

**UNITED CITY OF YORKVILLE
KENDALL COUNTY, ILLINOIS**

ORDINANCE NO. 2023-41

AN ORDINANCE REPEALING AND REPLACING
TITLE 1, CHAPTER 14 OF THE YORKVILLE CITY CODE

Passed by the City Council of the
United City of Yorkville, Kendall County, Illinois
This 28th day of November, 2023

Published in pamphlet form by the
authority of the Mayor and City Council
of the United City of Yorkville, Kendall
County, Illinois on December 5,

Ordinance No. 2023-41

**AN ORDINANCE REPEALING AND REPLACING
TITLE 1, CHAPTER 14 OF THE YORKVILLE CITY CODE**

WHEREAS, the United City of Yorkville, Kendall County, Illinois (the “City”) is a non-home rule municipality pursuant to the Illinois Constitution of 1970 and the laws of this State; and

WHEREAS, the City has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Yorkville City Code, as amended; and

WHEREAS, the City has the authority to pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as may be deemed proper; and

WHEREAS, the Yorkville City Code currently authorizes administrative adjudication processes and procedures pursuant to Section 5/1-2.2-1 et seq. of the Illinois Municipal Code (65 ILCS 5/1-1 et seq.); and

WHEREAS, Governor J. B. Pritzker has signed into law Public Act 103-0260 authorizing non-home rule municipalities to adopt the administrative adjudication provisions of Section 5/1-2.1-1 et seq. of the Illinois Municipal Code, as previously applicable solely to home rule municipalities; and

WHEREAS, adopting the provisions of Section 5/1-2.1-1 et seq. of the Illinois Municipal Code would provide for significant cost and time savings by the City; and

WHEREAS, the City Council is of the opinion that it is in the best interests of the safety, health and welfare of its residents to authorize the use of administrative adjudication provisions of Section 5/1-2.2-1 et seq. of the Illinois Municipal Code to address and enforce the Yorkville City Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and the City Council of the United City of Yorkville, Kendall County, Illinois as follows:

Section One – Repeal and Replacement of Title 1, Chapter 14.

Title 1, Chapter 14, is hereby repealed in its entirety and replaced with the following:

1-14-1: PURPOSE AND CREATION:

A. Purpose: To provide for fair and efficient enforcement of City ordinances, as may be allowed by law and directed by ordinance, through an administrative adjudication of violations of City ordinances thereby expediting the prosecution and correction of code violations. To that end, there is hereby adopted Article 1, Division 2.1 of the Illinois Municipal Code. 65 ILCS 5/1-1-1 et seq.

B. Creation: There is hereby established a department of the municipal government to be known as the United City of Yorkville Ordinance Enforcement Department to have the power to enforce compliance with all municipal ordinances as from time to time are authorized by the City council, except for any offense under the Illinois Vehicle Code (adopted by the City under title 6 of this code) that is a traffic regulation governing the movement of vehicles and except for any reportable offense under section 6-204 of the Illinois Vehicle Code. The establishment of the Yorkville Ordinance Enforcement Department does not preclude the City Council from using any legal system or other method to enforce ordinances of the City. Unless the context clearly indicates otherwise, any references throughout this chapter to "City code", "this code", "code", or "ordinance" shall be a reference to the United City of Yorkville Municipal Code, as amended, or to any municipal ordinance as from time to time passed by the City Council.

1-14-2: DEPARTMENT COMPOSITION:

A. Organization: The United City of Yorkville’s Ordinance Enforcement Department shall be composed of a hearing officer, an Ordinance Enforcement Administrator, and such other personnel as deemed necessary and as appointed by the Mayor, with the power and authority as hereinafter set forth.

B. Hearing Officer:

1. A hearing officer must be an attorney licensed to practice law in the state of Illinois for at least three (3) years.

2. The hearing officer shall have the following duties:

a. Preside over all adjudicatory hearings to determine whether or not a City code violation exists and administer oaths and affirmations;

b. Hear testimony and accept evidence that is relevant to the existence of a City code violation;

c. At any time prior to the hearing date, the hearing officer assigned to hear the case may, at the request of either party, direct witnesses to appear and give testimony at the hearing or produce relevant documents;

d. Preserve and authenticate the record of the hearing and all exhibits and evidence introduced at the hearing;

e. Issue and sign a written finding, decision and order stating whether a City code violation exists;

f. Impose penalties and sanctions or such other relief consistent with applicable provisions of this code and assess costs upon finding a party liable for the charged violation, except, however, that in no event shall the hearing officer have the authority to impose a penalty of incarceration or fines in excess of \$50,000;

g. Upon a finding of liable a thirty dollar (\$30.00) penalty is to be imposed by the hearing officer as an administrative adjudication hearing cost. This additional penalty shall not be construed as part of the fine for the purposes of any reduction made in the fine for compliance.

