

VILLAGE OF FOREST VIEW

ORDINANCE NO. 22-12

**AN ORDINANCE AMENDING SECTIONS 9-5-4 AND 9-5-5 OF
THE FOREST VIEW VILLAGE CODE**

**PASSED AND APPROVED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF FOREST VIEW,
COOK COUNTY, ILLINOIS, this 22nd
day of March, 2022.**

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Forest View, Cook
County, Illinois, this 22nd day
of March, 2022.**

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THE FOREST VIEW VILLAGE CODE

BE IT ORDAINED by the President and Board of Trustees of the Village of Forest View, Illinois as follows:

SECTION 1: Amendment: Section 9-5-4 and 9-5-5 of the Forest View Village Code, “Administrative Fees,” are hereby amended to provide as follows: [Amendment shown through strikeouts and **bold**]:

9-5-4: ADMINISTRATIVE FEES:

The registered owner of record of a properly impounded vehicle, or the agent(s) of said owner, shall be liable to the Village for an administrative fee of **seven hundred fifty & 00/100 (\$750.00) dollars. ~~five hundred dollars (\$500.00).~~ Said administrative fee represents the administrative and processing costs associated with the investigation, arrest and detention of an offender, or the removal, impoundment, storage and release of the vehicle. The administrative fee is in addition to any towing and storage fees charged for the towing and storage of the impounded vehicle.**

(A) All administrative fees and towing and storage charges shall be imposed on the registered owner of the motor vehicle or agents of that owner.

(B) The fees shall be in addition to: 1) any other penalties that may be assessed by a court of law for the underlying violations; and 2) any towing or storage fees, or both, charged by the towing company.

(C) The fees shall be collected by and paid to the Village.

(D) The towing or storage fees, or both, shall be collected by and paid to the person, firm, or entity that tows and stores the impounded vehicle. The towing and storage fees shall be those approved by the Chief of Police for all towers authorized to tow for the Village of Forest View Police Department.

9-5-5: NOTICE OF IMPOUNDMENT:

(A) Notice: Whenever a Forest View police officer determines that a motor vehicle is subject to seizure and impoundment pursuant to this chapter, the police officer shall provide for the towing of the vehicle to a facility authorized by the Chief of Police. Before or at the time the vehicle is towed, the police officer shall notify or make a reasonable attempt to notify the owner, lessee or any person identifying him/herself as the owner or lessee of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, and who is physically present at the scene, of the alleged violation, seizure and impoundment of the vehicle, and of the vehicle owner's or lessee's right to an administrative hearing. If the owner or lessee of the vehicle is not present at the scene, the Village shall send the owner or lessee written notice of the seizure and impoundment by personal service or first class mail, at the address listed on the owner's vehicle registration within twenty four (24) hours of the impoundment, excluding Saturdays, Sundays and Village holidays. Said notice shall inform the owner or lessee that he/she has the right to an administrative hearing.

(B) Impoundment Pending Hearing: The village shall provide notice to the owner or lessee that the vehicle shall remain impounded pending the completion of the administrative hearing unless the owner or lessee of the vehicle or a lienholder posts with the village a cash bond equal to, or pays by money order or certified check with the village of Forest View police department the amount of the administrative fee of five hundred dollars (\$500.00), and pays for all towing and storage charges.

SECTION 2: Home Rule. This Ordinance and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such ordinance should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the Village of Forest View that to the extent that the terms of this Ordinance should be inconsistent with any non-preemptive state law, that this Ordinance shall supersede state law in that regard within its jurisdiction.

SECTION 3: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED BY THE FOLLOWING ROLL CALL VOTE this 22nd day of March, 2022.

AYES: Trustees, Hubacek, Ramirez, Nevarez, Grossi

NAYS: None

ABSENT: Trustees Sudkamp, Trustee Liska

APPROVED this 22nd day of March, 2022.

Nancy L. Miller
Village President

ATTEST:

Laura D. McGuffey
Village Clerk