

Rule 573. Service of the Charging Document

The charging document, including a notice to appear, may be served by hand delivery by a peace officer, code enforcement officer, or as otherwise authorized by law. Where the fine would not be in excess of \$750 for a municipal ordinance offense, service of summons may be made by certified mail, return receipt requested, as authorized in section 1-2-9.1 of the Municipal Code (65 ILCS 5/1-2-9.1) whether service is to be within or without the state. Parking tickets should include a certification that the ticket was either placed on the vehicle or hand delivered to the driver. This rule does not prohibit initiating prosecution by any other means authorized by statute.

Adopted December 7, 2011, effective immediately; Adopted Rule 573 corrected December 9, 2011, nunc pro tunc December 7, 2011.

Committee Comments

(December 7, 2011)

Service of process in civil actions generally is covered in Supreme Court Rules 101 through 110. Many ordinance prosecutions are initiated by code enforcement officers, *e.g.*, building safety inspectors for property maintenance violations or animal control officers for animal ordinance violations.

The final sentence makes it clear that this rule allowing for the initiation of prosecution by a Notice to Appear does not abrogate the opportunity to initiate a prosecution as provided in section 1-2-9 of the Municipal Code (65 ILCS 5/1-2-9), namely, by summons or warrant.