

ORDINANCE NO. MC-1086
**AN ORDINANCE AMENDING SECTION 40-417 OF THE HOMEWOOD
MUNICIPAL CODE UPDATING THE OPPORTUNITIES TO APPEAR BEFORE
A HEARING OFFICER ON PARKING AND COMPLIANCE CITATIONS**

WHEREAS, 625 ILCS 5/11-208.3 authorizes the village to provide a system of administrative adjudication of vehicular standing and parking violations and compliance violations; and

WHEREAS, Article IV, Division 5, of the Homewood Municipal Code adopts a fair and efficient method of enforcement through administrative adjudication; and

WHEREAS, Section 40-417(a) of the Homewood Municipal Code allows for hearings to be conducted by administrative hearing officers; and

WHEREAS, the Board of Trustees of the Village of Homewood find it necessary to revise the local ordinance to clarify the number of opportunities to appear before an administrative hearing officer,

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois:

SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

Section 40-417 of the Homewood Municipal Code is amended as follows (additional language underlined, deleted language ~~stricken~~):

Sec. 40-417. - Hearings

Hearings shall be conducted by one or more hearing officers appointed by the village president with the consent of the board of trustees. Hearing officers shall be compensated as established by the village president and board of trustees. Hearings shall be conducted at the village hall or such other location at such times as determined by the traffic compliance administrator. At the hearing, the owner or lessee of the cited vehicle may contest the merits of the alleged violation. Hearings shall be recorded, and the hearing officer shall be empowered to administer oaths and to secure by subpoena both attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at a hearing may be represented by counsel at their expense. Violators shall be given no less than two ~~three~~ opportunities to appear. Failure to appear by the second ~~third~~ scheduled hearing date will result in a final

determination of liability. The decision and determination of the hearing officer shall be final and subject to the provisions of the administrative review law as found in 735 ILCS 5/3-101 et seq., as amended.

SECTION TWO - EFFECTIVE DATE:

This ordinance shall be in full force and effect after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 25th day of February, 2024.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____