

TITLE 10: VEHICLES AND TRAFFIC¹

Chapter

- 10.01 CREST HILL VEHICLE CODE
APPENDIX A: CREST HILL VEHICLE CODE**
- 10.05 EMERGENCY VEHICLES**
- 10.10 VEHICLE IMPOUNDMENT**
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- 10.20 ADOPT-A-HIGHWAY PROGRAM**

¹For statutory provisions regarding motor vehicles generally, see ILCS Ch. 625, Act 5, § 1-100 et seq.; for provisions relating to the power of municipal authorities to enact traffic regulations, see ILCS Ch. 625, Act 5, §§ 11-207 and 11-208.

CHAPTER 10.01: CREST HILL VEHICLE CODE

Editor's Note: The Crest Hill Vehicle Code (Ord. passed - -92) is set forth in full in Appendix A of this chapter.

APPENDIX A: THE CREST HILL VEHICLE CODE

AN ORDINANCE ADOPTING THE CREST HILL VEHICLE CODE

BE IT ORDAINED by the City Council of the City of Crest Hill, Illinois, that:

Section 1. Ordinance No. 840 is hereby repealed upon the effective date of this ordinance.

Section 2. Chapter 10.01 is hereby added to the Crest Hill Municipal Code, and shall read as follows:

CHAPTER 10.01

THE CREST HILL VEHICLE CODE

ARTICLE 1. TITLE AND DEFINITIONS

Paragraph

- 10.01.1-100. Short Title.
- 10.01.1-100.1. Definition of Words and Phrases.
- 10.01.1-100.2. Act.
- 10.01.1-100.3. Code.
- 10.01.1-101. Adoption of Illinois Vehicle Code 1-101.3 to 1-224.
- 10.01.1-101.1. Reserved.
- 10.01.1-101.2. Reserved.
- 10.01.1-101.3 to 10.01.1-224. Illinois Vehicle Code Incorporated by Reference.
- 10.01.1-225. Municipal Speed Restrictions: General Speed Limit.
- 10.01.1-226. Municipal Speed Restrictions: Collector Streets.
- 10.01.1-227 to 10.01.1-300. Reserved.

10.01.1-100. SHORT TITLE.

This Act shall be known and may be cited as The Crest Hill Vehicle Code.

10.01.1-100.1 DEFINITIONS OF WORDS AND PHRASES.

The following words and phrases when used in this Code shall, for the purpose of this Code, have the meanings respectively ascribed to them in this chapter, except when the context otherwise requires and except where another definition set forth in another chapter of this Code and applicable to that chapter or a designated part thereof is applicable.

10.01.1-100.2. ACT.

The word "Act" as used in this Code or in any section of the Illinois Vehicle Code Incorporated by reference shall, unless the context otherwise clearly indicates, means "The Crest Hill Vehicle Code."

10.01.1-100.3. CODE.

The word "Code" as used in this Code or any section of the Illinois Vehicle Code incorporated by reference means the "The Crest Hill Vehicle Code."

10.01.1-101. ADOPTION OF ILLINOIS VEHICLE CODE.

The city hereby adopts by reference the Following provisions of the Illinois Vehicle Code, chapter 625 Illinois Compiled Statutes, as existing on the effective date of the ordinance and as may be amended after the effective date thereof:

Sections 1-101.3 through Section 1-224

Said Sections shall be cited as "10.01._____" as the case may be.

No person shall violate any provision of the Illinois Vehicle Code so incorporated into the Municipal Code by reference. Any reference in incorporated sections of the Illinois Vehicle Code to the "Illinois Vehicle Code" shall be construed to refer to the "Crest Hill Vehicle Code," unless the context of the section clearly indicates otherwise.

10.01.1-101.1. RESERVED.

10.01.1-101.2. RESERVED.

10.01.1-101.3 to 10.01.1-224. ILLINOIS VEHICLE CODE INCORPORATED BY REFERENCE.

10.01.1-225. MUNICIPAL SPEED RESTRICTIONS: GENERAL SPEED LIMIT.

All streets other than "collector streets" situated within the city limits shall be subject to a speed limit of 25 miles per hour, and shall be posted with that speed limit. When traffic citations are issued to motorists who violate this section, the violation shall be cited as "10.01.1-225" of this Code. (Ord. 1418, passed 3-19-07)

10.01.1-226. MUNICIPAL SPEED RESTRICTIONS: COLLECTOR STREETS.

(A) The following streets are designated as "collector streets" and shall not be subject to the speed limit imposed in § 10.01.1-225:

Street	Begin	End
Caton Farm Road	Caton Crest	Ill. Route 53
Theodore Street	Thomas Court	Ill. Route 53
Division Street	Gaylord Road	Ill. Route 53
Renwick Road	Gaylord Road	Ill. Route 53
Cedarwood Drive	Theodore Street	Ingalls Avenue
Gaylord Road	Theodore Street	Renwick Road

(B) Each "collector street" designated in this section shall be posted with the speed limit applicable to the specific street so designated by previous ordinances, or by the default provisions of ILCS Ch. 625, Act 5, § 11-601. Further, all streets or roads under the jurisdiction of either the state or the county, including but not limited to U.S. Route 30 (Plainfield Road), Illinois Route 53 (Broadway Street), and Weber Road shall not be subject to § 10.01.1-225 above. (Ord. 1418, passed 3-19-07)

10.01.1-227 to 10.01.1-300. RESERVED.

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ARTICLE 2. EFFECT OF ORDINANCE

DIVISION I. APPLICATION

- 10.01.2-100. Effect of Headings.
- 10.01.2-101. Ordinance Not Retroactive.
- 10.01.2-102. Effect of Partial Invalidity
- 10.01.2-103. Repeal.
- 10.01.2-104. Effective Date.

DIVISION II. GENERAL PROVISIONS

- 10.01.2-200. Exemption.
- 10.01.2-201. Owners of Real Property.
- 10.01.2-202. Offenses by Persons Owning or Controlling Vehicles.

DIVISION I. APPLICATION

10.01.2-100. EFFECT OF HEADINGS.

Article headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or extent of the provisions of any Article contained herein.

10.01.2-101. HEADINGS FOR SECTIONS NOT SET IN FULL.

Article headings exist in this code for Sections of the Illinois Vehicle Code incorporated herein by reference and appear for convenience only.

The failure of incorporated statutory language to be fully set forth herein shall not affect the validity of his ordinance, and all sections of the Illinois Vehicle Code that are incorporated by reference shall be deemed to have been set forth herein as in haec verba where appropriate.

10.01.2-102. ORDINANCE NOT RETROACTIVE.

This Ordinance shall not have a retroactive effect and shall not apply to any traffic accident, to any cause of action arising out of a traffic accident or judgment arising there from, or to any violation of any motor vehicle ordinances of this municipality, occurring prior to the effective date of this Ordinance.

10.01.2-103. EFFECT OF PARTIAL INVALIDITY.

If any part or parts of this Ordinance are for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

10.01.2-104. REPEAL.

The existing Ordinances covering the same matters embraced in this Ordinance are hereby repealed and all Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

10.01.2-105. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage, approval and publication as provided by Law, except as otherwise provided herein.

DIVISION II. GENERAL PROVISIONS**10.01.2-200. EXEMPTION.**

The provisions of this Ordinance regulating the movement and parking of vehicles shall not apply to equipment or vehicles while actively engaged in installing, repairing or otherwise improving streets and street pavements.

10.01.2-201. OWNERS OF REAL PROPERTY.

Nothing in this Ordinance shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right from prohibiting such use or from requiring other of different or additional conditions than those specified in this Ordinance, or otherwise regulating such use as may seem best to the owner.

10.01.2-202. OFFENSES BY PERSONS OWNING OR CONTROLLING VEHICLES.

It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to require or knowingly permit the operation of such vehicle upon the highway in any manner contrary to the law.

ARTICLE 3. PENALTIES AND ENFORCEMENT.

DIVISION I. PENALTIES

- 10.01.3-100. Misdemeanors.
- 10.01.3-101. Fines.
- 10.01.3-102. Sentencing for driving under the influence of intoxicating liquor or other drug.
- 10.01.3-103. Penalties for Parking violations and city license violations.

DIVISION II. ENFORCEMENT.

- 10.01.3-200. Authority of Police.
- 10.01.3-201. Authority of Direct traffic.
- 10.01.3-202. Authority of Fire department.
- 10.01.3-203. Obedience to Police and Fire Department officials.
- 10.01.3-204. Unauthorized direction of traffic.

