

ORDINANCE NO. 2024 - 18

AN ORDINANCE ADOPTING A REVISED CODE OF ORDINANCES FOR THE CITY  
OF MT. VERNON, JEFFERSON COUNTY, ILLINOIS

WHEREAS, the City of Mt. Vernon, Jefferson County, Illinois is an Illinois Home Rule Municipal Corporation, duly existing under the laws of the State of Illinois, and embodied as a Home Rule entity with certain rights and powers, which rights and powers the City expressly exercises herein; and

WHEREAS, the City Manager and City Council of the City of Mt. Vernon, have been diligently working with American Legal Publishing Corporation to prepare a comprehensive update to the City's existing Revised Code of Ordinances, a true and accurate copy of which revisions are attached hereto as Exhibit "A"; and

WHEREAS, the City Council of the City of Mt. Vernon, Illinois, following extensive revision process have determined that it is in the best interest of the City of Mt. Vernon to adopt a Revised Code of Ordinances for the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MT. VERNON, ILLINOIS AS FOLLOWS:**

**Section 1: Adoption.** There is hereby adopted a "**Revised Code of Ordinances**" for the City of Mt. Vernon, Illinois that shall be as follows:

**[SEE EXHIBIT "A" FOLLOWING]**

**Section 2: Severability of Provisions.** Each Title, Chapter, Subchapter, Subsection, Section, paragraph, sentence, clause and provision of this Ordinance is severable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of the Ordinance, nor any part thereof, other than the part affected by such decision.

**Section 3: Conflicting Ordinances.** Any conflicting ordinances, code provisions or pertinent portions thereof in effect at the time this ordinance takes effect are hereby repealed.

**Section 4: Effective.** That this Ordinance shall be in full force and effect ten (10) days from and after its passage, approval, and publication in pamphlet form as provided by law.

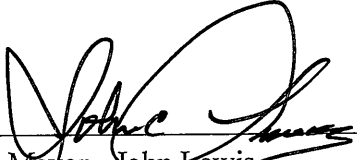
PASSED this 3<sup>RD</sup> day of June, 2024 by the City Council of Mt. Vernon, Illinois, and deposited and filed in the office of the City Clerk in said City on that date.

*Rebecca Barlow*

City Clerk by Deputy City Clerk

NAME	AYE	NAY	ABSTAIN	ABSENT	CONFLICT
<i>Botch</i>	<i>X</i>				
<i>Glisci</i>	<i>X</i>				
<i>Moore</i>	<i>X</i>				
<i>Young</i>	<i>X</i>				
<i>Lewis</i>	<i>X</i>				

APPROVED by the Mayor of the City of Mt. Vernon, Illinois on the 3<sup>RD</sup> day of June 2024.

APPROVED:   
Mayor - John Lewis

ATTEST: *Rebecca Barlow*  
City Clerk by Deputy City Clerk

(SEAL) -

**CITY CLERK'S CERTIFICATE**

STATE OF ILLINOIS                    )  
COUNTY OF JEFFERSON            ) SS. CITY CLERK'S OFFICE  
STATE OF ILLINOIS                    )

I, Rebecca Barbour, Deputy City Clerk of the City of Mt. Vernon, Illinois, do hereby certify that the following Code of the City of Mt. Vernon, Jefferson County, Illinois, published by authority of the City Council was duly passed by the City Council of the City of Mt. Vernon, Illinois, approved by the Mayor, and published in book form according to law on this date, and that these ordinances are true and perfect copies of the ordinances, as passed, approved, and now of record and on file in my office as provided by law.

In witness hereof, I have set my hand and affixed the Corporate Seal of the City of Mt. Vernon, Illinois, this 3<sup>RD</sup> day of June, 2024.



Rebecca Barbour  
Deputy City Clerk  
Mt. Vernon, Illinois

(SEAL)

EXHIBIT A

The new City of Mt. Vernon Code of Ordinances are located in the City of Mt. Vernon Clerks Office and will be kept on file in the Clerks Office and the Code of Ordinance book is also in the City of Mt. Vernon Clerk's office at 1100 Main Street. The new Codes of Ordinances can also be viewed on the City of Mt. Vernon website at <https://www.mtvernon.com/city-government/> and can also be viewed at <https://codelibrary.amlegal.com/codes/mountvernonil/latest/overview>

# TITLE I: GENERAL PROVISIONS

Chapter

## 10. GENERAL PROVISIONS

### CHAPTER 10: GENERAL PROVISIONS

Section

- 10.01 Citation
- 10.02 Definitions
- 10.03 Construction
- 10.04 Separability
- 10.05 Repeal of prior ordinance

10.99 Penalty

#### § 10.01 CITATION.

The within Ordinance shall be known and hereafter cited by the title "REVISED CODE OF ORDINANCES OF THE CITY OF MT. VERNON". All ordinances enacted after the effective date hereof which shall amend or otherwise modify the terms hereof shall specify the part or portion of this revised code of ordinances which shall be amended or affected. A copy of the within code shall be kept on file in the office of the City Clerk in looseleaf form as the official Revised Code of Ordinances and the City Clerk shall insert therein all amendments, hereto immediately upon the same becoming effective.

