

City of St. Charles, Illinois

Ordinance No. 2010-M-15

**Ordinance Amending Title 10, "Vehicles and Traffic,"
Section 10.04.060, "Numbering System" and Section
10.60.010 "Violation - Penalties" of the St. Charles
Municipal Code**

**Adopted by the
City Council
of the
City of St. Charles
February 1, 2010**

**Published in pamphlet form by
authority of the City Council
of the City of St. Charles,
Kane and Du Page Counties,
Illinois, February 5, 2010**

Nancy Garrison

City Clerk



DATE OF PUBLIC HEARING 02/05/10
CITY CLERK # [Signature]

REFER TO 11.09
SUBMITTED 02/01/10
PAGE

City of St. Charles, IL
Ordinance No. 2010-M- 15

An Ordinance Amending Title 10, "Vehicles and Traffic,"
Section 10.04.060, "Numbering System" and Section 10.60.010
"Violation – Penalties" of the St. Charles Municipal Code

BE IT ORDAINED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

SECTION ONE: That Title 10, "Vehicles and Traffic", Section 10.04.060 "Numbering System", of the St. Charles Municipal Code, be and is hereby amended by deleting it in its entirety and in lieu thereof the following language shall be substituted:

"10.04.060 Numbering system; Burden of proof.

When referring to provisions of the Illinois Vehicle Code hereinbefore adopted by reference in this chapter as provisions of the St. Charles Municipal Code, the paragraph numbering as used in the Illinois Vehicle Code shall be prefixed by the chapter heading, namely "Chapter 10.04", so that, for example, when referring to the ordinance provision for paragraph "12-500" of the Illinois Vehicle Code, that appropriate provision of the St. Charles Municipal Code would be "10.04.12-500."

The burden of proof for any offense classified as a "petty" offense or "business" offense in the provisions of the Illinois Vehicle Code adopted in this chapter shall be by a preponderance of the evidence. Offenses classified therein as "misdemeanor" offenses shall be proven beyond a reasonable doubt."

SECTION TWO: That Title 10, "Vehicles and Traffic", Section 10.60.010 "Violations-Penalties", of the St. Charles Municipal Code, be and is hereby amended by deleting subsection B in its entirety and in lieu thereof the following language shall be substituted:

"B. Notwithstanding the foregoing subsection A, any person convicted of driving while intoxicated, transporting alcoholic liquor, and reckless driving shall be fined in accordance with the following schedule:

Ordinance	Description	Minimum Fine	Maximum Fine
10.04.20	Driving while intoxicated	\$750.00	\$2,500.00
10.04.20	Transporting alcoholic liquor	\$75.00	\$100.00
10.04.20	Reckless driving	\$500.00	\$2,500.00

The fine set forth above for driving while intoxicated shall be in addition to any sentencing alternative elected by the court. The court shall consider the financial resources and future ability of the offender to pay the fine and whether the fine will prevent the offender from making court-ordered restitution or reparation to the victim of the offense, if any."

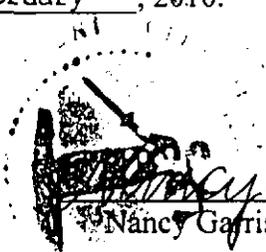
SECTION THREE: That after the adoption and approval hereof this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

SECTION FOUR: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

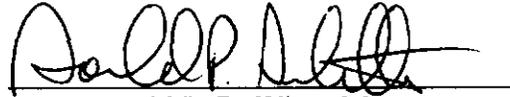
PRESENTED to the City Council of the City of St. Charles, Illinois this 1st day of February, 2010.

PASSED by the City Council of the City of St. Charles, Illinois this 1st day of February, 2010.

APPROVED by the Mayor of the City of St. Charles, Illinois this 1st day of February; 2010.



Nancy Garrison
Nancy Garrison, City Clerk



Donald P. DeWitte, Mayor

COUNCIL VOTE:

Ayes: 10
Nays: 0
Absent: _____

APPROVED AS TO FORM:

City Attorney

DATE: _____

State of Illinois)
) ss.
Counties of Kane and DuPage)

Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on February 1, 2010, the Corporate Authorities of such municipality passed and approved Ordinance No. 2010-M-15, entitled

"Ordinance Amending Title 10, "Vehicles and Traffic,"
Section 10.04.060, "Numbering System" and Section
10.60.010 "Violation – Penalties" of the St. Charles
Municipal Code,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2010-M-15, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on February 5, 2010, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 1st day of February 2010.


Municipal Clerk

(S E A L)

