CHAPTER 24 – MOTOR VEHICLE CODE

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CHAPTER 24

MOTOR VEHICLE CODE

ARTICLE I – DEFINITIONS

24-1-1 <u>ILLINOIS VEHICLE CODE; DEFINITIONS ADOPTED.</u> The Illinois Vehicle Code, Illinois Compiled Statutes, Chapter 625, Chapter 1, entitled "Title and Definitions", as passed, approved and amended by the Illinois General Assembly is hereby adopted by the City, the provisions thereof shall be controlling within the corporate limits of the City. (See 65 ILCS 5/1-3-2)

ARTICLE II - GENERAL REGULATIONS

- 24-2-1 OBEDIENCE TO POLICE. Members of the Police Department, Special Police, and Auxiliary Police assigned to traffic duty are hereby authorized to direct all traffic in accordance with the provisions of this Article or in emergencies as public safety or convenience may require, and it shall be unlawful for any person to fail or refuse to comply with any lawful order, signal or direction of a policeman. Except in cases of emergency, it shall be unlawful for any person not authorized by law to direct or attempt to direct traffic. (See 625 ILCS 5/11-203)
- 24-2-2 <u>SCENE OF FIRE.</u> The Fire Department officer in command or any fireman designated by him may exercise the powers and authority of a policeman in directing traffic at the scene of any fire or where the Fire Department has responded to an emergency call for so long as the Fire Department equipment is on the scene in the absence of or in assisting the Police Department.
- 24-2-3 <u>SIGNS AND SIGNALS.</u> It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the corporate authorities or in accordance with the laws of the State of Illinois except upon direction of a police officer. All signs and signals established by direction of the governing body shall conform to the Illinois State Manual of Uniform Traffic Control Devices for Streets and Highways. **Schedule "V" Signs and Signals** shall be an integral part of this Section. (See 625 ILCS 5/11-301)
- **24-2-4 UNAUTHORIZED SIGNS.** No person shall place, maintain or display upon or in view of any street, any unauthorized sign, signal, marking, light, reflector or device which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, nor shall any person or place, maintain or display upon or in view of any street, any other sign which hides from view or interferes with the movement of traffic or effectiveness of any traffic-control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign or signal bearing thereon any commercial advertising. No tree, bush, foliage, or vehicle of any kind shall be so placed, maintained, allowed to remain, or be displayed upon either public or private property in such a manner as to hide from view or interfere with the movement of traffic or the effectiveness of any traffic-control device, sign or signal.
- 24-2-5 <u>INTERFERENCE WITH SIGNS OR SIGNALS.</u> It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal.

- 24-2-6 <u>ADVERTISING SIGNS.</u> It shall be unlawful to maintain anywhere in the City any sign, signal, marking or device other than a traffic sign or signal authorized by the City Council or the Illinois Department of Transportation, which purports to be or is an imitation of or resembles an official traffic-control device or railroad sign or signal in view of any street or highway, and it shall be unlawful to place or maintain any sign which hides from view any lawful traffic-control device. It shall be unlawful to maintain or operate any flashing or rotating beacon of light in view of any street or highway. (See Chapters 27 and 33) (Also See Chapter 40 Zoning Code)
- 24-2-7 ANIMALS OR BICYCLES. Any person riding a bicycle or an animal or driving any animal drawing a vehicle upon any street shall be subject to the provisions of this Code applicable to the driver of a vehicle, except those provisions which can have no application to one riding a bicycle or driving or riding an animal. (See 625 ILCS 5/11-206)

24-2-8 LAMPS AND OTHER EQUIPMENT ON BICYCLES.

- (A) Every bicycle, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least **five hundred (500) feet** to the front and with a red reflector on the rear of a type approved by the Department which shall be visible from all distances of **one hundred (100) feet** to **six hundred (600) feet** to the rear when directly in front of lawful lower beams of headlights on a motor vehicle. A lamp emitting a red light visible from a distance of **five hundred (500) feet** to the rear may be used in addition to the red reflector.
- (B) A bicycle shall not be equipped with, nor shall any person use any siren upon a bicycle.
- (C) Every bicycle shall be equipped with a brake which will adequately control movement of and stop and hold such bicycle.
- (D) No person shall sell a new bicycle or pedal for use on a bicycle that is not equipped with a reflex reflector or conforming to specifications prescribed by the State on each pedal, visible from the front and rear of the bicycle during darkness from a distance of **two hundred (200) feet**.
- (E) No person shall sell or offer for sale a new bicycle that is not equipped with side reflectors. Such reflectors shall be visible from each side of the bicycle from a distance of **five hundred (500) feet** and shall be essentially colorless or red to the rear of the center of the bicycle and essentially colorless or amber to the front of the center of the bicycle provided. The requirements of this paragraph may be met by reflective materials which shall be at least **three-sixteenths (3/16) of an inch** wide on each side of each tire or rim to indicate as clearly as possible the continuous circular shape and size of the tires or rims of such bicycle and which reflective materials may be of the same color on both the front and rear tire or rim. Such reflectors shall conform to specifications prescribed by the State.
- (F) No person shall sell or offer for sale a new bicycle that is not equipped with an essentially colorless front-facing reflector.
- (G) Any person charged with a violation of this section shall upon conviction, be fined in accordance with Section 1-1-20 of the City Code. (625 ILCS 5/11-1507)
- 24-2-9 <u>NEIGHBORHOOD ELECTRIC VEHICLES.</u> A Neighborhood Electric Vehicle shall be defined as provided in the State of Illinois Compiled Statutes under 625 ILCS 5/11-1426.1 subsection (a) as is now in effect and may, from time to time, be amended. A Neighborhood Electric Vehicle(s) may be operated in the City on any street where the posted speed limit is thirty (30) miles per hour, or less, and also on 1st Street as it runs between Lawrence Avenue to West Street. (Ord. No. 08-01; 03-24-08) (See Article X)

ARTICLE III - STOP AND THROUGH STREETS

- 24-3-1 <u>THROUGH STREETS.</u> The streets and parts of streets of the City designated by ordinance as "through streets" are hereby declared to be through streets. The driver of a vehicle shall stop at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection, or which are approaching so close on a through street as to constitute an immediate hazard unless directed otherwise by the traffic officer. See **Schedule "A"** for applicable through and stop streets.
- 24-3-2 ONE-WAY STREETS OR ALLEYS. It shall be unlawful to operate any vehicle on any streets or alleys designated as one-way streets or alleys by ordinance in any direction other than that so designated. See Schedule "B" for the designated one-way streets and alleys. (See 625 ILCS 5/11-208)
- 24-3-3 STOP STREETS. The driver of a vehicle shall stop in obedience to a stop sign at an intersection where a stop sign is erected pursuant to ordinance at one or more entrances thereto and shall proceed cautiously, yielding to the vehicles not so obliged to stop which are within the intersection or approaching so close as to constitute an immediate hazard, unless traffic at such intersection is controlled by a police officer on duty, in which event, the directions of the police officer shall be complied with. See Schedule "A" for designated stop intersections. (See 625 ILCS 5/11-302)
- 24-3-4 YIELD RIGHT-OF-WAY STREETS. The driver of a vehicle approaching a yield sign, in obedience to such sign, shall slow down to a speed reasonable for the existing conditions and if required for safety to stop, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping, the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection. (See Schedule "C")
- 24-3-5 <u>POSTING SIGNS.</u> Appropriate signs shall be posted to show all through, stop and yield right-of-way streets, all one-way streets and alleys and all stop intersections. (See 625 ILCS 5/11-304)

ARTICLE IV - DRIVING RULES

24-4-1 <u>ILLINOIS VEHICLE CODE; RULES OF THE ROAD ADOPTED.</u> The Illinois Vehicle Code, Illinois Compiled Statutes, Chapter 625, Section 11, entitled "Rules of the Road", as passed, approved and amended by the Illinois General Assembly is hereby adopted by the City and the provisions thereof shall be controlling within the corporate limits of the City except for the following changes, deletions and omissions:

(A) Omissions:

(1) Omit Sections 11-207, 11-208.1, 11-208.2, 11-209.1, 11-302, 11-303, 11-310(f), 11-313, 11-401 to and including 11-416, 11-500 to and including 11-502, 11-602, 11-603, 11-604, 11-606(b), 11-608, 11-1419, and 11-1422.

(B) Changes and Additions:

- (1) Change 11-904(a) to read: "Preferential right-of-way at an intersection may be indicated by stop or yield signs as authorized by this Code."
- (2) Change 11-1416(a) to read: "Any person who shall willfully and unnecessarily attempt to delay, hinder or obstruct any other person in lawfully driving and traveling upon or along any highway within this State or who shall offer for barter or sale, merchandise on said highway so as to interfere with the effective movement of traffic shall, upon conviction, be guilty of a violation of this Code."

24-4-2 DRIVING RULES.

