

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

I, Lynn Curiale, City Clerk of Wood Dale, Illinois DO HEREBY CERTIFY that as such City Clerk and keeper of the records, that the foregoing is a true and correct copy of Ordinance **#O-20-018 AN ORDINANCE AMENDING CHAPTER 4, ARTICLE I, SECTION 4.108 B. OF THE CITY OF WOOD DALE MUNICIPAL CODE CONCERNING JUDICIAL REVIEW OF DEVELOPMENT ADMINISTRATOR DETERMINATIONS UNDER THE CITY'S COMMERCIAL OCCUPANCY AND ACTIVITY REGULATIONS** Passed by The City Of Wood Dale, Du Page County, Illinois, IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the City of Wood Dale, this 16TH day of July, 2020



Lynn Curiale, City Clerk



Ordinance #O-20-018

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE I, SECTION 4.108 B. OF THE CITY OF WOOD DALE MUNICIPAL CODE CONCERNING JUDICIAL REVIEW OF DEVELOPMENT ADMINISTRATOR DETERMINATIONS UNDER THE CITY'S COMMERCIAL OCCUPANCY AND ACTIVITY REGULATIONS

Passed: July 16, 2020
Published in Pamphlet Form: July 17, 2020

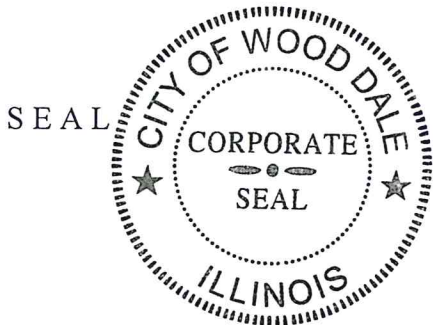
I, Lynn Curiale, as the City Clerk for the City of Wood Dale, hereby certify that the attached Ordinance is a true and correct copy of #O-20-018

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE I, SECTION 4.108 B. OF THE CITY OF WOOD DALE MUNICIPAL CODE CONCERNING JUDICIAL REVIEW OF DEVELOPMENT ADMINISTRATOR DETERMINATIONS UNDER THE CITY'S COMMERCIAL OCCUPANCY AND ACTIVITY REGULATIONS

Passed and approved by the City Council of the City of Wood Dale on July 16, 2020 and hereby published in pamphlet on July 17, 2020



Lynn Curiale, City Clerk



ORDINANCE NO. O-20-018

**An Ordinance Amending Chapter 4,
Article I, Section 4.108 B. of the City Of Wood Dale
Municipal Code Concerning Judicial Review of Development Administrator
Determinations Under the City's Commercial Occupancy And Activity
Regulations**

WHEREAS, the City of Wood Dale (hereinafter referred to as the "City") is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City possesses the authority, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, to adopt ordinances pertaining to public health, safety and welfare; and

WHEREAS, the City Council of the City (hereinafter referred to as the "City Council") is the corporate authority for the City and is authorized by law to exercise all powers and to control the affairs of the City; and

WHEREAS, the City Council possesses full power and authority to approve and pass all ordinances, resolutions, rules and regulations necessary for carrying into effect the objects for which the City was formed, in accordance with the Illinois Municipal Code; and

WHEREAS, the City Code currently regulates commercial occupancy and activity in the City and provides the City's Development Administrator the discretionary authority to grant or deny applications for occupancy, license or registration under these regulations, subject to judicial review; and

WHEREAS, the Illinois Municipal Code authorizes the City to establish a system for the administrative adjudication of violations of the City Code and City Ordinances for real property use regulations, 65 ILCS 11/31.1-2; and

WHEREAS, the Illinois Vehicle Code authorizes the City to establish a system for the administrative adjudication of certain violations of the Vehicle Code and City Ordinances, 625 ILCS 1-2.2-10; and

WHEREAS, the City, pursuant to the Illinois Municipal Code, established a system for the administrative adjudication of such violations; and

WHEREAS, the City has determined that the Administrative Adjudication System has proven effective to ensure the maintenance of property within the City and to adjudicate those Code violations which require enforcement in a manner that is more convenient to the Residents, more efficient for City Staff and provides a benefit to the City; and

WHEREAS, the City Code, despite the implementation of the Administrative Adjudication System still requires judicial review of the decisions of the City's Development Administrator; and

WHEREAS, the City Council has determined that it is in the best interests of the City to clarify that the above-referenced judicial review process shall proceed in accordance with Illinois Administrative Review Law, as is consistently provided in the City Code as to other City final administrative decisions.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wood Dale, DuPage County, Illinois, at a special meeting duly assembled, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That Chapter 4, Article I, Section 4.108 B. is hereby amended as follows:

B. Decision Final: The action taken by the Development Administrator to issue or deny an occupancy, license or registration pursuant, respectively, to articles II, III, IV and V of this chapter shall be final and shall be subject to judicial review [under Administrative Review Law \(735 ILCS 5/3-101 et seq.\), which provisions are expressly adopted herein.](#)

SECTION THREE: That all ordinances or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

SECTION FOUR: That the City Clerk of the City of Wood Dale is hereby directed to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this 16th day of July, 2020

PASSED this 16th day of July, 2020

AYES: Alderman Sorrentino, Jakab, Woods, Susmarski, E. Wesley,
Catalano, Messina

NAYS: None

ABSENT: D. Wesley

APPROVED this 16th day of July, 2020

SIGNED: Annunziato Pulice
Annunziato Pulice, Mayor

ATTEST: Lynn Curiale
Lynn Curiale, City Clerk

Published in pamphlet form July 16, 2020