STATE OF ILLINOIS   )
)   ss.

COUNTY OF COOK   )

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 **July 28, 2015** the Corporate Authorities of such municipality passed and approved Ordinance No. **2015 - 022** entitled: **AN ORDINANCE AMENDING THE CITY OF BLUE ISLAND CODE OF ORDINANCES TITLE VII, CHAPTER 70, REGARDING AUTOMATED TRAFFIC LAW VIOLATIONS.**
Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2015 – 022** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **July 28, 2015** 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 **28th** day of **July, 2015.**

(SEAL)

_____
Municipal Clerk

THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER 2015-022

AN ORDINANCE AMENDING THE CITY OF BLUE ISLAND CODE OF ORDINANCES TITLE VII, CHAPTER 70, REGARDING AUTOMATED TRAFFIC LAW VIOLATIONS.

DOMINGO F. VARGAS, Mayor
Randy Heuser, City Clerk

1st Ward	TOM HAWLEY	GEORGE POULOS
2nd Ward	LETICIA VIEYRA	FRED BILOTTO
3rd Ward	NANCY RITA	KEVIN DONAHUE
4th Ward	CANDACE CARR	ALECIA SLATTERY
5th Ward	JANICE OSTLING	KENNETH PITTMAN
6th Ward	DEXTER JOHNSON	JAIRO FRAUSTO
7th Ward	NANCY THOMPSON	JAMES JOHANSON

Aldermen

ORDINANCE NO. 2015-022

AN ORDINANCE AMENDING THE CITY OF BLUE ISLAND CODE OF ORDINANCES TITLE VII, CHAPTER 70, REGARDING AUTOMATED TRAFFIC LAW VIOLATIONS

WHEREAS, the City, pursuant to 625 ILCS 5/11-208.6, enacted an ordinance providing for an automated traffic law enforcement system to enforce State and local traffic control signal laws and regulations through the use of electronic monitoring devices and by imposing liability on registered vehicle owners violating such State laws and local provisions; and

WHEREAS, the City has an existing code of ordinances incorporating said ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City, Cook County, Illinois, as follows:

SECTION ONE: AMENDMENTS TO TITLE VII, CHAPTER 70

Section 70.065 (B) shall be amended as indicated by the stricken terms and read as follows:

> "Before a citation may be issued for any Automated Traffic Law Violation, a determination must be made by a ~~technician employed or contracted by the City~~ *law enforcement officer or retired officer employed by the City* that, based on inspection of Recorded Images generated by the System, the motor vehicle was being operated in violation of Section 11-208.6 of the Code or an ordinance of the City. If the ~~technician~~ *law enforcement officer or retired officer* determines that the vehicle entered the intersection as part of a funeral procession or in order to yield right-of-way to an emergency vehicle, a citation shall not be issued."

Section 70.065 shall be amended to add the following subsections immediately after subsection (B):

> *"(C) It shall be a violation of this Article for a vehicle to disregard a traffic control device or turn on red in violation of Section 11-306 of the Code.*
>
> *(D) A determination of Automated Traffic Law Violation liability shall occur following failure to pay the fine or penalty, or to contest the alleged violation within fourteen (14) days of the Notice of Violation. Where a person fails to appear at a hearing to contest the alleged violation in the time and manner specified in a prior mailed notice, the Hearing Officer*

will enter Findings, Decision and Order's determination of Automated Traffic Law Violation Liability which shall become final: (a) upon denial of a timely petition to set aside that determination, or (b) upon expiration of the period for filing such a petition without a filing having been made. If a person appears at a hearing and is found liable or contests the Violation by mail and is found liable, the Hearing Officer will enter Findings, Decision and Order, which is a final determination of Automated Traffic Law Violation Liability that is a final, appealable order."

Section 70.068 shall be amended as indicated by the stricken terms and read as follows:

"(A) A person owing an unpaid fine or penalty for Automated Traffic Law Violation penalty may file a petition to set aside a ~~final~~ determination of such liability within ~~ten (10)~~ *fourteen (14)* days after service by the City of a Determination *of Liability* Notice. ~~Such a petition shall be filed by sending the same, together with any documentation in support thereof, to the Administrator by certified mail, return receipt requested, or by personal delivery to the Administrator.~~

~~(C)A hearing on such a petition shall be held within thirty (30) days after the filing of same. In the event that such a petition is granted upon a showing of just cause, and the subject determination of Automated Traffic Law Violation liability is thereby set aside, the registered owner shall be provided with a hearing on the merits for that violation.~~

(C) Upon receipt of a timely petition to set aside the determination of liability, the Hearing Officer shall review the petition to determine if cause has been shown to set aside the determination. If cause has been shown, the City shall forward the petitioner a new hearing date on which the petitioner must appear to present his case. The City shall notify the petitioner of the Hearing Officer's decision to grant a hearing or deny the petition within 14 days of the City's receipt."

Section 70.070 shall be amended as indicated by the stricken terms and read as follows:

"Non-residents of the City who receive Violation Notices may contest the merits of the alleged Automated Traffic Law Violation without attending a hearing by sending a signed statement, under oath, together with any supporting documentation, to the Administrator via certified mail, return receipt requested, within ~~ten (10)~~ *fourteen (14)* days after the service of the Violation Notice. Such a statement shall set forth the reasons why a finding of liability should not be entered. ~~The Administrator shall rule on such a statement within ten (10) days after receipt of same, and shall inform the non-resident of his decision within ten (10) days thereafter.~~"

Section 70.999 (D) shall be amended as indicated by the stricken terms and read as follows:

"In the even that such penalty is not paid within fourteen (14) days after service of a ~~Violation~~ *Final Determination of Liability* Notice, the penalty shall increase to two hundred dollars ($200)."

SECTION 2: EFFECTIVE DATE

The amendments herein shall be in full force and effect upon its passage and approval as required by law.

ADOPTED this 28th day of July, 2015, 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 Johanson			X		
Mayor Vargas					
TOTAL	13		1		

APPROVED by the Mayor on July 28, 2015.

_____
**MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS**

ATTESTED and **Filed** in my office this

__28th__ day of __July,__ , 2015.

_____
CITY CLERK

PUBLISHED in pamphlet form this

__28th__ day of __July__ , 2015.

_____
CITY CLERK