

ARTICLE 22
GENERAL PROVISIONS, TITLE, AMENDMENTS,
DEFINITIONS, REPEALER SEPARABILITY, AND PENALTY

SECTION 22.1 The within Ordinance shall be known and hereafter cited by the title "REVISED CODE OF ORDINANCES OF THE CITY OF MT. VERNON". All ordinances enacted after the effective date hereof which shall amend or otherwise modify the terms hereof shall specify the part or portion of this revised code of ordinances which shall be amended or affected. A copy of the within code shall be kept on file in the office of the City Clerk in looseleaf form as the official Revised Code of Ordinances and the City Clerk shall insert therein all amendments, hereto immediately upon the same becoming effective.

SECTION 22.2 **DEFINITIONS.** In the construction of the within Revised Code of Ordinances, except as specifically otherwise provided in any Article or section hereof, the following terms and words shall have the following meanings unless the context clearly indicates otherwise:

- A. The word "person" shall include and be applied to associations, firms, partnerships, corporations, clubs, societies, and bodies politic, as well as to individuals.
- B. The term "city" shall mean the City of Mt. Vernon, Illinois.
- C. The term "City Council" shall mean the City Council of the City of Mt. Vernon, including the elected Councilmen and Mayor of such City.

SECTION 22.3 **CONSTRUCTION.** The following rules of construction shall be observed in the enforcement and interpretation of the within ordinance:

- A. All words and phrases shall be construed and understood according to the common and approved usage of language, except that technical words and phrases and such others as may have acquired a special meaning in the law shall be construed and understood according to such special meaning.
- B. Every word herein importing the masculine gender shall extend and be applied to females as well as males. Every word importing the singular only shall extend and be applied to the plural as well as to the singular; and every word importing the plural shall extend and be applied to the singular as well as to the plural.

SECTION 22.4 **SEPARABILITY.** It is hereby declared to be the intention of the City Council in enacting the within Revised Code of Ordinances or any amendment or modification hereof that if any article, section, paragraph, phrase, or part of this ordinance shall be held invalid, the remaining articles, sections, paragraphs, phrases, and parts shall remain in full force and effect and the provisions hereof are hereby declared to be separable.

SECTION 22.5 All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. All general ordinances of the City passed prior to the adoption of this Revised Code of Ordinances are hereby repealed, except the following, which are excluded and not hereby repealed:

- A. Appropriation and Tax levy ordinances.
- B. Salary ordinances.
- C. Ordinances relating to boundaries and annexations.
- D. Franchise ordinances and other ordinances granting special rights to persons.
- E. Ordinances creating or authorizing the execution of contracts or the issuance of warrants.
- F. Ordinances establishing names for or vacating streets, alleys, or other public places.
- G. Bond ordinances.
- H. Ordinances relating to the transfer or acceptance of real estate or personal property by or from the City.
- I. All special ordinances.

The within Revised Code of Ordinances or any amendment hereto shall not be construed or held to repeal a former ordinance whether expressly repealed or not as to any offenses committed against such former ordinance or as to any act done or any penalty, forfeiture, or punishment incurred or any right accrued or created arising under such former ordinance, and shall not in any way whatever affect any such offense or act so committed or done or any penalty, forfeiture, or punishment so incurred or any right accrued or created arising before the effective date of such Revised Code of Ordinances or amendment thereof.

Nothing contained herein shall be construed as abating any action now pending under or by virtue of any ordinance of the City herein repealed or if discontinued, abating, modifying, or altering any penalty accrued or to accrue or affecting the liability or any person waiving any right of the City under any ordinance or provision thereof in force at the time of the adoption of this Revised Code of Ordinances.

SECTION 22.6 **PENALTY.**

Any person who violates or omits or refuses to comply with the provisions of the within Revised Code of Ordinances or any regulation promulgated in accordance with the terms hereof, shall upon conviction thereof, be fined not less than \$5.00 nor more than \$200.00; and a separate

offense shall be deemed to have been committed upon each day on which such violation occurs or continues.

EX PARTE HEARING: In all cases in which a court appearance is not required under the Statutes of the State of Illinois and in which a cash bail is posted or a bond certificate deposited, the defendant shall be provided with a statement in substantially the following form, on the "Complaint" or on the bond form:

"In the event you fail to appear in court to answer a charge that does not require you to appear in court you thereby consent to the entry of a judgment against you in the amount of all applicable fines, penalties, and costs and the application of a cash bail or other security you have deposited to their payment and satisfaction".

If the defendant does not appear on the date set for appearance or any date to which the case may be continued, the Court may enter an ex parte judgment against the defendant assessing fines, penalties, and costs in an amount not to exceed the cash bail or security and apply the cash bail or security in payment thereof.