- (A) <u>Careless Driving.</u> It shall be unlawful to operate a vehicle in the City in a careless manner so as to interfere with the safe or lawful operation of any other vehicle or so as to interfere with or to injure, damage, or endanger persons or property engaged in the lawful use of the street.
- (B) <u>Drag Racing.</u> No person shall participate within the City in drag racing as such activity is defined by 625 ILCS 5/11-504.
- (C) Fleeing or Attempting to Elude Police Officer. Any driver or operator of a motor vehicle who, having been given a visual or audible signal by a police officer directing such driver or operator to bring his vehicle to a stop, willfully fails to or refuses to obey such direction, increases his speed, extinguishes his lights or otherwise flees or attempts to elude the officer is guilty of a violation of this Chapter. The signal given by the police officer may be by hand, voice, siren, red or blue light. Provided, however, the officer giving such signal shall be in police uniform and if driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle.
- (D) <u>Unlawful Possession of Highway Sign or Marker</u>. Traffic control signals, signs or markers owned by the City shall be possessed only by the City's employees, police officers, contractors, or their employees engaged in highway construction, contract or work upon the roadways or public ways approved by the City. No person shall possess a traffic control signal, sign or marker owned by the City except as provided in this paragraph without the prior written authority of the City. It shall be a violation of this Chapter for a person to possess such a traffic control signal, sign or marker without lawful authority. (See 625 ILCS 5/11-313)
- (E) <u>Special Speed Limitations on Elevated Structures.</u> No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure when such structure is sign-posted.

Upon the trial of any person charged with the violation of this section, proof of the determination of the maximum speed by the City and the existence of such signs is conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure. (See 625 ILCS 5/11-608)

- (F) <u>General Speed Restrictions.</u> The speed limits on the various streets shall be approved by the City Council but shall not exceed twenty miles per hour (20 MPH) in a school zone and not to exceed thirty miles per hour (30 MPH) on a residential street; otherwise, thirty miles per hour (30 MPH) on an arterial street unless otherwise posted. Schedule "D" shall list the applicable streets that have specific speed limits thereon. (See 625 ILCS 5/11-604)
- (G) <u>Special Speed Limit While Passing Schools.</u> No person shall drive a motor vehicle at a speed in excess of **twenty miles per hour (20 MPH)** while passing a school zone or while traveling upon any public thoroughfare on or across which children pass going to and from school during school days when school children are present.

This section shall not be applicable unless appropriate signs are posted upon streets and maintained by the City or State wherein the school zone is located. (See 625 ILCS 5/11-605)

- (H) Failure to Reduce Speed. A vehicle shall be driven upon the streets and alleys of this City at a speed which is reasonable and proper with regard to traffic conditions and the use of the street or alley. The fact that the vehicle does not exceed the applicable maximum speed limit does not relieve the driver of the duty to decrease speed when approaching and crossing an intersection or when special hazard exists with respect to pedestrian or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.
- (I) <u>Traffic Lane Usage.</u> Whenever any roadway within the City has been divided into two (2) or more clearly marked lanes for traffic, a vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- (J) <u>U-Turns Prohibited.</u> No driver of a vehicle shall make a "U-turn" on any street or at any intersection of any streets in the City.
- 24-4-3 <u>DUTY TO REPORT ACCIDENT.</u> The driver of a vehicle which is in any manner involved in an accident within the City shall, without unnecessary delay, notify the Police Department and shall make a report of such action. Failure to report an accident within the City within twenty-four (24) hours shall result in arrests of the person or persons involved. (See 625 ILCS 5/11-415)
- 24-4-4 TRANSPORTING LIQUOR IN VEHICLES. No person shall transport, carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle in this City except in the original container and with the seal unbroken. (See 625 ILCS 5/11-502)
- 24-4-5 <u>EXCESSIVE NOISE STOPPED VEHICLE.</u> No operator of a motor vehicle shall, when the motor vehicle is stopped, unreasonably accelerate the engine thereof with the gears of the vehicle in neutral, thereby causing an unreasonably loud or excessive noise.
- 24-4-6 <u>EXCESSIVE NOISE WHEELS.</u> No operator of a motor vehicle shall when the motor vehicle is stopped, accelerate the engine with the gears of such vehicle in neutral and while so accelerating the engine, shift the gears of the vehicle into a forward or reverse movement, thereby causing an unreasonably loud noise with the drive wheels of the vehicle.
- 24-4-7 <u>EXCESSIVE NOISE SQUEALING TIRES.</u> No operator of a motor vehicle shall cause the wheels of such vehicle to spin violently, thereby causing an unreasonably loud or excessive noise. (See 625 ILCS 5/11-505)

- 24-4-8 <u>RECKLESS, NEGLIGENT OR CARELESS DRIVING.</u> It shall be unlawful to operate any vehicle in the City in a careless, reckless, negligent or wanton manner, or carelessly so as to endanger life or property.
- 24-4-9 EXCESSIVE NOISE WHILE DRIVING. No operator of a motor vehicle shall, when operating the vehicle, accelerate the vehicle or rapidly stop the vehicle causing an unreasonably loud noise. No person shall operate or cause to be used or operated within the City any mechanical exhaust device designed to aid in the breaking or deceleration of any vehicle by converting engine power to compressed air. It shall be an affirmative defense that the person operating, or causing to be used or operated, such mechanical exhaust device in circumstances where it is necessary to avoid injury or accident. The City shall provide notice of the prohibition created by this Section by posting clearly at or near the entrances to the City, utilizing the signposts approved by the Illinois Department of Transportation on those routes over which said Department has jurisdiction. (Ord. No. 06-07; 04-10-06)
- 24-4-10 <u>ELECTRONIC COMMUNICATION DEVICES.</u> As defined in this Section, "electronic communication device" means an electronic device, including but not limited to a hand-held wireless telephone, hand-held personal digital assistant, or a portable or mobile computer, but does not include a global positioning system or navigation system or device that is physically or electronically integrated into the motor vehicle.
- (A) <u>Prohibited Use.</u> A person may not operate a motor vehicle on any street or other public way while using an electronic communication device. The term "use" shall include without limitation:
 - (1) Talking or listening to another person on the telephone;
 - (2) Text messaging;
 - (3) Sending, reading or listening to an electronic message;
 - (4) Browsing the internet.
 - (B) **Exemptions.** This Section does not apply to:
 - (1) A law enforcement officer or operator of emergency vehicle while performing his or her official duties;
 - (2) A driver using an electronic communication device for the sole purpose of reporting an emergency situation and continued communication with emergency personnel during an emergency situation:
 - (3) A driver using an electronic communication device in a hands-free or voice operated mode, which may include the use of a headset;
 - (4) A driver of commercial motor vehicle reading a message displayed on a permanently installed communication device designed for a commercial motor vehicle with a screen that does not exceed **ten** (10) inches tall by ten (10) inches wide in size;
 - (5) A driver using an electronic communication device while parked on the shoulder of a roadway;
 - (6) A driver using an electronic communication device when the vehicle is stopped due to normal traffic being obstructed and the driver has the motor vehicle transmission in neutral or park;
 - (7) A driver using two-way or citizens band radio services;
 - (8) A driver using two-way mobile radio transmitters or receivers for licensees of the Federal Communications Commission in amateur radio service:
 - (9) A driver using an electronic communication device by pressing a single button to initiate or termination a voice communication;
 - (10) A driver using an electronic communication device capable of performing multiple functions, other than a hand-held wireless telephone or hand-held personal assistant for a purpose that is not otherwise prohibited in this Section.

ARTICLE V - EQUIPMENT OF VEHICLES

- 24-5-1 <u>ILLINOIS VEHICLE CODE; EQUIPMENT OF VEHICLES ADOPTED.</u> The Illinois Vehicle Code, Illinois Compiled Statutes, Chapter 625, Section 12, entitled "Equipment of Vehicles", as passed, approved, and amended by the Illinois General Assembly is hereby adopted by the City and the provisions thereof shall be controlling within the corporate limits of the City. (625 ILCS 5/12-605, 5/12-605.1; and 5/12-605.2)
- 24-5-2 <u>MUFFLER.</u> No motor vehicle shall be operated on any street unless such vehicle is provided with a muffler in efficient actual working condition; and the use of a cut-out is prohibited. No muffler shall cause an unreasonably loud or excessive noise. (625 ILCS 5/12-602)
- 24-5-3 <u>SOUND AMPLIFICATION SYSTEMS.</u> No driver of any motor vehicle within this City shall operate or permit operation of any sound amplification system which can be heard outside the vehicle from **seventy-five (75) feet** or more when the vehicle is being operated upon a highway, unless such system is being operated to request assistance or warn of a hazardous situation. This Section shall not apply to authorized emergency vehicles. **(625 ILCS 5/12-611)**
- 24-5-4 <u>EXCESSIVE ENGINE BRAKING NOISE PROHIBITED.</u> It shall be unlawful for an operator of a commercial vehicle as defined in 625 ILCS 5/1-111.8 to operate or actuate any engine braking system within the City that emits excessive noise unless it is an emergency. The Superintendent is authorized and directed to post signs stating: "EXCESSIVE ENGINE BRAKING NOISE PROHIBITED" at appropriate locations. (625 ILCS 5/12-602.1)

