

VILLAGE OF PALESTINE

ORDINANCE NO. 2020 – O – 06

AN ORDINANCE TO AMEND CHAPTER 41, TRAFFIC,  
TO ADD SECTION 41.23 –  
ALTERNATIVE ORDINANCE VIOLATIONS  
OF THE PALESTINE VILLAGE CODE

ADOPTED BY THE BOARD OF TRUSTEES  
OF THE VILLAGE OF PALESTINE, ILLINOIS  
EFFECTIVE THIS 6<sup>th</sup> DAY OF AUGUST, 2020

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF  
THE BOARD OF TRUSTEES OF THE VILLAGE OF PALESTINE,  
CRAWFORD COUNTY, ILLINOIS

EFFECTIVE THIS 6<sup>th</sup> DAY OF AUGUST, 2020

CERTIFICATE OF PUBLICATION

I, SHIRLEY ADAMS, the duly qualified Village Clerk of the Village of Palestine, Illinois, and the official custodian of records of said Village, do hereby certify that this Ordinance was published in pamphlet form by authority of the Village Council on the 6<sup>th</sup> day of August, 2020.

  
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SHIRLEY ADAMS, Village Clerk

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AN ORDINANCE TO AMEND CHAPTER 41, TRAFFIC,  
TO ADD SECTION 41.23 – ALTERNATIVE ORDINANCE VIOLATIONS  
OF THE PALESTINE VILLAGE CODE

BE IT ORDAINED by the Board of Trustees of the Village of Palestine, Crawford County, Illinois, that CHAPTER 41, TRAFFIC, is hereby amended to add SECTION 41.23 ALTERNATIVE ORDINANCE VIOLATIONS, to the PALESTINE VILLAGE CODE, as follows:

**41.23 ALTERNATIVE ORDINANCE VIOLATIONS**

**1.) APPEARANCE IN COURT – ALTERNATIVES**

Violator has been charged with violating a Village of Palestine Ordinance(s).  
VIOLATOR MUST APPEAR IN COURT AT THE PLACE AND TIME INDICATED ON  
THE NOTICE TO APPEAR OR THE SUMMONS WHICH WAS SERVED ON SAID  
VIOLATOR UNLESS:

- a.) The Violation for which the violator is charged is listed on the attached sheet, and
- b.) Violator must mail or deliver to the Palestine Village Hall the full amount required to settle each charge against violator within FOURTEEN (14) DAYS from the date that the complaint or citation was served to violator.
- c.) The Notice to Appear or Summons which was served on violator indicates that a court appearance is not required.

If the violator pays the full amount within THIRTY (30) DAYS of the date the violator was issued the citation, no charges will be filed against violator, and violator will not be required to appear in court, unless the Notice to Appear or Summons which was served to violator indicates that a court appearance is required. If mailed, payments must be received by the Village of Palestine within THIRTY (30) DAYS.

## **2.) MINIMUM FINE(S)**

The violation and section number are listed on violator's citation. If the section number of the violation is listed on the attached sheet, the amount required to settle the citation is the amount listed next to the charge as the minimum fine. Fine amounts are set by the Ordinance adopted by the Village Board. If you violator is paying for a second or subsequent offense which occurred within 12 months of the date of the occurrence (of another Village of Palestine offense for which a person paid a fine), then the minimum fine for the second or subsequent offense is increased as shown on the attached sheet.

## **3.) METHOD OF PAYMENT**

Violator may settle the case prior to the citation being filed in court by paying the minimum fine by mail or in person in the following manner:

a.) Payment by mail to: **Village of Palestine Police Department, 301 S Main Street, Palestine, IL 62451**

\*Use sufficient postage. Enclose the minimum fine by Cashier's Check, Certified Check or Money Order. No personal checks or partial payments will be accepted. Do not send cash by mail. Enclose a copy of the citation. Sign and enclose the portion of this sheet labeled "Waiver of Trial." Mail in sufficient time to be received by the deadline.

b.) Payment in person: Bring payment to the Office of the Palestine Police Department at 301 S. Main Street, Palestine, IL, between the hours of 9:00 AM and 3:00 PM, Monday through Friday. Only cash, Cashier's Check, Certified Check, or Money Orders will be accepted. No personal checks or partial payment will be accepted.

