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GENERAL PROVISIONS

§ 35.01 ELECTION NOT TO BE SUBJECT TO CERTAIN STATUTES.

(A) The County Board of Lake County, Illinois, hereby elects not to be subject to 705 ILCS 105/27.5, which section was added by S.B. 907 (P.A. 87-670). The County Board does hereby elect not to be subject to 705 ILCS 105/27.6, said section having been added by H.B. 3884 (P.A. 87-1229).

(B) This section shall be effective January 1, 1992.
(1977 Code, § 3:6-10) (Ord. passed 12-10-1991)

FEES

§ 35.15 COURT SERVICES FEE.

(A) The court services fee herein imposed shall apply only to relevant cases of the Lake County Courts of the 19th Judicial Circuit.

(B) The court services fee shall be paid:

(1) In civil cases, by each party at the time of filing the first pleading, paper or other appearance (provided that no additional fee shall be required if more than one party is represented in a single pleading, paper or other appearance). The fee shall be \$25, except law under \$15,000 cases shall be \$25, and small claims cases shall be \$15; and

(2) In criminal, local ordinance, county ordinance, traffic, and conservation cases, the following fee shall be assessed against the defendant upon a plea of guilty, stipulation of facts or findings of guilty, resulting in a judgment of conviction, order of supervision, or sentence of probation without entry of judgment pursuant to § 10 of the Cannabis Control Act and § 410 of the Illinois Controlled Substances Act:

Case Type	Fee
Felony, misdemeanor, and traffic DUI cases	\$25
All other traffic, local and county ordinance and conservation cases	\$25
Except that no fees shall be imposed or collected in traffic, conservation, and ordinance cases in which fines are paid without a court appearance.	

(C) The effective date of this section is December 1, 2009.
(1977 Code, § 3:6-4) (Ord. passed 2-14-1989; Res. passed 12-10-1991; Res. passed 4-14-1998;
Res. passed 10-14-2008; Res. 09-2030, passed 10-13-2009)

§ 35.16 THERAPEUTIC INTENSIVE MONITORING COURT FEE.

(A) Pursuant to 730 ILCS 5/5-6-3(g), costs of mandatory drug or alcohol testing shall be assessed against each offender sentenced in the Therapeutic Intensive Monitoring Court (TIM Court), at the time of sentencing, as provided in the following fee schedule:

(1) For urine drug screening tests, a flat fee of \$300 for each offender sentenced in TIM Court; and

(2) The fee shall be assessed in accordance with the offender's ability to pay.

(B) The Clerk of the Circuit Court of the county is hereby authorized and directed to collect fees in accordance with subsection (A) above.

(C) The Clerk of the Circuit Court shall remit the fees referenced in subsection (A) above to the Lake County Treasurer who is authorized and directed to deposit to the fees in the Lake County working cash fund for general corporate purposes.

(D) The fees referenced in subsection (A) above shall be used to finance the costs of drug and alcohol testing for offenders in the TIM Court program.

(E) This section shall take effect on August 1, 2005.

(F) The Clerk of the Circuit Court shall commence collection of the fees referenced in subsection (A) above on August 1, 2005.

(1977 Code, § 3:6-15) (Ord. passed 7-12-2005)

§ 35.17 SPECIALTY COURT FEE.

(A) A \$10 fee shall be imposed against a defendant on a judgment of guilty or a grant of supervision under § 5-9-1 of the Unified Code of Corrections, 730 ILCS 5/5-9-1, which applies to criminal, driving under the influence (DUI), traffic, local ordinance, county ordinance and conservation cases (with the exception of parking, registration or pedestrian violations), to be placed in the County General Fund and used to finance the County Mental Health Court, Drug Court, Veterans and Servicemembers Court, or any or all of the above (the "specialty court fee"). The Clerk of the Circuit Court of Lake County is hereby authorized and directed to collect this specialty court fee and to remit this specialty court fee to the Lake County Treasurer. The specialty court fees shall be used to support and finance the county's Mental Health Court, the county's Drug Court, the Veterans and Servicemembers Court, or any of the above.