ARTICLE VI - PARKING RULES

- **24-6-1 TIME LIMIT PARKING.** It shall be unlawful to park any vehicle for a period of time in excess of the amount of time designated by law and so posted.
- **24-6-2 PARKING FOR SALE, REPAIR OR PEDDLING PROHIBITED.** No person shall park a vehicle upon any street for the purpose of:
 - (A) displaying such vehicle for sale; or
- (B) washing, greasing or repairing such vehicle, except when emergency repairs are necessary; or
 - (C) peddling merchandise.
- **24-6-3 PRIVATE PROPERTY.** It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

24-6-4 <u>STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED</u> <u>PLACES.</u>

- (A) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control devices, no person shall:
 - (1) Stop, Stand or Park a Vehicle:
 - (a) On the roadway side of any vehicle stopped or parked at the edge or curb of a street.
 - (b) On a sidewalk.
 - (c) Within an intersection.
 - (d) On a crosswalk.
 - (e) Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings.
 - (f) Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic.
 - (g) Upon any bridge or other elevated structure upon a highway or within a highway tunnel.
 - (h) On any railroad tracks.
 - (i) At any place where official signs prohibit stopping.
 - (j) On any controlled-access highway.
 - (k) In the area between roadways of a divided highway, including crossovers.
 - (I) In any alley that is open and maintained.
 - (2) <u>Stand or Park a Vehicle</u> (whether occupied or not, except momentarily to pick up or discharge passengers):
 - (a) In front of a public or private driveway.
 - (b) Within fifteen (15) feet of a fire hydrant.
 - (c) Within twenty (20) feet of a crosswalk at an intersection.
 - (d) Within **thirty** (30) feet upon the approach to any flashing signal, stop sign, yield sign or traffic-control signal located at the side of the roadway.
 - (e) Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when properly sign-posted).

- (f) At any place where official signs prohibit standing or parking.
- (3) Parking a Vehicle (whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers):
 - (a) within **fifty (50) feet** of the nearest rail of a railroad crossing:
 - (b) at any place where official signs prohibit parking;
 - (c) in yellow zones.
- (B) No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.
 - (C) Schedule "F" shall list all applicable no-parking zones.
- (D) <u>Truck Parking Prohibitions.</u> No person shall park any vehicle, vehicles or trailer the length of which exceeds **twenty (20) feet** or any Second Division vehicle licensed for an "F" classification or higher:
 - (1) Upon any street, alley or any public way within the City except for the purpose and time period reasonably necessary to load and unload the same.
 - (2) Upon public or private property within the City with the motor running for a continuous period in excess of **thirty (30) minutes**. (See 625 ILCS 5/3-815)

24-6-5 PARKING FOR THE HANDICAPPED.

- (A) <u>Designated Parking.</u> Certain parking spaces within the confines of the City shall be designated for use by handicapped persons' vehicles only and will be posted with appropriate signs to that effect.
- (B) <u>Use of Designated Handicapped Parking.</u> The use of designated handicapped parking locations, duly posted and signed shall to that effect, be open to any vehicle which bears the appropriate handicapped Illinois Registration Plate issued by the Secretary of State for the State of Illinois, or a valid handicapped parking permit issued by another governmental agency, or which bears a handicapped card furnished in accordance with Illinois Compiled Statutes, Chapter 625; Section 5/11-1301.1, et. seg. furnished by the City.
- (C) <u>Application for Illinois Handicapped Registration Plate.</u> The issuance of an Illinois Handicapped Motor Vehicle Registration Plate shall be made with the Secretary of State of the State of Illinois at any facility provided and approved for that purpose by the Secretary of State. (See 625 ILCS 5/11-1301.2)
- (D) Penalty. Any vehicle parked in violation of this Article in a posted designated handicapped space which does not bear an Illinois Handicapped Registration Plate, or a valid handicapped parking permit issued by another governmental agency of a City Handicapped Registration Card will be ticketed and the vehicle will be removed in accordance with departmental policies and in accordance with Section 5/11-1302, Chapter 625 of the Illinois Compiled Statutes. The registered owner of the vehicle as ascertained by the registration plates of the vehicle will be presumed to be in control of the vehicle and will be fined Two Hundred Fifty Dollars (\$250.00). The same registered owner will be held liable for the cost of removal of the vehicle and must pay that cost, plus storage charges, if any, prior to the release of the vehicle. (See 625 ILCS 5/11-1301.3(C))
- (E) <u>Handicapped Parking Areas.</u> Those places designated as "Handicapped Parking Spaces" are listed in **Schedule "J"**.

24-6-6 LOAD LIMITS.

- (A) <u>Established.</u> There is hereby established "gross load limit" on City streets listed in **Schedule "K"**. The term "gross load limit" shall mean the total weight of a vehicle and the load it is carrying. The specified streets and the load limits are hereby listed in **Schedule "J"**.
- (B) Restrictions. It shall be unlawful to operate a vehicle upon any street where the operation is prohibited by this Section and where such signs of prohibition are posted,

except that a vehicle may be driven on such street for not more than the minimum distance necessary for the purpose of making deliveries or picking up loads.

- (C) <u>Exceptions.</u> This Chapter shall not include pickup trucks, trucks operated by the City maintenance and repairs on the street, or the operation of a vehicle owned by the U.S. government or State of Illinois while on lawful business of these agencies.
- 24-6-7 TOWING CARS AWAY. The Police Department and all members thereof assigned to traffic duty are hereby authorized to remove and tow away, or have removed and towed away by commercial towing service, any car, boat, trailer, or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs or may obstruct the movement of any emergency vehicle; or any vehicle which has been parked in any public street or other public place for a period of twenty-four (24) hours.

Vehicles towed away shall be stored on any City property or in a public garage or parking lot and shall be restored to the owner or operator thereof after payment of the expense incurred by the City in removing and storing such vehicle(s).

- 24-6-8 <u>VEHICLE REPAIRS ON STREET.</u> It shall be unlawful for any person to conduct mechanical repairs or service work, including without limitation thereby, changing the oil in the transmission or crank case, changing the spark plugs, or other maintenance work on the right-of-way of any public street or highway within the corporate limits of the City, provided, however, it shall be lawful to conduct emergency repairs to the extent necessary to enable a vehicle disabled during the course of its operation to be removed from the right-of-way of any public street or highway, and further provided, that in no event shall any such vehicle disabled in the course of its operation remain on the right-of-way of any public highway or street for a period exceeding **three (3) hours**.
- 24-6-9 <u>STORAGE RESTRICTION.</u> It shall be unlawful for any person to keep, deposit or cause to be kept or deposited on any land located within the corporate limits of the City, any vehicle of any type or types which, if located on a public highway, would be required under the applicable statutes of the State of Illinois to be registered for operation on any public highway or any part or parts intended for use in any such vehicle, and it shall be unlawful for any owner or occupant of any such land to suffer or permit such land to be used for the storage of any such vehicle or part or parts thereof, unless:
- (A) Such vehicle shall be duly registered for operation on public highways in the State of Illinois, as required by applicable statutes and by any administrative rule, regulation or determination issued pursuant thereof; or
- (B) Such vehicle or part or parts therefor shall be wholly enclosed within a building or buildings, or such vehicle or part or parts thereof shall be located within a junk yard maintained and operated in accordance with the applicable ordinances of the City.

Any such vehicle or part or parts therefor shall be removed from such land or brought into compliance with the provisions of paragraphs (A) and (B) of this Section within **ten (10) days** after the City Clerk, or Chief of Police gives written notice of the violation of the provisions of this Chapter.

- **24-6-10 PRIMA FACIE PROOF.** The fact that a vehicle which is illegally parked or operated is registered in the name of a person shall be considered prima facie proof that such person was in control of the vehicle at the time of such violation.
- 24-6-11 <u>SNOW ROUTES.</u> It shall be unlawful to park a vehicle on the following designated streets at any time within **eighteen (18) hours** after a snowfall of **three (3) inches** or more, unless the street has been cleared of snow.
- 24-6-12 PARKING TICKETS STATE STATUTE. The City Council intends to utilize Illinois Compiled Statutes, Chapter 625; Section 5/6-306.5 and the procedure set forth therein.

The appropriate authorities are hereby authorized to utilize the statute and the procedure set forth therein.