(Prior Code, Art. 22, § 22.1)

#### § 10.02 DEFINITIONS.

In the construction of the within Revised Code of Ordinances, except as specifically otherwise provided in any Article or section hereof, the following terms and words shall have the following meanings unless the context clearly indicates otherwise:

(A) The word "person" shall include and be applied to associations, firms, partnerships, corporations, clubs, societies, and bodies politic, as well as to individuals.

(B) The term "city" shall mean the City of Mt. Vernon, Illinois.

(C) The term "City Council" shall mean the City Council of the City of Mt. Vernon, including the elected Councilmen and Mayor of such City.

(Prior Code, Art. 22, § 22.2)

#### § 10.03 CONSTRUCTION.

The following rules of construction shall be observed in the enforcement and interpretation of the within ordinance:

(A) All words and phrases shall be construed and understood according to the common and approved usage of language, except that technical words and phrases and such others as may have acquired a special meaning in the law shall be construed and understood according to such special meaning.

(B) Every word herein importing the masculine gender shall extend and be applied to females as well as males. Every word importing the singular only shall extend and be applied to the plural as well as to the singular; and every word importing the plural shall extend and be applied to the singular as well as to the plural.

(Prior Code, Art. 22, § 22.3)

#### § 10.04 SEPARABILITY.

It is hereby declared to be the intention of the City Council in enacting the within Revised Code of Ordinances or any amendment or modification hereof that if any article, section, paragraph, phrase, or part of this ordinance shall be held invalid, the remaining articles, sections, paragraphs, phrases, and parts shall remain in full force and effect and the provisions hereof are hereby declared to be separable.

(Prior Code, Art. 22, § 22.4)

#### § 10.05 REPEAL OF PRIOR ORDINANCE.

(A) All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. All general ordinances of the City passed prior to the adoption of this Revised Code of Ordinances are hereby repealed, except the following, which are excluded and not hereby repealed:

- (1) Appropriation and Tax levy ordinances.
- (2) Salary ordinances.
- (3) Ordinances relating to boundaries and annexations.
- (4) Franchise ordinances and other ordinances granting special rights to persons.
- (5) Ordinances creating or authorizing the execution of contracts or the issuance of warrants.
- (6) Ordinances establishing names for or vacating streets, alleys, or other public places.
- (7) Bond ordinances.
- (8) Ordinances relating to the transfer or acceptance of real estate or personal property by or from the City.
- (9) All special ordinances.

(B) The within Revised Code of Ordinances or any amendment hereto shall not be construed or held to repeal a former ordinance whether expressly repealed or not as to any offenses committed against such former ordinance or as to any act done or any penalty, forfeiture, or punishment incurred or any right accrued or created arising under such former ordinance, and shall not in any way whatever affect any such offense or act so committed or done or any penalty, forfeiture, or punishment so incurred or any right accrued or created arising before the effective date of such Revised Code of Ordinances or amendment thereof.

(C) Nothing contained herein shall be construed as abating any action now pending under or by virtue of any ordinance of the City herein repealed or if discontinued, abating, modifying, or altering any penalty accrued or to accrue or affecting the liability or any person waiving any right of the City under any ordinance or provision thereof in force at the time of the adoption of this Revised Code of Ordinances.

(Prior Code, Art. 22, § 22.5)

#### **§ 10.99 PENALTY.**

(A) Whoever violates any provision of this code or other ordinance of this city for which another penalty is not specifically provided, shall be fined not more than \$750 for each and every violation thereof, and every day the violation continues shall constitute a separate offense.

(B) (1) EX PARTE HEARING: In all cases in which a court appearance is not required under the Statutes of the State of Illinois and in which a cash bail is posted or a bond certificate deposited, the defendant shall be provided with a statement in substantially the following form, on the "Complaint" or on the bond form:

"In the event you fail to appear in court to answer a charge that does not require you to appear in court you thereby consent to the entry of a judgment against you in the amount of all applicable fines, penalties, and costs and the application of a cash bail or other security you have deposited to their payment and satisfaction".

(2) If the defendant does not appear on the date set for appearance or any date to which the case may be continued, the Court may enter an ex parte judgment against the defendant assessing fines, penalties, and costs in an amount not to exceed the cash bail or security and apply the cash bail or security in payment thereof.

(Prior Code, Art. 22, § 22.6)

#### **Statutory reference:**

*Limitations on penalties, see 65 ILCS 5/1-2-1*