ARTICLE 3. PENALTIES AND ENFORCEMENT

DIVISION I. PENALTIES

10.01.3-100. MISDEMEANORS.

It is unlawful and a misdemeanor for a person to do any act forbidden or fail to perform any act required in this Ordinance.

10.01.3-101. FINES.

Every person found guilty of a violation of any of the provisions of this chapter for which another penalty is not provided for shall be fined for a first offense not less than \$75, but no more than \$750; for a second such finding of guilty within a 12 month period thereafter, the person shall be fined not less than \$100, but no more than \$750; and for a third or subsequent finding of guilty within the same 12 month period, the person shall be fined not less than \$150, but not more than \$750.
(Am. Ord. 998, passed 7-1-96)

10.01.3-102. SENTENCING FOR DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR OTHER DRUG.

A person convicted of violating § 11-501 of this code shall be guilty of a Class A Misdemeanor as the same is defined in the Statutes of the State of Illinois. Sentencing shall be imposed as provided under the Unified Code of Corrections, Chapter 38, Illinois Revised Statutes, Paragraph 1005-1-1 et seq. (Ill. Rev. Stat. Ch.38, Sec.1005-1-1 et seq. (1988)).

10.01.3-103. PENALTIES FOR PARKING VIOLATIONS AND CITY LICENSE VIOLATIONS.

Whenever any motor vehicle is found to be parked in violation of this chapter with respect to rules prohibiting parking a vehicle in a designated area or according to a designated manner, or with respect to rules restricting the time a vehicle may be parked in a certain location, or with respect to parking in a metered area to cover the required time for the parking spaces occupied, or whenever any vehicle found parked within the city limits is found to be in violation of Chapter 10, Article 2 of this code with respect to any requirement for a valid city license for said vehicle, the following provisions for penalties shall apply:

(A) The penalties for parking violations other than violations with regard to handicap parking zones and failure to display a city license for a vehicle that is not issued on a uniformed traffic citation form, shall be as follows:

(1) The fine shall be \$10 if paid within 48 hours of the issuance of the notice;

(2) After 48 hours, the fine shall be \$20 if paid within nine days of issuance of the citation or within seven days of issuance of a formal notice by the city to the violator that payment of said \$20 is due;

(3) After said nine days has expired, or after said seven-day period has expired, whichever period ends last, the fine shall be between \$50 and \$750, as determined by the Court;

(4) As a condition precedent to payment of a fine underneath the above schedule, as it relates to city vehicle licenses, the display of a current valid city vehicle license tag for the current year must be displayed to the Police Department prior to acceptance of the fine.

(B) With respect to handicapped parking zone violations as set out in Section 10.01.11-1301.1 of the Crest Hill Vehicle Code, the fine shall be \$100 if paid within 48 hours of the issuance of the notice; after 48 hours, the fine shall be \$125 if paid within nine days of issuance of the citation or within seven days of issuance of a formal notice by the city to the violator that payment of said \$125 is due; after said nine days has expired, or after said seven-day period has expired, whichever period ends last, the fine shall be between \$150 and \$750, as determined by the Court.

(C) Any police officer of this city shall conspicuously attach to such vehicle a citation on a form as described in division (D) of this section which citation shall advise the owner or operator of said vehicle that he has violated a provision relating to the parking or city licensing provisions of this code, or shall hand said notice directly to the owner or driver if he is present when the citation is written.

(D) The form of said citation shall contain space to record the make and model of the violator's vehicle, and the vehicle license plate number. The citation shall also contain a space sufficiently large to record the literal violation in English of whichever municipal traffic code is involved along with the applicable code section.

The citation shall also contain directions as to payment of the fine within 48 hours of issuance of the citation, allowing for payment by mail or at the Police Department, and shall specify the fine schedule for the offense charged. The citation shall conspicuously inform the violator that if the fine is not paid

within 48 hours, warrant may issue for his arrest, and that he may appear at the office of the Police Department before the due date to request a court hearing if he seeks exoneration from paying the fine.

The form shall be signed by the officer issuing the citation.

(E) If the violator has not paid the fine within 48 hours of date of issuance, the Police Department may send to the registered owner of the offending vehicle of the violator, if known, a notice mailed by first-class mail to his last known address as that address is reflected by the current records of office of the Illinois Secretary of State. Said mailed notice shall specify:

(1) The facts that the original citation was issued on a certain date and that payment of the fine is overdue;

(2) The fine is increased to \$20, except when the violation is for handicapped parking, then the fine is increased to \$125;

(3) If the fine is not paid within seven days of the date of notice, the city shall appear in court and file a complaint against the violator and/or owner on a specified date;

(4) If the violator or registered owner is not present on the court date, a warrant may be issued for his arrest.

(F) Whenever the Police Department receives notice in person from a violator who wishes to contest the citation in Court, the Police Department or its authorized representative shall give written notice to the violator of his court date, time and place and shall cause the officer or person who issued the citation to be in court on that given date and time, at which time a trial on the merits shall be had. Where the Police Department has already sent the violators notice of a court date pursuant to division (E) of this section, that court date shall stand as the trial date and the officer who issued the citation shall be present for the trial. The department shall set dates for court appearances only on court days approved by the Circuit Court of Will County.

(G) Whenever the Police Department receives notice from a violator of his request for a trial, or whenever the Police Department has issued a notice to the violator to pay a \$20/125 fine as provided in division (E) and said fine has not been paid even though the seven-day period of time has expired, the Police Department or its authorized representative shall cause the original citation to be filed with the Will County Clerk of the court, which citation shall stand as the city's complaint against the violator.

(H) Nothing in this section shall relieve any person of the requirement under Article 10, Division I of this code of obtaining a valid city vehicle license tag for the then current year.
(Ord. 943, passed 12-19-94; Am. Ord. 998, passed 7-1-96)

DIVISION II. ENFORCEMENT.

10.01.3-200. AUTHORITY OF POLICE.

It shall be the duty of the officers of the Police Department or such officers as are assigned by the Chief of Police to enforce all street traffic laws of the city and all the State Vehicle Laws.

10.01.3-201. AUTHORITY TO DIRECT TRAFFIC.

Officers of the Police Department or such officers as are assigned by the Chief of Police are hereby authorized to direct by voice, hand or signal in conformance with the traffic laws; provided that, in the event of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the Police Department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

10.01.3-202. AUTHORITY OF FIRE DEPARTMENT.

Officers of the Fire Department may exercise the powers and authority of a policeman in directing traffic or assisting the police in directing traffic at the scene or in the immediate vicinity of the scene of any fire, or where the Fire Department has responded to an emergency call, for as long as Fire Department equipment is on the scene.

10.01.3-203. OBEDIENCE TO POLICE AND FIRE DEPARTMENT OFFICIALS.

No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer of Fire Department official.

10.01.3-204. UNAUTHORIZED DIRECTION OF TRAFFIC.

Except in case of emergency, it shall be unlawful for any person not authorized by law to direct or attempt to direct traffic.

ARTICLE 4. RESERVED.

ARTICLE 5. RESERVED.

ARTICLE 6. RESERVED.

ARTICLE 7. RESERVED.

ARTICLE 8. RESERVED.

ARTICLE 9. RESERVED.

**ARTICLE 10. SPECIAL PROVISIONS PERTAINING TO
THE CITY OF CREST HILL.**

DIVISION I. LICENSES.

- 10.01.10-101. License Required.
- 10.01.10-102. License Application.
- 10.01.10-103. License Fees.
- 10.01.10-104. License Duration.
- 10.01.10-105. Penalty.
- 10.01.10-106. Removal of license plate or emblem upon sale of vehicle.
- 10.01.10-107. Duplicate emblem..
- 10.01.10-108. Use of funds.
- 10.01.10-109. Emblems -- Issuance.
- 10.01.10-110. Emblem -- Destruction.
- 10.01.10-111. Dealers-- License -- Issuance.
- 10.01.10-112. Dealers-- License -- Use.
- 10.01.10-113. Dealer - License -- Number.
- 10.01.10-114. Dealer -- Misuse of Demonstrating license plate.
- 10.01.10-115. Dealer -- License -- Fee.
- 10.01.10-116. Violation -- Penalty.
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DIVISION II. UNLICENSED VEHICLES AND DRIVERS

- 10.01.10-201. Motor Vehicle License Required -- Exception.
- 10.01.10-202. Driver's license required -- Exception.
- 10.01.10-203. Minor Offender -- Notification of parent or guardian
- 10.01.10-204. Minor Offender -- Offense designated for parent or guardian.
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DIVISION III. OPERATION OF VEHICLES IN SCHOOL ZONES.