(B) A \$5 fee shall be imposed against a defendant on a judgment of guilty or a grant of court supervision for a violation of the Illinois Vehicle Code or a similar provision contained in a county or municipal ordinance or on a judgment of guilty or a grant of court supervision under § 5-9-1 of the Unified Code of Corrections, 730 ILCS 5/5-9-1, for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; or for a business offense for the operation and

administration of the county Drug Court (the “drug court fee”). The Clerk of the Circuit Court of Lake County is hereby authorized and directed to collect this Drug Court fee, which shall be deposited in an account specifically for the operation and administration of the drug court, except that the Clerk of the Circuit Court shall retain 5% of the Drug Court fee to defray the costs of collection and disbursement of the Drug Court fee.

(C) A \$5 fee shall be imposed against a defendant on a judgment of guilty or a grant of court supervision under § 5-9-1 of the Unified Code of Corrections, 730 ILCS 5/5-9-1, for a felony; for a Class A, Class B, or Class C misdemeanor; for a petty offense; or for a business offense for the operation and administration of the Children's Advocacy Center (the “CAC fee”). The Clerk of the Circuit Court of Lake County is hereby authorized and directed to collect this CAC fee, which shall be deposited in an account specifically for the operation and administration of the Children's Advocacy Center and remitted to the Children's Advocacy Center.

(D) The Clerk of the Court shall commence collection of the fees referenced in subsections (A), (B), and (C) above on September 1, 2011.

(1977 Code, § 3:6-14) (Ord. 11-0495, passed 7-12-2011)

📖 § 35.18 VITAL RECORDS AUTOMATION FEE.

(A) The Lake County Clerk is hereby authorized to charge and collect and to continue to charge and collect the Lake County Clerk automation fee of an additional \$2 for certified copies of vital records as authorized by § 4-4001 of the Counties Code, 55 ILCS 5/4-4001 for the purpose of defraying the expenses of converting the Lake County Clerk's document storage system for vital records (as defined in § 1 of the Vital Records Act, 410 ILCS 535/1) to computers or micrographs and for maintaining an automated vital records recordkeeping system in the Lake County Clerk's office.

(B) The Lake County Treasurer is authorized to establish a special Lake County Clerk Automation Fund in which these funds shall be deposited, and which funds the Lake County Clerk is authorized to expend for payment of any cost related to the automation system for vital records.

(1977 Code, § 5:2-5) (Res./Ord. passed 5-9-1995)

📖 § 35.19 CRIMINAL LABORATORY ANALYSIS FEE.

(A) (1) Pursuant to § 55-9-1.4 of the Unified Code of Corrections (730 ILCS 5/5-91.4), a \$100 criminal laboratory analysis fee shall be levied or assessed by the Court for each offense for which a person was convicted, charged or adjudicated in the following instances:

(a) When a person has been adjudged guilty of an offense in violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Steroid Control Act (which fee to be in addition to any other disposition, penalty or fine imposed);

(b) When a person is placed on probation pursuant to § 10 of the Cannabis Control Act, § 410 of the Illinois Controlled Substances Act or § 10 of the Steroid Control Act;

(c) When a person is placed on supervision for a violation of the Cannabis Control Act, the Illinois Controlled Substances Act or the Steroid Control Act; or

(d) When any minor is adjudicated delinquent for an offense which if committed by an adult would constitute a violation of the Cannabis Control Act, the Illinois Controlled Substances Act, or the Steroid Control Act (which fee to be in addition to any other disposition made pursuant to the provisions of the Juvenile Court Act of 1987).

(2) Upon the verified petition of the person or the minor, the court may suspend payment of all or part of the fee if it finds that the person or the minor does not have the ability to pay the

fee. In the case of the minor, the parent, guardian or legal custodian of the minor may pay some or all of the fee on the minor's behalf.

