

HB0563



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB0563

Introduced 01/31/11, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

60 ILCS 1/100-10

Amends the Township Code. Makes a technical change in a Section concerning the office of the township enforcement officer.

LRB097 03389 KMW 43426 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Township Code is amended by changing Section
5 100-10 as follows:

6 (60 ILCS 1/100-10)

7 Sec. 100-10. Township enforcement officer.

8 (a) The ~~The~~ township board may appoint a township
9 enforcement officer to serve for a term of one year and may
10 remove the officer for cause. Every person appointed to the
11 office of township enforcement officer, before entering on the
12 duties of the office and within 10 days after being notified of
13 the appointment, shall cause to be filed in the office of the
14 township clerk a notice signifying his or her acceptance of the
15 office. A neglect to cause the notice to be filed shall be
16 deemed a refusal to serve.

17 (b) The sheriff of the county in which the township is
18 situated may disapprove the appointment within 30 days after
19 the notice is filed. The disapproval precludes that person from
20 serving as the township enforcement officer, and the township
21 board may appoint another person to that position subject to
22 approval by the sheriff.

23 (c) Every person appointed to the office of township

1 enforcement officer, before entering upon the duties of the
2 office, shall execute, with sufficient sureties to be approved
3 by the supervisor or clerk of the township, an instrument in
4 writing by which the township enforcement officer and his or
5 her sureties shall jointly and severally agree to pay to each
6 and every person who may be entitled thereto all sums of money
7 as the township enforcement officer may become liable to pay on
8 account of any neglect or default of the township enforcement
9 officer or on account of any misfeasance of the township
10 enforcement officer in the discharge of, or failure to
11 faithfully perform, any of the duties of the office.

12 (d) The township enforcement officer shall have the same
13 power and authority within the township as a deputy sheriff but
14 only for the purpose of enforcing township ordinances. The
15 township enforcement officer shall not carry firearms and will
16 not be required to comply with the Peace Officer Firearm
17 Training Act. The officer shall attend law enforcement training
18 classes conducted by the Illinois Law Enforcement Training
19 Standards Board. The township board shall appropriate all
20 necessary monies for the training.

21 (d-5) (1) Except as provided in paragraph (2) of this
22 subsection, in all actions for the violation of any township
23 ordinance, the township enforcement officer shall be
24 authorized to issue and to serve upon any person who the
25 township enforcement officer has reasonable grounds to believe
26 is guilty of a violation of a township ordinance a notice of

1 violation that shall constitute a summons and complaint. A copy
2 of such notice of violation shall be forwarded to the circuit
3 court having jurisdiction over the township where the violation
4 is alleged to have been committed. Every person who has been
5 issued a summons shall appear for trial, and the action shall
6 be prosecuted in the corporate name of the township.

7 (2) In all actions for violation of any township ordinance
8 when the fine would not be in excess of \$500 and no jail term
9 could be imposed, service of summons may be made by the
10 township clerk by certified mail, return receipt requested,
11 whether service is to be within or without the State.

12 (e) The township enforcement officer shall carry an
13 identification document provided by the township board
14 identifying him or her as the township enforcement officer. The
15 officer shall notify the township clerk of any violations of
16 township ordinances.

17 (f) Nothing in this Code precludes a county auxiliary
18 deputy or deputy sheriff, or a municipal policeman or auxiliary
19 police officer from serving as a township enforcement officer
20 during off-duty hours.

21 (g) The township board may provide compensation for the
22 township enforcement officer on either a per diem or a salary
23 basis.

24 (h) (Blank).

25 (Source: P.A. 94-984, eff. 6-30-06.)