- 10.01.10-301. Special street closings.
- 10.01.10-302. Unlawful acts.
- 10.01.10-303. Warning signs.
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- 10.01.10-401. Applicability of traffic laws.
- 10.01.10-402. Operation with both hands.
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DIVISION V. SPECIAL WEIGHT LIMITS.

- 10.01.10-501. Restricted Truck Traffic - Designated streets.
- 10.01.10-502. Posting of signs.
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DIVISION VI. PARKING REGULATIONS.

- 10.01.10-601. Parking in alleys -- Unloading and loading only.
- 10.01.10-602. Towing or removing of vehicles during snowfall.
- 10.01.10-603. Curb parking.
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- 10.01.10-606. Passenger loading zones.
- 10.01.10-607. Obstructions to traffic unlawful.
- 10.01.10-608. Parking in excess of designated time limit.
- 10.01.10-609. Cab stands -- bus stands.
- 10.01.10-610. Parking of vehicles on streets and other designated areas.
- 10.01.10-611. Parking motor vehicles on private property.
- 10.01.10-612. Signs posted for limited or prohibited parking.
- 10.01.10-613. Prima facie evidence of registered owner.
- 10.01.10-614. Parking motor vehicles on private property in the city.
- 10.01.10-615. Reserved.
- 10.01.10-616. Reserved.
- 10.01.10-617. Reserved.
- 10.01.10-618. Special parking prohibitions.
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DIVISION VII. ABANDONMENT OF VEHICLES.

- 10.01.10-701. Definitions.
- 10.01.10-702. Removal of vehicles.
- 10.01.10-703. Impounding; procedures.
- 10.01.10-704. Storage of vehicles on property.
- 10.01.10-705. Unlicensed and unregistered vehicles.
- 10.01.10-706. Public nuisances.

DIVISION VIII. MISCELLANEOUS LAWS.

- 10.01.10-801. Riding on running boards.
- 10.01.10-802. No bikes on sidewalks in business district.
- 10.01.10-803. Bike paths.
- 10.01.10-804. Use of roller skates, toy vehicles, etc.
- 10.01.10-805. Interference with traffic or pedestrians.
- 10.01.10-806. Unattended animals.

DIVISION I. LICENSES.**10.01.10-101 LICENSE - REQUIRED.**

No person or firm residing within the corporate limits of the city or any corporation having its principal office or place of business in the city shall use any motor vehicle upon the streets, bridges and alleys or other public places of the city unless such vehicles are licensed as hereinafter provided.

10.01.10-102. LICENSE - APPLICATION.

Any person, firms or corporation desiring a license for any such motor vehicle shall make application to the City Clerk of the city upon a form provided, giving the name and address of the applicant, a description of the motor vehicle for which the license is desired and the place where such motor vehicle is kept when not in use, and any other information as may be prescribed; and on the payment of the license fee hereinafter provided to the City Clerk, the Mayor shall issue or cause to be issued a license which shall be attested by the City Clerk, authorizing the use of such motor vehicle within the city until the expiration of such license.

10.01.10-103. LICENSE - FEE - SENIOR CITIZEN LICENSE FEE.

(A) The license fee to be paid annually to the City Clerk shall be as follows:

1. Mopeds	\$ 4.00
2. Motorcycles	8.00
3. Passenger automobiles	10.00 (including dealer discs/plates)
4. Motor vehicles with Illinois State recreational vehicle license plates, Illinois State license plates "A" and "B"	10.00
5. Trucks with classifications "C" through "F"	40.00
6. Trucks with classifications "G" through "K"	45.00
7. Trucks with classifications "L" through "R"	50.00
8. Trucks with classifications "S" and above	55.00
9. Antique cars (used for display or for storage and not transportation)	2.00

(B) Senior Citizen Fee.

(1) Any person the age of 65 years or older may apply to the City Clerk for a city automobile motor vehicle license, and upon satisfactory proof of ownership thereof, pay therefor the sum of \$2; provided that the application is made for a single automobile only and that the City Clerk is provided with satisfactory proof of the applicant's age require herein. For the purpose of proof of age required herein, a medicare card issued to the applicant shall be deemed sufficient.

(2) Where a husband and a wife residing at the same address own two or more automobiles, only one \$2 senior citizen license will be issued; any other licenses shall be paid for at the rate listed in division (A) of this section.

(Am. Ord. 931, passed 10-3-94)

10.01.10-104. LICENSE - DURATION.

All such licenses shall expire on March 31st of the year following the year for which license was issued.

10.01.10-105. PENALTY.

Any person, firm or corporation that fails to obtain such license prior to April 1st of each year shall pay an additional fee of \$50 over and above the regular fee heretofore established; provided, however, that the penalty shall only be assessed when both the following circumstances are true:

(A) The applicant has been the owner or principal user of the motor vehicle for a period greater than 30 days prior to the date the application is submitted: and

(B) The applicant has resided or had its principal office or place of business within the corporate limits of the city for a period greater than 30 days prior to the date the application is submitted.
(Ord. 943, passed 12-19-94)

10.01.10-106. REMOVAL OF LICENSE PLATE OR EMBLEM UPON SALE OF VEHICLE.

Immediately upon the sale of any vehicle licensed under the terms of this chapter, when such sale is made prior to the expiration of the license, the vendor shall remove the license plate or transparent sticker license emblem hereinafter provided for from such vehicle.

10.01.10-107. DUPLICATE EMBLEM.

(A) Whenever the owner of any vehicle licensed under this chapter, before the expiration of such license, sells or otherwise disposes of such vehicle, but thereafter acquires another vehicle of the same class as that which the license was originally issued and desires a new license, such owner or owners shall make application to the City Clerk for such license, giving such detailed description of the new vehicle as the city clerk shall require, and upon the surrender of the license plates (if any) or a sufficient amount of the transparent license emblem to prove to the City Clerk that the emblem has been destroyed, a new license shall be issued as requested, upon the payment to the City Clerk a fee of \$1.

(B) Whenever the owner of any vehicle licensed under this chapter, before the expiration of such license, sells or otherwise disposes of such vehicles, and thereafter acquires another vehicle of a class which requires the payment of a higher license fee than was originally paid for the vehicle disposed of, such owner shall make application for a license for such new vehicle, giving such detailed description of the new vehicle as the City Clerk may require. It shall be thereafter permissible, upon payment of the difference between the fee originally paid for the vehicle disposed of and the fee required to be paid for the new license, plus a fee of \$1, to issue a new license for the vehicle so designated.

10.01.10-108. USE OF FUNDS.

All revenues derived from the license fees may be kept as a separate fund out of which shall first be paid the expense of issuing such license and the furnishing of plate, transparent sticker, or other license emblem as hereinafter provided, and the balance for the paying of the costs of street and alley improvements and repairs.

10.01.10-109. EMBLEMS - ISSUANCE.

(A) Upon the issuance of such license, the City Clerk shall deliver to the applicant for any such license for an automobile, motor truck, motor ambulance, hearse, motor coach, motor bus or other motor vehicle, a transparent sticker license emblem, which emblem shall bear the words, "City of Crest Hill Vehicle Tax," the numerals designating the year for which such license is issued, and a number. When such transparent sticker emblem is delivered to any applicant for any such license for any of the motor vehicles mentioned in this section, it shall be the duty of such applicant to affix the same in the lower right hand corner on the inside of the glass part of the windshield of such motor vehicle approximately one inch from the right and lower sections of the frame of such windshield.

(B) It shall be the duty of the Mayor or City Clerk to change annually the predominant background color, or shape of such transparent sticker license emblem. The transparent license emblem shall be impervious to weather and incapable of being removed from the windshield without being destroyed.

(C) If a vehicle license is lost and a new license must be issued, the applicant should pay the same fee as was paid for the original license in question. If however, the original license is found, or the scraping of the original license is presented to the City Clerk, the Clerk shall refund to the applicant the fee paid for the original license.

10.01.10-110. EMBLEM - DESTRUCTION.

Any person who takes, destroys, obliterates or removes any such sticker license emblem, without the consent of the license holder, shall be fined not less than \$200, but no more than \$750 for each offense.

(Am. Ord. 998, passed 7-1-96)

10.01.10-111. DEALER - LICENSE - ISSUANCE.

