

CITY OF PEKIN

ORDINANCE NO. 2556-08/09

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 2, SECTION 11
OF THE CODE OF THE CITY OF PEKIN 1995
OFFENSES / MISDEMEANORS
REGARDING SEIZURE AND IMPOUNDING OF VEHICLES
AMENDED ORD. 2552 AND ORD. 2559**

PASSED BY THE CITY COUNCIL
OF THE CITY OF PEKIN
THE 27TH DAY OF MAY 2008

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE CITY
COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS,
THIS 27TH DAY OF MAY 2008

EFFECTIVE JUNE 6, 2008

ORDINANCE NO. 2556-DA-08/09

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 2, SECTION 11
OF THE CODE OF THE CITY OF
PEKIN 1995 REGARDING OFFENSES / MISDEMEANORS
IMPOUNDING VEHICLES**

WHEREAS, the Code of the City of Pekin 1995 was adopted on April 10, 1995, and duly published in book form; and

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and function pertaining to its government and its affairs; and

WHEREAS, the Code of the City of Pekin 1995, adopted on April 10, 1995, and duly published in book form, contains within Title 6, Chapter 2 on Offenses/Misdemeanors

WHEREAS, the City Council has determined that it is in the best interests of the City to amend Title 6, Chapter 2, Section 11 SEIZURE AND IMPOUNDMENT OF VEHICLES the Preliminary Hearing provision; and

WHEREAS, it is in the best interests of the health, safety, and welfare of the residents of the City of Pekin, Tazewell County, Illinois that the Police Officers of the City be authorized to seize and impound motor vehicles under the conditions and subject to the provisions herein contained:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS:

That Title 6, Chapter 2, Section 11, Subsection 5 of the Code of the City of Pekin, Tazewell County, Illinois be, and the same hereby is, amended by deleting under 6-2-11-5 PRELIMINARY HEARING the first paragraph, thereby replacing the words Twenty-four (24) hours and substituting seventy-two (72) business hours, not including weekends and holidays, so that it reads as follows:

“Where the owner of a motor vehicle seized under the provisions of this Chapter requests a preliminary hearing within twelve (12) hours after the seizure of the motor vehicle, a hearing officer of the City must conduct a preliminary hearing within seventy-two (72) business hours after the request for preliminary hearing is received by the City; not including Saturdays, Sundays, or legal holidays. For purposes of this Section, the following shall apply: ...”

BE IT FURTHER ORDAINED that all other parts of the Code of the City of Pekin 1995 as amended except as modified herein are hereby reaffirmed and ratified and are in full force and effect.

BE IT FURTHER ORDAINED that this Ordinance takes precedence over and supercedes any and all Ordinances or parts of ordinances in conflict herewith.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and approval and publication as required by law.

BE IT FURTHER PASSED AND APPROVED at a regular meeting of the City Council of the City of Pekin, this 27th day of May, 2008; and upon roll call the vote was as follows:

AYES: strand, Kortkamp, Jones, Blanchard, Dunn, Abel, and Tebben

NAYS: None

ABSENT: None

ABSTAINING: None

APPROVED this 27th day of May, 2008.


MAYOR

ATTEST:

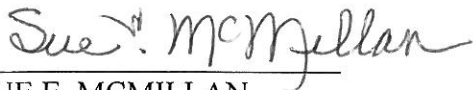
Sue M. Mellow
City Clerk

CERTIFICATE

THE UNDERSIGNED CERTIFIES THAT SHE IS THE CITY CLERK FOR THE CITY OF PEKIN, ILLINOIS, AND THAT THE CITY COUNCIL AT A REGULARLY CONSTITUTED MEETING OF SAID CITY COUNCIL OF THE CITY OF PEKIN ON THE 27TH DAY OF MAY, 2008 ADOPTED ORDINANCE NO. 2556-08/09 A TRUE AND CORRECT COPY OF WHICH IS CONTAINED IN THIS PAMPHLET.

GIVEN UNDER MY HAND AND SEAL THIS 27 DAY OF May, 2008.

(SEAL)



SUE E. MCMILLAN
CITY CLERK