3. Prior to conducting administrative adjudication proceedings under this chapter, the hearing officer shall have successfully completed a formal training program which includes the following:

a. Instruction on the rules of procedure of the administrative hearings over which the hearing officer shall preside;

b. Orientation to each subject area of the code violations that he/she will adjudicate;

c. Observation of administrative hearings; and

d. Participation in hypothetical cases, including rules on evidence and issuing final orders.

4. The hearing officer shall be employed as an independent contractor of the City and shall not be considered an employee of the City. A hearing officer may be removed with or without cause by the Mayor or his or her designee.

C. Ordinance Enforcement Administrator: The Ordinance Enforcement Administrator is authorized and directed to:

1. Operate and manage the system of administrative adjudication of City ordinance violations as may be permitted by law and directed by ordinance.

2. Adopt, distribute and process all notices as may be required under this chapter or as may be reasonably required to carry out the purpose of this chapter.

3. Collect monies paid as fines and/or penalties assessed after a final determination of liability.

4. Certify copies of final determination of an ordinance violation adjudicated pursuant to this chapter, and any factual reports verifying the final determination of any violation

liability which was issued in accordance with this chapter, the laws of the state of Illinois including 625 Illinois Compiled Statutes 5/11-208.3 as from time to time amended.

5. Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.

6. Collect unpaid fines and penalties through private collection agencies and pursuit of all post-judgment remedies available by current law.

1-14-3: VIOLATION NOTICES:

A. Issuance Of Violation Notices:

1. Violation notice of any ordinance violation shall be issued by the Mayor or Administrator and such persons authorized under this code.

2. All full time, part time and auxiliary police officers as well as other specific individuals authorized by any City department head shall have the authority to issue violation notices.

3. Any individual authorized hereby to issue violation notices and who detects an ordinance violation authorized to be adjudicated under this chapter or a violation of any section of any City ordinance, is authorized to issue notice of violation thereof and shall make service thereof as is hereinafter set forth.

4. All violation notices shall contain information and shall be certified and constitute prima facie evidence of the violation cited as hereinafter set forth.

B. Violation Notice Requirements:

1. The violation notice shall contain, but not be limited to, the following information:

a. The name and address of the party violating the ordinance, if known.

b. The date and time of the violation (date of issuance).

c. The type and nature of the violation and the ordinance violated.

d. Vehicle make and state registration number (if applicable).

e. The names of any witnesses to the violation.

f. The signature and identification number of the person issuing the notice.

g. The date and location of the adjudication hearing of ordinance violations which date shall be not less than fifteen (15) nor more than sixty (60) days after the date of the violation notice. The legal authority and jurisdiction under which the hearing is to be held and the penalties for failure to appear at the hearing.

h. In the case of a violation pertaining to real property, the address of the property where the violation is observed; and,

i. If applicable to the violation in question, the amount of the fine that may be paid by a party upon a written admission of a violation and waiver of a hearing, which fine shall be no less than the minimum fine set by this code relative to the violation at issue.

2. The correctness of facts contained in any violation notice shall be verified by the person issuing said notice by:

a. Signing his/her name to the notice at the time of issuance; or

b. In the case of a notice produced by a computer device, by signing a single certificate, to be kept by the Ordinance Enforcement Administrator, attesting to the correctness of all notices produced by the device while under his/her control.

