

AMENDING THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS, CHAPTER 52, OFFENSES AGAINST PUBLIC PEACE - SAFETY AND MORALS.”

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et. seq.*; and,

WHEREAS, the City of DeKalb currently maintains Chapter 52 of the City Code, which relates to offenses against the public, and wishes to make certain updates to said Chapter; and,

WHEREAS, the City Council determines that there is an urgent public need that will be mitigated by the passage of this ordinance, and hereby includes a statement of urgency and direction that the ordinance take effect immediately upon passage and approval, having made all required findings for such immediate effect;

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. Ordinance Amended.

Chapter 52 shall be amended as follows:

Section 52.32(g) shall be amended as follows:

- g) Penalties. Any person, firm or corporation violating this Subsection e) shall be guilty of an ordinance violation and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00).

Section 52.37(i) shall be amended as follows:

- i) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and shall be responsible for restitution for any damage caused.

Section 52.37-5 shall be amended to remove any reference to violations constituting a misdemeanor, and shall reflect that violations shall be an ordinance violation.

Section 52.38(c) shall be amended as follows:

- c) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and shall be responsible for restitution for any expenses incurred in responding to a false alarm.

Section 52.40(b) shall be amended as follows:

- b) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and shall be responsible for restitution for any damage caused.

Section 52.50(b) shall be amended as follows:

- b) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and shall be responsible for restitution for any damage caused.

Section 52.60(b) shall be amended as follows:

- b) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), and shall be responsible for restitution for any damage caused.

Section 52.70(b) shall be amended as follows:

- b) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and shall be responsible for restitution for any damage caused.

Section 52.80(f) shall be amended as follows:

- f) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00), and shall be responsible for restitution for any damage caused or merchandise removed.

Section 52.90(b) shall be amended as follows:

- b) Penalties. Any person, firm or corporation violating this Ordinance shall be guilty of an ordinance violation and shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), and shall be responsible for restitution for any damage caused.

Section 52.19 shall be deleted in its entirety.

Any other reference to misdemeanor or incarceration as a punishment for ordinance violations shall be deleted and replaced with a reference to ordinance violation.

Section 2. All ordinances or portions thereof in conflict with this ordinance are hereby repealed. All agreements in violation of the terms of this Ordinance shall be terminated, effective immediately. The City Clerk shall issue a notice to the Office of the State Fire Marshall, advising of the passage of this Ordinance, and including a copy of the same.


Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 4. This Ordinance shall be in full force and effect immediately after passage, based upon the statement of urgency included in the preamble above (incorporated by reference herein). Publication date: June 11, 2013. Effective date: June 20, 2013.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the 10th day of June, 2013 and approved by me as Mayor on the same day. Second reading waived and passed on roll call vote 7-1. Aye: Jacobson, Finucane, Lash, Snow, Naylor, Baker, O'Leary, Rey. Absent: Baker.

ATTEST:


ELIZABETH E. PEERBOOM, City Clerk


JOHN A. REY, Mayor