If any manufacturer or dealer in any of the motor vehicles mentioned in this chapter makes application to the City Clerk, and states therein that he is a manufacturer, operating a plant for the construction of motor vehicles located within the city, or a dealer in such motor vehicles with a salesroom within the city, and that he desires a license plate or plates, transparent sticker license or emblem to be used by him in testing or demonstrating such motor vehicles upon the streets of the city and that he will use such license plates, transparent license emblem only for such purpose, the City Clerk shall, upon payment by such applicant of the fee set forth in § 10.01.10-103 issue to the manufacturer or dealer a distinctive license plate or transparent sticker license emblem with a number thereon, which must be attached to or borne by any such motor vehicle while being operating on the streets of the city for the purpose of testing or demonstrating such vehicle, and when any such vehicle

is in use for such purpose and carries such license plate or transparent sticker license emblem, no other license fee shall be collected under this chapter.

10.01.10-112. DEALER - LICENSE - USE.

License plates and transparent license emblems issued hereunder shall be used only for demonstration purposes and only upon the automotive vehicle used as demonstration cars in the furtherance of the sale of the same, and every manufacturer or dealer in automobile vehicles applying for said plates or transparent sticker license emblems must submit satisfactory proof to the City Clerk of his status as such manufacturer or dealer; provided, that no license plates or transparent sticker license emblems shall be issued hereunder unless the applicant is possessed of a state manufacturer's or dealer's license previously issued for the current year.

10.01.10-113. DEALER - LICENSE - NUMBER.

The total number of demonstrating licenses or transparent license sticker emblems that may be obtained hereunder shall not exceed the number of sets of manufacturer's or dealer's plates issued to the applicant by the state.

10.01.10-114. DEALER - MISUSE OF DEMONSTRATING LICENSE PLATE.

It is unlawful to use a demonstrating license plate or transparent sticker license emblem in connection with any vehicle except where such vehicle is operated under a manufacturer's or dealer's license issued by the state, and has both of the state license plates attached to such vehicle, one on the front and one on the rear thereof.

10.01.10-115. DEALER - LICENSE - FEE.

If any manufacturer or dealer in any motor vehicles mentioned in this chapter makes application to the City Clerk and states therein under oath that he is a manufacturer or dealer in the same salesroom within the city, then upon payment of the license fee provided in § 10.01.10-103, the Mayor shall issue or cause to be issued to such manufacturer or dealer a distinctive license plate, transparent sticker or other license emblem, and under it the manufacturer or dealer may test or demonstrate different successive cars during the year, provided the different cars so used for demonstration are of the same or less horsepower.

10.01.10-116. VIOLATION - PENALTY.

Any person, firm or corporation violating any of the provisions of this chapter, where the penalty is not otherwise provided for, shall be fined, upon conviction, not less than \$10 and not more than \$100 for each and every offense, and a separate and distinct offense shall be considered as committed each day any motor vehicle is used upon the streets, alleys, or other public places of the city, without having procured a license to do so and without having complied with the provisions of this section.

10.01.10-117. CONFLICT WITH OTHER ORDINANCES.

Nothing in this chapter shall be deemed to conflict with other ordinances wherein license fees are determined in accordance with the size of the business licensed and the number of vehicles employed is used as a determinant of measure of such size. Nor shall the issuance of licenses under such other ordinances be deemed to excuse or be in lieu of the vehicle licenses required by this chapter.

DIVISION II. UNLICENSED VEHICLES AND DRIVERS.

10.01.10-201. MOTOR VEHICLE LICENSE REQUIRED - EXCEPTION.

No person, whether he is licensed or unlicensed by the state of Illinois or any other state, shall drive any motor vehicle within the city limits of the city unless said motor vehicle has been licensed under the traffic laws of the State of Illinois. This provision shall be enforced without regard to whether the motor vehicle in question is susceptible to licensing under the laws of the State of Illinois, provided, however, that the owner of a motor vehicle shall not be prohibited under this section from driving said vehicle on property which he owns, or in which he has any ownership or leasehold interest.

10.01.10-202. DRIVER'S LICENSE REQUIRED - EXCEPTION.

No person who is unlicensed to drive a motor vehicle under the laws of the State of Illinois, shall drive any motor vehicle anywhere within the city limits of the city; provided, however, that this section shall not apply to any driver who is driving a motor vehicle upon property in which the driver holds an ownership or leasehold interest. This section shall be enforced without regard to where the offender resides.

10.01.10-203. MINOR OFFENDER - NOTIFICATION OF PARENT OR GUARDIAN.

If a minor child is arrested for an offense committed under §§ 10.01.10-201 or 10.01.10-202, the arresting officer shall return the minor child to the custody of his or her parents or guardian. Upon returning the minor child, the officer shall submit to the parent or guardian a written warning, which warning shall read as follows:

Warning: Your child, whose name is _____ has been arrested for the offense of (driving an unlicensed vehicle in the City of Crest Hill/driving a vehicle in the City of Crest Hill while unlicensed to drive). This offense can subject the offender to a fine of up to \$500.00 plus court costs. The offense also gives the court the right to impose court supervision, conditional discharge, probation, and various terms of work service upon the offender. You are hereby notified that as the offender's parent or legal guardian, you also may be subject to criminal prosecution if the minor child again commits either of the above violations. The Crest Hill City Ordinances provide that where the parents or guardian allows a minor child to operate a vehicle within the city limits of Crest Hill in violation of those ordinances, that parent or legal guardian is also subject to a fine of up to \$750.00 plus court costs, and imposition by the court of court supervision, conditional discharge, probation, including work release.

(Arresting Officer)
 City of Crest Hill Police Dept.
 1610 Plainfield Road
 Crest Hill, IL 60435
 815-741-5111

(Am. Ord. 998, passed 7-1-96)

10.01.10-204. MINOR OFFENDER - OFFENSE DESIGNATED FOR PARENT OR GUARDIAN.

Any parent or guardian, having been first duly warned in accordance with the provisions of § 10.01.10-203 shall be guilty of the offense of allowing a minor child to drive an unlicensed motor vehicle within the city, if the minor child of said parent or guardian commits a second or subsequent offense under § 10.01.10-201. Any parent or guardian, having first been duly warned under § 10.01.10-203, commits the offense of allowing an unlicensed person to drive a motor vehicle within the city, if his or her minor child commits a second or subsequent offense under § 10-202.

10.01.10-205. VIOLATION - PENALTY.

The penalty for violation of any provision under this chapter shall be a fine not to exceed \$500, and the court shall have discretion to impose probation, conditional discharge, or court supervision, under the relevant rules of the Illinois Code of Corrections.

DIVISION III. OPERATION OF VEHICLES IN SCHOOL ZONES

10.01.10-301. SPECIAL STREET CLOSINGS.

(A) Elsie Avenue shall be closed between Hoffman and Center Streets commencing 8:00 a.m. and ending 3:30 p.m. on school days only. The closing of the street shall be under the supervision of the administration of Chaney-Monge School, 400 Elsie Avenue, Crest Hill, Illinois. The administration shall ensure that when the street is closed it shall be closed with the use of a yellow iridescent rope or other nonmetallic cable, from which cable shall be suspended brightly colored flags or signs or both easily visible to approaching traffic. Nothing in this section shall be constituted to prevent Chaney-Monge School from utilizing any portion of Elsie Avenue between Hoffman and Center Streets for parking of vehicles in the discretion of the school authorities during the periods that the school is closed.

(B) No person driving a motor vehicle shall pass through Elsie Avenue between Hoffman and Center Streets during periods that the street is closed and in particular no person driving a motor vehicle shall drive around any barricade or barrier closing the street. Any person found guilty of a violation of any of the provisions of this section shall be fined not less than \$200, but no more than \$750 for each offense.

(C) The city shall have authority to erect warning signs at appropriate distances at intersection of Hoffman and Elsie and the intersection of Center and Elsie to warn of the street closing.
 (Am. Ord. 998, passed 7-1-96)

10.01.10-302. UNLAWFUL ACTS.

(A) It is unlawful for persons owning or operating a motor vehicle to stop or park during school hours any motor vehicle on any street which is immediately adjacent to school property which is located within the city limits except for the purpose of discharging student passengers.

(B) It is unlawful for any person operating a motor vehicle to load or unload students at school sites to park the motor vehicle in such a manner as to require the student passengers to cross traffic lanes. It is the intention of this section to require motorists to park their vehicle so that the passenger side thereof is facing school when students are being loaded or unloaded at the school site.

10.01.10-303. WARNING SIGNS.

It shall be the duty of the Chief of Police to install adequate signs to warn motorists of the offenses intended to be embraced by § 10.01.10-302.

10.01.10-304. VIOLATION - PENALTY.

