens of Blue Island, to prohibit, via municipal ordinance, moving and reportable motor vehicle offenses and prosecute same as ordinance violations where not inconsistent with state law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Blue Island, Cook County, Illinois, by and through its statutory powers, as follows:

Section 1. That the above recitals are incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2.

That Title VII, *Traffic Code*, of the City Municipal Code is hereby amended by adding the following offense, *Reportable Offenses*, to Chapter 70, *General Provisions*, as follows:

§ 70.015. Reportable Offenses

- A. Adoption of Illinois Vehicle Code: The provisions of the Illinois Vehicle Code, 625 ILCS 5/1-100, *et seq.*, as amended, governing moving violations and reportable offenses and such other Illinois Vehicle Code offenses not previously adopted in Section 70.001(A) as now existing, or hereafter amended, are hereby adopted by reference to be applied within the corporate limits of the City to the extent permitted by law and to the extent that its subject matter is not otherwise regulated by this Code or inconsistent with any lawful provision of this Code.
- B. Citations: Ordinance citations issued for violations of Section 70.015(A) shall be issued in the name of the City. The offense shall be cited on the ordinance citation as 70.015(A) followed by the section of the Illinois Vehicle Code violated, e.g. 70:015; 6-303. Ordinance Citations shall not be issued for felony violations of the Illinois Vehicle Code.
- C. Burden of Proof: The burden of proof for any offense classified as a petty offense or business offense in the Illinois Vehicle Code shall be by preponderance of the evidence. Offenses classified as misdemeanor offenses in the Illinois Vehicle Code shall be proven beyond a reasonable doubt.
- D. Prosecution. Violations of this Section may be prosecuted in the Circuit Court of Cook County but not through the City's Administrative Adjudication of Code Violations, Title I, Chapter 11.

E. Violations, Penalties. Any person who violates this Section may be fined the maximum allowed by this Code, \$750, or the maximum allowed by the Illinois Vehicle Code, whichever is greater and not inconsistent with State law and the violation reported to the Illinois Secretary of State by the Circuit Court of Cook County.

F. Nothing in this subsection shall prohibit the ordinance violations set forth in Section 70.015(A) from being prosecuted as a violation of the Illinois Vehicle Code rather than as an ordinance violation.

Section 4. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Section 5. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

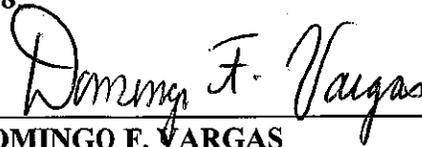
Section 6. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

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ADOPTED this 27th day of February, 2018, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman Hawley	X				
Alderman Poulos	X				
Alderman Vieyra	X				
Alderman Bilotto	X				
Alderman Rita			X		
Alderman Donahue			X		
Alderman Carr	X				
Alderman Slattery	X				
Alderman Ostling	X				
Alderman Pittman	X				
Alderman Johnson	X				
Alderman Frausto	X				
Alderman Thompson	X				
Alderman Fahrenwald	X				
Mayor Vargas					
TOTAL	12		2		

APPROVED by the Mayor on February 27, 2018.



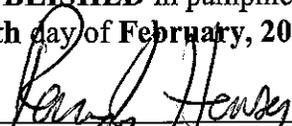
DOMINGO F. VARGAS
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and **Filed** in my office this
 27th day of February, 2018.



RANDY HEUSER
CITY CLERK

PUBLISHED in pamphlet form this
 27th day of February, 2018.



RANDY HEUSER
CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF COOK) ss.

CERTIFICATE

I, Randy Heuser, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

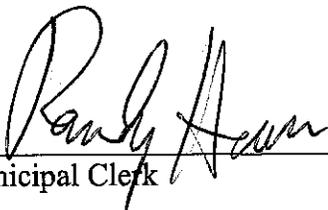
I further certify that on **February 27, 2018** the Corporate Authorities of such municipality passed and approved Ordinance No. **2018 - 013** entitled: **AN ORDINANCE AMENDING TITLE VII, CHAPTER 70 OF THE MUNICIPAL CODE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS (TRAFFIC CODE – GENERAL PROVISIONS)**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2018 – 013** including the Ordinance and a cover sheet thereof, was as prepared, and a copy of such Ordinance posted in the municipal building commencing **February 27, 2018** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **27th** day of **February, 2018**.

(SEAL)



Municipal Clerk