(B) The Northern Illinois Police Crime Laboratory is a qualified "crime laboratory" as defined by P.A. 86-1399.

(C) The Clerk of the Circuit Court of the county, is hereby authorized and directed to collect the \$100 criminal laboratory analysis fee as ordered by the Court and to retain \$10 from each fee collected for deposit into the General Corporate Fund.

(D) (1) Except for the amount retained as cited in subsection (C) above, all proceeds from the fee imposed by this section shall be remitted by the Clerk of the Circuit Court of the county as may be applicable to the State Crime Laboratory Fund or to the Treasurer of the county, who shall deposit all the funds in an agency fund hereby established by the county entitled "Crime Laboratory Fund, Fund 706".

(2) The Treasurer is further authorized and directed to make at least quarterly disbursements from this Fund 706 as directed by the President, Board of Trustees, Northern Illinois Police Crime Laboratory (now known as the Northwestern Illinois Regional Crime Laboratory).

(E) The collection of this fee shall commence on January 1, 1991.
(1977 Code, § 3:6-9) (Ord. passed 6-10-1991)

§ 35.20 MANDATORY DRUG AND ALCOHOL TESTING EXPENSES; ELECTRONIC MONITORING COSTS FOR PROBATION OR CONDITIONAL DISCHARGE.

(A) Pursuant to 730 ILCS 5/5-6-3(g), an offender sentenced to probation or conditional discharge who is ordered to undergo mandatory drug or alcohol testing, or both, or who is assigned to be placed on an approved electronic monitoring device during these relative periods, shall pay the costs incidental to the mandatory drug or alcohol testing, or both, and costs incidental to the approved electronic monitoring in accordance with the fee schedule cited in subsection (C) below.

(B) The Clerk of the Circuit Court of Lake County, Illinois, is hereby authorized and directed to collect fees in accordance with the schedule cited in subsection (C) below. The Clerk shall pay these fees to the County Treasurer who shall deposit the fees in the county's working cash fund for general corporate purposes. Moneys collected from these fees shall be used to defray the costs of drug and alcohol testing (730 ILCS 5/5-6-3(g)).

(C) The following schedule of reasonable fees, based on the person's ability to pay, is hereby established to reflect the cost of maintenance, testing, and incidental expenses related to mandatory drug and alcohol testing and all costs incidental to approved electronic monitoring:

(1) Schedule:

(a) Urine drug screening tests for felony and misdemeanor probationers	Flat fee of \$125
(b) Urine drug screening tests for intensive probationers	Flat fee of \$150
(c) Electronic monitoring	\$10 per day

(2) Ability to pay: The fees shall be assessed in accordance with the defendant's ability to pay.

(D) The County Board of Lake County, Illinois does herewith request the concurrence of the Chief Judge of the 19th Judicial Circuit in the rate schedule cited in subsection (C) above. Pursuant to law, the concurrence shall be in the form of an administrative order.

(E) The proceeds from all fees imposed by this section shall be remitted by the Clerk of the Circuit Court to the Lake County Treasurer, who shall cause to be deposited all such funds remitted to him or her into the county's working cash fund for general corporate purposes.

(F) The Clerk of the Circuit Court shall commence collection of the fees cited in subsection (C) of this section on January 1, 2001.

(1977 Code, § 3:6-8) (Ord. passed 11-20-1990; Ord. passed 11-14-2000; Ord. passed 4-11-2011)

§ 35.21 RADIO COMMUNICATION SYSTEM FEES.

(A) The Lake County Clerk is hereby directed to keep the accounts and correspondence relating to the business of the Lake County Radio System.

(B) Any municipality or public body desiring connection of their facilities with the Lake County Radio System will petition the County Board for same in writing over the signature of their mayor, village president, or person or persons empowered by law to enter into contract for the municipality or public body, who, in turn, will submit the petition to the County Board through its Law and Judicial Committee.