3. Parties shall be served with process in a manner reasonably calculated to give them actual notice including, as appropriate, personal service of process upon a party or his/her employer or agent; service by mail at a party's address; affixing the original or facsimile of the notice to any unlawfully standing or parked vehicle or a vehicle violating any compliance regulation; or, posting a notice upon the property where the violation is found where the party is the owner, tenant or administrator of the property as follows:

a. The original or a facsimile of the violation notice shall be retained by the Ordinance Enforcement Administrator where a docket number shall be stamped on all copies and a hearing date noted;

b. The notice shall be kept as a record in the ordinary course of business by the Ordinance Enforcement Administrator and shall be a part of the hearing record;

c. One copy of the violation notice shall be returned to the person issuing the notice so that he or she may prepare evidence for presentation at the hearing on the date indicated;

d. One copy of the violation notice shall be served to the alleged violator along with a summons commanding the alleged violator to appear at the hearing;

e. In the case of a violation pertaining to real property, if the name of the property owner cannot be ascertained or if service on the owner cannot be made by mail, service may be made on the owner by posting or nailing a copy of the violation notice form on the front door of the structure where the violation is found, not less than fifteen (15) days before the hearing is scheduled.

4. Any violation notice issued, signed and served in accordance herewith, or a copy of the notice, shall be prima facie correct and shall be prima facie evidence of the correctness of the facts shown on the notice.

1-14-4: ADMINISTRATIVE HEARINGS:

A. Continuances: No continuances shall be authorized by the hearing officer in proceedings under this chapter except in cases where a continuance is absolutely necessary to protect the rights of the alleged violator. Lack of preparation shall not be grounds for a continuance. Any continuance authorized by a hearing officer under this chapter shall not exceed thirty (30) days.

B. Hearing And Evidence:

1. At the hearing, a hearing officer shall preside, shall hear testimony, and shall accept any evidence relevant to the existence or nonexistence of a City code violation. The strict rules of evidence applicable to judicial proceedings shall not apply to hearings authorized by this chapter.

2. The case for the City may be presented by an attorney designated by the Mayor or by any other City employee. The case for the alleged violator may be presented by the alleged violator, his or her attorney, or any other agent or representative of the alleged violator.

3. If on the date set for hearing the alleged violator or his or her attorney fails to appear, the hearing officer may find the alleged violator in default and shall proceed with the hearing and accept evidence relevant to the existence of a code violation.

4. Upon finding the alleged violator in default, the Ordinance Enforcement Administrator shall send or cause to be sent notices by first class mail, postage prepaid, to the violator who received the notice of an ordinance violation. Service of notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.

5. A hearing officer may set aside any judgment entered by default and set a new hearing date, upon a petition filed within twenty one (21) days after the issuance of the order of default, if the hearing officer determines that the petitioner's failure to appear at the hearing was for good cause or at any time if the petitioner establishes that the municipality did not provide proper service of process. If any judgment is set aside pursuant to this subsection, the hearing officer shall have authority to enter an order extinguishing any lien which has been recorded for any debt due and owing the municipality as a result of the vacated default judgment.

C. Findings, Decision And Order:

1. At the conclusion of the hearing, the hearing officer shall make a determination on the basis of the evidence presented at the hearing as to whether or not a code violation exists.

2. The determination shall be in writing and shall be designated as the findings, decision, and order, including the fine, penalty or action with which the defendant must comply.

3. The findings, decision, and order shall include:

a. The hearing officer's findings of fact;

b. A decision of whether or not a code violation exists based upon the findings of fact;

c. In the case of a code violation other than a building code violation, an order that states the sanction or dismisses the case if a code violation is not proved.

d. In the case of a building code violation only, an order ordering the owner to correct the building code violation or dismissing the case if a building code violation is not proved; and

e. In the case of a building code violation, if a building code violation is proved, the order may also impose the sanctions that are provided in the building code for the building code violation proved.

4. A monetary sanction under this chapter shall be consistent with applicable City code provisions with a maximum of fifty thousand dollars (\$50,000.00) for all code violations.

5. The maximum monetary fine imposed under the City code shall be exclusive of costs of enforcement or costs incurred by the City to secure compliance with the City code, and shall not be applicable to cases to enforce the collection of any tax imposed and collected by the City.

6. A copy of any findings, decisions, or orders shall be served on the violator within five (5) days after it is issued. Service shall be made in person or by first class mail.

7. Payment of any penalty or fine and the disposition of any fine money shall be in the manner as set forth in the City code.

8. In the case of a building code violation only, the order to correct a building code violation and the sanctions imposed by the City as the result of a finding of a building code violation under this Chapter shall attach to the property as well as to the property owner so that a finding of a building code violation against one owner cannot be avoided by conveying or transferring the property to another owner. Any subsequent transferee or owner of the property takes subject to the findings, decision and order of a hearing officer under this chapter.