ARTICLE VII - ABANDONED, LOST, STOLEN OR UNCLAIMED VEHICLES

24-7-1 <u>ABANDONMENT OF VEHICLES PROHIBITED.</u>

- (A) The abandonment of a vehicle or any part thereof on any highway in this City is unlawful and subject to penalties as set forth under **Section 1-1-20** of this Code.
- (B) The abandonment of a vehicle or any part thereof on private or public property, other than a highway, in view of the general public, anywhere in this City is unlawful except on property of the owner or bailee of such abandoned vehicle. A vehicle or any part thereof so abandoned on private property shall be authorized for removal, by the City, after a waiting period of **seven (7) days** or more or may be removed immediately if determined to be a hazardous dilapidated motor vehicle under Section 5/11-40-3.1 of the Illinois Municipal Code. A violation of subsections (A) or (B) of this Section is subject to penalties as set forth under **Section 1-1-20** of this Code.
- (C) A towing service may begin to process an unclaimed vehicle as abandoned by requesting a record search by the Secretary of State up to **ten** (10) days after the date of the tow, or any later date acceptable to the Secretary of State. This paragraph shall not apply to vehicles towed by order or authorization of the City or a law enforcement agency. (625 ILCS 5/4-201)
- ABANDONED, LOST, STOLEN OR UNCLAIMED VEHICLE NOTIFICATION TO LAW ENFORCEMENT AGENCIES. When an abandoned, lost, stolen or unclaimed vehicle comes into the temporary possession or custody of a person in this City, not the owner of the vehicle, such person shall immediately notify the municipal police when the vehicle is within the corporate limits of any City having a duly authorized police department, or the State Police or the county sheriff when the vehicle is outside the corporate limits of the City. Upon receipt of such notification, the municipal police will authorize a towing service to remove and take possession of the abandoned, lost, stolen or unclaimed vehicle. The towing service will safely keep the towed vehicle and its contents, maintain a record of the tow as set forth in 625 ILCS 5/4-204 for law enforcement agencies, until the vehicle is claimed by the owner, or any other person legally entitled to possession thereof or until it is disposed of as provided in this Code. (625 ILCS 5/4-202)

24-7-3 <u>REMOVAL OF MOTOR VEHICLES OR OTHER VEHICLES; TOWING OR HAULING AWAY.</u>

- (A) When a vehicle is abandoned on a highway in an urban district **ten (10) hours** or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.
- (B) When a vehicle is abandoned or left unattended on a highway other than a toll highway, interstate highway, or expressway, outside of an urban district for **twenty-four (24) hours** or more, its removal by a towing service may be authorized by a law enforcement agency having jurisdiction.
- (C) When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by a law enforcement agency having jurisdiction.
- 24-7-4 POLICE TOWS; REPORTS, RELEASE OF VEHICLES, PAYMENT. When a vehicle is authorized to be towed away as provided in Section 23-7-2 or 23-7-3:
- (A) The authorization, any hold order, and any release shall be in writing, or confirmed in writing, with a copy given to the towing service.
- (B) The police headquarters or office of the law officer authorizing the towing shall keep and maintain a record of the vehicle towed, listing the color, year of manufacture,

manufacturer's trade name, manufacturer's series name, body style, Vehicle Identification Number, license plate year and number and registration sticker year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing and the name of the officer authorizing the tow.

- (C) The owner, operator, or other legally entitled person shall be responsible to the towing service for payment of applicable removal, towing, storage, and processing charges and collection costs associated with a vehicle towed or held under order or authorization of the law enforcement agency. If a vehicle towed or held under order or authorization of a law enforcement agency is seized by the ordering or authorizing agency or any other law enforcement or governmental agency and sold, any unpaid removal, towing, storage, and processing charges and collection costs shall be paid to the towing service from the proceeds of the sale. If applicable law provides that the proceeds are to be paid into the treasury of the appropriate civil jurisdiction, then any unpaid removal, towing, storage, and processing charges and collection costs shall be paid to the towing service from the treasury of the civil jurisdiction. That payment shall not, however, exceed the amount of proceeds from the sale, with the balance to be paid by the owner, operator, or other legally entitled person.
- (D) Upon delivery of a written release order to the towing service, a vehicle subject to a hold order shall be released to the owner, operator, or other legally entitled person upon proof of ownership or other entitlement and upon payment of applicable removal, towing, storage, and processing charges and collection costs. (625 ILCS 5/4-204)

24-7-5 RECORD SEARCHES FOR UNKNOWN OWNER.

- (A) When a law enforcement agency authorizing the impounding of a vehicle does not know the identity of the registered owner, lienholder or other legally entitled person, that law enforcement agency will cause the vehicle registration records of the State of Illinois to be searched by the Secretary of State for the purpose of obtaining the required ownership information.
- The law enforcement agency authorizing the impounding of a vehicle will (B) cause the stolen motor vehicle files of the State Police to be searched by a directed communication to the State Police for stolen or wanted information on the vehicle. When the State Police files are searched with negative results, the information contained in the National Crime Information Center (NCIC) files will be searched by the State Police. The information determined from these record searches will be returned to the requesting law enforcement agency for that agency's use in sending a notification by certified mail to the registered owner, lienholder and other legally entitled persons advising where the vehicle is held, requesting a disposition be made and setting forth public sale information. Notification shall be sent no later than ten (10) business days after the date the law enforcement agency impounds or authorizes the impounding of a vehicle, provided that if the law enforcement agency is unable to determine the identity of the registered owner, lienholder or other person legally entitled to ownership of the impounded vehicle within a ten (10) business day period after impoundment, then notification shall be sent no later than two (2) days after the date the identity of the registered owner, lienholder or other person legally entitled to ownership of the impounded vehicle is determined. Exceptions to a notification by certified mail to the registered owner, lienholder and other legally entitled persons are set forth in 625 ILCS 5/4-209.
- (C) When ownership information is needed for a towing service to give notification as required under this Code, the towing service may cause the vehicle registration records of the State of Illinois to be searched by the Secretary of State.

The written request of a towing service, in the form and containing the information prescribed by the Secretary of State by rule, may be transmitted to the Secretary of State in person, by U.S. Mail or other delivery service, by facsimile transmission, or by other means the Secretary of State deems acceptable.

The Secretary of State shall provide the required information, or a statement that the information was not found in the vehicle registration records of the State, by U.S. Mail or other delivery service, facsimile transmission, as requested by the towing service, or by other means acceptable to the Secretary of State.

- (D) The Secretary of State may prescribe standards and procedures for submission of requests for record searches and replies via computer link.
- (E) Fees for services provided under this Section shall be in amounts prescribed by the Secretary of State under Section 3-821.1 of the Illinois Municipal Code. Payment may be made by the towing service using cash, any commonly accepted credit card, or any other means of payment deemed acceptable by the Secretary of State. (625 ILCS 5/4-205)
- 24-7-6 <u>IDENTIFYING AND TRACING OF VEHICLE.</u> When the registered owner, lienholder or other person legally entitled to the possession of a vehicle cannot be identified from the registration files of this State or from the registration files of a foreign state, if applicable, the law enforcement agency having custody of the vehicle shall notify the State Police, for the purpose of identifying the vehicle owner or other person legally entitled to the possession of the vehicle. The information obtained by the State Police will be immediately forwarded to the law enforcement agency having custody of the vehicle for notification purposes as set forth in Section 23-7-5 of this Code. (625 ILCS 5/4-206)

24-7-7 RECLAIMED VEHICLES; EXPENSES.

- (A) Any time before a vehicle is sold at public sale or disposed of as provided in **Section 24-7-8**, the owner, lienholder or other person legally entitled to its possession may reclaim the vehicle by presenting to the law enforcement agency having custody of the vehicle proof of ownership or proof of the right to possession of the vehicle.
- (B) No vehicle shall be released to the owner, lienholder, or other person under this Section until all towing, storage, and processing charges have been paid. (625 ILCS 5/4-207)

24-7-8 DISPOSAL OF UNCLAIMED VEHICLE.

- (A) When an abandoned, lost, stolen or unclaimed vehicle seven (7) years of age or newer remains unclaimed by the registered owner, lienholder or other legally entitled person for a period of thirty (30) days after notice has been given as provided in Sections 24-7-5 and 24-7-6 of this Article, the law enforcement agency or towing service having possession of the vehicle shall cause it to be sold at public auction to a person licensed as an automotive parts recycler, rebuilder or scrap processor under Article 5 of Chapter 625 of the Illinois Compiled Statutes or the towing operator which towed the vehicle. Notice of the time and place of the sale shall be posted in a conspicuous place for at least ten (10) days prior to the sale on the premises where the vehicle has been impounded. At least ten (10) days prior to the sale, the law enforcement agency where the vehicle is impounded, or the towing service where the vehicle is impounded, shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner, lienholder, or other legally entitled persons. Notice as provided in Sections 24-7-5 and 24-7-6 of this Article as provided in this Section shall state the time and place of sale and shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled persons to reclaim the vehicle.
- (B) If an abandoned, lost, stolen, or unclaimed vehicle displays dealer plates, notice under this Section and **Section 24-7-9** of this Code shall be sent to both the dealer and the registered owner, lienholder, or other legally entitled persons.
- (C) In those instances where the certified notification specified in **Section 24-7-5** and **24-7-6** of this Article has been returned by the postal authorities to the law enforcement agency or towing service, the sending of a second certified notice will not be required. **(625 ILCS 5/4-208)**

24-7-9 <u>DISPOSAL OF UNCLAIMED VEHICLES WITHOUT NOTICE.</u>

(A) New Car. When the identity of the registered owner, lienholder, or other person legally entitled persons of an abandoned, lost, or unclaimed vehicle of seven (7) years of age or newer cannot be determined by any means provided for in this Article, the vehicle may be

sold as provided for in **Section 24-7-8** without notice to any person whose identity cannot be determined.