Every person found guilty of a violation of § 10.01.10-302 shall be fined not less than \$200, but not more than \$750 for each offense.

(Am. Ord. 998, passed 7-1-96)

DIVISION IV. MOTORCYCLES

10.01.10-401. MOTORCYCLES - APPLICABILITY OF TRAFFIC LAWS.

Every person operating a motorcycle shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this title, except as to special regulations in this chapter and except as to those provisions of this title which by their nature can have no application.

10.01.10-402. OPERATION WITH BOTH HANDS.

No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.

10.01.10-403. OPERATION.

(A) All motorcycles are entitled to full use of a lane, and no motor vehicle shall be driven in such a manner as to deprive a motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two abreast in a single lane.

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(B) The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.

(C) No person shall operate a motorcycle between lanes of traffic or between adjacent lanes or roads of vehicles.

(D) Motorcycles shall not be operated more than two abreast in a single lane.

(E) Divisions (B) and (C) shall not apply to police officers in performance of their official duties.

10.01.10-404. CLINGING TO VEHICLE.

No person riding upon a motorcycle shall attach himself to any other vehicle on a roadway.

DIVISION V. SPECIAL WEIGHT LIMITS

10.01.10-501. RESTRICTED TRUCK TRAFFIC - DESIGNATED STREETS.

Weight limitations are ineffective until signs giving notice thereof are erected upon all the streets named in § 10-501 and at such places to be selected by the City Council.

(A) It is unlawful for any person to operate a motor vehicle and trailer, the weight of which shall exceed eight tons, on those parts of Caton Farm Road lying in Sections 29, 30, 31 and 32 of Lockport Township situated within the City of Crest Hill.

(B) It is unlawful for persons to operate commercial motor vehicles with a combined weight (vehicle and load) of over eight tons upon the following street in Crest Hill:

- (1) On Cedarwood Drive from Theodore Street to Ingalls Avenue.

(C) A Class II truck route corridor is hereby established along the following streets:

- (1) Oakland Avenue from Caton Farm Road to Pasadena Avenue;
- (2) Pasadena Avenue to Center Street;
- (3) North on Center Street from Pasadena Avenue;
- (4) Raynor Avenue from Oakland Avenue South to Elsie;
- (5) Brian Drive;
- (6) Sak Drive;
- (7) Caton Farm Road from Illinois Route 53 to Oakland Avenue;
- (8) Division Street from Weber Road West to Gaylord Road.

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(D) Trucks of any legal size may use the truck route corridor, but it is unlawful for a commercial vehicle to use streets not designated as truck route corridors, except that State Route 7, State Route 53, and U.S. Route 30 will remain accessible to all legal types and weights of vehicular traffic as regulated by the Illinois Motor Vehicle Code.

(E) Signs indicating “no commercial vehicles allowed” shall be posted to establish the restricted areas which are as follows:

- (1) Hickory Street north of Theodore;
- (2) Cora Street north of Theodore;
- (3) Center Street north of Theodore to the southern edge of Pasadena;
- (4) Dearborn Street north of Theodore;
- (5) Hoffman Street north of Theodore;
- (6) Nicholson Street north of Theodore;
- (7) Highland Street north of Theodore;
- (8) Clement Street north of Theodore;
- (9) Oakland Avenue north of Theodore to the southerly edge of Pasadena;
- (10) Wilcox Street north of Theodore;
- (11) Kelly Avenue north of Theodore;
- (12) Raynor Avenue north of Theodore to the southerly edge of Elsie;
- (13) Birkey Avenue;
- (14) Pasadena from the easterly edge of Center Street to the east;
- (15) Chaney Avenue west of State Route 53;
- (16) Elsie Avenue west of State Route 53;
- (17) Rose Avenue west of State Route 53;
- (18) Ludwig Avenue west of State Route 53;
- (19) Stern Avenue west of State Route 53;
- (20) Hill Crest Heights;
- (21) Crestwood Estates;
- (22) Caton Farm Road from Weber Road to Plainfield Road;
- (23) Gaylord Road from Plainfield Road to Theodore Street.

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(F) *Exemptions.* The restrictions herein shall not apply to vehicles engaged in making deliveries or pickups to properties within the restricted areas, nor shall the restrictions apply to vehicles using the restricted areas for ingress and egress access to garages for parking.

(G) *Penalties.* Any person found guilty of a violation of any of the provisions of this section shall be fined not less than \$200, but no more than \$750 for each offense. Provided, however, that this subsection shall not be construed to reduce or limit any fines imposed by a court where the city has prosecuted an offender for an overweight violation under the Illinois Vehicle Code or its equivalent under the city Municipal Code.

(Ord. 962, passed 9-18-95; Am. Ord. 998, passed 7-1-96; Am. Ord. 1105, passed 8-16-99; Am. Ord. 1107, passed 9-7-99; Am. Ord. 1114, passed 12-6-99; Am. Ord. 1441, passed 11-19-07)

10.01.10-502. POSTING OF SIGNS

Weight limitations are ineffective until signs giving notice thereof are erected upon all the streets named in § 10.01.10-501 and at such places to be selected by the City Council.

10.01.10-503. SPECIAL PERMITS.

The Chief of Police or his designee shall upon written application and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a weight or dimension exceeding the maximum set in the city Municipal Code. Such permits may be issued for a period not to exceed 30 days, provided however that a permit may be renewed for a like period of time by the Chief of Police or his designee as circumstances may require from time to time.

(Am. Ord. 1105, passed 8-16-99)

DIVISION VI. PARKING REGULATIONS

10.01.10-601. PARKING IN ALLEYS - UNLOADING AND LOADING ONLY.

No person shall park a vehicle within an alley except for the purpose of loading and unloading merchandise and then not in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

10.01.10-602. TOWING OR REMOVING OF VEHICLES DURING SNOWFALLS.

(A) It shall be unlawful for any person to park a motor vehicle or, if parked, to allow a motor vehicle to remain parked or standing in any public street or alley during or after a snowfall in which there is an accumulation of two inches of snow or more. This prohibition shall remain in effect until such time as the street or alley has been plowed or the snow has been removed there from. A city street shall not be deemed to have been plowed until the lane of traffic nearest the curb has been plowed or the snow has been removed there from.

(B) The city shall remove the snow in accordance with best management practices with priority to the interest of public safety and on streets with heavier traffic flow.

(C) It shall be the duty of the Police Department to remove or cause to be removed any vehicle which is parked in violation of this section, and to impound such vehicle or vehicles until all charges for such removal shall have been paid.

(D) Any person or persons found guilty of violating any provision of this section may be fined not more than \$500, in addition thereto, shall pay all reasonable charges of removal, towing and storage. (Am. Ord. 1080, passed 1-19-99; Am. Ord. 1438, passed 10-1-07)

10.01.10-603. CURB PARKING.

No vehicle shall be parked with the driver's side of such vehicle next to the curb, except on one-way streets; and it is unlawful to stand or park any vehicle in a street other than parallel with the curb and with the two right wheels of the vehicle within 12 inches of the regularly established curb line, except that upon those streets that have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks.

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10.01.10-604. PARKING ON PARKWAYS.

Where the boundary between the parkway and city street is fully delineated by a curb, no vehicle nor any portion of a vehicle shall be parked on the parkway, but the entire vehicle shall be parked either on the street adjacent to the curb or on a private driveway.

10.01.10-605. VEHICLES FOR SALE.

It is unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any street from which vehicle merchandise is peddled or sold.

10.01.10-606. PASSENGER LOADING ZONES.

It is unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, in any place designated by ordinance as a loading zone and marked as such, or in any of the following designated places:

(A) At any place not to exceed 75 feet along the curb before the entrance to any hospital or hotel at any time;

(B) At any place not to exceed 75 feet along the curb before the entrance to a public building between 8:00 a.m. and 6:00 p.m., except on a Sunday;

(C) Directly in front of the entrance to any theater at any time that the theater is open.

10.01.10-607. OBSTRUCTIONS TO TRAFFIC UNLAWFUL.

It is unlawful for any person to leave a motor vehicle unattended upon any bridge, viaduct or tunnel, or any approach thereto, or to leave unattended a motor vehicle in a public street, which is parked in such manner as to cause or constitute an obstruction to traffic.

10.01.10-608. PARKING IN EXCESS OF DESIGNATED TIME LIMIT.

It is unlawful to park any vehicle for a period of time in excess of the amount of time designated by ordinance or so posted.

10.01.10-609. CAB STANDS - BUS STANDS.

No vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a cab stand; and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone.

