

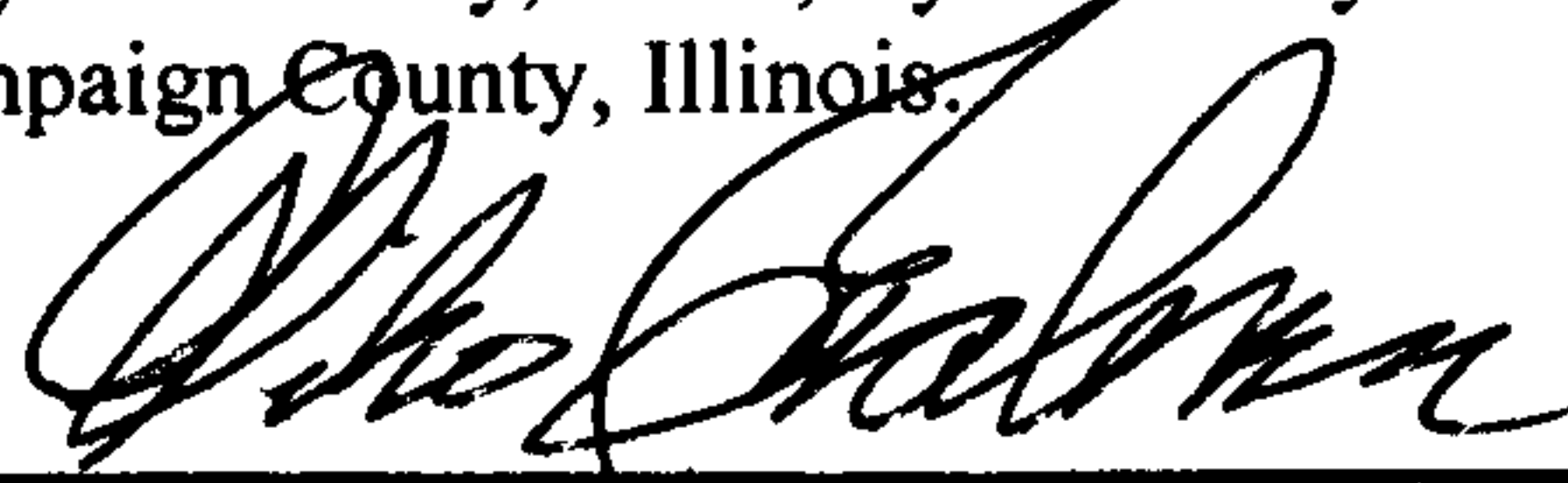
**ORDINANCE NO. 2283**

**AN ORDINANCE  
AMENDING SECTION 1-23 OF THE  
CODE OF ORDINANCES, VILLAGE OF RANTOUL, ILLINOIS**

**VILLAGE OF RANTOUL  
CHAMPAIGN COUNTY, ILLINOIS**

**CERTIFICATE OF PUBLICATION**

Published in pamphlet form this 10th day of January, 2012, by authority of the President and Board of Trustees of the Village of Rantoul, Champaign County, Illinois.



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VILLAGE CLERK

ORDINANCE NO. 2283

AN ORDINANCE  
AMENDING SECTION 1-23 OF THE  
CODE OF ORDINANCES, VILLAGE OF RANTOUL, ILLINOIS

WHEREAS, the Supreme Court of the State of Illinois on December 7, 2011 promulgated new rules applicable to the prosecution, through the judicial system, of violations of ordinances passed pursuant to Section 1-21 of the Illinois Municipal code (65 ILCS 5/1-2-1) or home rule authority for which the penalty does not include the possibility of a jail term (the "Supreme Court Rules")

WHEREAS, the President and Board of Trustees of the Village of Rantoul, Champaign County, Illinois now find it necessary and desirable to amend Section 1-23 of the Code of Ordinances, Village of Rantoul, Illinois, to conform with and be consistent with the Supreme Court Rules.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF RANTOUL, CHAMPAIGN COUNTY, ILLINOIS, as follows:

**Section 1. Adoption.** Section 1-23, entitled "General Penalty; continuing violations", of the Code of Ordinances, Village of Rantoul, Illinois, as supplemented and amended, be and the same is hereby revised to provide as set forth in the title, headings and text thereof as attached hereto and hereby incorporated herein by this reference thereto.