(C) After the petition has been approved by the Board, the Lake County Clerk will be directed to notify the petitioners who will then enter into contract with the county through the Lake County Clerk and the Chair of the County Board.

(D) Only after the petition has been approved and the contract has been properly executed shall the equipment be installed.

(E) The Radio Technician is directed to keep the Lake County Clerk informed and up to date on all installations, changes, alterations and discontinuances which affect the accounting and billing.

(F) (1) Starting with December 1950, and with each successive year, the Lake County Clerk will prepare for the County Board for its December meeting a report showing a summary of the ledger account, but detailing in particular any arrears in payments by any of the contracting parties.

(2) He or she will furnish a copy of this report to the Chair of this Board, the County Auditor, and the Chair of the Financial and Administrative Services Committee and the Law and Judicial Committee.

(G) (1) The dates for billing by the county will be determined in the following manner:

(a) Installations prior to the fifteenth day of the month to be billed for on the basis of a full month; and

(b) Installations on and after the fifteenth of the month to be omitted from billing for that month.

(2) (a) On December 1, 1950, the Lake County Clerk will forward to each contracting party a bill for all accumulated services to that date which remain unpaid. With the same bill he or she will also mail them an advance bill for the 12 months ending November 30, 1951, for the equipment then in use, giving them 60 days in which to pay the advance bill.

(b) This procedure will be followed from year to year.

(H) Checks shall be made payable to the Lake County Treasurer, but will be forwarded to the Lake County Clerk, who after entering a credit to the payer's account will turn them over to the Lake County Treasurer for deposit.

(1977 Code, § 7:1) (Res. passed 9-12-1950)

§ 35.22 COURT DOCUMENT FEE.

(A) The Circuit Court Clerk is hereby directed to charge and collect, and to continue to charge and collect, a court document fee in the amount of \$5 as authorized by state law for the purpose of defraying the expenses of establishing and maintaining a document storage system in the office of the Circuit Court Clerk.

(B) Said fee shall be paid at the time of filing the first pleading, paper, or other appearance filed by each party in all civil cases or by the defendant in any felony, misdemeanor, traffic, ordinance, or conservation matter on a judgment of guilty or grant of supervision. No additional fee shall be required if more than one party is presented in a single pleading, paper, or other appearance and no fee shall be charged in any matter coming to the Circuit Court Clerk on change of venue or in any proceeding to review the decision of any administrative officer, agency, or body.

(C) The Circuit Court Clerk shall remit said fees monthly to the County Treasurer, who shall retain such funds in a special fund designated as the Court Document Fund.

(D) The County Board shall expend said funds for the payment of any costs relative to the storage of court records, as approved by the Circuit Court Clerk, and in accordance with the County Budget Law and the most current County Budget Policy Guidelines.

(E) This resolution shall take effect on January 1, 1992.

(Res. 61, passed 12-10-1991)

§ 35.23 COURT AUTOMATION FEE.

The court automation fee, allowed by 705 ILCS 105/27.3a, and collected by the Clerk of the Circuit Court, shall be \$7.

(Res. passed 9-9-2008)

§ 35.24 ELECTRONIC MONITORING FOR PERIODIC IMPRISONMENT.

(A) Pursuant to 730 ILCS 5/5-7-3 every offender who is sentenced to periodic imprisonment and who is placed on approved electronic monitoring shall pay a fee of \$10 per day unless, after determining the inability of the person to pay, the court assesses a lower fee.

(B) The Clerk of the Circuit Court of Lake County, Illinois is hereby authorized and directed to collect fees in accordance with this section.

(C) The Clerk of the Circuit Court shall pay all moneys collected from these fees to the County Treasurer who shall deposit the fees collected into the county's working cash fund and who shall use the moneys collected to defray the cost of electronic monitoring.

(Ord. passed 5-10-2005)

§ 35.25 FEES FOR ATTENDANTS OF GRAND JURY AND PETIT JURY.

