

CHAPTER 1
GENERAL PROVISIONS

- 1.01 Richmond Village Code
- 1.02 Definitions
- 1.03 Jurisdiction
- 1.04 Penalties
- 1.05 Settlement of Offenses

1.01 RICHMOND VILLAGE CODE.

- (a) Title. This code of ordinances may be known and cited as the Richmond Village Code of the Village of Richmond, Illinois (“Code”).
- (b) Amendments. Any additions or amendments to this Code are incorporated into this Code so that a reference to the Richmond Village Code includes such additions and amendments.
- (c) Numbering of Sections. Each section number of this Code shall consist of two component parts separated by a period, the figure before the period referring to the chapter number and the figure after the period referring to the position in the section within the chapter.
- (d) Numbering Additions. The decimal system shall be used for all additions and amendments to this Code. When a chapter or section is added, the new section shall be given a decimal character.

1.02 DEFINITIONS.

- (a) Terms used in this Code, unless specifically defined in this Code, have the meanings prescribed by the Illinois Compiled Statutes for the same terms.

- (b) Terms used in this Code have the following meanings:

Village: Village of Richmond, Illinois;

Corporate Authorities: The President and Board of Trustees pursuant to 65 ILCS 5/1-1-2. (*Ord. 2013-18*)

County: McHenry County;

Section: Wherever “Section” appears within a particular section number of this Code, it means that particular section. For example, if “Section” appears within Section 1.01 of this Code, Section means Section 1.01. When a number is included with the word “Section,” it shall mean that section number of this Code.

State: State of Illinois;

Village Board or Board of Trustees: The Board of Trustees of the Village;

Village Clerk or Clerk: The Village Clerk of the Village and similarly the title of any other officer, board or commission shall mean such officer, board or commission of the Village unless otherwise stated.

Person: Any natural individual, firm, partnership, trust, estate, club, association, or corporation. As applied to partnerships, or applied to corporations it includes the officers, agents or employees thereof who are responsible for the act referred to. The singular includes the plural, and the plural includes the singular. The masculine gender includes the feminine and neuter genders.

Illinois Compiled Statutes or Statutes: The Illinois Compiled Statutes, as revised from time to time.

Illinois Municipal Code: Chapter 65 of the Illinois Compiled Statutes (65 ILCS 5/1-2-1 *et seq.*) as amended from time to time.

This code *or* This Code: The Richmond Village Code as amended from time to time.

1.03 JURISDICTION.

Unless otherwise provided in this Code, this Code applies to acts performed within the corporate limits of the Village. Provisions of this Code also apply to acts performed outside the corporate limits and up to the limits prescribed by law where the law confers power on the Village to regulate such particular acts outside the corporate limits.

1.04 PENALTIES.

(a) Standard Penalty. Unless another penalty is specifically provided by this Code for violation of any particular provision, section or chapter, any person violating any provision of this Code, or any rule or regulation adopted or issued pursuant thereto, or any provision of any Code adopted herein, shall upon conviction be subject to a fine pursuant to Appendix A of this Code. This Section shall in no way abrogate or impair the right of the Village to specifically enforce, by any local means, any of the provisions of this Section. (*Ord. 2012-07, adopted May 3, 2012*)

(b) Each Day of Violation. Each act of violation and each day upon which a violation occurs constitutes a separate offense.

(c) Applicability. The penalty provided by this Section applies to the amendments of any section of this code whether or not such penalty is re-enacted in the amendatory ordinance.

(d) Reference to Sections. Reference to a section of this Code shall be understood to refer to and include the penalty section relating thereto, unless otherwise expressly provided.

(e) Failure of Officers to Perform Duties. The failure of an officer or employee of the Village to perform an official duty imposed by this Code shall not subject such officer or employee to the penalty imposed for violation of this Code, unless a penalty is specifically provided in the section creating the duty.

(f) Collection. In the event any fee, including but not limited to, those relating to retained personnel, fines, penalties, repair, abatement, restitution and reimbursement, found in any section of this Code that is due the Village and is not paid, the cost of collecting such fee shall be added to the fee. Collection costs shall include, but not be limited to, prosecution and attorney fees.

1.05 SETTLEMENT OF OFFENSES *(Ord. 2012-07, adopted May 3, 2012)*

A. Payments. The described offenses listed in Appendix A of this Code or arising under the ordinances of the Village may be settled and compromised by the offender in the following manner:

When settlement payment is made within 10 days after the time a notice is delivered to the offender, settlement payment shall be the minimum dollar amount listed. When the settlement payment is not made within 10 days after a notice is delivered, the offender settlement shall be doubled. In the event that doubled sum exceeds \$1,000.00, the settlement payment shall not exceed \$1,000.00.

B. Settlements. Settlement payments shall be made to the Village Police Department, who shall provide the alleged offender with a receipt in the amount of such payment. As a condition precedent to the right of an offender to settle under this Section, the offender may be required to have first corrected the violating offense (i.e. nuisance removed, appropriate license/permit purchased, etc.)

C. Disposition of Payments. The amounts paid to the Village Police Department in settlement of the foregoing claims shall be promptly deposited by the Village Police Department with the Village Collector. Upon receipt by the Finance Clerk, the amounts shall be credited to the General Fund.

D. Prosecution. The Village shall refrain from prosecuting any alleged offender of the foregoing offenses after receipt of such settlement payment as provided in Section 1.05-A. If settlement payment is not received and the offense corrected pursuant to Section

1.05-A, the Village may have a sworn complaint issued and prosecute the matter in either the Village's municipal court or the Circuit Court and the respondent shall be responsible for the fine and court costs imposed by either the Administrative Law Judge or Circuit Court Judge.