1-14-5: ENFORCEMENT OF JUDGMENTS:

A. Debt Due City:

1. Any fine, other sanction, or costs imposed, or part of any fine, other sanction or costs imposed, remaining unpaid after the exhaustion of, or the failure to exhaust judicial review procedures under the Administrative Review Law (735 ILCS 5/3-101 et seq.) shall be a debt due and owing the City and, as such, may be collected in accordance with applicable law.

2. After expiration of the period within which judicial review under the Administrative Review Law (735 ILCS 5/3-101 et seq.) may be sought for a final determination of the code violation, unless stayed by a court of competent jurisdiction, the findings, decision and order of the hearing officer may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

3. In any case in which a defendant has failed to comply with a judgment ordering a defendant to correct a code violation or imposing any fine or other sanction as a result of a code violation, any expenses incurred by the City to enforce the judgment, including, but not limited to, attorney's fees, court costs, and costs related to property demolition or foreclosure, after they are fixed by a court of competent jurisdiction or a hearing officer, shall be a debt due and owing the City and may be collected in accordance with applicable law. Prior to any expenses being fixed by a hearing officer pursuant to this subsection, the City shall provide notice to the violator that states that the defendant shall appear at a hearing before the administrative hearing officer to determine whether the defendant has failed to comply with the judgment. The notice shall set the date for such a hearing, which shall not be less than seven (7) days from the date

that notice is served. If notice is served by mail, the seven (7) day period shall begin to run on the date that the notice was deposited in the mail.

4. Upon being recorded in the manner required by Article XII of the Code of Civil Procedure or by the Uniform Commercial Code, a lien shall be imposed on the real estate or personal estate, or both, of the defendant in the amount of any debt due and owing the City under this section. The lien may be enforced in the same manner as a judgment lien pursuant to a judgment of a court of competent jurisdiction.

B. Judicial Review: The findings, decision, and order of the hearing officer shall be subject to review in the circuit court of Kendall County. The provisions of the administrative review law, and the rules adopted pursuant thereto, shall apply to and govern every action for the judicial review of the findings, decision, and order of the hearing officer under this chapter.

1-14-6: SCHEDULE OF FINES AND PENALTIES:

A. General Fines For Any Ordinance Other Than Title 6 (Vehicle Code) Of This Code: For violation of any City ordinance other than a violation under title 6 (Vehicle Code) of this code, fines and penalties shall be as established from time to time by the City council but in no event more than fifty thousand dollars (\$50,000.00) or the amount prescribed by the Illinois Supreme Court for the mandatory arbitration system, whichever is greater.

B. Fines For Violation Of Title 6 (Vehicle Code) Of This Code Other Than Handicapped Parking And Regulated Parking: For violation of any provision of title 6 (Vehicle Code) of this code; or any compliance violation; or, violation of any other City ordinance regulating, restricting or prohibiting the standing or parking of motor vehicles along the streets, byways, alleyways, regulated parking lots or such other locations as may be controlled by off street parking agreements, located within the geographical boundaries of this City, other than for handicapped parking, the fine shall be a maximum of seven hundred fifty dollars (\$750.00).

C. Fines for violations of certain regulated parking and handicapped parking, restricting or prohibiting the standing or parking of motor vehicles along the streets, byways, alleyways, regulated parking lots or such other locations as may be controlled by off street parking agreements, located within the geographical boundaries of this City for areas specifically designated for handicapped parking shall be a maximum of seven hundred fifty dollars (\$750.00).

1-14-7: VEHICLE IMPOUNDMENT:

A. Authorization To Impound, Boot Or Tow Motor Vehicle: Any motor vehicle whose registered owner has been determined to be liable for ten (10) or more vehicular standing or parking regulation violations, for which the fines or penalties assessed remain unpaid, may be immobilized, booted or towed and impounded if:

1. The Ordinance Enforcement Administrator has determined that a person has been determined to be liable for ten (10) or more ordinance violations, for which the fines or penalties remain unpaid.

2. The person determined to be liable for ten (10) or more violations is the registered owner of a motor vehicle located within the City geographical boundaries.

