

ORIGINAL

**ORDINANCE NO. CO-2016-03**

**AN ORDINANCE AMENDING CHAPTER 39 (ADMINISTRATIVE ADJUDICATION OF VIOLATIONS) OF THE MAYWOOD VILLAGE CODE REGARDING NOTICE OF VEHICLE SEIZURE AND IMPOUNDMENT**

**WHEREAS**, in the Village of Maywood, the Village President and Board of Trustees have previously, consistent with their authority under State law, enacted regulations relative to Administrative Towing and Impoundment of Motor Vehicles; and

**WHEREAS**, the Village has incurred the expenses of sending impoundment notices via certified mail; and

**WHEREAS**, the Illinois Vehicle Code (625 ILCS 5/11-208.7), only requires notices to be sent first class mail or personal service; and

**WHEREAS**, consistent with the Illinois Vehicle Code, the Village President and Board of Trustees of the Village now find that it is in the best interests of the Village to revise the Village's current regulations for the administrative towing and impoundment of motor vehicles to allow service by first class mail or personal service; and

**WHEREAS**, pursuant to the authority granted under the Illinois Vehicle Code (625 ILCS 5/11-208.7), and in accordance with the home rule authority granted to home rule municipalities as defined by Article VII, § 6 of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Maywood approve the Code Amendments as set forth below.

**BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** Each whereas paragraph set forth above is incorporated by reference into this Section 1.

**SECTION 2:** Title 3 (Administration), Chapter 39 (Administrative Adjudication), Section 39.14 (Vehicle Confiscation Hearings), Subsection A of Section 39.14 of the Village Code is amended to read in its entirety as follows:

**§ 39.14 VEHICLE CONFISCATION HEARINGS**

- (A) Within 10 days after a vehicle is seized and impounded pursuant to §§ 99.18 through 99.25 of this Code, the Police Department or other appropriate Department shall notify by first class mail or personal service the owner of record of the seizure and impoundment of the vehicle, the penalty assessed, and of his right to request a hearing before the Ordinance Enforcement Department to challenge whether a violation of this Code for which seizure and impoundment applies has occurred

pursuant to this division. A copy of the notice shall be forwarded to the Ordinance Enforcement Department. The notice shall state the penalties that may be imposed if a hearing is not requested, including that a vehicle not released by cash bond and remaining in the Village pound may be sold or disposed of by the Village in accordance with applicable law.

**SECTION 3.** All tables of contents, indexes, and internal references or cross-references to sections that need to be amended or deleted as a consequence of the above Code Amendments shall be amended by the Village's codifier so as to be consistent with the terms of this Ordinance.

**SECTION 4:** All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

**SECTION 5:** Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

**SECTION 6:** Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Maywood Village Code, as amended, shall remain in full force and effect.

**SECTION 7:** This Ordinance shall be in full force and effect from and after its adoption, approval, and publication in pamphlet form as provided by law.

**ADOPTED** this 16th day of March, 2016, pursuant to a roll call vote as follows:

**AYES:** Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, I. Brandon,  
A. Dorris, M. Rogers, M. Lightford and R. Rivers

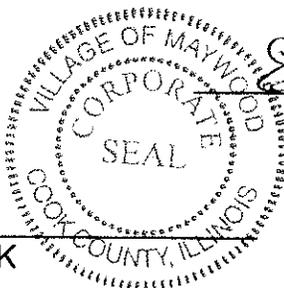
**NAYS:** None

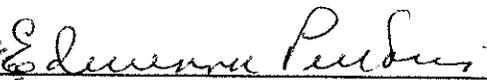
**ABSENT:** None

**APPROVED** by me this 17<sup>th</sup> day of March, 2016, and attested by the Village Clerk on the same day.

**ATTEST:**

  
\_\_\_\_\_  
VILLAGE CLERK



  
\_\_\_\_\_  
VILLAGE PRESIDENT

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK     )

**CLERK'S CERTIFICATE**

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. CO-2016-03

**AN ORDINANCE AMENDING CHAPTER 39 (ADMINISTRATIVE ADJUDICATION OF VIOLATIONS) OF THE MAYWOOD VILLAGE CODE REGARDING NOTICE OF VEHICLE SEIZURE AND IMPOUNDMENT**

which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 16<sup>th</sup> day of March, 2016, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 17<sup>th</sup> day of March, 2016.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

**AYES:** Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, I. Brandon,  
A. Dorris, M. Rogers, M. Lightford and R. Rivers

**NAYS:** None

**ABSENT:** None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 17<sup>th</sup> day of March, 2016.

  
Village Clerk  
[SEAL] 