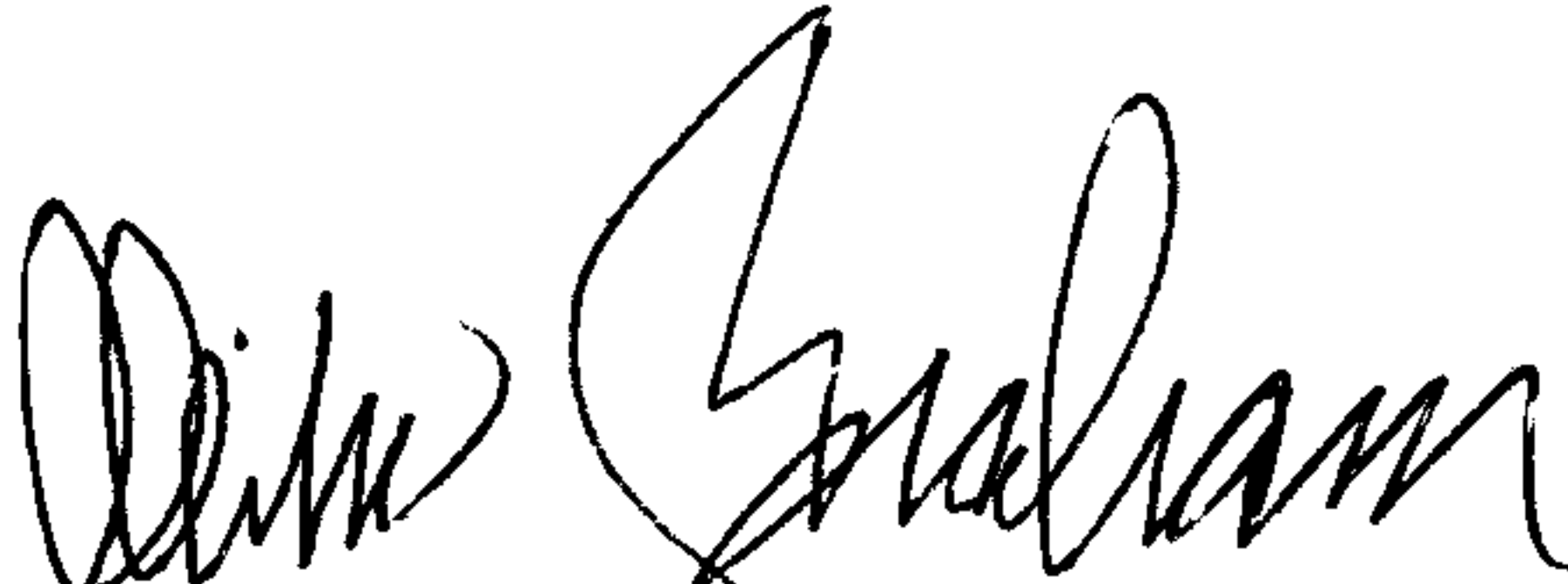
**Section 2. Effective Date.** This Ordinance shall become effective following the passage, approval and publication as required by law.

**Section 3. Conflict.** All ordinances or parts of ordinances which are in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby superseded and repealed.