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10.01.10-610. PARKING OF VEHICLES ON STREETS AND OTHER DESIGNATED AREAS.

Parking of vehicles on streets and other designated areas is regulated as follows:

(A) Residential Districts.

(1) It is unlawful to park any trailers, including trailers with hitches, having either tandem or single axles on any street, parkway or elsewhere within a residential zone in the city.

(2) It is unlawful to park a semi-tractor vehicle designed to haul 5th wheel trailers on any street or parkway in front of any single-family dwelling, or on any residential lot or alley in the city.

(3) It is unlawful to park a semi-tractor vehicle designed to haul fifth wheel trailers on any street or parkway in front of a multiple family dwelling, or in any parking area adjacent to a multiple family dwelling in the city.

(4) It is unlawful for a resident of a single or multiple family dwelling to park any truck or bus used for commercial purposes of a size having a one ton chassis or greater on any city street, or parkway in front of his residence, or on any residential lot, in the city.

(5) It is unlawful to park any truck or semi-tractor vehicle used or housed in the city unless said vehicle has a valid current Crest Hill vehicle sticker prominently displayed on the vehicle in compliance with § 10.01.10-101 of the City Code of Ordinances.

(6) The prohibitions described in this section shall be subject to the following exceptions:

(a) Any truck, trailer or semi-tractor vehicle may be parked on any street or alley in the city during a period of emergency which incapacitates the movement of said vehicle from the location where it is parked. This exception shall apply for a reasonable time, long enough to permit the owner of said vehicle to cause the vehicle to be removed by towing.

(b) Any truck, trailer or semi-tractor vehicle may be parked in a privately owned parking lot of a business or industry.

(c) Any truck, trailer or semi-tractor vehicle may be parked temporarily on city streets or private parking lots or residential driveways for the purpose of unloading and loading the contents normally carried by said vehicle or for the rendering of a service by said vehicle.

(d) A motor vehicle having a one ton chassis displaying registration no greater than an "F" plate, or equivalent, used for commercial purposes may be parked on the private driveway of a single family home and on the private driveway of a multiple family home provided that the landlord of any such properties has agreed to such parking prior to the parking of such a vehicle and further provided that only one such vehicle may be parked on the driveway at one time.

(e) No repairs, major or minor, shall be made to any vehicle described herein while situated on the private property as described herein.

(7) It is unlawful to park any vehicle used for transporting flammable liquids, explosives, toxic or noxious materials in a residential district at any time.

(8) Nothing in this section shall prohibit any vehicle from parking in an enclosed permanent garage.

(B) Business Districts.

(1) Residential uses of property located within a business district are subject to the parking regulations set forth in division (A) herein.

(2) No vehicle used for transporting flammable liquids, explosives, toxic or noxious materials shall be parked or stored in business district at any time.

(3) It is unlawful to park any truck or semi-tractor vehicle registered or housed in the city unless said vehicle has a valid current Crest Hill vehicle sticker prominently displayed on the vehicle in compliance with § 10.01.10-101 of the City Code of Ordinances.

(C) Trailers and Boats.

(1) Trailers shall not be permanently affixed to the ground as a principal or accessory structure on a lot in any district.

(2) Travel camping trailers and recreational trailers shall not be parked or stored on any lot other than in a lawfully established travel camp or trailer sales or manufacturing establishment, except that in a residential district, one travel or recreational trailer may be stored on a lot containing a dwelling unit provided further that no major repair, disassembly, or rebuilding operations are conducted thereon. No more than one camping or recreational trailer may be parked or stored in the open on a lot in a residential district, provided that it shall not be located within a required front or side yard unless the trailer cannot be located in the rear yard. All trailers parked or stored in the open on a lot in a residential district shall be located upon a properly maintained hard surface capable of supporting the weight of the vehicle, as approved by the Building Inspector.

(3) Boats may be parked or stored in the open when in the operation of a lawfully established principal use. One boat may be parked or stored in the open on a lot in a residential district containing a dwelling unit, provided the boat shall not be located within the required front or side yard unless it cannot be located in the rear yard, and provided further that no major repair, disassembly, or rebuilding operations are conducted thereon. All boats parked or stored on a trailer located on a residential lot shall be located upon a properly maintained hard surface capable of supporting the weight of the trailer and boat, as approved by the Building Inspector.

(D) Nothing in this ordinance shall abrogate the parking requirements for recreational vehicles set out in § 10.01.10-619 of this Code.

(E) Any person convicted of violating any provision in this § 10.01.10-610 shall be fined not more than \$750 for each violation.

(Am. Ord. 1055, passed 7-6-98)

10.01.10-611. PARKING MOTOR VEHICLES ON PRIVATE PROPERTY.

It is unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

10.01.10-612. SIGNS POSTED FOR LIMITED OR PROHIBITED PARKING.

Appropriate signs shall be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions.

10.01.10-613. PRIMA FACIE EVIDENCE OF REGISTERED OWNER.

The fact that an automobile which is illegally parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such parking.

10.01.10-614. PARKING MOTOR VEHICLES ON PRIVATE PROPERTY IN THE CITY.

Motor vehicles parked on private property located in the city shall not be parked on an unpaved surface.

(Ord. 1068, passed 10-5-98)

10.01.10-615. RESERVED.

10.01.10-616. RESERVED.

10.01.10-617. RESERVED.

10-01.10-618. SPECIAL PARKING PROHIBITIONS.

(A) Theodore Street, Arbor Lane and Marlboro Lane.

(1) *Violation.*

(a) It is unlawful for any person to park or abandon a motor vehicle of any type or classification on those portions of Theodore Street, Illinois Route 7 located in the city, between Broadway Street, Illinois Route 53, and Larkin Avenue.

(b) It is unlawful for any person, firm or corporation to park or abandon any motor vehicle on the east and west sides of Arbor Lane from the intersection of Theodore Street north to the termination of Arbor Lane at Marlboro Lane.

(c) It is unlawful for any person, firm or corporation to park or abandon any motor vehicle on the north and south sides of Marlboro Lane west of Burry Circle.

(2) *Presumption.* If any vehicle is found illegally parked, it shall be prima facie presumed that the violation was committed by the registered owner unless the contrary is shown.

(3) *Removal of Illegally Parked Vehicles.* It shall be the duty of the Police Department to enforce this section and assure the free flow of traffic on Theodore Street as intended herein; and, after making a reasonable effort to locate the violator or owner of any illegally parked motor vehicle, the vehicle shall be removed and towed from the street and the reasonable cost and charge therefor be assessed against the violator.

(4) *Signs to be Posted.* It shall be the duty of the Street Department of the city to post and maintain signs which shall bear the markings "No Parking - Tow Away Zone" at intervals, and of the size required by state law.

(B) Elsie Avenue.

(1) There shall be no parking on the north side of Elsie Avenue from its intersection with Oakland Avenue proceeding easterly to the intersection of Elsie Avenue and Center Street in the city (four blocks).

(2) There shall be parallel parking only on the south side of Elsie Avenue between its intersection with Oakland Avenue easterly along Elsie Avenue to its intersection with Center Street (four blocks).

(3) The law enforcement authorities of the city are authorized to tow or remove any motor vehicles which are parked in such a manner to constitute a violation of this section, and the costs thereof shall be assessed to the violator.

(C) Crestwood Drive and Root Street.

(1) Between May 1 and September 1 of each calendar year commencing with the calendar year 1988, it shall be unlawful for any person to park a motor vehicle of any type or classification on Crestwood Drive or Root Street, within a 300 foot radius of the intersection of those streets; provided, however, that persons who live in residences immediately adjacent to the no parking zone may park their vehicles within said zone if the vehicles are otherwise lawfully parked.

(2) If any vehicle is found illegally parked in said area it shall be prima facie presumed that the violation was committed by the registered owner unless the contrary is shown.

(3) It shall be the duty of the Police Department to enforce this section and assure the free flow of traffic on Crestwood Drive and Root Street, along with the lawful parking of vehicles owned by residents on said streets; and, after making a reasonable effort to locate the violator or owner of any illegally parked vehicle, the vehicle shall be removed and towed from the street and the reasonable costs charged therefor be assessed against the violator.

(4) It shall be the duty of the Street Department of the city to post and maintain signs which shall bear the markings "No Parking Except for Local Residents - May 1 through September 1," at intervals and of the size required by law.

(D) Pasadena Avenue.

(1) There shall be no parking Monday through Friday, between the hours of 6:00 a.m. and 5:00 p.m. on the south side of Pasadena Avenue between its intersection with Oakland Avenue and Hoffman Street.