- (B) Old Car. When an abandoned vehicle of more than seven (7) years of age is impounded as specified by this Article, or when any such vehicle is towed at the request or with the consent of the owner or operator and is subsequently abandoned, it will be kept in custody or storage for a minimum of ten (10) days for the purpose of determining the identity of the registered owner, lienholder, or other legally entitled persons and contacting the registered owner, lienholder, or other legally entitled persons by the U.S. Mail, public service or in person for a determination of disposition; and an examination of the State Police stolen vehicle files for theft and wanted information. At the expiration of the ten (10) day period, without the benefit of disposition information being received from the registered owner, lienholder, or other legally entitled persons, the vehicle may be disposed of in either of the following ways:
 - (1) The law enforcement agency having jurisdiction will authorize the disposal of the vehicle as junk or salvage.
 - (2) The towing service may sell the vehicle in the manner provided in **Section 24-7-8** of this Article, provided that the paragraph shall not apply to vehicles towed by order or authorization of a law enforcement agency.
- (C) <u>Antique Vehicle.</u> A vehicle classified as an antique vehicle, custom vehicle, or street rod may, however, be sold to a person desiring to restore it. (625 ILCS 5/4-209)
- 24-7-10 <u>DISPOSAL OF HAZARDOUS DILAPIDATED MOTOR VEHICLES.</u> Any hazardous dilapidated motor vehicle impounded pursuant to the provisions of this Article and 65 ILCS 5/11-40-3.1, whether impounded at a public facility or on the property of private towing service, shall be kept in custody for a period of ten (10) days for the purpose of determining the identity of the registered owner or lienholder and contacting such owner or lienholder, if known, by regular U.S. Mail. At the expiration of the ten (10) day period, without benefit of disposition information being received from the registered owner or lienholder, the law enforcement agency having jurisdiction will authorize the disposal of the vehicle as junk. (65 ILCS 5/4-209.1)
- 24-7-11 <u>COLLECTION OF UNPAID CHARGES.</u> In an action to collect towing, storage, and processing charges that remain unpaid after disposition of a vehicle towed or relocated under this Code, the towing service may recover reasonable collection costs.
- 24-7-12 <u>POLICE RECORD FOR DISPOSED VEHICLE.</u> When a vehicle in the custody of the City or law enforcement agency is reclaimed by the registered owner, lienholder or other legally entitled person, or when the vehicle is sold at public sale or otherwise disposed of as provided in this Article, a report of the transaction will be maintained by that law enforcement agency for a period of **one** (1) **year** from the date of the sale or disposal. (625 ILCS 5/4-210)

24-7-13 PUBLIC SALE PROCEEDS; DISPOSITION OF.

- (A) When a vehicle located within the corporate limits is authorized to be towed away by a law enforcement agency having jurisdiction and disposed of as set forth in this Article, the proceeds of the public sale or disposition after the deduction of towing, storage and processing charges shall be deposited in the treasury of the City.
- (B) The provisions of this Section shall not apply to vehicles disposed of or sold at public sale under subsection (k) of 625 ILCS 5/4-107 of the Illinois Vehicle Code. (625 ILCS 5/4-211)

24-7-14 LIABILITY OF LAW ENFORCEMENT OFFICERS.

- (A) A law enforcement officer or agency, a department of municipal government designated under 625 ILCS 5/4-212.1 or its officers or employees, or a towing service owner, operator, or employee shall not be held to answer or be liable for damages in any action brought by the registered owner, former registered owner, or his legal representative, lienholder or any other person legally entitled to the possession of a vehicle when the vehicle was processed and sold or disposed of as provided by this Article.
- (B) A towing service, and any of its officers or employees, that removes or tows a vehicle as a result of being directed to do so by a law enforcement officer or agency or a department of municipal government or its officers or employees shall not be held to answer or be liable for injury to, loss of, or damages to any real or personal property that occurs in the course of the removal or towing of a vehicle or its contents on a limited access highway in a designated Incident Management Program that uses fast lane clearance techniques as defined by the Department of Transportation. (625 ILCS 5/4-213)

24-7-15 <u>VIOLATIONS OF ARTICLE.</u>

- (A) Any person who violates **Section 24-7-1** of this Article or who aids and abets in that violation:
 - (1) shall be subject to a mandatory fine of **Two Hundred Dollars** (\$200.00); and
 - (2) shall be required by the court to make a disposition on the abandoned or unclaimed vehicle and pay all towing, storage, and processing charges and collection costs pursuant to **Section 24-7-3(A)** and (E).
- (B) When a vehicle is abandoned, it shall be presumed that the last registered owner is responsible for the abandonment and shall be liable for all towing, storage, and processing charges and collection costs, less any amounts realized in the disposal of the vehicle. The last registered owner's liability for storage fees may not exceed a maximum of thirty (30) days' storage fees.

The presumption established under this paragraph may be rebutted by a showing that, prior to the time of the tow:

- (1) a report of vehicle theft was filed with respect to the vehicle; or
- (2) the vehicle was sold or transferred, and the last registered owner provides the towing service with the correct identity and address of the new owner at the time of the sale or transfer.

If the presumption established under this Section is rebutted, the person responsible for theft of the vehicle or to whom the vehicle was sold or transferred is liable for all towing, storage, and processing charges and collection costs. (625 ILCS 5/4-214)

[NOTE: See Section 1-1-20 for Penalties.]

ARTICLE VIII – WEIGHT RESTRICTIONS

24-8-1 <u>DESIGNATION OF STREETS.</u> No vehicle or combination of vehicles shall be operated upon the enumerated streets in the City when the gross weight thereof, unladen or with load, exceeds **twelve thousand (12,000) pounds** as found in **Schedule "J"**.

24-8-2 **ENFORCEMENT.**

- (A) Any police officer having reason to believe that the weight of a vehicle, unladen or with load, violates the provisions hereof, shall require the vehicle to be driven to the nearest available scales for the purpose of having the same weighed.
- (B) Whenever an officer upon weighing a vehicle and/or load, as above provided, determines that the weight is in violation of the terms hereof, such officer shall, if the violation is caused by reason of the load, require the driver to stop such vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as is permitted by the provisions hereof. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator. The officer shall, on determining that a violation exists, forthwith arrest the driver.
- (C) Any driver of a vehicle who fails or refuses to stop and submit the vehicle to a weighing, or who fails or refuses when directed by an officer upon weighing of the vehicle to comply with the provisions of this Section, shall, upon conviction thereof, be fined in accordance with the provisions of **Section 24-8-4** of this Article.
- 24-8-3 SPECIAL PERMITS. The City Council may, in its discretion, upon application in writing, issue a special permit authorizing the applicant to operate a vehicle of a weight or load exceeding the amount provided for in Section 24-8-1 hereof, upon the streets named therein. The application for any such permit shall specifically describe the vehicle or vehicles and load to be operated, the weight thereof, and the points of origin and destination of such vehicle. The City Council may, if such permit is issued, at its discretion, prescribe the routes to be traveled, the number of trips to be made, the seasonal or other time limitations within which the vehicles may be operated, and otherwise limit or prescribe the conditions under which such vehicles may be operated when necessary to assure against undue damage to the street foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to such streets. Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any police officer of the City, and no person shall violate any of the terms of such special permit. Whenever any vehicle is operated in violation of the provisions of this Section, the person to whom such permit is issued, in addition to the driver of such vehicle, shall be deemed guilty of such violation, and either or both may be prosecuted for such violation, and on conviction thereof shall be fined in accordance with the provisions of Section 24-8-4 hereof. Penalties for violation of this Section shall be in addition to any penalties imposed for violations of other sections of this Article.
- 24-8-4 PENALTIES FOR EXCESSIVE WEIGHT. Whenever any vehicle is operated in violation of the provisions of Section 24-8-1 hereof, the owner or driver, or both, of such vehicle shall be deemed guilty of such violation and either or both the owner or driver of such vehicle may be prosecuted for such violation. Any person, firm or corporation convicted of such violation shall be fined in an amount equal to Two Cents (\$0.02) per pound for each pound of excess weight when the excess is two thousand (2,000) pounds or less; Four Cents (\$0.04) per pound for each pound of excess weight when the excess exceeds two thousand (2,000) pounds and is three thousand (3,000) pounds or less; Six Cents (\$0.06) per pound for each pound of excess weight when the excess exceeds three thousand (3,000) pounds and is four thousand (4,000) pounds or less; Eight Cents (\$0.08) per pound for each pound of excess weight when the excess exceeds four thousand (4,000) pounds and is five thousand (5,000) pounds or less and Ten Cents (\$0.10) per pound for each pound of excess weight when the excess exceeds five thousand (5,000) pounds.

