

Village of Kingston

Ordinance 2017-04

AN ORDINANCE AMENDING THE VILLAGE OF KINGSTON MUNICIPAL CODE,  
CHAPTER 1, SECTION 1-16

WHEREAS, the Village of Kingston has hereto adopted an ordinance relating to general penalties (Chapter 1, Section 1-16) and said ordinance has thereafter been amended from time to time and is currently in full force and effect in the Village of Kingston; and

WHEREAS, it is necessary from time to time to amend the Village of Kingston Municipal Code to remain up-to-date with changing practices and community standards; and

WHEREAS, it is the desire and intention of the Board of Trustees of the Village of Kingston to more adequately address the needs of the citizens of the Village of Kingston;

NOW, THEREFORE, be it ordained by the Board of Trustees of the Village of Kingston as follows:

Section 1: That section 1-16 be amended by adding the following sections:

FINE SCHEDULE FOR PRE-PAYMENT OF ORDINANCE CITATIONS (ASSUMES ANY ORDINANCE NOT LISTED HERE IS A MANDATORY COURT DATE UNTIL OTHERWISE AMENDED)

1-1: GENERAL PENALTY:

A. Petty Offense: Unless specifically provided elsewhere, any person found to have been in violation of any of the terms and provisions of this Code which constitutes a petty offense shall be fined in an amount not to exceed Seven hundred fifty dollars (\$750.00).

B. Misdemeanor: A person found to have committed a violation of this Code which constitutes a misdemeanor shall be sentenced, either alone or in combination as follows:

1. A period of incarceration not to exceed six (6) months;

2. A fine not to exceed Seven hundred and fifty dollars (\$750.00).

C. A person to whom a notice is issued by a City Law Enforcement Officer for a violation of one of the following offenses shall pay to the Village Clerk the amount specified for the violation with thirty (30) days of receipt.

D. A person who fails to pay in accordance with Paragraph C above may be prosecuted in an administrative adjudication hearing. Any person found to have committed a violation shall be subject to the provisions of Sub-paragraph A or B of this Paragraph. If the offender fails to pay the City Clerk within thirty (30) days, the Village will seek court adjudication and a fine up to \$750.00.

E. A person found to have committed a violation of this code which requires a mandatory court appearance shall be fined between the minimum fine of twenty-five (\$25.00) and maximum fine of seven hundred fifty dollars (\$750.00).

F. Any minor (under eighteen years of age) who is issued a notice of a violation of the Kingston Ordinance will be required to appear at an administrative adjudication hearing with a parent or guardian.

#### Chapter 10: Alcoholic Beverages

10-2	Permitted Hours Of Sale	\$100
10-3	Open Alcohol In Public	\$100
10-5	Possession Of Alcohol (Minor)	\$100
10-13	Bassett Training	\$100

#### Chapter 18: Animals

18-4	Interfering With Officer	\$50
18-5	Restraint Required	\$50
18-6	Barking Dog	\$50
18-7	Keeping of Certain Animals Prohibited; exceptions	
	First Offense	\$100
	Second Offense	\$150
	Third Offense	\$250
18-9	Cruelty To Animals	\$100
18-41	Dog Running At Large	\$50
18-41	Leash Required	\$50
18-44	Failure To Remove Excrement	\$50

#### Chapter 26: Businesses

26-799	Uninvited Soliciting	\$100
26-820	Soliciting Prohibited Hours	\$100
26-820	Soliciting Without A Permit	\$100

#### Chapter 46: Manufactured Home and Trailers

46-32	Parking of Trailer - Occupied or Unoccupied	\$50
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#### Chapter 50: Offenses And Miscellaneous Provisions

50-31(b)	Loitering	\$100
50-32	Excessive Exhaust Noise	\$60
50-32	Excessive Noise (Music)	\$60
50-32	Excessive Noise (Horns)	\$60
50-32	Production Of Other Offensive Noise	\$60
50-33	Hunting And Trapping	\$100
50-34	Disorderly Conduct	\$100
50-34(a)	Noise Violation	\$100

