

**ORDINANCE NO. CO-2013-09**

**AN ORDINANCE AMENDING  
SUBSECTION 32.20 (ADMINISTRATIVE BOOKING FEE)  
OF CHAPTER 32 (POLICE DEPARTMENT)  
OF TITLE III (ADMINISTRATION) OF THE MAYWOOD VILLAGE CODE  
RELATIVE TO ADMINISTRATIVE BOOKING FEES**

**WHEREAS**, the Village of Maywood (the "Village") is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Corporate Authorities of the Village of Maywood, pursuant to their home rule powers, have determined that it is in the best interests of the Village to establish a procedure in regard to its administrative booking fee to be collected from individuals who are arrested by the Maywood Police Department in order to provide additional revenue for the Maywood Police Department's operations to help defray the Department's administrative costs of processing individuals arrested.

**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 of this Ordinance.

**SECTION 2:** Subsection 32.20 (Administrative Booking Fee) of Chapter 32 (Police Department) of Title III (Administration) of the Maywood Village Code is amended to read in its entirety as follows:

**"§ 32.20: Administrative Booking Fee:**

An administrative fee of thirty dollars (\$30.00) shall be imposed upon an arrestee when posting bail or bond for any criminal, Village Ordinance or other bookable arrest, including, but not limited to, warrants. The arrestee shall be advised, in writing, prior to such release, of the following procedure:

1. An administrative booking fee of \$30.00 is imposed upon all persons, who are processed (photographed and fingerprinted) for any criminal, Village Ordinance or other bookable arrest, to recoup the Police Department's cost for that service.

2. The fee must be paid prior to release on bail or bond. In the event that the individual does not possess sufficient funds to pay the fee, the individual will be released after being provided a document stating that the fee is due and owing, and subject to collection. An individual will not be detained solely for his/her inability to pay the fee.
3. Prior to release, the individual may request to speak with a supervisor to contest whether or not there was probable cause for the arrest.
4. Refunds:
  - a. If a court or other adjudicative body finds that there was no probable cause for the arrest or that the individual was not guilty on all charges, or if all charges are withdrawn by the prosecuting authority (non-suit, *nolle prosequi*, etc.), the individual shall be entitled to a refund of the fee. b. A disposition of supervision shall be considered equivalent to a conviction and not a dismissal of charges.
  - c. Applications for a refund must be made in writing to the Office of the Chief of Police within fourteen (14) days of the finding or withdrawal of all charges, as described in subsection a. above. The Chief of Police shall designate an employee to determine the validity of the application. Refund of the fee shall be without interest.

**SECTION 3:** All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

**SECTION 4:** Each section, paragraph, clause and provision of this Ordinance is severable, 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 5:** 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 6:** This Ordinance shall be in full force and effect immediately upon its passage, approval and publication as required by law.

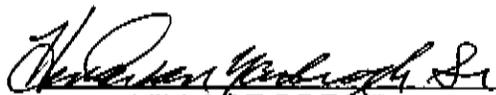
**ADOPTED** this 13 day of March, 2013, pursuant to a roll call vote as follows:

Mayor Yarbrough Sr., Trustee(s) G. Guzman, A. Jaycox,  
**AYES:** E. Perkins and R. Rivers

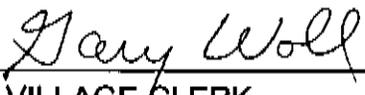
**NAYS:** None

**ABSENT:** Trustee M. Lightford

**APPROVED** by me this 13 day of March, 2013 and attested by the Village Clerk that same day.

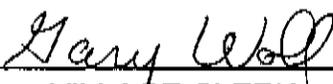
  
VILLAGE PRESIDENT

**ATTEST:**

  
VILLAGE CLERK



Published by me in pamphlet form this 13 day of March, 2013.

  
VILLAGE CLERK