ARTICLE IX - TRUCK ROUTES

- 24-9-1 TRUCK DEFINED. For purposes of this Chapter "Truck" shall mean a commercial truck and trailer combination, a commercial tractor and trailer combination, or any truck or vehicle exceeding a maximum gross weight of twelve thousand (12,000) pounds.
- 24-9-2 <u>PROHIBITION.</u> It is unlawful for any truck, as defined under this Chapter, to enter or otherwise operate upon any street within the City except upon those streets or portions of streets provided herein.

24-9-3 EXCEPTIONS.

- (A) Vehicles owned, operated, controlled, or used by a public utility in connection with the construction, installation, operation, maintenance, or repair of any public utility facility are not subject to the provisions of this Chapter.
- (B) Vehicles used for the collection and transportation of garbage, rubbish, or refuse using traditionally used routes. "Traditionally used routes" are any streets used for a period of **one (1) year** or more as access to or from a solid waste disposal site.
- (C) Any commercial vehicle carrying a legal load coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon the restricted street for which a building permit has previously been obtained.
- 24-9-4 <u>OTHER PRECEDENCE.</u> On streets and thoroughfares designated as truck routes, bridge and culvert load limits signs and regulations shall be complied with and take precedence over truck route designations.
- **24-9-5** TRUCK ROUTES. The following streets are hereby designated as Truck Routes within the City limits:

State Route 9 State Route 47 State Route 54

24-9-6 <u>VIOLATION.</u> Any person, firm or corporation who violates the provisions of this Article is guilty of a public offense and upon conviction thereof shall be fined **One Hundred Dollars** (\$100.00) for the first offense, **Two Hundred Fifty Dollars** (\$250.00) for the second offense, and **Five Hundred Dollars** (\$500.00) for a third and any subsequent offense all occurring within the same **twelve** (12) **month** period.

(Ord. No. 07-29; 12-10-07)

ARTICLE X - GOLF CARTS

24-10-1 GENERALLY. Golf carts and Recreational Off-Highway Vehicles both specifically defined and qualified herein shall be allowed on City streets under the conditions as stated herein.

24-10-2 DEFINITIONS.

- (A) A "Golf Cart", as defined herein, means a vehicle specifically designed and intended for the purposes of transporting **one** (1) or more persons and their golf clubs or maintenance equipment while engaged in the playing of golf.
- (B) A "Recreational Off-Highway Vehicle", as defined herein, means any motorized off-highway device design to travel primarily off-highway, sixty-four (64) inches or less in width, having a manufacturer's dry weight of two thousand (2,000) pounds or less, traveling on four (4) or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers.
- (C) An "All-Terrain Vehicle", as defined herein, means any motorized off-highway device designed to travel primarily off-highway, **fifty (50) inches** or less in width, having a manufacturer's dry weight of **one thousand five hundred (1,500) pounds** or less, traveling on **three (3)** or more non-highway tires, designed with a seat or saddle for operator use, and handlebars or steering wheel for steering control, except equipment such as lawnmowers.
- (D) "City Streets" means any of the streets within the boundaries of the City of Gibson City, Illinois.
- **24-10-3 REQUIREMENTS.** All persons wishing to operate a golf cart and/or a recreational off-highway vehicle on the City Streets must ensure compliance with the following requirements:
 - (A) Proof of current liability insurance.
- (B) Must be certified with the City and inspected by a designated representative.
 - (C) Must display City decal on the rear of the vehicle.
- (D) Must have a current, valid Illinois driver's license and **eighteen (18) years** of age or older.
- (E) Golf carts and/or Recreational Off-Highway Vehicle must be equipped as follows:
 - (1) Horn;
 - (2) Brakes and brake light;
 - (3) Turn signals:
 - (4) A steering wheel apparatus;
 - (5) Tires;
 - (6) Rearview mirror;
 - (7) State approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
 - (8) Headlight that emits a white light visible from a distance of **five** hundred (500) feet to the front which must illuminate when in operation;
 - (9) Tail lamp that emits a red light visible from at least **one hundred** (100) feet from the rear which must be illuminated when in operation;
 - (10) Any additional requirements which may be amended to **65 ILCS 5/11-1426.1** or the Illinois Motor Vehicle Code.
 - (F) Must obey all traffic laws of the State of Illinois.
 - (G) Must be operated only on the City streets, except where prohibited.
 - (H) Must be at least **eighteen (18) years** of age.

- (I) May not be operated on State highways and County roads except at the designated crossing point of Wood Street and 1st Street.
- (J) Must not be operated in excess of posted speed limit and, regardless, may not exceed **twenty (20) miles per hour**.
- (K) A person operating or who is in actual physical control of a golf cart or recreational off-highway vehicle as described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500 11-502).
- (L) Golf carts and/or recreational off-highway vehicles shall not be operated on sidewalks other than parking areas except when authorized by the City Council, Mayor or City Chief of Police for special events.
- (M) Each golf cart and/or recreational off-highway vehicles may transport only as many individuals as is the lesser of the number of seats or as its manufacturer designates. No individuals may ride on any other portion of the golf cart and/or recreational off-highway vehicles.
- (N) Golf carts or recreational off-highway vehicles shall not be operated on sidewalks or in city parks other than parking areas.
- (O) Golf carts or recreational off-highway vehicles may not be operated on streets and highways and roads under the jurisdiction of the Illinois Department of Transportation (U.S. Highways 9, 47 and 54) or the County Highway Department except to cross at Wood Street and 1st Street.
- (P) Yield right-of-way: Persons driving the golf carts or recreational off-highway vehicles are to pull over to the right side of the road and stop, yielding right-of-way to approaching traffic from behind.
- (Q) Golf carts or recreational off-highway vehicles are to have an elevated flag attached.
- (R) Seat belts are to be installed and required to be worn for the driver and all passengers when in operation.

24-10-4 PERMITS.

- (A) No person shall operate a qualified golf cart and/or recreational off-highway vehicle without first obtaining a permit from the City as provided herein. The cost of the permit is **Thirty-Five Dollars (\$35.00)** per year. Insurance coverage is to be verified to be in effect by the Police Department when obtaining and renewing a permit.
- (B) Every application for a permit shall be made on a form supplied by the City and shall contain the following information:
 - (1) Name and address of applicant;
 - (2) Name of liability insurance carrier;
 - (3) The serial number, make, model and description of golf cart;
 - (4) Signed Waiver of Liability by applicant releasing the City and agreeing to indemnify and hold the City harmless from any and all future claims resulting from the operation of their golf carts and/or recreational off-highway vehicles on City Streets;
 - (5) Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
 - (6) Such other information as the City may require.
 - (C) No permit shall be granted unless the following conditions are met:
 - (1) The vehicle must be inspected by the designated representative to ensure that the vehicle is safe to operate on City streets and is in compliance with this Article and with the State of Illinois Motor Vehicle Code;
 - (2) A physically handicapped applicant must submit a certificate signed by the physician, certifying that the applicant is able to safely operate a qualified golf cart and/or recreational off-highway vehicle on City Streets;

- (3) The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance.
- (D) The City may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this Article or there is evidence that permittee cannot safely operate a qualified golf cart and/or recreational off-highway vehicle on the designated roadways.
- (E) Failure to abide by this Article (other than failure to secure a permit provided herein) shall result in a fine of **One Hundred Dollars (\$100.00)** with each infraction of this Article constituting a separate offense bearing a separate fine.
- (F) No permits shall be issued for All-Terrain Vehicles. Their use in the public right-of-way is outright prohibited.
- (G) Notwithstanding any other provisions, the within restrictions and requirements shall not apply to such vehicles operated and/or owned by the City.
- 24-10-5 <u>VIOLATION.</u> Any failure of an individual to or otherwise secure a permit provided herein when operating a golf cart and/or recreational off-highway vehicles upon the streets of the City shall subject the violator to a fine of **Two Hundred Fifty Dollars (\$250.00)**.

(Ord. No. 2023-32; 09-25-23)

GIBSON CITY GOLF CART PERMIT APPLICATION APPLICANTS MUST HAVE VALID DRIVER'S LICENSE Permit issued good for one (1) year

Perm	nit#	Date	Cost
Name	e		
Addr	ess		
Phon	e Number		
Description of Golf Cart:		Make	
		Model	
		Color	
		Serial Number	
No po	ermit shall be granted	unless the following c	onditions are met:
1.	The golf cart must cart has required e	•	esignated representative to insure that the golf
2.	•		t submit a certificate signed by the physician,

3. The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance.

certifying that the applicant is able to safely operate a qualified golf cart on City streets.