Jurors shall be compensated as follows:

(A) Five dollars for days one and two of attending jury service;

(B) Seven dollars and fifty cents for days three, four and five of attending jury service;

(C) Ten dollars for each day of attending jury service beyond the fifth day; plus

(D) Five dollars toward meal cost for each full day of attending jury service; plus

(E) Travel expense to the county courthouse for each day of attending jury service in an amount not less than \$4 nor more than \$10, to be paid based upon the juror's residential zip code.

(Ord. 16-1096, passed 11-8-2016)

§ 35.26 ELECTRIC VEHICLE CHARGING STATION FEE.

(A) As part of its electric vehicle pilot program in which a study of the economic, environmental and employee benefits of using all-electric vehicles is being conducted, the county is installing three charging stations to be used by staff as well as visitors and may, in the

future, install additional electric vehicle charging stations at other county parking lots and facilities.

(B) Pursuant to 55 ILCS 5/5-11004, the county is empowered to charge a reasonable rate for the use of its parking facilities.

(C) The County Board authorizes that a reasonable fee be charged for the use of electric vehicle charging stations located on county property.

(D) This section sets such fee at \$.00 per kilowatt hour and may be periodically amended by County Board resolution.

(Res. passed 9-8-2015)

LAKE COUNTY SHERIFF'S FEES

📖 § 35.35 JUDICIAL SALES FEES.

(A) The Lake County Sheriff's fee for conducting a judicial sale shall be \$600, except in the case of unimproved real estate which sells for \$10,000 or less where the fee shall be \$150. This fee shall be paid in advance of the sale by the party obtaining the sale.

(B) Upon receipt of the judgment order from a plaintiff-lender requesting a judicial sale, the Judicial Sales Division shall:

- (1) Schedule a sale date to be held after the expiration of the redemption period;
- (2) Give notice of sale to the public via the website;
- (3) Obtain the publication certificate;
- (4) Conduct a public auction;
- (5) Make a report of sale to the Court;
- (6) Issue the deed of sale after the Court confirms the sale; and
- (7) Publish sale results on the Lake County Sheriff's website.

(C) If the plaintiff-lender intends to make an opening bid, the plaintiff shall submit to the Judicial Sales Division its opening bid at least two days in advance of the date of sale. If the plaintiff does not make an opening bid, then the sale shall be rescheduled, unless the court order or judgment ordering the sale specifies otherwise. Notice of the date of all rescheduled sales shall be provided to the public via the Lake County Sheriff's website.

(D) The Judicial Sales Division shall maintain a registry of properties that are scheduled for judicial sale, which shall include relevant information regarding the property including the property index number, plus the plaintiff's opening bid, if any.

(E) The Judicial Sales Division shall work in cooperation with the county's Information Technology Department to implement a program for dissemination of the information on the registry of properties via the internet, and to provide appropriate links from the Lake County Sheriff's website registry to other agencies and departments providing information about the real estate to be sold (the Chief County Assessor's Office, Maps Department, and the like).

(F) The Lake County Sheriff is authorized to staff the Judicial Sales Division with two Grade 8 Foreclosure Specialists effective immediately, and to add an additional Grade 10 Foreclosure Supervisor as workload permits and with agreement of the Lake County Administrator.

(Res./Ord. 09-1623, passed 6-9-2009)

📖 § 35.36 FEES FOR SERVICES PERFORMED BY LAKE COUNTY SHERIFF'S OFFICE.

The Lake County Sheriff shall charge the fees as established by the County Board.

(1977 Code, § 3:6-12) (Ord. passed 11-10-1992)

35.37 ADMINISTRATIVE FEE FOR IMPOUNDED VEHICLES

Section 1. Administrative Fee

1. The registered owner, or its agent, of a vehicle impounded for a violation identified in Section 2, shall pay to the Lake County Sheriff's Office an administrative fee of \$250.00 for the administrative and processing costs associated with the investigation, arrest and detention of an offender, or the removal, impoundment, storage and release of the vehicle.
2. The administrative fee shall be waived by the Sheriff's Office upon verifiable proof that the vehicle was stolen at the time the vehicle was impounded.
3. This administrative fee is in addition to any fees charged for the towing and storage of an impounded vehicle owed to the towing company.