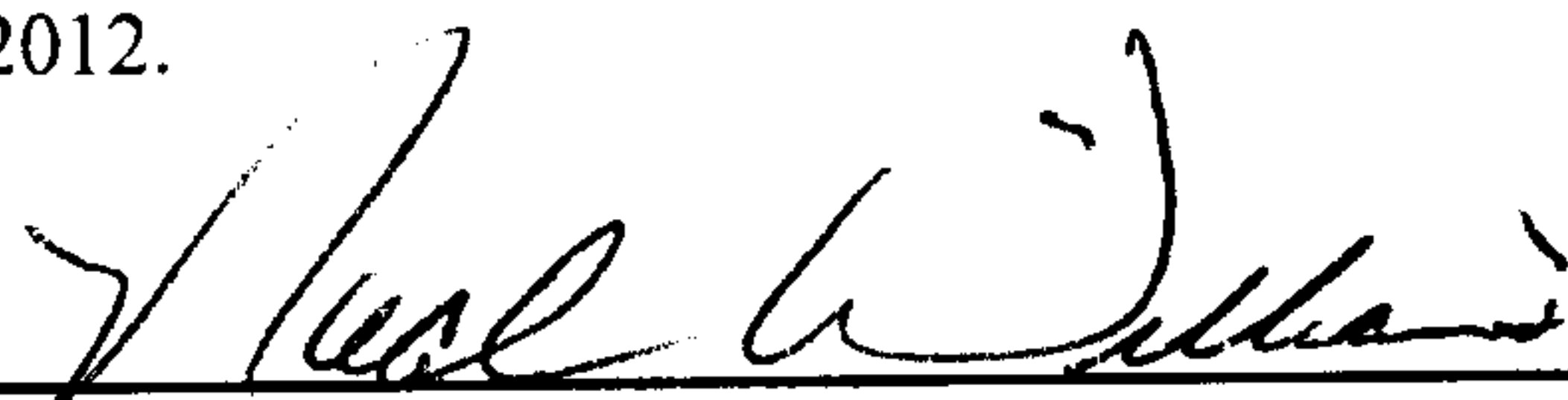
**Section 4. Publication.** The Village Clerk is hereby authorized and directed to cause this Ordinance to be published in pamphlet form.

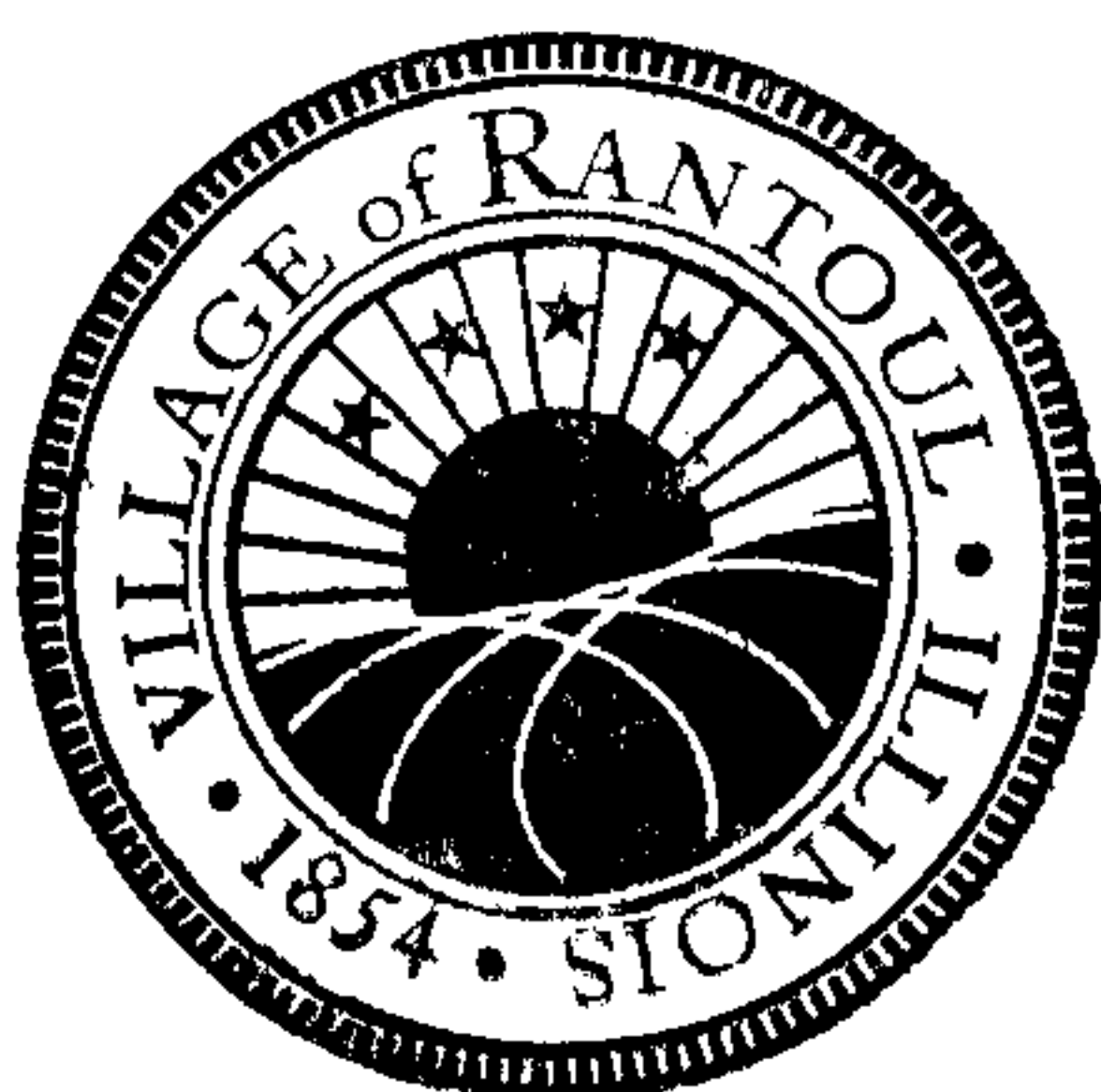
This Ordinance is hereby passed, the "ayes" and "nays" being called, by the concurrence of a majority of the members of the Corporate Authorities then holding office at a regular meeting on the date set forth below.

