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MUNICIPAL ORDINANCE - ILLINOIS

Cammacho v. City of Joliet

Supreme Court of Illinois - April 4, 2024 - N.E.3d - 2024 IL 129263 - 2024 WL 1449094

Commercial truck drivers filed complaint for review of decision of city administrative hearing officer finding drivers liable, under city ordinance, for driving semitruck trailers on posted "No Truck" routes and nondesignated state or local roadways, and imposing fines.

The Circuit Court affirmed. Drivers appealed. The Appellate Court reversed. City's appeal was allowed.

The Supreme Court held that:

- Municipal Code did not operate as jurisdictional limit on a home rule municipality's authority to administratively adjudicate violations of its ordinances; overruling *Catom Trucking, Inc. v. City of Chicago*, 351 Ill.Dec. 797, 952 N.E.2d 170, but
- City's ordinances regulating weight and length of vehicles driving over nondesignated state or local roadways were similar to Vehicle Code provisions regulating movement of vehicles over a certain weight or length, so that violations of ordinances were "reportable offenses," within meaning of Vehicle Code and city's administrative adjudication code, and thus, city ordinances required that drivers appear in circuit court.

Even if General Assembly intended that definition of "system of administrative adjudication" set forth in Municipal Code, which definition excluded municipal offenses that were similar to offenses prohibited in traffic regulations governing movement of vehicles or to reportable offenses under Vehicle Code, would operate as jurisdictional limit on a home rule municipality's authority to administratively adjudicate violations of its ordinances by issuing orders, General Assembly did not satisfy requirement, for valid limit of a home-rule municipality's constitutional powers, of expressly stating that a home-rule municipality's constitutional powers would be limited; overruling *Catom Trucking, Inc. v. City of Chicago*, 351 Ill.Dec. 797, 952 N.E.2d 170.

Home rule city's ordinances regulating weight and length of vehicles driving over nondesignated state or local roadways were similar to Vehicle Code provisions regulating movement of vehicles over a certain weight or length, so that violations of ordinances were "reportable offenses," within meaning of city's administrative adjudication code, which incorporated Code's definition of that term, and thus, city ordinances required that commercial truck drivers be issued uniform traffic citations, rather than notices of ordinance violation, and that drivers be required to appear in circuit court to have their objections adjudicated, rather than appearing at city's code hearing unit, though city ordinances differed from Code in method used to measure weight of vehicles, maximum weight allowed, and designation of specific truck routes in city.