Section 2. Applicability

The administrative fee shall be imposed prior to the release of any vehicle, as defined in the Illinois Vehicle Code 625 ILCS 5/1-217, properly impounded for any of the following violations:

1. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to 720 ILCS 5/36-1; or
2. Driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of 625 ILCS 5/11-501; or
3. Operation or use of a motor vehicle in the commission of, on in the attempt to commit, a felony or in violation of the Cannabis Control Act (if the possession of cannabis is more than 10 grams); or
4. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or
5. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of 720 ILCS 5/24-1 (Unlawful Use of Weapons), 720 ILCS 5/24-1.5 (Reckless Discharge of a Firearm), or 720 ILCS 5/24-3.1 (Unlawful Possession of Firearms and Firearm Ammunition); or
6. Driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to 625 ILCS 5/6-303; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or
7. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess more than 10 grams of cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or
8. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated 625 ILCS 5/6-101, 5/6-303, or 5/11-501; or
9. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of 720 ILCS 5/16 (Theft and Related Offenses), or 720 ILCS 5/16A (Retail Theft).

Section 3. Notice of Impoundment and Seizure

1. Whenever the Sheriff or his designee has cause to believe that a motor vehicle is subject to impoundment, the Sheriff or his designee shall provide for the towing of the vehicle to a facility authorized by the Sheriff.

2. At the time the vehicle is towed, the Sheriff's Office shall notify or make a reasonable attempt to notify the registered owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing.
3. The Sheriff's Office shall provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the registered owner or lessee of the vehicle or lienholder posts with the Sheriff's Office a bond equal to the administrative fee as provided by this section and pays for all towing and storage charges.

Section 4. Collection of Administrative Fees

The following shall apply to any fees imposed pursuant to § 2 of this ordinance:

1. All administrative fees shall be imposed on the registered owner/lessee of the motor vehicle or the agent of that owner. The registered owner/lessee shall be the recorded title holder to a motor vehicle as registered with the Illinois Secretary of State or any other applicable governmental agency.
2. The administrative fee shall be in addition to:
 - a. Any other penalties which may be assessed by a court for the underlying violations; and
 - b. Any towing or storage fee, or both, charged by the tow service.
3. The fee is non-negotiable.
4. The fees shall be uniform for all similarly situated vehicles.
5. The registered owner/lessee may pay the specified fine amount and waive the right to an administrative hearing pursuant to § 6.
6. The administrative fee shall be collected at the Lake County Sheriff's Office payable to Lake County;
 - a. Monies collected shall be placed into a Lake County Sheriff's Office account specifically designated for this ordinance.
 - b. Monies collected shall be used to reimburse and compensate the Lake County Sheriff's Office for the administrative costs and fees incurred as a result of violation of offenses identified in § 2 of this ordinance.
7. The tow and/or storage fee shall be collected by and paid to the person, firm, or entity which towed and stores the impounded vehicle.

Section 5. Notice of Hearing

The registered owner or lessee of the vehicle and any lienholder of record shall be provided with a notice of hearing. The notice shall:

1. Be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the registered owner or lessee's address as registered with the Secretary of State;
2. Be served upon the registered owner or lessee within 10 days after a vehicle is impounded by the Sheriff; and

3. Contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of mailing of the notice of administrative hearing.

Section 6. Waiver of Hearing and Vehicle Release

The registered owner, lessee, and any lienholder of record for the impounded vehicle has the option to waive his or her right to an administrative hearing and pay the administrative fee for the release of the vehicle.

