

VILLAGE OF FOREST VIEW

COOK COUNTY, ILLINOIS

ORDINANCE NO. 25-14

**AN ORDINANCE AMENDING THE VILLAGE OF FOREST VIEW CODE OF
ORDINANCES- SECTION 9-5-6 ADMINISTRATIVE HEARING FEES**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD
OF TRUSTEES OF THE
VILLAGE OF FOREST VIEW,
COOK COUNTY, ILLINOIS, this
12th day of August 2025.**

**Published in pamphlet form
by authority of the President
and Board of Trustees of the
Village of Forest View, Cook
County, Illinois, this 12th
day of August, 2025.**

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ORDINANCES SECTION- 9-5-6 ADMINISTRATIVE HEARING FEES**

SECTION 1: **Amendment:** Section 9-5-6 of the Forest View Village Code, Administrative Hearing Fees,” is hereby amended to provide as follows [New language indicated in **bold**, old language by ~~strikeout~~]:

9-5-6: ADMINISTRATIVE HEARING:

(A) Notice: Within ten (10) days after a motor vehicle has been seized and impounded pursuant to this chapter, the village shall notify the owner of record, lessee, and any lienholder by personal service or by first class mail, to the interested party's address as registered with the secretary of state, of the date, time and location of the scheduled hearing that will be conducted pursuant to this section. The name and address of the person to whom a vehicle is registered as shown on the records of the state in which the vehicle is registered shall be conclusive evidence of the name and address of the owner of record of the vehicle, unless the owner of record has given the village actual written notice of a different name and/or address. The notice shall state the penalty and fees that may be imposed, and that a motor vehicle not released by cash bond or other form of payment acceptable to the village may be sold or disposed of by the village in accordance with applicable law.

(B) Hearing: The administrative hearing shall be scheduled no later than forty-five (45) days after the date of the mailing of the notice of hearing. The hearing shall be conducted and the case heard and decided by a hearing officer appointed by the village. Formal or technical rules of evidence shall not apply. The hearings shall be recorded and the hearing officer shall be empowered to administer oaths and to secure by subpoena both the attendance and testimony of witnesses and the production of relevant books and papers. Persons appearing at the hearing may be represented by counsel at their expense. At the conclusion of the hearing, the hearing officer shall issue a written decision either sustaining or overruling the vehicle impoundment. If, after the hearing, the hearing officer determines that the motor vehicle, operated with the permission, express or implied of the owner, was used in connection with a violation set forth in this chapter, the hearing officer shall enter an order finding the owner of record civilly liable to the village for an administrative penalty in an amount not to exceed **seven hundred fifty dollars (\$750.00)** ~~five hundred dollars (\$500.00)~~ and requiring the vehicle to continue to be impounded until the owner pays the administrative penalty to the village plus any

applicable towing and storage fees. If the owner of record fails to appear at the hearing, the hearing officer shall enter a default order in favor of the village, requiring the payment to the village of an administrative penalty in the amount of **seven hundred fifty dollars (\$750.00)** ~~five hundred dollars (\$500.00)~~. A copy of the default order shall be sent to the registered owner via certified mail, return receipt requested. If a cash bond or other acceptable form of payment has been posted, that amount shall be applied to the amount owed. If the hearing officer finds that the vehicle was improperly seized and impounded pursuant to this chapter, the hearing officer shall order the immediate return of the owner's vehicle along with any previously paid cash bond and any additional fees. All final decisions of the hearing officer shall be subject to review under the provisions of the Illinois administrative review law.

(C) Driving While Intoxicated; Standard Of Evidence: A sworn report of a police officer prepared in conformity with section 11-501.1 of the Illinois vehicle code, 625 Illinois Compiled Statutes 5/11-501.1, as amended, establishing that a person refused testing or has submitted to a test that discloses a blood alcohol concentration of 0.08 or more, or any amount of a drug, substance, or intoxicating compound in the person's breath, blood or urine resulting from the unlawful use or consumption of cannabis listed in the cannabis control act, controlled substance listed in the controlled substances act, or an intoxicating compound listed in the use of intoxicating compounds act, shall constitute prima facie evidence under this chapter sufficient to establish a finding of the vehicle owner's liability under this chapter. The presumption may be rebutted by clear and convincing evidence. (Ord. 12-1, 3-27-2012)

SECTION 2: 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 FOLLOWING ROLL CALL VOTE this 12th day of August, 2025.

AYES: Trustees Sudkamp, Grossi, Hubacek, Nitka, Nevarez

NAYS: None

ABSENT: Trustee Castaneula

APPROVED this 12th day of August, 2025.

David Liska
Village President

ATTEST:

Laura D. McGuffey
Village Clerk