

VILLAGE OF BRADLEY

ORDINANCE NO. O-6-19-5

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), DIVISION 2
(DELINQUENT ACCOUNTS), SECTION 2-488 (COLLECTION) OF THE BRADLEY
VILLAGE CODE

ADOPTED BY THE
BOARD OF TRUSTEES OF THE
VILLAGE OF BRADLEY

THIS 24th DAY OF June, 2019

Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley,
Kankakee County, Illinois this 24th day of June, 2019

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AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), DIVISION 2 (DELINQUENT ACCOUNTS), SECTION 2-488 (COLLECTION) OF THE BRADLEY VILLAGE CODE

WHEREAS, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Corporate Authorities previously enacted ordinances authorizing the Village to collect debts owed to the Village in any manner that is lawful and necessary; and

WHEREAS, the Corporate Authorities desire to engage a collection agency to assist the Village in collecting on delinquent accounts; and

WHEREAS, the Corporate Authorities have determined that it is necessary and expedient to amend its ordinances to place the incidence of any and all fees and costs incurred in the collection of delinquent accounts upon the debtor, as set forth in this Ordinance; and

WHEREAS, the Corporate Authorities have determined that amending the Village Code in the manner set forth in this Ordinance is in the best interests of the Village and its citizens.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:

SECTION 1. The President and Board of Trustees hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2. That Chapter 2 (Administration), Division 2 (Delinquent Accounts), Section 2-488 (Collection) of the Village Code is hereby amended to read as follows:

Sec. 2-488. - Collection.

- (a) The village may take whatever action is lawful and necessary to collect delinquent accounts including, without limitation, termination of service, hiring attorneys and/or collection agencies, and/or refusing to issue any village permit or license to the delinquent customer until the delinquent account has been paid in full. The village may also offset any amounts owed by the village to a delinquent customer against amounts owed by the delinquent customer to the village. Any delinquent customer desiring to obtain a village permit or license while contesting any amount owed to the village may obtain such village permit or license by posting financial security in a form acceptable to the village attorney, and in an amount equal to the disputed amount.

(b) In the event any fine or penalty is assessed against any person pursuant to any provision of this Code and such person defaults in the payment of such fine, penalty, or any installment thereof, the amount of such default may be collected by any means authorized by law for the collection of monetary judgments. In the event that the Village chooses to retain attorneys and/or private collection agents for the purpose of collecting any default in the payment of any fine or penalty imposed pursuant to this Code, any other debt owed the Village without limitation, or any installment thereof, any fees or costs incurred by the Village with respect to any such attorneys or private collection agents shall constitute a debt due and owing the Village and shall be added to any outstanding balance owed to the Village by the debtor.

SECTION 3. In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

SECTION 4. That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

SECTION 5. That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED by the Board of Trustees on a roll call vote on the 24th day of June, 2019.

TRUSTEES:

ROBERT REDMOND	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
MICHAEL WATSON	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
DON BARBER	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
RYAN LEBRAN	Aye - <u> </u>	Nay - <u> </u>	Absent - <u>X</u>
BRIAN BILLINGSLEY	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>
DARREN WESTPHAL	Aye - <u>X</u>	Nay - <u> </u>	Absent - <u> </u>

ACTING VILLAGE PRESIDENT:

MICHAEL WATSON Non-Voting - X

TOTALS: Aye - 5 Nay - 0 Absent - 1

ATTEST:

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

APPROVED this 21st day of June, 2019.

Michael Watson
MICHAEL WATSON, ACTING VILLAGE PRESIDENT

ATTEST:

Julie Tambling
JULIE TAMBLING, VILLAGE CLERK

STATE OF ILLINOIS)
) §§
COUNTY OF KANKAKEE)

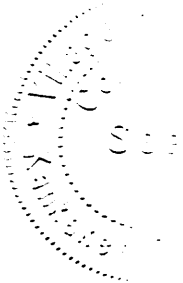
I, Julie Tambling, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number O-6-19-5, "AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), DIVISION 2 (DELINQUENT ACCOUNTS), SECTION 2-488 (COLLECTION) OF THE BRADLEY VILLAGE CODE," which was adopted by the Village President and Board of Trustees at a meeting held on the 24th day of June, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 24th day of June, 2019.



JULIE TAMBLING, VILLAGE CLERK

(SEAL)



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