

ORDINANCE

AN ORDINANCE AMENDING ARTICLE 29-1 OF THE OAK PARK VILLAGE CODE REGARDING THE AUTHORITY OF THE ADMINISTRATIVE ADJUDICATION LAW JUDGES

WHEREAS, the Village of Oak Park, as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit, the Village of Oak Park's powers are construed liberally as held by the Illinois Supreme Court in the case of *Scadron v. City of Des Plaines*, 153 Ill.2d 164 (1992); and

WHEREAS, the Village Board has determined to amend the Oak Park Village Code with respect to the authority of the administrative adjudication hearing officer as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Oak Park, Cook County, Illinois, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference.

Section 2. Village Code Amendments. The Village Code of Ordinances of the Village of Oak Park, Illinois, is amended as set forth below, with **additions bold and double-underlined**.

AMENDMENT ONE:

Section 29-1-9 ("Scope of Authority of Administrative Law Judges") of the Village Code is amended to add the following:

H. Issuing a determination based upon a review of the notice of violation, citation, **order entered**, other charging document (hereinafter "charging document") and the evidence admitted. The determination shall be in writing and shall be signed by the Administrative Law Judge. The determination shall set forth the Administrative Law Judge's finding(s), decision, and order, including fines and penalties assessed and any action ordered to correct the code violation at issue.

AMENDMENT TWO:

Section 29-1-9 ("Scope of Authority of Administrative Law Judges") of the Village Code is amended to add the following new Subsection 29-1-9.O:

O. Entering orders prohibiting further code violations or compelling the remediation of existing code violations within a specified time and authorizing the Village to take all necessary steps to remediate such violations, and assess costs, including those incurred by the Village to remediate violations.

Section 29-1-17 ("Enforcement of Administrative Law Judge's Orders") of the Village Code is

amended to add the following:

A. Any fine, order entered prohibiting further code violations or compelling the remediation of existing code violations within a specified time or authorizing the Village to take all necessary steps to remediate such violations, and any administrative, enforcement, or compliance costs imposed, including those incurred by the Village to remediate violations, by an Administrative Law Judge's order that remain unpaid after the exhaustion of, or the failure to exhaust, judicial review procedures, unless stayed by a court of competent jurisdiction, shall be a debt due and owing the Village and may be collected in accordance with applicable law.

C. In any case in which a respondent fails to comply with an Administrative Law Judge's order to correct a code violation, order entered, any expenses incurred by the Village to enforce the Administrative Law Judge's order, including, but not limited to, the cost of demolition, repair, and/or enclosure of dangerous or unsafe buildings or uncompleted and abandoned buildings, and costs for the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from buildings or other real property, and including, but not limited to, attorney fees after they are fixed by an Administrative Law Judge and costs incurred by the Village to remediate violations, shall be a debt due and owing the Village. Prior to any expenses being fixed by an Administrative Law Judge pursuant to this subsection, the respondent shall be provided with notice that directs the respondent to appear at a hearing before an Administrative Law Judge to determine whether the respondent has failed to comply with the Administrative Law Judge's order. The notice shall set the date, time and place for the hearing, which shall not be less than seven (7) days from the date the notice is served. Notice may be served by personal service, first class mail or by an overnight commercial delivery service and the seven (7) day period shall begin to run on the date that the notice was personally served, deposited in the mail or placed for delivery with the overnight commercial delivery service.

D. If any fine, penalty, order entered, and/or cost imposed, including those incurred by the Village to remediate violations, is owing and unpaid after a determination of liability under this chapter has become final and the respondent has exhausted or failed to exhaust judicial procedures for review, the Director of the Office of Adjudication shall cause a notice of debt due and owing to be sent to the respondent in the manner provided in subsection 29-1-12C1 of this article.

G. 1. When the Director becomes aware that a respondent has failed to pay such fine, ~~or~~ penalty, order entered, or cost imposed, including those incurred by the Village to remediate violations, within the prescribed fourteen (14) day period, he or she shall notify the departments responsible for issuing licenses and permits as described above that the respondent has a delinquent debt, and that no licenses or permits may be issued to the respondent until the debt has been fully satisfied.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance is held invalid, the invalidity thereof will not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict. This Ordinance will take effect upon passage and may be published in pamphlet form by the Office

of the Village Clerk.

Section 4. Effective Date. This Ordinance will be in full force and effect after its passage, approval and publication as required by law.

ADOPTED this __ day of _____, 2026, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Eder				
Trustee Enyia				
Trustee Leving Jacobson				
Trustee Straw				
Trustee Taglia				
Trustee Wesley				

APPROVED this __ day of _____, 2026.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this __ day of _____, 2026.

Christina M. Waters, Village Clerk