1. The waiver shall be in writing on the approved Sheriff's Office document and signed by the registered owner, lessee, or lienholder.
2. Upon payment of the administrative fee, the registered owner, lessee, or lienholder will be provided with a payment receipt and a release authorization allowing the tow company to release the vehicle.
3. The registered owner, lessee, and any lienholder of record shall still be responsible for all towing and storage fees which shall be payable to the person, firm, or entity which towed and stores the impounded vehicle.

Section 7. Administrative Hearing

1. The Hearing Officer shall determine whether or not the vehicle was impounded in accordance with this ordinance and either sustain or overrule the impoundment.
2. The Administrative hearing shall be conducted by a Hearing Officer in conformance with the procedures set forth in Lake County Codes 94.53 and 94.56 – 94.59.
3. The Hearing Officer may not change the amount of the Administrative Fee.
4. At the conclusion of the administrative hearing, the Hearing Officer shall issue a written decision either sustaining or overruling the vehicle impoundment.
 - a. If the basis for the vehicle impoundment is sustained by the Hearing Officer, the administrative bond posted to secure the release of the vehicle shall be forfeited to the county;
 - b. If the basis for the vehicle impoundment is overruled by the Hearing Officer, the administrative bond posted to secure the release of the vehicle shall be forfeited by the county and returned to the owner, lessee, or lienholder within 35 days of the decision.

Section 8. Vehicle Release - After Hearing

1. No towing company shall release any vehicle towed at the request of the Sheriff or his designee to any person, unless that person first provides either (a) a receipt to the towing company demonstrating that all administrative fees imposed pursuant to this ordinance have been paid in full; or (b) an order from the Hearing Officer finding that the vehicle impoundment was overruled.
2. In spite of the decision of the Hearing Officer, Lake County is not responsible for any fees charged for the towing and storage of an impounded vehicle owed to the towing company.

Section 9. Unclaimed Vehicles

Vehicles not retrieved from the towing facility or storage facility within 35 days after the hearing officer issues a written decision shall be deemed abandoned and disposed of in accordance with the provisions of 625 ILCS 5/4-201 (Abandoned, Lost, Stolen or Unclaimed Vehicles).

Section 10. Unpaid Fine, Penalty, or Administrative Fee's

Unless stayed by a court of competent jurisdiction, any fine, penalty, or administrative fee imposed under this ordinance which remains unpaid in whole or in part after the expiration of the deadline for seeking judicial review under the Administrative Review Law may be enforced in the same manner as a judgment entered by a court of competent jurisdiction.

Section 11. Applicability of Other Laws

This ordinance is in addition to and shall not replace or otherwise abrogate any existing state or federal laws or any ordinance that relates to the seizure or impoundment of motor vehicles, and any fee provided for in this ordinance shall be in addition to any and all penalties that may be assessed or imposed by a court for any criminal charges.

Section 12. Administrative Review

1. Any owner of record, lien holder or other person with a legal interest in the motor vehicle, shall have the right to appeal the decision of the Hearing Officer to the 19th Judicial Circuit Court, pursuant to the Administrative Review Act, 735 ILCS 5/3-101, as amended, and Section 94.60.
2. Any owner of record, lien holder or other person with a legal interest in the motor vehicle (respondent) , seeking review of a final decision shall be required to reimburse Lake County for the costs of preparing and certifying the record of proceedings. Failure of the respondent to reimburse Lake County shall be grounds for the dismissal of a complaint for administrative review pursuant to 735 ILCS 5/3-109.
3. Any administrative fee posted with Lake County to secure the release of a motor vehicle prior to a hearing shall be held by Lake County until the Hearing Officer issues a decision or, if there is a judicial review of the Hearing Officer's decision, until a reviewing court issues a final decision.

Section 13. Enforcement

This ordinance shall be enforced by the Lake County Sheriff or his or her designee(s) and, at his or her discretion through administrative adjudication pursuant to the Lake County Administrative Adjudication Ordinance (§§94.50 – 94.66).

Section 14. Effective Date

This ordinance takes effect on April 1, 2018 after adoption by the County Board.

Adopted: October 10, 2017