
ORDINANCE NO. 2023-24-13

An Ordinance Amending Chapter 1, General Provisions, Section 1.07 (C) and (D), Settlement of Offenses, Chapter 12, Nuisances, Section 12.03 (B) Complaints and (E) Injunctive Relief, Section 12.06 (A) Parking Motorhomes, Recreational Vehicles, Trailers, and Boats and (C) Penalties, and Section 12.10 (F)(a), Administrative Hearing, of the Johnsburg Municipal Code

AN ORDINANCE PASSED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG
AT A REGULAR MEETING ON NOVEMBER 21, 2023
PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF JOHNSBURG

President

Edwin P. Hettermann

Board of Trustees

Beth Foreman
Mike Fouke
Josh Hagen
Greg Klemstein
Jamie Morris
Scott Letzter

Village Administrator

Claudett Sofiakis

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BE IT ORDAINED by the President and Board of Trustees of the Village of Johnsburg, McHenry County, Illinois, as follows:

SECTION 1: That Chapter 1, General Provisions, Section 1.07 (D), *Settlement of Offenses* of the Village of Johnsburg Municipal Code shall be amended so as to delete the stricken through text and to add the underlined text as follows:

1.07 SETTLEMENT OF OFFENSES

C. If not paid by close of business on the date of the Administration Adjudication Hearing, if applicable, as provided on the notice of violation, the fine(s) shall double

D. ~~If the violation remains outstanding forty days following the notice of violation,~~ A fines shall be imposed on a daily basis for each day that a violation of an ordinance of the Johnsburg Municipal Code continues or occurs.

SECTION 2: That Chapter 12, Section 12.03 (B) and (E), *Enforcements* of the Village of Johnsburg Municipal Code shall be amended to add the underlined text as follows:

12.03 ENFORCEMENT.

B. Complaints: Enforcement officers, as well as the Village attorney, shall have authority to issue non-traffic complaint citations (notices to appear) or ordinance violation citations to any person violating any of the provisions of this ordinance this is not intended as the exclusive means of initiating an action.

E. Injunctive Relief: When appropriate, the enforcement officer, as well as the Village attorney, may, on behalf of the Village of Johnsburg, as well as the Village attorney, seek injunctive relief to prevent or abate a nuisance.

SECTION 2: That Chapter 12, Section 12.06 (A) and (C), PARKING MOTORHOMES, RECREATIONAL VEHICLES, TRAILERS, and BOATS of the Johnsburg Municipal Code shall be amended so as to delete the stricken through text and to add the underlined text as follows:

12.06 PARKING MOTORHOMES, RECREATIONAL VEHICLES, TRAILERS, and BOATS.

A. Motor homes, recreational vehicles, campers, trailers and boats and other watercraft such as by way of examples, jet skis, may be parked or stored on driveways and the side or rear yard only on private property limited to a maximum of four (4) subject to and contingent upon: i) each motorhome, recreational vehicle, camper or trailer, as the case may be, shall when such vehicles have current registration with the Illinois Department of Motor Vehicles registered ~~in~~under the residents name of the owner of the property on which the parking or storage is occurring; and ii) each boat or other watercraft, as the case may be, shall have current registration with the Illinois Department of Natural Resources registered in the name of the owner of the property on which the parking or storage is occurring unless such boat or other watercraft, as the case may be, is exempt from registration under the Boat Registration and Safety Act at the subject address. Motor homes, recreational vehicles, campers, trailers, and boats, or other watercraft such as, by way of example, jet skis, may be parked on a driveway, side yard or rear yard only.

C. Guests of any owner or guest of any occupant of any dwelling in the Village may park a motor home, recreational vehicle or camper in the side or rear yard of such private property for not more than seven (7) days, provided the mobile home motorhome is used for sleeping purposes only during such period.

Nothing in this Ordinance shall negate or supersede any recorded subdivision restrictive covenant or condition regulating the parking of vehicles, motor homes, recreational vehicles, campers, trailers and boats.

Penalties: Each person who violates ~~of~~ any provision of this section 12.06 shall pay a fine in the amount set forth in Class C of Chapter 1, Section 1.07 (E), Settlement of Offenses, ~~seetor~~ penalties of the Municipal Code. In the event that a person violates any provision of this Section 12.06 after the first time and such violation continues after one day, the fine shall be increased to \$400 per day for each violation after the first day notwithstanding any other provision to the contrary herein.

SECTION 3: That Chapter 12, Section 12.10 (F)(a), *Crime Free Rental Housing, Administrative Hearing*, of the Johnsborg Municipal Code shall be amended so as to add the underlined text as follows:

12.10 CRIME FREE RENTAL HOUSING.

F. Administrative Hearing –

- (a) If a person is issued a citation or a ticket for violation of an ordinance and summoned to appear at an administrative hearing, A hearing before the village administrative hearing officer shall be conducted in accordance with chapter 18, of the Village Code and shall show, by a preponderance of evidence, that the subject property is a chronic nuisance property.

SECTION 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6: This Ordinance shall be in full force and effect ten days after its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye: Trustees Foreman, Fouke, Hagen, Klemstein, Letzter and Morris

Voting Nay: None

Abstain: None

Absent: None



APPROVED:

A handwritten signature in blue ink, reading "Edwin P. Hettermann", is written over a horizontal line.

Village President Edwin P. Hettermann

(SEAL)

ATTEST: 
Village Clerk Claudett E. Sofiakis

Passed: November 21, 2023

Approved: November 21, 2023

Published: November 21, 2023

CERTIFICATION

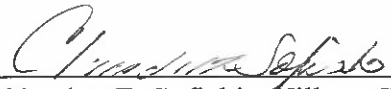
I, CLAUDETT E. SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 21st day of November, 2023 the foregoing Ordinance entitled, *An Ordinance Amending Chapter 1, General Provisions, Section 1.07 (C) and (D), Settlement of Offenses, Chapter 12, Nuisances, Section 12.03 (B) Complaints and (E) Injunctive Relief, Section 12.06 (A) Parking Motorhomes, Recreational Vehicles, Trailers, and Boats and (C) Penalties, and Section 12.10 (F)(a), Administrative Hearing, of the Johnsburg Municipal Code* was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 2022-23-13, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 21st day of November, 2023, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Johnsburg, this 21st day of November, 2023.



Claudett E. Sofiakis, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

(SEAL)