

RETURN TO:

**TAMMY MITCHELL
CLERK, CITY OF TROY
116 E. MARKET
TROY, IL 62294**

CITY OF TROY

ORDINANCE NO. 2012 -02

**AN ORDINANCE AMENDING TITLE III, ADMINISTRATION, CHAPTER 35,
SECTION 35.017: POLICE – POLICE DEPARTMENT – BAIL**

**ADOPTED BY THE
CITY COUNCIL OF THE
CITY OF TROY, ILLINOIS
THIS 6th DAY OF FEBRUARY, 2012**

**Published in pamphlet form by the authority of the City Council of the City of Troy,
Madison County, Illinois, this 6th day of February, 2012.**

ORDINANCE NO. 2012-02

**AN ORDINANCE AMENDING TITLE III, ADMINISTRATION, CHAPTER 35,
SECTION 35.017: POLICE – POLICE DEPARTMENT – BAIL**

WHEREAS, the Mayor and the City Council of the City of Troy, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the City Council of the City of Troy, Illinois, has reviewed the provisions of the current text of Chapter 35 of the Code of Ordinances and determined that it requires an addition to conform with current legal standards and operational practices; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/1-2-12.1, authorizes the City of Troy, Illinois, to impose a fee of \$20.00 for bail processing against any person arrested for violation of aailable municipal ordinance or a State or federal law; and

WHEREAS, the City Council believes it will be beneficial and in the best interest of the health, safety and general welfare of the City of Troy, Illinois, to amend the Code of Ordinances to conform to the laws of the State of Illinois.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF TROY, MADISON COUNTY, ILLINOIS, AS FOLLOWS:**

- Section 1. The recitals set forth above are hereby incorporated herein as if fully set forth.
- Section 2. Section 35.017 of the Code of Ordinances for the City of Troy is hereby amended in its entirety as set forth herein:

TITLE III. Administration

Chapter 35 – Police

Section 35.017 BAIL.

- 1) The officer in charge of the Police Department at the time bail is requested may set the bail; provided that the arrested person may have the amount of bail set by a magistrate when a magistrate is available.

2) Pursuant to 65 ILCS 5/1-2-12.1, a fee of \$20.00 for bail processing may be imposed against any person arrested for violation of aailable municipal ordinance or a State or federal law.

Section 3: If any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

Section 4: This Ordinance shall be effective upon its passage, signing and publication as required by law.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 6th day of February, 2012.

Those voting aye: Adomite, Brannon, Evans, Lanahan, Metcalf, Partney

Those voting nay: 0


Those absent: Aldermen Italiano, Hendrickson

APPROVED:

By:  *Pro Tem*

TOM CARAKER, SR., Mayor
City of Troy, Illinois

ATTEST:

BY: 
TAMMY MITCHELL, Clerk
City of Troy, Illinois

(SEAL)