

Penalties & Collateral Consequences

Driving Privileges

Certain ordinance violations can impact your Illinois driving privileges, i.e., underage drinking.

Penalties can include public service work, completion of educational programs.

Failure to pay fines and court costs can result in the owed amounts being turned over to a private collections agency.

You can be sentenced to court supervision or conditional discharge.

In addition to a fine and court costs, you can be ordered to pay restitution for “out-of-pocket” expenses caused by the violator’s conduct.

The City of Champaign and the City of Urbana send all police records involving the arrest of U of I students to the Office of Student Conflict Resolution, which can proceed with disciplinary actions independently and simultaneously of either municipality.



I ILLINOIS

Student Legal Services

STUDENT AFFAIRS

324 Illini Union / 1401 W Green St.
Office Hours: M-F, 8:30-12 & 1-4:30
217-333-9053
odos.illinois.edu/sls
studentlegalservice@illinois.edu

Last revised: September, 2019.

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Municipal Ordinance Violations

A Municipal Ordinance Violation, commonly known as a "city ticket", is a violation of a municipality's law called an ordinance.

Similar to States, municipalities enact laws regulating conduct and activities within their limits. Municipal violations, unlike State laws, are not criminal matters; sentences cannot include jail. The maximum allowable fine is \$750.00.

See Student Legal Service if you receive an ordinance violation ticket and have an attorney review your case. Tickets can be issued improperly and there are defenses to the allegations. Instances where multiple tickets are issued can potentially be resolved without a violation in all the tickets.

Rights in Ordinance Cases

Ordinance violations are a hybrid of criminal and civil law which has led to rights from both of these areas.

- 1 There is a right to trial, either a bench trial or a 6 or 12 person jury trial. Trial by jury requires upfront costs to be paid by the party demanding jury trial.
- 2 The burden of proof required is not "beyond a reasonable doubt" as in a criminal case, but a "preponderance of the evidence" as in a civil case. The preponderance standard is defined as whether "it is more likely true than not" that a violation occurred, viewed as a percentages somewhere close to 50.1%. This burden of proof is often considered easy for the city to meet, not completely indefensible.
- 3 You have a right to be represented by an attorney and can request time to retain one, however you do not have a right to the appointment of an attorney, such as a Public Defender. As a University student, you have access to an attorney through Student Legal Services.
- 4 You have Fourth Amendment search and seizure rights in an ordinance violation.
- 5 There are limited Double Jeopardy rights protecting against successive prosecutions but not against appeals of judgments of acquittal. You have a right to appeal a judgment against you.
- 6 Civil procedural rules are followed; however, discovery is only allowed by court permission.

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Opportunity to Settle

The cities of Champaign and Urbana both have processes to resolve municipal violations without trial.

CHAMPAIGN

The City of Champaign will accept payment of ordinance violations by mail, phone, in person, or online at citycourtpayments.champaignil.gov **UNLESS** you are required to appear in court

You have 21 days from the date of the ticket to pay. If you are paying by mail, send payment and trial waiver no later than five (5) days prior to the "Mandatory Court Appearance unless paid by" date.

After that date, you must appear in court on the date listed on the ticket. You can still plead guilty at the court date, but you will have to pay court costs on top of the fine.

Failure to appear in court can result in a default judgment against you, a fine up to \$750.00 plus court costs, or a warrant for your arrest.

URBANA

The City of Urbana will accept payment of ordinance violations by mail or in person **UNLESS** you are required to appear in court. Payment of violations cannot be done online or over the phone. You have sixty (60) days from the date the violation was issued to pay

After that date, you must appear in court on the date listed on the ticket. You can still plead guilty at the court date, but you will have to pay court costs on top of the fine.

Failure to appear in court can result in a default judgment against you, a fine up to \$750 plus court costs, or a warrant for your arrest.

Payment of the fine in full before the due date will result in no charges being filed in court by either city.