50-34(b)	Fighting	\$100
50-34(e)	Public Intoxication	\$100
50-34(h)	Vandalism	\$100
50-35	Possession Of Marijuana	\$200
50-35	Possession Of Drug Paraphernalia	\$200
50-36	Trespassing	\$100
50-37	Damage, Injury To Property	\$100
50-38	Littering	\$50
50-61	Possession Of Tobacco	\$100
	2ND Offense	\$200
	3RD Offense	\$300
50-81	Curfew Violation	\$100
50-116	Discharge Of Firearms/Air Guns	\$100
50-117	Fireworks	\$100
50-118	Prohibitions As To Weapons And Dangerous Weapons	\$100

#### Chapter 54: Secondhand Goods

54-36	Secondhand Goods	\$100
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#### Chapter 62: Streets, Sidewalks And Other Public Places

62-2	Obstructions	\$50
62-6	Consumption Of Alcohol On Public Streets, Sidewalks And Right Of Ways.	\$100
62-72	Coasting	\$50
62-103	Unlawful Deposits	\$50
62-104	Obstruction of Vision	\$50

#### Chapter 74: Traffic And Vehicles

74-71	Non-Roadway Vehicle On Roadway	\$60
74-72	Seat Belt Violation	\$60
74-91	Limits And Restrictions	\$50
74-92	Engine Braking	\$60
74-93	Squealing Of Tires	\$60
74-111	U-Turns	\$50
74-123	Unsafe Tires	\$60
74-146	Diagonal Parking On Certain Streets	\$50
74-147	Limited Parking	\$40
74-148	Parked Blocking Sidewalk	\$50
74-148	Parked Facing Traffic	\$50
74-148	Handicapped Violation	\$250

74-148	Parked Blocking Driveway	\$50
74-148	Parked Within 20 Feet Of Intersection Or Crosswalk	\$50
74-148	Parked Within 15 Feet Of A Fire Hydrant	\$50
74-148	Parking Where Official Signs Prohibit Parking	\$50
74-149	Parked On Unimproved Surface	\$40
74-150	Parked On Snow Route	\$60
74-151	Vehicle Parked With Expired Registration	\$60
74-211	Obscured Windshield Or Windows	\$60
74-212	Faulty Tire Equipment	\$60
74-231	Vehicle Lighting	\$60
74-343	Operation On Streets Or Alleys Unlicensed Vehicles	\$40
74-261	Abandoned/ Inoperable	\$60
74-263	Leaving Wrecked Vehicle On Street	\$40
74-304	Riding On Certain Sidewalks; ramp	\$50
74-305	Responsibility Of Parent Or Guardian	\$50
74-12-101	Scope And Effect Of Equipment Requirements	\$75
74-12-201	When Lighted Lamps Are Required	\$75
74-12-202	Clearance, Identification And side Marker Lamps	\$75
74-12-203	Lamps On Parked Vehicle	\$75
74-12-204	Lamp Or Flag On Projecting Load	\$75
74-12-205	Lamps On Other Vehicle And Equipment	\$75
74-12-205.01	Implements Of Husbandry Or Slow Moving Vehicles - Display Of Amber Signal Lamp	\$75
74-12-207	Sport Lamps And Auxiliary Driving Lamps	\$75
74-12-208	Signal Lamps And Signal Devices	\$75
74-12-209	Additional Lighting Equipment	\$75
74-12-210	Use Of Headlamps And Auxiliary Driving Lamps	\$75
74-12-211	Number Of Driving Lamps Required Or Permitted	\$75
74-12-212	Special Restrictions On Lamps	\$75
74-12-401	Restriction As To Tire Equipment	\$75
74-12-402	Sale Or Lease Of Siped Or Re-grooved Phneumatic Tire	\$75
74-12-405	Operating Condition Of Phneumatic Tire	\$75
74-12-501	Windshields And Safety Glazing Material In Motor Vehicles	\$75
74-12-502	Mirrors	\$75
74-12-503	Windshield Must Be Un-obstructed And Equipped With Wipers	\$75
74-12-600	Definitions	\$75
74-12-601	Horns And Warning Devices	\$75
74-12-602	Mufflers, Prevention Of Noise	\$75
74-12-602.01	Excessive Braking Noise Signs	\$75
74-12-603	Seat Safety Belts	\$75
74-12-603.01	Driver And Passenger Required To Use Safety Belts, Exceptions And Penalty	\$75
74-12-604	Television Receivers	\$75