PASSED this 10th day of January, 2012.

  
\_\_\_\_\_  
Village Clerk

APPROVED this 10th day of January, 2012.

  
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Village President



**Sec. 1-23. General penalty; continuing violations.**

(a) In all cases where the same offense is made punishable or is created by different clauses or sections of this Code, the prosecuting officer may elect under which to proceed, but not more than one (1) recovery shall be had against the same person for the same offense; provided that the revocation of a license or permit or fine imposed in an administrative hearing shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

(b) Whenever in this Code the doing of any act or the omission to do any act constitutes a violation of any section or provision of this Code, and such section or provision of this Code is listed in section 1-24, any person who shall be convicted of any such violation shall be fined not less than the minimum fine set forth in section 1-24 for that section or provision of this Code nor more than seven hundred fifty dollars (\$750.00) for each offense.

(c) Whenever in this Code the doing of any act or the omission to do any act constitutes a violation of any section or provision of this Code, and such section or provision of this Code violated in not listed in section 1-24 and there shall be no fine or penalty declared for such violation, any person who shall be convicted of any such violation shall be fined not less than one dollar (\$1.00) nor more than seven hundred fifty dollars (\$750.00) for each offense.

(d) In case of amendment of any section of this Code containing the provisions for which a penalty is provided in another section, the penalty so provided in such other section shall relate to the section so amended or the amending section, whether re-enacted in the amendatory ordinance or not, unless such penalty is specifically repealed therein.

(e) Whenever a finding of guilty is made by the court or a plea of guilty is entered by a defendant, the court may, in lieu of imposing a fine, impose a sentence to complete public service work. Based upon the amount of the fine that would otherwise be applicable, there shall be allowed a credit of ten dollars (\$10.00) for each completed hour of public service work to be applied to such fine.

(f) Whenever a finding of guilty is entered by the court or a plea of guilty is entered by a defendant, the court may, in addition to a fine imposed, enter an order to pay restitution with restitution to be in an amount not to exceed actual out-of-pocket expenses or loss approximately caused by the conduct of the defendant. The court shall determine the amount and conditions of payments.

(g) Whenever a finding of guilty is made by the court or a plea of guilty is entered by a defendant, the court may impose a sentence of conditional discharge or of supervision, and the incidents and conditions thereof shall be as specified in the Unified Code of Corrections of the State of Illinois (730 ILCS 5/1-1-1 et seq.), as now or hereafter amended. The provisions as to employment, compensation, liability and any other provision contained in such Unified Code of Corrections shall also apply.

(h) Whenever the court finds any person guilty of failing to pay a fine assessed for violation of a municipal ordinance, and such person is subsequently incarcerated for contempt of court based on such failure, there shall be allowed a credit of twenty dollars (\$20.00) for each day of incarceration to be applied to that person's outstanding fine.

(i) A separate offense shall be deemed committed on each day during or on which a violation of this Code occurs or continues.

**(j) No provision of this Code designating the duties of any officer or employee shall be construed as to make such officer or employee liable for any fine or penalty provided in this Code for a failure to perform such duty, unless the intention of the president and board of trustees to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating such duty.**