3. A seizure notice has been sent to the registered owner of the motor vehicle located within the geographical boundaries of the City which contains, but shall not be limited to, the following:

a. That a final determination has been made on ten (10) or more ordinance violations, for which the fines and penalties remain unpaid;

b. A listing of the violations for which the person has been determined to be liable, which shall include for each violation:

- (1) The ordinance violation notice number;
- (2) Date of issuance; and
- (3) Total amount of fines and penalties assessed;

c. That the motor vehicle owned by the person and located within the City is subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within, but not later than, fifteen (15) days of the date of the notice;

d. Date of immobilization;

e. Date of impending towing and impoundment; and

f. That the registered owner may contest the validity of the notice by appearing in person before the Ordinance Enforcement Administrator within fifteen (15) days of the date of the notice and submitting evidence which would conclusively disprove liability, such as the following:

(1) The registered owner was not the owner or lessee of the vehicle on the date or dates the notices of violation were issued; or

(2) The fines or penalties for the violations cited in the notice were paid in full; or

(3) The registered owner has not accumulated ten (10) or more ordinance violation notices which are unpaid, not adjudicated or for which no appearance was made.

4. The motor vehicle of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice and has failed to appear with evidence to conclusively disprove liability before the Ordinance Enforcement Administrator to contest the validity of the notice.

B. Criminal Violations Authorizing Seizure/Impoundment: A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the City, and the owner of record of said vehicle shall be liable to the City for an administrative penalty of five hundred dollars (\$500.00), in addition to costs of prosecution and any towing and storage fees as hereinafter provided:

1. Operation or use of a motor vehicle in the commission or attempted commission of any offense for which a motor vehicle may be seized and forfeited pursuant to 720 Illinois Compiled Statutes 5/36-1.

2. Driving under the influence of alcohol, other drug or drugs, intoxicating compounds, 625 Illinois Compiled Statutes 5/11-501.

3. Operation or use of a motor vehicle in connection with the commission or attempted commission of any felony offense or in violation of the provisions of the Illinois cannabis control act, 720 Illinois Compiled Statutes 550/1.

4. Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the Illinois controlled substances act, 720 Illinois Compiled Statutes 570/100.

5. Unlawful use of a weapon in violation of 720 Illinois Compiled Statutes 5/24-1; aggravated discharge of a firearm in violation of 720 Illinois Compiled Statutes 5/24-1.5; unlawful possession of a firearm and firearm ammunition in violation of 720 Illinois Compiled Statutes 5/24-3.1.

6. Driving while license, permit or privilege to operate a motor vehicle is suspended or revoked, 625 Illinois Compiled Statutes 5/6-303; vehicles shall not be subject to seizure/impoundment if the suspension is for unpaid citations, due to failure to comply with emission testing.

7. Operating a motor vehicle without a valid driver's license, 625 Illinois Compiled Statutes 5/6-101 in combination with operation of motor vehicle with no insurance 625 Illinois Compiled Statutes 5/3-707.

a. Except a person that had a valid driver's license that is expired for less than six (6) months.

b. Except a person who is less than seventeen (17) years of age operating a motor vehicle on any street or highway when in violation of the child curfew act.

C. Request For Hearing In Case Of Impoundment And Towing Of Motor Vehicle: Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the Ordinance Enforcement Administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next scheduled hearing date or, if sooner, scheduled by the Ordinance Enforcement Administrator for good cause shown, but in no case shall the hearing be scheduled later than thirty (30) days after the request for hearing is filed and shall serve notice of the hearing date upon the registered owner by first class mail, postage prepaid, to the address as is set forth on the request for hearing. Service of the notice shall be complete on the date it is placed in the United States mail.

D. Notice Affixed To Vehicle In Cases Of Immobilization: Upon immobilization of an eligible vehicle, a notice shall be affixed to the vehicle in a conspicuous place. Such notice shall warn that the vehicle is immobilized and that any attempt to move the vehicle may result in its damage. The notice shall also state that the unauthorized removal of or damage to the immobilizing restraint is a violation of sections 16-1 and 21-1 of the Illinois criminal code. The notice also shall provide the following information specifying that a release of the immobilizing restraint may be had by:

1. Paying all the fines and penalties, if any, on the outstanding complaints for which notice has been sent prior to the date of the immobilization; or

2. Completing appearance forms on all outstanding parking violation complaints for which notice had been sent prior to the date of the immobilization and depositing collateral in the amount of fifty percent (50%) of the total fines for these outstanding parking violation complaints, or five hundred dollars (\$500.00), whichever is less.

