

**CHAPTER 1**  
**GENERAL PROVISIONS**

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1.01 **LAKE IN THE HILLS MUNICIPAL CODE**

A. TITLE: This Code shall be known and cited as the Lake in the Hills Municipal Code. Any references herein shall mean this Lake in the Hills Municipal Code.

B. AMENDMENTS: Any additions or amendments to this Code are incorporated in this Code so that a reference to the Lake in the Hills Municipal Code includes such additions and amendments.

C. NUMBERING ADDITIONS: The decimal system shall be used for all additions and amendments to this Code. When a chapter or section is added the new chapter or section shall be given a decimal character.

1.02 **DEFINITIONS**

A. Terms used in this Code, unless specifically defined in this Code, have the meanings prescribed by the Illinois Compiled Statutes for the same terms.

B. Unless found elsewhere in this Code, terms used herein are defined in Appendix A.

1.03 **CONTINUITY**

The provisions of this Code, so far as they are the same in substance as those of existing ordinances are continuations of such ordinances and not new enactments. Any act done, offense committed or right accruing or acquired, or liability, penalty, forfeiture or punishment incurred prior hereto shall not be affected, but may be enjoyed, asserted, enforced, prosecuted or inflicted as fully and to the same extent as if the repeal had not been effected.

1.04           **JURISDICTION**

Unless otherwise provided in this Code, this Code applies to acts performed within the corporate limits of the Village. Provisions of this Code also apply to acts performed outside the corporate limits and up to the limits prescribed by law where the law confers power on the Village to regulate such particular acts outside the corporate limits.

1.05           **PENALTIES**

A.    **STANDARD PENALTY:** Unless another penalty is specifically provided by this Code for violation of any particular provision, section or chapter, any person violating any provision of this Code, or any rule or regulation adopted or issued in pursuance thereof, or any provision of any Code adopted herein by reference, shall, upon conviction, be subject to a fine of not less than \$10.00 nor more than \$750.00 and prosecution fees if allowable.

B.    **COMMITMENT:** The person upon whom any fine or penalty is imposed for violation of any provision of this Code or any ordinance of the Village, upon order of the court before whom the conviction is had, may be committed to the County or State jail, as provided by law, or to any other place provided by statute.

C.    **EACH DAY OF VIOLATION:** Each act of violation and each day upon which a violation occurs constitutes a separate offense.

D.    **APPLICABILITY:** The penalty provided by this section applies to the amendment of any section of this Code or a Code adopted herein by reference whether or not such penalty is reenacted in the amendatory ordinance.

E.    **REFERENCE TO SECTIONS:** Reference to a section of this Code shall be understood also to refer to and include the penalty section relating thereto, unless otherwise expressly provided.

F.    **FAILURE OF OFFICERS TO PERFORM DUTIES:** The failure of any officer or employee of the Village to perform any official duty imposed by this Code shall not subject such officer or employee to the penalty imposed for violation of this Code, unless a penalty is specifically provided in the section creating the duty.

G.    **COLLECTION:** In the event any fee, including, but not limited to those relating to retained personnel, fines, penalties, repair, abatement, restitution and reimbursement, found in any section of the Code that is due the Village and is not paid, the cost of collecting said fee shall be added to the fee. Collection

costs shall include, but not be limited to, prosecution and attorney fees.

In the event the charges, including any penalty then due are not fully paid within 41 calendar days after the rendition of an invoice, such charges and penalty shall be deemed and are hereby declared to be delinquent, and thereafter, the Village may file a lien claim with the McHenry County Recorder of Deeds. This statement of lien claim shall include the legal description of the property and the amount of the unpaid charges and penalties. A lien recording fee of \$50.00 shall be assessed to cover the costs of recording the lien.

1.06 **SETTLEMENT OF OFFENSES**

A. PAYMENTS: Any of the following described offenses arising under the ordinances of the Village of Lake in the Hills may be settled and compromised by the offender in the following manner: settlement payment when made within seven days after a notice is delivered to the offender as listed in Column A; settlement payment when made after the due date but before the final notice date as listed in Column B:

<b>OFFENSE</b>	<b>Column A</b>	<b>Column B</b>
Streets Chapter 6 (Sections 6.02 through 6.19)	10.00	20.00
Parks and Playgrounds, Chapter 8 Sections 8.02 through 8.06	50.00	100.00
All other sections of Chapter 8	15.00	30.00
Lakes and Beaches Chapter 10	15.00	30.00
Nuisances, Chapter 12	25.00	50.00
Solid Waste, Landscape Waste and Recycling, Chapter 13	25.00	50.00
Dogs and Other Animals, Chapter 14	50.00	100.00
Zoning, Chapter 22	25.00	50.00
Building Code, Chapter 24 Building violations other than listed	50.00	100.00
Failure to have a Building Permit, 24.03	75.00	150.00
Unlawful continuance of building, 24.18	75.00	150.00
Garage Sales and Raffles, Chapter 31	15.00	30.00
Business Regulations, Chapter 32	25.00	50.00
Liquor Control and Licensing, Chapter 33	50.00	100.00
All sections other than listed		
Liquor sale to persons under 21 yrs. of age, Section 33.25	100.00	200.00
Solicitation, Chapter 35	25.00	50.00
Taxicabs, Chapter 36	25.00	50.00

Traffic, Chapter 41	25.00	50.00
Offenses Against Public Peace, Safety and Morals, Chapter 43	50.00	100.00
Unlawful Sale, Possession or use of Illegal Fireworks (Chapter 43.06)	125.00	250.00
Unauthorized Use of Parking Places reserved for persons with disabilities	175.00	350.00
Potable Water, Chapter 45	50.00	100.00

B. SETTLEMENTS: Settlement payments shall be made to the Village of Lake in the Hills Police Department which shall provide the alleged offender with a receipt in the amount of such payment.

C. DISPOSITION OF PAYMENTS: The amounts paid to the Village of Lake in the Hills Police Department in settlement of the foregoing claims shall be promptly deposited by the Police Department with the Village Treasurer and shall be credited by the Treasurer to the General Fund.

D. PROSECUTION: The Village shall refrain from prosecuting any alleged offender of the foregoing offenses after receipt of such settlement payment.

1.07 **SEPARABILITY OF PROVISIONS**

Each section, paragraph, sentence, clause and provision of this Code is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Code nor any part thereof, other than that part affected by such decision.

1.08 **COPIES ON FILE**

Copies of this Code shall be kept available at the Village Clerk's office for public inspection during Village Hall business hours.

1.09 **HOME RULE AUTHORITY**

The Lake in the Hills Municipal Code and any amendments thereto constitute an exercise of the Village's home rule powers and functions as granted under Article VII, Section 6, of the Constitution of the State of Illinois.

*Recodified September 13, 2001*

*Amended December 12, 2002*  
*Amended January 22, 2004*  
*Amended May 22, 2008*  
*Amended June 12, 2008*  
*Amended March 26, 2009*