The applicant has received and read a copy of the City Ordinance licensing Golf Carts and understands that the City may suspend or revoke a permit granted hereunder upon a finding that the holder thereof has violated any provision of this Ordinance or there is evidence that the permittee cannot safely operate a qualified golf cart on the designated roadways. Failure to abide by the Ordinance shall result in a fine of **One Hundred Dollars (\$100.00)** with each infraction of this Ordinance constituting a separate offense bearing a separate fine.

By signing this application, applicant hereby releases the City, it's elected officials and it's employees and agrees to indemnify and hold them harmless from any and all claims resulting from the operation of this golf cart on public streets.

Applicant		
Date	Time	
APPROVED/DECLINED		
City Clerk		
Date	Time	·-

CITATION FORM

NO.		
DATE		TIME
LICE	ENSE NO.	STATE
LICE	ENSE EXPIRES	MAKE OF VEHICLE
MET	ER NUMBER	OFFICER
	YOU ARE CHARGED W	ITH THE VIOLATION MARKED BELOW:
1. 2. 3. 4. 5. 6.	Overparked, Two Hour Zone Double Parked Parked at Fire Plug Blocking Driveway or Alley Parked Where Official Signs Erected Improper Parking Yellow Line	\$15.00[] \$15.00[] \$15.00[] \$15.00[] \$15.00[] \$15.00[]
8. 9.	Each Additional Hour Violation Parking on Sidewalk	\$15.00 [] \$15.00 []
NAN	1E	
ADD	PRESS	
CITY	YSTA	ATE ZIP CODE

You may settle and compromise a claim for illegal parking by paying the sum set forth above for the first particular violation and the same sum shall apply for the same particular offense for the second and each subsequent violation within 5 days after the time set out above. If not paid within this time limit, an **Enforcement Warrant** will be issued and an assessment of not less than \$20.00 will be collected.

FOR YOUR CONVENIENCE

After detaching your Ticket Stub, place the fine in the envelope and deposit at City Hall.

SCHEDULE "A"

STOP INTERSECTIONS

In accordance with the provisions of **Sections 24-3-1 and 24-3-3** of this Chapter, the following streets are hereby designated as "stop intersections", to-wit:

I. ONE-WAY STOP STREETS.

STOP STREET		THROUGH STREET
3 rd St.	at	Sangamon Ave.
4 th St.	at	Route No. 54
5 th St.	at	Route No. 54
6 th St.	at	Route No. 54
7 th St.	at	Route No. 54
8 th St.	at	Route No. 47
8 th St.	at	Route No. 54
9 th St.	at	Route No. 47
9 th St.	at	Route No. 54
10 th St.	at	Sangamon Ave.
11 th St.	at	Route No. 54
12 th St.	at	Route No. 54
13 th St.	at	Route No. 54
14 th St.	at	Sangamon Ave.
16 th St.	at	Church St.
16 th St.	at	Lott Blvd.
16 th St.	at	Melvin St. (#01-11)
16 th St.	at	Sangamon Ave.
17 th St.	at	Melvin St. (#01-11)
18 th St.	at	Guthrie St.
19 th St.	at	Lawrence Ave. 500 E Road
Alley between Sangamon Ave. & Church S	t.at	8 th St.
Alley behind 100 Block West 8th	at	State St.
Ash St.	at	Route No. 47
Church St.	at	1 st St.
Church St.	at	16 th St.
Church St.	at	19 th St.
Clover Court	at	Prairie Smoke (#01-11)
Douglas Dr. (Both)	at	Falcon Dr. (#06-02)
Elm St.	at	8 th St.
Elm St.	at	Route No. 47
Falcon Dr.	at	12 th St. (#06-02)
Guthrie St.	at	8 th St.
Guthrie St.	at	13 th St. (#01-11)
Hagar Dr.	at	19 th St.
Hagar Dr.	at	Guthrie St.
III. Central R.R. R-O-W (East Bd.)	at	10 th St. (#95-15)
Jordan Dr.	at	Route No. 9
Lott Blvd. (North Bd.)	at	14 th St. (#01-17)
Lott Blvd. (North Bd.)	at	16 th St. (#01-18)
Lott Blvd.	at	19 th St.
Lynn St.	at	Route No. 47
Maple St.	at	Route No. 47
Meadow Rue Dr.	at	Lawrence 500 E Road

SCHEDULE "A" (CONTINUED)

STOP STREET (DIRECTION) THROUGH STREET

Meadow Rue Dr.	at	Melvin St. (school entrance) (#01-11)
Melvin St.	at	6 th St. (#99-13)
Melvin St.	at	10 th St. (#09-14)
Melvin St.	at	13 th St.
Melvin St.	at	19 th St.
Melvin St. Angle	at	13 th St. (#01-11)
Miller Ct.	at	Falcon Dr. (#06-02)
Nelson Ave.	at	13 th St. (#01-11)
North Bell St.	at	19 th St. `
Peregrine Place	at	Route 47 (#06-02)
Pine St.	at	8 th St.
Prairie Smoke Dr.	at	19 th St.
Sangamon Ave.	at	19 th St.
State St.	at	4 th St.
Walnut St.	at	Route No. 47
West St.	at	8 th St.
West St.	at	12 th St. (#06-02)
Wood St.	at	10 th St. (#09-14)
Wood St.	at	13 th St. (#01-11)
U Drive School	at	Church St.

II. <u>TWO-WAY STOP STREETS.</u>

STOP STREET (DIRECTION) THROUGH STREET

<u> </u>		***************************************
·		
3 rd St.	at	Church St.
3 rd St.	at	Lott Blvd.
4 th St.	at	Church St.
4 th St.	at	Lott Blvd.
4 th St.	at	Sangamon Ave.
5 th St.	at	Church St.
5 th St.	at	Lott Blvd.
5 th St.	at	Sangamon Ave.
5 th St.	at	Wood St.
6 th St.	at	Church St.
6 th St.	at	Lott Blvd.
6 th St.	at	Sangamon Ave.
6 th St. (Both)	at	Melvin St. (#99-13)
6 th St. (Both)	at	State St. (#00-14)
7 th St.	at	Church St.
7 th St.	at	Lott Blvd.
7 th St.	at	Melvin St. (#04-06)
7 th St.	at	Sangamon Ave.
7 th St.	at	Wood St.
9 th St.	at	Elm St.
9 th St.	at	Lott Blvd.
9 th St.	at	Pine St.
10 th St.	at	Elm St.
10 th St.	at	Lott Blvd.
10 th St.	at	Sangamon Ave.
11 th St.	at	Lott St. (#07-21)
11 th St.	at	Sangamon Ave.

SCHEDULE "A" (CONTINUED)

STOP STREET (DIRECTION) THROUGH STREET 12th St. at Church St. 12th St. Lott Blvd. at 12th St. Sangamon Ave. at 13th St. Church St. at 13th St. Sangamon Ave. at 14th St. Church St. at 14th St. at Melvin St. 14th St. at Sangamon Ave. 15th St. (Both) at Melvin St. (#00-14) 15th St. at Sangamon Ave. 15th St. (Both) Church St. (#99-13) at 17th St. Sangamon Ave. at 17th St. (Both) Church St. (#99-13) at 18th St. (Both) Church St. (#00-14) at 18th St. (Both) at Lott St. (#00-14) 18th St. Sangamon Ave. at Church St. 9th St. at Elm St. (Both) 9th St. (#01-16) at 9th St. Guthrie St. at 1st St. Lott Blvd. at 8th St. Lott Blvd. at 4th St. Melvin St. at Melvin St. at 8th St. 9th St. (#96-08) Melvin St. at Prairie Smoke (Both) Meadow Rue Dr. (#01-16) at 7th St. State St. at 8th St. State St. at 10th St. State St. at 12th St. (#01-16) State St. (Both) at State St. (Both) 15th St. (#00-14) at 4th St. West St. at 9th St. West St. at 1st St. Wood St. at 4th St. Wood St. at Wood St. at 6th St. 8th St. Wood St. at 9th St. (#96-08) Wood St. III. TWO AND THREE-WAY STOP STREETS. **STOP STREET - DIRECTION** STOP STREET - DIRECTION

at

at

at

Lott St. (North Bd.) (#01-17)

Lott St. (North Bd.) (#01-18)

15th St. (Both) (#99-13)

14th St. (Both)

16th St. (Both)

Church St. (North Bd.)