74-12-606	Tow Trucks Identification - Equipment- Insurance	\$75
74-12-607	Suspension System	\$75
74-12-607.01	Frame And Floor Height	\$75
74-12-608	Bumpers	\$75
74-12-610	Headset Receivers	\$75
74-12-611	Sound Amplification Systems	\$75

Vegetation

82-92	Weed Height Restriction	\$100
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BOND FEES:

SECTION 1 In addition to any bail required in accordance with the laws of the State of Illinois, or any other state, or the United States of America, any person arrested for violating aailable municipal ordinance or state or federal law, shall pay a fee of twenty (\$20.00) for bail processing.

SECTION 2 Any and all provisions of the Village of Kingston Municipal Code that are in conflict herewith are repealed.

COURT FEES:

SECTION 1 Upon determination of liable in an Administrative Adjudication hearing a fine shall be imposed as prescribed in Chapter 1, Section 1. In addition court costs shall be assessed at a rate of fifty (\$50.00) per violation.

SECTION 2 Any and all provisions of the Village of Kingston Municipal Code that are in conflict herewith are repealed.

1-2: APPLICATION OF PROVISIONS:

A. The penalty provided in this Chapter shall be applicable to every section of this Municipal Code the same as though it were a part of each and every separate action. Any person convicted of a violation of any section of this Municipal Code where any duty is prescribed or obligation imposed, or where any action which is of a continuing nature is forbidden or is declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this Municipal Code.

B. In all cases where the same offense is made punishable or is created by different clauses or sections of this Municipal Code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense;

provided, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

C. Whenever the doing of any act or the omission to do any act constitutes a breach of any section or provision of this Municipal Code and there shall be no fine or penalty specifically declared for such breach, the provisions of this Chapter shall apply.

1-3: RESPONSIBILITY FOR ACT:

A. Generally: Every person concerned in the commission of an act prohibited by this code, whether he directly commits the act or prosecutes, counsels, aids or abets in its commission, may be prosecuted and, on conviction, is punishable as if he had directly committed such act.

B. Liability of Officers: No provision of the Municipal code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the Board of Trustees to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating duty.

SECTION 2: This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

AYES:

NAYS:

ABSTAIN:

ABSENT:

PASSED by the Village Board of Trustees of the Village of Kingston, DeKalb County, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jim Baenziger, Village President

(SEAL)

ATTESTED and filed in my office this \_\_\_\_ day of \_\_\_\_\_, 2017

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Angie Lauderdale, Village Clerk



CERTIFICATE

STATE OF ILLINOIS        )  
  )SS.  
COUNTY OF DEKALB        )

I, Angie Lauderdale, certify that I am the duly appointed and acting municipal clerk of Kingston, DeKalb County, Illinois.

I further certify that on \_\_\_\_\_, 2017, the Corporate Authorities of such municipality passed an approved Ordinance 2017-04, entitled, An Ordinance amending the Village of Kingston Chapter 1, Section 1-16, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance2017-04, including the ordinance and cover sheet thereof prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on \_\_\_\_\_, 2017, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the front office of the municipal clerk.

Dated at Kingston, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2017

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Angie Lauderdale, Village Clerk