(2) The law enforcement authorities of the city are authorized to tow or remove any motor vehicles which are parked in such a manner to constitute violation of this section, and the costs thereof shall be assessed to the violator.

(3) *Signs to be posted.* It shall be the duty of the Street Department of the city to post and maintain signs which shall bear the markings "No Parking between 6:00 a.m. and 5:00 p.m." at intervals, and of the size required by state law.

(E) Greengold Street.

(1) There shall be no parking between the hours of 10:00 p.m. and 6:00 a.m. on Greengold Street between its intersection with Caton Farm Road and Webb Street.

(2) If any vehicle is found illegally parked on Greengold Street, as defined above, it shall be presumed that the violation was committed by the registered owner of said vehicle.

(3) *Signs to be posted.* It shall be the duty of the Public Works Department to post and maintain signs on the section of Greengold Street set forth in division (E)(1) above that shall bear the markings "No parking between 10:00 p.m. and 6:00 a.m." at intervals and of a size as required by the state.

(F) Pioneer Road.

(1) There shall be no parking on the west side of Pioneer Road from Theodore Street to its terminus (Bicentennial Avenue) from November 1 until March 1.

(2) The law enforcement authorities of the city are authorized to tow or remove any motor vehicles, which are parked in such a manner to constitute violation of this section, and the costs thereof shall be assessed to the violator.

(3) *Signs to be posted.* It shall be the duty of the Street Department of the city to post and maintain signs which shall bear the markings "No Parking from November 1 to March 1" at intervals, and of the size required by state law.

(F) Rock Run Drive.

(1) There shall be no parking on the west side of Rock Run Drive from Theodore Street to its terminus (Bicentennial Avenue) from November 1 until March 1.

(2) The law enforcement authorities of the city are authorized to tow or remove any motor vehicles, which are parked in such a manner to constitute violation of this section, and the costs thereof shall be assessed to the violator.

(3) *Signs to be posted.* It shall be the duty of the Street Department of the city to post and maintain signs which shall bear the markings "No Parking from November 1 to March 1" at intervals, and of the size required by state law.

(G) *Violations and Penalties.* Any person found guilty of a violation of any of the provisions of this section shall be fined not less than \$75, but no more than \$750 for each offense.

(Am. Ord. 995, passed 7-1-96; Am. Ord. 998, passed 7-1-96; Am. Ord. 1080, passed 1-19-99; Am. Ord. 1308, passed 12-1-03)

10.01.10-619. PARKING OF MOBILE HOMES.

(A) No mobile home whether or not firmly affixed to the land upon which it rests may be parked or located upon any land, public or private, in the city for a period of more than 24 hours.

(1) Notwithstanding the provisions of division (A) of this section, a mobile home of less than 25 feet in length which is designed and used for recreational purposes only may be parked by the owner of the mobile home upon the owner's land only if there exists upon the land a house which is used by the owner as his or her permanent residence.

(2) Further, notwithstanding the provisions of division (A) of this section, mobile offices or any kinds of trailers which are owned by a construction company, corporation, partnership, or sole proprietorship, and which are being used on a day by day basis by the construction company, corporation, partnership, or sole proprietorship for erection, construction, or demolition of any building or land may be parked by the owner in some discrete, convenient, and unobtrusive place so long as the owner of the mobile offices or trailers informs the City Clerk of their presence on the first business day after they are parked on the job site. Such mobile offices or trailers may be used for any purposes consistent with the business which owns them except that they may not be used as a 24 hour a day residence.

(3) Further, notwithstanding the provisions of division (A) of this section, and consistent with the city zoning ordinances, there is created a license for the use of owners, lessees and operators of new car dealerships located within the city. This license, which is to be granted on a case-by-case basis by the City Council, shall allow the license holder to place on the contiguous land of the new car dealership a modular office, which office shall be used for the sole purpose of the promotion and sales of used cars. Although the parts of the modular office may be mobile, when attached together the office must be firmly fixed to the ground and must have a skirt around the bottom of the structure that prevents any person from seeing underneath the structure. The skirt shall be attached to the structure and shall extend all the way to the ground on all portions of the structure exposed to the outside. The structure shall be attached to or directly adjacent to such other permanent buildings on the land as are presently existing. The structure may have facilities for electricity, telephones, and heat, but shall not be attached to any plumbing facilities. The City Council shall not grant a license for such structure unless it finds that the owner, lessee, or operator of the dealership intends to replace the structure at the earliest time feasible under the prevailing economic conditions of the Crest Hill area. Each license shall be issued semiannually and shall expire on June 30th and December 31st of each calendar year. Once the City Council has determined to grant a license under this subsection, it shall so advise the City Clerk. The City Clerk shall grant the license to the licensee, but on the first occasion the license is granted to the licensee, the licensee must have obtained approval from the Building Commissioner that the structure does not violate any portion of this code or the zoning ordinance concerning building setbacks and electrical hookups. Further, there shall be paid to the City Clerk on the first occasion the license is granted to the licensee the non-refundable sum of \$25. Said \$25 fee must be paid annually, even though the license, if renewed, is renewed on a semiannual basis. The license may not be renewed except by the decision of the City Council.

(B) The term **MOBILE HOME** means an unpowered vehicle which is manufactured in such a manner that it may be, with facility, moved from place to place upon wheels, but said structure shall be deemed to be a mobile home even when said wheels are absent from the structure and the structure is firmly affixed to the land on which it rests.

DIVISION VII. ABANDONMENT OF VEHICLES

10.01.10-701. DEFINITIONS.

For purposes of this division, the following words shall have the respective meaning ascribed to them:

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ABANDONED VEHICLE. Any vehicle located on public or private property that had not been moved or used for at least seven days or more or any vehicle left at any place for such a time and under such circumstances as to cause the vehicle to reasonably appear to be abandoned. However, a vehicle located on the property of the owner thereof, or the owner's bailee, shall not be considered abandoned.

INOPERABLE VEHICLE. Any vehicle in a state of disassembly or disrepair for a period of at least seven days which renders the vehicle of being driven under its own power; for purposes of this division, any vehicle which is unregistered and unlicensed shall be presumed to be inoperable. The term **INOPERABLE VEHICLE** shall not include a motor vehicle which has been rendered temporarily (less than seven days) incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

OWNER. A person who holds legal title of a vehicle, a person who has registered a vehicle in his name with the State of Illinois and/or the City of Crest Hill, or in the event of a conditional sale, lease or other financing arrangement which vests an immediate right to possession of the vehicle, the person then vested with the right to possession shall be deemed the owner.

VEHICLE. A machine propelled by power other than human power, designed to travel along the ground by the use of wheels, treads, runners, or slides and to transport persons or property or to pull machinery, and shall include, but not be limited to, automobiles, trucks, trailers, buses, recreational vehicles, tractors, motorcycles, snowmobiles, buggies and wagons.
(Ord. 1054, passed 6-15-98)

10.01.10-702. REMOVAL OF VEHICLES.

A police officer is authorized to impound and tow, or to have towed by a commercial towing service, to a safe place of storage:

(A) Any vehicle known to be stolen; or

(B) Any illegally parked, abandoned, inoperable or otherwise unattended vehicle which by its position in relation to any highway, street, or alley or by its physical appearance, creates or constitutes a traffic hazard which impedes the free flow of traffic, blocks the use of a fire hydrant or of a private drive, obstructs or may obstruct the movement of any emergency vehicle, or otherwise endangers public safety.
(Ord. 1054, passed 6-15-98)

10.01.10-703. IMPOUNDING; PROCEDURE.

(A) Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with the statutes of the state and provisions of this chapter; provided, however, that any vehicle shall not be removed and impounded as provided in this section until the Chief of Police has given written notice of his intention to impound the article within 10 days from the date of the notice of the vehicle has not been removed at the end of such time. Such notice shall be given by:

(1) Affixing such notice on the vehicle; or

(2) Sending notice by mail to the owner of such vehicle at his last known address if the owner is reasonably ascertainable; or

(3) By sending notice by mail to the person owning or controlling the property on which such vehicle is located.

(B) The Chief of Police, or his representative, may enter upon private property in accordance with the provisions of this code for the purpose of inspecting such vehicle, posting notice thereon, and removing and impounding such vehicle, and it is unlawful for any person to prevent the Chief of Police from entering on private property for purposes of carrying out his duties hereunder or to interfere with him in the lawful performance of his duties under the provisions of this chapter.