E. Towing Of Immobilized Vehicle: Except where the vehicle is otherwise subject to towing, if the immobilizing restraint has not been released as hereinabove provided within seventy two (72) hours of its placement, the vehicle shall be towed and impounded.

F. Post-impoundment Notice: Within ten (10) days after a vehicle has been impounded, notice of impoundment shall be sent by certified mail, return receipt requested, to the registered owner of the vehicle. The notice shall state that the owner has the right to a post-immobilization and post-towing hearing as provided in subsection G of this section and that if the vehicle is not claimed within thirty (30) days from the date of the notice, the vehicle may be sold or otherwise disposed of in accordance with the Illinois Vehicle Code.

G. Hearing In Case Of Vehicle Immobilization: The owner of an immobilized vehicle or other interested person shall have the right to a hearing to determine whether the immobilization or any subsequent towing was erroneous or whether the vehicle was properly included on an immobilization list, if the owner files a written demand for a hearing before the Ordinance Enforcement Administrator within fourteen (14) days after issuance of the notice specified in subsection F of this section or within fourteen (14) days of immobilization, whichever is later. A hearing shall be conducted on any business day within forty eight (48) hours of receipt of a written demand for hearing, unless otherwise mutually agreed by the parties. Failure to request or attend a scheduled hearing shall be deemed a waiver of the right to a hearing. In the event of such failure, any amount deposited pursuant to subsection D of this section shall be forfeited. A hearing provided by this subsection shall not determine the validity of or otherwise adjudicate any citation or notice of ordinance violation issued relative to the immobilized vehicle, but shall only relate to whether the vehicle was properly immobilized or towed by determining whether the owner previously submitted evidence required by this chapter.

H. Fines And Fees For Immobilization: The fine for immobilization shall be five hundred dollars (\$500.00) and the fine for impoundment and towing shall be an amount not to exceed six hundred fifty dollars (\$650.00). The owner of the vehicle shall also be charged reasonable storage and towing fees should the vehicle be removed to a private storage facility, provided that no fees shall be assessed for any immobilization or tow which has been determined to be erroneous.

I. Towing Services: The Ordinance Enforcement Administrator shall appoint or retain the services of an individual agency or company to tow and impound vehicles in accordance herewith, provided that that individual, agency or company is fully insured and licensed according to local or state law and has available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this subsection a "secured area" shall mean an area bounded by a fence, chainlink or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

1-14-8: IMPOSITION OF COLLECTION COSTS ON UNPAID FINES:

The City and the City attorney or the finance director or their designees may retain attorneys and private collection agents for the purpose of collecting any default in payment of any fine or penalty imposed by this Code, or any installment of a fine or penalty. The City shall add a thirty five percent (35%) cost of collections to any outstanding balance that requires the City to retain the services of a collection agency. This thirty five percent (35%) cost includes any default in a fine or penalty or any installment of a fine or penalty that was previously referred to an attorney or private collection agency and the payment of which remains outstanding.

Section Two – Effective Date

This Ordinance shall be in full force and effect on January 1, 2024.

Section Three – Conflict Clause

That all ordinances, parts of ordinances, resolutions, parts of resolutions and/or board actions in conflict with the terms of this ordinance shall be repealed to the extent of said conflict.

Section Four – Constitutionality Clause

Any part or parts of this Ordinance declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this Ordinance or the Yorkville City Code.

Section Five – Publication

This Ordinance shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Passed by the City Council of the United City of Yorkville, Kendall County, Illinois this 28th day of November, A.D. 2023.

CITY CLERK

KEN KOCH	<u>AYE</u>	DAN TRANSIER	<u>AYE</u>
ARDEN JOE PLOCHER	<u>AYE</u>	CRAIG SOLING	<u>AYE</u>
CHRIS FUNKHOUSER	<u>AYE</u>	MATT MAREK	<u>AYE</u>
SEAVER TARULIS	<u>AYE</u>	RUSTY CORNEILS	<u>AYE</u>

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois
this 1st day of December, A.D. 2023.

MAYOR

Attest:

CITY CLERK