

# Administrative Hearing Process

## City of Peru, Illinois

### ISSUANCE OF VIOLATION

A city police officer or code enforcement officer may issue a ticket, ordinance violation, or file a complaint against a citizen. A case may also be initiated following a citizen or community complaint. The violation notice can be served to the citizen in-person, by mail, or by leaving the ticket on a vehicle at the residence or business. All violation notices will have a hearing date and time located at the bottom of the ticket. Unless the violation notice is marked as a **MUST APPEAR**, the recipient can pay the fine prior to the hearing or they may choose to appear at the hearing to contest the violation.

### ATTENDING A HEARING

All hearings are held at the Peru Municipal Building, 1901 4<sup>th</sup> Street in the City Council Chambers. The hearings are typically on the 2<sup>nd</sup> or 3<sup>rd</sup> Wednesday of each month and start promptly at 5:00 pm. It is recommended you arrive a few minutes early, as you will be required to check in with the clerk prior to entering the hearing room. Once you enter the hearing room, please sit, and wait until your case is called before approaching the hearing officer.

You may represent yourself at the hearing or hire an attorney to represent you 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 fail to appear for the scheduled hearing the hearing officer will conduct the hearing in your absence. You will be subject to any fines and penalties including court fees.

Audio, video, food, drink, and chewing gum are not allowed in the hearing room. Cellular phones and other communication devices must be silenced prior to entering the hearing room and may not be used in the hearing room. Proper conduct must be maintained at all times. People who are disruptive will be asked to leave and risk having their cases heard without them present. Criminal charges may be filed against disruptive people when appropriate.

If you cannot speak English, you need to provide your own translator as one will not be provided for you.

### HEARING PROCESS

When the hearing begins, the hearing officer will make an opening statement to identify himself, his role, expectations, and the order in which cases are called. When the hearing officer calls a case, the involved individual(s) should acknowledge the case and approach the hearing officer. The hearing begins immediately and the involved individuals are given an opportunity to testify and present evidence. All testimony is recorded and given under oath.

By law, the city representative who issued the violation is not required to appear for the hearing. The ticket, ordinance violation, or complaint may be enough evidence to prove or disprove the city's case.

You have the right to explain your side of the case to the hearing officer. This could include witnesses, physical evidence, or photographs. The city may retain the evidence presented. There is no right to a trial by jury in administrative hearings and there are no public defenders who are appointed to represent you.

## HEARING OFFICER'S DECISION

After both sides have been heard, the hearing officer will make a decision based on the evidence presented. If you are found liable, fines, penalties, and court costs may be imposed according to city code.

The hearing officer will provide the decision in the form of a written document which you will receive at the end of the hearing. It is important you receive a copy of the findings, decisions, and order.

If you disagree with the hearing officer's decision, you have 35 days to appeal the case with the La Salle County Circuit Clerk.