

---

---

**THE CITY OF CALUMET CITY**  
**COOK COUNTY, ILLINOIS**

---

---

**ORDINANCE**  
**NUMBER 20-27**

---

---

**AN ORDINANCE AMENDING ARTICLE I “IN GENERAL” OF CHAPTER  
62 “OFFENSES AND MISCELLANEOUS PROVISIONS” OF THE  
MUNICIPAL CODE OF CALUMET CITY TO AUTHORIZE  
IMPOUNDMENT OF VEHICLES USED IN LOOTING**

---

---

**MICHELLE MARKIEWICZ QUALKINBUSH, Mayor**  
**NYOTA T. FIGGS, City Clerk**

**DEJUAN GARDNER**  
**MICHAEL NAVARRETE**  
**JAMES PATTON**  
**ANTHONY SMITH**  
**MARY E. SWIBES**  
**DEANDRE TILLMAN**  
**RAMONDE WILLIAMS**

**Aldermen**

---

---

**Published in pamphlet form by authority of the Mayor and City Clerk of the City of Calumet City on 6 -20  
Odelson & Sterk, Ltd. - City Attorneys - 3318 West 95<sup>th</sup> Street - Evergreen Park, Illinois 60805**

**ORDINANCE NO. 20-27**

**AN ORDINANCE AMENDING ARTICLE I “IN GENERAL” OF  
CHAPTER 62 “OFFENSES AND MISCELLANEOUS PROVISIONS” OF  
THE MUNICIPAL CODE OF CALUMET CITY TO AUTHORIZE  
IMPOUNDMENT OF VEHICLES USED IN LOOTING**

**WHEREAS**, the City of Calumet City, Cook County, Illinois (the “City”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the “Home Rule Powers”); and

**WHEREAS**, the looting of the City’s malls and businesses has a devastating effect on the health, safety and welfare of the City and its citizens and the City has a legitimate interest in deterring the looting of local businesses; and

**WHEREAS**, the towing and impounding of vehicles involved in criminal activity serves as a significant deterrent to criminal behavior; and

**WHEREAS**, the offense of looting is a felony under State law, can cause long lasting property and economic damage to business owners, and is often accompanied by other criminal acts; and

**WHEREAS**, the Mayor and City Council find it to be in the best interest of the City to amend the Municipal Code of the City of Calumet City, Illinois to authorize the towing and impoundment of vehicles used in the commission of the offense of looting.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Calumet City, Cook County, Illinois, by and through its home rule powers, as follows:

**Section 1:** That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their

entirety.

**Section 2:** Section 62-8(1) “Vehicle Impoundment” of Article I “In General” of Chapter 62 “Offenses and Miscellaneous Provisions” of the municipal code of the City of Calumet City is hereby amended by eliminating the stricken language and adding the underlined language as follows:

**Sec. 62-8. - Vehicle impoundment.**

- (1) The owner of a vehicle seized and impounded pursuant to section 62-9, driving while intoxicated; section 62-10, unlawful drugs in motor vehicle; section 62-11, use of vehicle for prostitution; section 62-12, unlawful firearm in motor vehicle; section 62-13, illegal dumping; section 62-14, sound device restrictions; section 62-15, unlawful fireworks in motor vehicle; ~~or~~ section 62-16, false, stolen, or altered state registration or temporary state registration; ~~or~~ section 62-18, driving on a suspended or revoked license; ~~or~~ section 62-21, retail theft; section 62-22, no valid drivers' license; section 62-23, aggravated fleeing or attempting to elude a peace officer, or section 62-24, looting, of this Code and pursuant to any section of this Code which expressly makes this section applicable, shall be assessed an administrative penalty in the amount of five hundred dollars (\$500.00), towing and storage fees, any other fees deemed applicable and shall have the right to request a preliminary hearing in person and in writing at the city police department within fifteen (15) days after the vehicle is seized and impounded. A towing adjudicator, appointed by the mayor or the chief of the police department, shall conduct such preliminary hearing within forty-eight (48) hours of the request, excluding Saturdays, Sundays and legal holidays, unless the vehicle was seized and impounded pursuant to section 62-10 and the police department determines that it must retain custody of the vehicle under applicable state or federal

forfeiture law or if the vehicle is being held pending an investigation. If, after the preliminary hearing, the towing adjudicator determines that there is probable cause to show that the vehicle was used in violation of this Code, the towing adjudicator shall order the continued impoundment of the vehicle unless the owner of the vehicle pays to the city the amount of the administrative penalty, plus fees for towing and storing the vehicle, and any other fees deemed applicable. If the vehicle is also subject to immobilization for unpaid final determinations of parking and/or compliance violations, the owner of the vehicle must also pay the amounts due for all such outstanding violations prior to the release of the vehicle. If the towing adjudicator determines that there is no such probable cause the vehicle shall be returned without penalty or other fees.

**Section 3:** Article I “In General” of Chapter 62 “Offenses and Miscellaneous Provisions” is hereby amended by adding the following section:

**Sec. 62-24: Looting by individuals; impoundment.**

- (a) A person commits the offense of looting when he or she knowingly without authority of law or the owner, enters any home or dwelling or upon any premises of another, or enters any commercial, mercantile, business, or industrial building, plant, or establishment, in which normal security of property is not present by virtue of a hurricane, fire, or vis major of any kind or by virtue of a riot, mob, or other human agency, and obtains or exerts control over property of the owner.
- (b) Any vehicle used in the commission of the offense of looting in violation of 720 ILCA 5/25-4 shall be subject to seizure and impoundment pursuant to 62-8 of this Code.
- (c) In addition to the administrative penalty of \$500, tow and storage fees, and any other fees deemed applicable pursuant to Sec. 62-8, a fine of \$2000.00 shall be imposed upon the owner of any vehicle seized or impounded for use in violation of this section.

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

*Intentionally left blank.*

**ADOPTED** by the Mayor and City Council of the City of Calumet City, Cook County,

Illinois this \_\_11th\_\_ day of June, 2020, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
GARDNER	X			
NAVARRETE	X			
PATTON			X	
SMITH	X			
SWIBES	X			
TILLMAN	X			
WILLIAMS	X			
(MAYOR QUALKINBUSH)				

**APPROVED** by the Mayor of the City of Calumet City, Cook County, Illinois on this  
11<sup>TH</sup> day of June, 2020.

  
Michelle Markiewicz Qualkinbush  
Mayor

ATTEST:

  
Nyota T. Figgs, City Clerk