c.) **CAUTION** – IF FULL PAYMENT IS NOT ACTUALLY RECEIVED BY THE VILLAGE OF PALESTINE – PALESTINE POLICE DEPARTMENT, WITHIN THIRTY (30) DAYS OF THE DATE THAT VIOLATOR RECEIVES THE CITATION, VIOLATOR MUST APPEAR IN COURT AT THE TIME AND PLACE STATED ON THE NOTICE TO APPEAR, OR SUMMONS. IF THE NOTICE TO APPEAR, OR SUMMONS, WHICH WAS SERVED ON VIOLATOR INDICATES THAT A COURT APPEARANCE IS REQUIRED, THEN A COURT APPEARANCE IS REQUIRED REGARDLESS OF ANY PAYMENT THAT IS MADE, UNLESS SAID APPEARANCE IS SPECIFICALLY EXCUSED BY THE CHIEF OF POLICE OR VILLAGE ATTORNEY.

**4.) CONTESTING OF CHARGES – FURTHER QUESTIONS:**

Violator has the right to contest the ordinance violations complaint by appearing personally in court or through an attorney. If violator has questions regarding these matters, violator should seek advice of an attorney.

**VILLAGE OF PALESTINE  
ORDINANCE VIOLATIONS PAYABLE IN PERSON OR BY MAIL**

Person(s) charged with violating any section of the Village of Palestine Ordinance Codes listed below may settle the Village case against them by paying the amount listed as the minimum for the offense as full settlement of the charge within 14 days of the issuance of the citation charging the violation. If payment in full is made within these FOURTEEN (14) days, no case charging the violation will be filed and the person will not be required to appear on the court date specified on the Notice to Appear, or Summons. If payment in full is not made, then a case will be filed, and the person must appear on the date set on the Notice to Appear or Summons. IF THE NOTICE TO APPEAR, OR THE SUMMONS, WHICH WAS SERVED ON VIOLATOR INDICATES THAT A COURT APPEARANCE IS REQUIRED, THEN A COURT APPEARANCE IS REQUIRED REGARDLESS OF ANY PAYMENT THAT IS MADE UNLESS SAID APPEARANCE IS SPECIFICALLY EXCUSED BY THE CHIEF OF POLICE OR VILLAGE ATTORNEY. IF THE PERSON IS PAYING FOR A SECOND OR SUBSEQUENT OFFENSE, WHICH OCCURRED WITHIN TWELVE (12) MONTHS OF THE DATE OF THE OCCURRENCE OF ANOTHER VILLAGE OF PALESTINE OFFENSE FOR WHICH A PERSON PAID A FINE, THEN THE MINIMUM FINE FOR THE SECOND OR SUBSEQUENT IS INCREASED AS SHOWN BELOW.

**14 Day Rule Violations:**

<b>34.24(b)</b>	<b>Illegal Poss/Cons. of Alcohol-Minor</b>	<b>\$120.00</b>
<b>34.25</b>	<b>Public Intoxication</b>	<b>\$120.00</b>
<b>41.02</b>	<b>Exceeding posted speed limits</b>	<b>\$120.00</b>
<b>41.03</b>	<b>Excessive Acceleration (squealing/spinning tires)</b>	<b>\$120.00</b>
<b>41.04(a)</b>	<b>Illegal U-turns on Village Streets</b>	<b>\$120.00</b>
<b>41.04(b)</b>	<b>Illegal U-turn (left hand turn) on Main Street</b>	<b>\$120.00</b>
<b>41.05</b>	<b>Disobeying a Stop Sign</b>	<b>\$120.00</b>
<b>41.06</b>	<b>Failure to Yield</b>	<b>\$120.00</b>
<b>42.14</b>	<b>Violation of Curfew</b>	<b>\$120.00</b>
<b>43.01</b>	<b>Illegal Possession of tobacco or electronic smoking</b>	<b>\$120.00</b>

**Devices by minor under the age of 21**

This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Upon roll call vote the following Trustees voted yea:

*HARRY Gene PORCELL, J. R. DONLAP, MARY Michael  
BRIAN Nethery, Tim McDANIEL, TWILLA DAVIS*

Upon roll call vote the following Trustees voted nay:

Passed, approved and published in pamphlet form this 6<sup>th</sup> day of August, 2020.

ATTEST:

*Shirley Adams*  
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SHIRLEY ADAMS, Village Clerk

*James R. Byrley*  
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JAMES R. BYRLEY, Village President