

ORDINANCE 2016-R-16

**AN ORDINANCE ADDING § 36.08
TO THE MUNICIPAL CODE OF WINTHROP HARBOR
PASSING COSTS OF COLLECTIONS TO DEBTORS**

WHEREAS, from time to time, various persons and entities incur debts due to the Village from a variety of sources, which could include things like unpaid adjudication court tickets, unpaid parking tickets, unpaid water and sewer bills and unpaid license or permit fees, and

WHEREAS, the Village Board finds that it is inherently unfair for the honest citizens of this Village to pay the costs of collecting on such debts, and it is equally unfair for such debts to continue without reasonable and ongoing efforts to collect the same, and

WHEREAS, 65 ILCS 5/1-2-1 gives the Village certain powers to collect debts, including specifically the following provision:

A default in the payment of a fine or penalty or any installment of a fine or penalty may be collected by any means authorized for the collection of monetary judgments. The municipal attorney of the municipality in which the fine or penalty was imposed may retain attorneys and private collection agents for the purpose of collecting any default in payment of any fine or penalty or installment of that fine or penalty. Any fees or costs incurred by the municipality with respect to attorneys or private collection agents retained by the municipal attorney under this Section shall be charged to the offender. and

WHEREAS, the Village Board wishes to utilize the foregoing statutory provision so as to ensure that debtors bear the cost of their debts and collection efforts to the maximum extent possible,

NOW THEREFORE, BE IT ORDAINED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: Chapter 36 of the Winthrop Harbor Municipal Code is hereby amended by the addition of Section 8 which shall hereafter read as follows:

36.08 Bad Debt Collection Fees. Consistent with the provisions of 65 ILCS 5/1-2-1, the Village Attorney, in consultation with the Finance Director, may retain collection agencies and collection attorneys to collect unpaid debts and financial defaults. Any and all fees, costs and expenses incurred by the Village in respect to such collectors shall be additional obligations of the debtors, and shall be added to the amounts subject to collection, irrespective of when the original debt was incurred.

SECTION TWO: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR,
ILLINOIS, ON THIS 4th DAY OF OCTOBER, 2016.

ATTEST:

ROBERT D. LOY, MAYOR

JULIE RITTENHOUSE, VILLAGE CLERK