

# **ADMINISTRATIVE HEARINGS**

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The Village of Rosemont Code Hearing Unit hears a wide range of cases involving violations of municipal ordinances that were once heard in the Cook County Circuit Court. Conducting hearings at Village Hall expedites resolutions, reduces litigation expenses, and allows the Circuit Court to focus on more serious offenses.

The hearings are held in the Lower Level Conference Room at 9501 W. Devon. They are scheduled for 2:00 p.m. on the second and fourth Thursdays of each month except for Thanksgiving or another holiday. Hearings are held in the early afternoon and twice in a month to make it more convenient for those who wish to contest a violation. The information contained below merely summarizes procedures. Regulations, together with the Village of Rosemont's Municipal Code, control the conduct of hearings.

## **FACTS ABOUT ADMINISTRATIVE HEARINGS**

An administrative hearing is a civil, not a criminal proceeding. Offenses are punishable by fines only. The Administrative Hearing Officer who hears the cases is an experienced attorney. He has undergone state-mandated training and is professional, fair, and courteous.

Types of cases adjudicated include but are not limited to the following:

- Vehicle Seizures & Impoundments
- Quasi Criminal Violations
- Fire Code Violations
- Building Code Violations
- Parking Tickets
- Public Passenger Vehicle Violations
- Unlicensed Businesses
- Health And Sanitation Violations
- Compliance Tickets
- Red Light Camera Violations \*

\* Automated red light camera violation hearings are held at 3:30 PM on the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays as described above

## **ADMINISTRATIVE HEARING PROCEDURES**

A village inspector, parking enforcement officer, investigator, employee, or Public Safety Officer, may issue a ticket or notice of violation, or file a complaint against you. A case also may be initiated following a citizen or community complaint. If you receive a ticket, complaint or notice of violation ordering you to appear at an Administrative Hearing, you or your representative must be present on the date and time specified. If English is not your primary language, you must bring someone to assist you.

If your vehicle was seized and impounded under the Village Ordinance you have the option of requesting a hearing. If you choose to request a hearing you must do so in writing by returning the written request for hearing form you were provided or by simply directing a letter to the Code Hearing Unit providing the report number, vehicle information, plate number and your name and address. This indicates that you wish to contest the charges at a hearing. The Code Hearing Unit will inform you by mail of your hearing date.

## **WHO MUST APPEAR**

You may contest charges by representing yourself or hire an attorney at your own expense.

A continuance is not allowed unless the Hearing Officer finds good cause. Lack of preparation is not considered good cause. If you or your attorney fail to appear for the scheduled hearing, a default judgment may be entered against you if the Hearing Officer determines that the citation or sworn affidavit states a sufficient cause of action.

## **ATTENDING A SCHEDULED HEARING**

Review the schedule and location information on your ticket, complaint or notice of violation. All hearings, except for the automated red light camera violations, start promptly at 2:00 p.m. Therefore, it is recommended that you arrive in the hearing room a few minutes early. To protect the safety of the Code Hearing Unit and all in attendance, you are subject to search before entering the room. Once you enter the hearing room, you will need to check in with the clerk and be seated. Electronic equipment must be turned off or placed in vibrate mode. Food and drink are not allowed in the hearing room. Please ensure that your attire is appropriate. Proper conduct must be maintained at all times. Disruptive individuals will be removed from the hearing room.

## **THE HEARING PROCESS**

When the Hearing Officer enters the hearing room, he or she will make an opening statement identifying themselves, their role, expectations of a hearing and the order in which cases will be called. When your case is called, you should acknowledge and step to the podium in front of the Hearing Officer. The hearing will begin immediately and both sides will be given an opportunity to present testimony and evidence. All live testimony is given under oath and recorded.

The ticket, complaint, notice of violation, or sworn report written against you may be enough evidence to prove or disprove the Village's case. The ticket, complaint or notice of violation must properly cite several pieces of information. This includes date, time and location of offense, ordinance violated and identity of the person named. It also must give specific details to support the allegation.

You have the right to tell the Hearing Officer your side of the story. This includes using witnesses and physical evidence such as bills, receipts, or photos. Your presentation must deal specifically with the violation before the court. All documents presented may be retained by the Code Hearing Unit as evidence.

## **THE DECISION**

After both sides have been heard, the Hearing Officer will make a determination based on the evidence presented. If you are found liable, fines, penalties and costs may be imposed according to the guidelines set forth in the Village Code. The Hearing Officer's decision will be in the form of a written document you receive at the end of your hearing. Please ensure you receive a copy of your decision before leaving the hearing room. All fines are payable to the Village of Rosemont and should be paid to the Hearing Clerks the night of the hearing.

If you disagree with the Hearing Officer's decision, you have 35 days to appeal to the Circuit Court of Cook County Pursuant to the Illinois Administrative Review Act. There is a fee imposed by the county to appeal these matters.