SCHEDULE "A" (CONTINUED)

IV. FOUR-WAY STOP STREETS.

STOP STREET		THROUGH STREET
445 0 4		
4 th St.	at	Wood St. (#00-14)
8 th St.	at	Church St.
10 th St.	at	Church St.
14 th St.	at	Melvin St. (#07-21)
16 th St.	at	Melvin St. (#07-21)
19 th St.	at	Melvin St. (#00-14)
Church St.	at	9 th St. (#96-08)
Church St.	at	17 th St. (#96-08)
Latt Dhad	-4	4 oth CA
Lott Blvd.	at	13 th St.
Lott Blvd.	at	15 th St.
Lott Blvd.	at	17 th St.
Melvin St.	at	Meadow Rue St. (#15-15)
Sangamon Ave.	at	1 st St. (Route No. 9, 47, 54)
Sangamon Ave.	at	8 th St.
Sangamon Ave.	at	9 th St.
V. <u>TEMPORARY STOP SIGNS.</u>		
STOP STREET - DIRECTION		_
Lott Blvd. (Both)	at	17 feet and 28 feet north of 16 th St. (#00-06)

SCHEDULE "B"

ONE-WAY STREETS

In accordance with the provisions of **Section 24-3-2** the following streets are hereby designated as one-way streets and/or alleys on school days, to-wit:

STREET - DIRECTION	LOCATION
Canadian National R. R. (Northeast)	From Sangamon Ave. to 10 th St. (#95-14)
Church St. (North Bd.)	From 15 th St. to 17 th St.

SCHEDULE "D"

SPEED ZONES

In accordance with the provisions of **Section 24-4-2(F)**, the following streets are hereby designated as speed zones, to-wit:

STREET - LIMIT		LOCATION
19 th St. (30 MPH)	From	168 feet west of the midline of Melvin St. east 160 feet of the midline of Prairie Smoke Dr. (#00-16)
19 th St. (30 MPH)	From	Rte. 47 to Lawrence Ave. (#00-16)
Melvin St. (20 MPH)	Between	13 th St. and 19 th St. (#04-22)
Sangamon Ave. (20 MPH)	From	10 th St. to 11 th St. (#01-06)
Sangamon Ave. (20 MPH)	From	7 th St. to 11 th St. (#07-23)
Sangamon Ave. (20 MPH)	From	15 th St. to Bell St. (#07-23)

SCHEDULE "E"

NO PARKING ZONES

In accordance with the provisions of **Section 24-6-4(C)**, the following streets are hereby designated as no parking zones, to-wit:

STREET - SIDE		LOCATION
W. 10 th St.	Between	Railroad tracks and West St. (#18-05)
Melvin St. (East side)	Between	9 th St. and 10 th St. (#09-15)
N. Melvin St.	Between	13 th St. and 19 th St. (#07-11)
Sangamon Ave.	From	10 th St. north to corporate limits (#15-16)
Sangamon Ave.	From	7 th St. south to corporate limits (#15-16)
West St. (Both)	From	329 N. West St. south to the corner of 10 th St. for vehicles exceeding 10,000 pounds (#19-18)

SCHEDULE "F"

LIMITED PARKING ZONES

In accordance with the provisions of **Section 24-6-4(C)**, the following streets are hereby designated as limited parking zones, to-wit:

LOCATION

STREET - SIDE		LOCATION		
I. <u>15 Minutes.</u>				
Lott Blvd. (West)		The 3 rd and 4 th parking spaces north of 16 th St. (#98-05)		
104 N. Sangamon		One space (#20-01)		
220 N. Sangamon		One space (#20-01)		
II. <u>1:00 A.M. to 5:00 A.M. – No Parking.</u>				
Sangamon Ave.	From	North r-o-w line of Norfolk & Western R.R. and South r-o-w line of III. Central Gulf R.R. (#756)		
8 th St.	From	Church St. and East r-o-w line of III. Central Gulf R.R. (#756)		
9 th St.	Between	Church St. and East r-o-w line of III. Central Gulf R.R. (#756)		

SCHEDULE "H"

HANDICAPPED PARKING ZONES

In accordance with the provisions of **Section 24-6-5(E)**, the following streets and areas are hereby designated as handicapped parking spaces, to-wit:

STREET/LOT LOCATION

On Church St., the first parking space North of 15^{th} St. on the West side of Church St., in front of the high school. (Ord. No. 98-05)

On Church St., the **two (2) spaces** on the West side of Church St. which are on either side of the walkway to the main entrance to the high school. **(Ord. No. 98-05)**

On Church St., the first space south of 16th St. on the West side of Church St. in front of the high school. (Ord. No. 98-05)

On Lott Blvd., the first space North of 16th St. on the West side of Lott Blvd., by the East entrance to the grade school. (Ord. No. 98-05)

On Sangamon Ave. (East Side) – the first parking space adjacent to the intersection of Sangamon Ave. and 10th St. (#01-05)

On the East side of Sangamon Ave., the first parking space adjacent to the intersection of Sangamon Ave. and 10th St. **(#01-05)**

On the South side of 9^{th} St., the first parking space adjacent to the intersection of Sangamon Ave. and East 9^{th} St. (#07-22)

SCHEDULE "I"

SNOW REMOVAL

In accordance with **Section 24-6-6** of this Chapter, the following streets are designated to have parking limitations during snow removal:

8 th St.	Between	Route 54 on the East and Route 47 on the West
9 th St.	Between	Route 54 on the East and Route 47 on the West
10 th St.	Between	Route 54 on the East and Route 47 on the West
13 th St.	From	Wood St. to Melvin St.
Church St.	Between	1 st St. and 19 th St.
Melvin St.	From	13 th St. to 19 th St.
Sangamon Ave.	Between	1 st St. and 19 th St.
Wood St.	Between	1 st St. and 13 th St.

(Ord. No. 93-0-02; 02-08-93)

SCHEDULE "J"

WEIGHT RESTRICTIONS

In accordance with the provisions of **Section 24-8-1**, the following streets are hereby designated as "weight restricted" streets, to-wit:

STREET		LOCATION
Sangamon Ave.		Entire Length (#07-20)
19 th St.	Between	Route 47 to Lawrence Ave. (#07-20)
19 th St.	Between	Sangamon Ave. and Melvin St.
18 th St.	Between	Sangamon Ave. and Melvin St.
17 th St.	Between	Sangamon Ave. and Melvin St.
16 th St.	Between	Sangamon Ave. and Melvin St.
15 th St.	Between	Sangamon Ave. and Melvin St.
14 th St.	Between	Sangamon Ave. and Melvin St.
13 th St.	Between	Route 54 to State St. (#07-20)
13 th St.	Between	State St. and Lawrence Ave.
12 th St.	Between	Route 54 to State St. (#07-20)
12 th St.	Between	State St. and Lawrence Ave.
11 th St.	Between	Route 54 to State St. (#07-20)
11 th St.	Between	Spring St. and Church St.
11 th St.	Between	Lott Blvd. and Lawrence Ave.
10 th St.	Between	State B.I. Route 47 and Wabash R.R. r-o-w
9 th St.	Between	B.I. Route 47 and III. Central R.R. r-o-w
9 th St.	Between	Route 47 to Lawrence Ave. (#07-20)
8 th St.	Between	Lott Blvd. and Lawrence Ave.
8 th St.	Between	Route 47 to Lawrence Ave. (#07-20)
		· · · · · · · · · · · · · · · · · · ·

SCHEDULE "J" (CONTINUED)

STREET		LOCATION
7 th St.	Between	State St. to Lawrence Ave. (#07-20)
6 th St.	Between	Route 54 to State St. (#07-20)
6 th St.		Route 54 to State St. (#07-20) Route 54 to West St. (#07-20)
6 th St.	Between	South West St. and Lawrence Ave.
	Between	
5 th St.	Between	Route 54 to State St. (#07-20)
5 th St.	Between	Wabash R.R. r-o-w and Lawrence Ave.
4 th St.	Between	West St. to Lawrence Ave. (#07-20)
Ash St.	Between	Route 47 and Cedar St. (#07-20)
Church St.	Between	1 st St. to 19 th St. (#07-20)
Elm St.	Between	10 th St. to 8 th St. (#07-20)
Gray's Dr.	Between	4 th St. and Hazel Dr.
Guthrie St.	Between	4 th St. and 7 th St.
Guthrie St.	Between	8 th St. and 13 th St.
Hazel Dr.	Between	Gray's Dr. and Wood St.
Lott Blvd.	Between	1 st St. to 19 th St. (#07-20)
Maple St.	Between	Route 47 to Date St. (#07-20)
Melvin St.	Between	4 th St. and 7 th St.
Melvin St.	Between	8 th St. and 9 th St.
Melvin St.	Between	13 th St. and 19 th St.
Pine St.	Between	8 th St. and 10 th St.
State St.	Between	4 th St. and 7 th St.
State St.	Between	8 th St. and 13 th St.
Walnut St.	Between	Route 47 to Date St. (#07-20)
West St.	Between	4 th St. and 6 th St.
West St.	Between	8 th St. and 10 th St.
S. West St.	Between	9 th St. to 4 th St. (#07-20)
Wood St.	Between	1 st St. and 13 th St. (#07-20)
Wood St.	Between	8 th St. and 9 th St.
	_0	