

**VILLAGE OF VERNON HILLS
ORDINANCE 2022-095**

**AN ORDINANCE AMENDING SECTION 1-11 OF THE VILLAGE CODE OF THE
VILLAGE OF VERNON HILLS, ILLINOIS TO ALLOW FOR RESTITUTION FOR
VIOLATIONS OF THE VILLAGE CODE**

WHEREAS, the Village of Vernon Hills is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Illinois Constitution; and

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-2-1 *et seq.*, the Village has the authority to impose penalties for ordinance violations, and make all rules and regulations proper or necessary to carry into effect such powers; and

WHEREAS, Section 1-11 of The Village Code of the Village of Vernon Hills, Illinois, (“Village Code”), establishes general penalties for violation of any provision of the Village Code where penalties are not otherwise prescribed; and

WHEREAS, the Village President and Board of Trustees desire to amend Section 1-11 of the Village Code, consistent with the Village’s home rule authority, to permit the Circuit Court of Lake County, or any other adjudicating court, in its discretion, to require violators of the Village Code to make restitution in an amount not to exceed the actual loss or damage caused by the violation; and

WHEREAS, the Village President and Board of Trustees have determined that it will serve and be in the best interests of the Village and its residents to amend the Village Code pursuant to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE BOARD OF VERNON HILLS, LAKE COUNTY, ILLINOIS, as follows:

SECTION ONE. RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as findings of the Village President and Board of Trustees.

SECTION TWO. GENERAL PENALTY. Section 1-11, titled “General Penalty; Continuing Violations,” Chapter 1, titled “General Provisions,” of the Village Code is hereby amended as follows:

“Sec. 1-11. General Penalty; Continuing Violations.

[...]

(c) In addition to all other penalties set forth in this Code, a court may in its discretion require a person who violates a provision of this Code and damages real or personal property or causes pecuniary loss, to make restitution in an amount not to exceed actual loss or damage to property and pecuniary loss. The court shall determine the amount and conditions of payment.”

SECTION THREE. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION FOUR. PUBLICATION. The Village Clerk is hereby directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois.

SECTION FIVE. EFFECTIVE DATE. This Ordinance will be in full force and effect after its passage, approval, and publication in the manner provided by law.

Dated this 6th day of September, 2022.

Adopted by roll call vote as follows:

AYES: 6 – Marquardt, Forster, Oppenheim, Takaoka, Schenk, Koch

NAYS: 0 - None

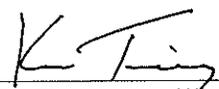
ABSENT AND NOT VOTING: 1 - Byrne


Thom Koch Jr., Chairman Pro Tem

PASSED: 09/06/2022

APPROVED: 09/06/2022

ATTEST: 09/06/2022


Kevin Timony, Village Clerk