(Ord. 1054, passed 6-15-98)

10.01.10-704. STORAGE OF VEHICLES ON PROPERTY.

No vehicle which is currently unregistered and unlicensed shall be kept on any property located in the City of Crest Hill. A vehicle which is unregistered and unlicensed shall be presumed to be inoperable for purposes of this Title.

(Ord. 1054, passed 6-15-98)

10.01.10-705. UNLICENSED AND UNREGISTERED VEHICLES.

A vehicle is unregistered when it does not have current Illinois license plate or registration applied for sticker displayed thereon. A vehicle is unlicensed when it does not have a current City of Crest Hill vehicle license displayed upon it in accordance with applicable ordinances.

(Ord. 1054, passed 6-15-98)

10.01.10-706. PUBLIC NUISANCES.

Abandoned and inoperable vehicles, whether located on public or private property, are hereby declared to be a nuisance and shall be subject to removal in accordance with this title or any other applicable section of this Code of Ordinances. No person shall permit any abandoned or inoperable vehicle to be kept or stored on that person's or any other persons property. Any abandoned or inoperable vehicle located on the premises of a business lawfully engaged in the wrecking or junking of vehicles shall not be deemed a nuisance.

(Ord. 1054, passed 6-15-98)

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DIVISION VIII. MISCELLANEOUS LAWS

10.01.10-801. RIDING ON RUNNING BOARDS.

No person shall ride upon the fenders, running board or outside step of any vehicle.

10.01.10-802. NO BIKES ON SIDEWALKS IN BUSINESS DISTRICT.

(A) No person shall ride a bicycle on a sidewalk within a business district.

(B) A person convicted of violating this section shall be fined not less than \$5 nor more than \$25.

10.01.10-803. BIKE PATHS.

Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use roadway.

10.01.10-804. USE OF ROLLER SKATES, TOY VEHICLES, ETC.

(A) No person upon roller skates, or riding in or by means of any coaster, toy vehicle, or similar device, shall go upon any roadway except when crossing a street on a crosswalk, and when so crossing such person shall be granted all the rights and shall be subject to all the duties applicable to pedestrians.

(B) A person convicted of violating this section shall be fined not less than \$50 nor more than \$500.

(Am. Ord. 1305, passed 10-20-03)

10.01.10-805. INTERFERENCE WITH TRAFFIC OR PEDESTRIANS.

(A) *Streets.* No person shall stand in any street or roadway other than in a safety zone.

(B) *Sidewalks.* No pedestrian shall stand upon any sidewalk except as near as is reasonably possible to the building line or curb line if such standing, in fact, interferes with the use of the sidewalk by other pedestrians.

10.01.10-806. UNATTENDED ANIMALS.

(A) No person shall leave any horse or other draft animal unattended in any street without having such animal securely fastened.

(B) Any person found guilty of a violation of this section shall be fined not less than \$75, but no more than \$750 for each offense.

(Am. Ord. 998, passed 7-1-96)

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ARTICLE 11. RULES OF THE ROAD.

DIVISION I. ADOPTION OF ILLINOIS VEHICLE CODE

- 10.01.11-101 Adoption of Illinois Vehicle Code.
- 10.01.11-102 Citation to the Illinois Vehicle Code as adopted by the City of Crest Hill.

10.01.11-101. ADOPTION OF THE ILLINOIS VEHICLE CODE.¹

(A) The city hereby adopts by reference the following provisions of the Illinois Vehicle Code, ILCS Ch. 625, Act 5, as existing on the effective date of this ordinance and as may be amended after the effective date:

- Chapter 2, ILCS Ch. 625, Act 5, §§ 2-101 et seq.
- Chapter 3, ILCS Ch. 625, Act 5, §§ 3-100 et seq.
- Chapter 4, ILCS Ch. 625, Act 5, §§ 4-101 et seq.
- Chapter 5, ILCS Ch. 625, Act 5, §§ 5-100 et seq.
- Chapter 6, ILCS Ch. 625, Act 5, §§ 6-100 et seq.
- Chapter 7, ILCS Ch. 625, Act 5, §§ 7-100 et seq.
- Chapter 8, ILCS Ch. 625, Act 5, §§ 8-101 et seq.
- Chapter 9, ILCS Ch. 625, Act 5, §§ 9-101 et seq.
- Chapter 10, ILCS Ch. 625, Act 5, §§ 10-101 et seq.
- Chapter 11, ILCS Ch. 625, Act 5, §§ 11-100 et seq.
- Chapter 12, ILCS Ch. 625, Act 5, §§ 12-100 et seq.
- Chapter 13, ILCS Ch. 625, Act 5, §§ 13-100 et seq.
- Chapter 13C, ILCS Ch. 625, Act 5, §§ 13C-1 et seq.
- Chapter 15, ILCS Ch. 625, Act 5, §§ 15-100 et seq.
- Chapter 16, ILCS Ch. 625, Act 5, §§ 16-101 et seq.
- Chapter 17, ILCS Ch. 625, Act 5, §§ 17-101 et seq.
- Chapter 18a, ILCS Ch. 625, Act 5, §§ 18a-100 et seq.
- Chapter 18b, ILCS Ch. 625, Act 5, §§ 18b-100 et seq.
- Chapter 18c, ILCS Ch. 625, Act 5, §§ 18c-1101 et seq.
- Chapter 18d, ILCS Ch. 625, Act 5, §§ 18d-101 et seq.
- Chapter 20, ILCS Ch. 625, Act 5, §§ 20-101 et seq.

(B) Said sections shall be cited as described in § 10.01.11-102.

(C) No person shall violate any provision of the Illinois Vehicle Code so incorporated into this code by reference. Any reference in the incorporated sections of the Illinois Vehicle Code shall be construed to refer to the "Crest Hill Vehicle Code," unless the context of the section clearly indicates otherwise.

(D) Some title headings of the sections of the Illinois Vehicle Code incorporated into the Crest Hill Vehicle Code are set forth herein without the full text of the incorporated statute. Said headings are set forth for convenience of the reader only, and the failure to include the full text herein shall not be construed as a failure to properly enact the ordinance or incorporate sections of the Illinois Vehicle Code into this ordinance. The full text of the incorporated sections appear in full in Chapter 625 of the Illinois Compiled Statutes.

(Am. Ord. 1636, passed 8-5-13)

¹For statutory provisions authorizing the adoption of the Illinois Vehicle Code, see ILCS Ch. 625, Act 5, § 20-204.

§ 10.01.11-102 CITATION TO THE ILLINOIS VEHICLE CODE AS ADOPTED BY THE CITY OF CREST HILL.

"10.01.11-_____" as the case may be, with the blank portion referring to the Act and Section number. For example, ILCS Ch. 625, Act 5, § 2-101 shall be cited as 10.01.11-2-101.
(Ord. 1636, passed 8-5-13)

[Chapter 10.05 begins on Page 45]

CHAPTER 10.05: EMERGENCY VEHICLES

Section

10.05.010	Privileges; subject to conditions
10.05.020	Actions permitted to driver
10.05.030	Audible and visual signals to be used
10.05.040	Duty to drive with due care
10.05.050	Fire equipment; following fire apparatus
10.05.060	Fire equipment; crossing fire hose

§ 10.05.010 PRIVILEGES; SUBJECT TO CONDITIONS.

The driver of an authorized emergency vehicle, when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this chapter but subject to the conditions stated in this chapter.

('78 Code, § 10.68.010) (Ord. 254, passed - -70)

§ 10.05.020 ACTIONS PERMITTED TO DRIVER.

The driver of an authorized emergency vehicle may:

(A) Park or stand irrespective of the provisions of this title;

(B) Proceed past a red or stop signal or stop sign, but only after slowing down as may be required and necessary for safe operation;

(C) Exceed the maximum speed limit so long as he does not endanger life or property;

(D) Disregard regulations governing direction of movement or turning in specified directions.

('78 Code, § 10.68.020) (Ord. 254, passed - -70)

§ 10.05.030 AUDIBLE AND VISUAL SIGNALS TO BE USED.

The exceptions granted in this chapter to an authorized emergency vehicle, other than a police vehicle, apply only when the vehicle is making use of audible, if in motion, and visual signals meeting the requirements of this title.

('78 Code, § 10.68.030) (Ord. 254, passed - -70)

§ 10.05.040 DUTY TO DRIVE WITH DUE CARE.

The provisions of §§ 10.68.010 through 10.68.030 do not relieve the driver of an authorized emergency vehicle from the duty of driving with due regard for the safety of all persons, nor do such provisions protect the driver from the consequences of his reckless disregard for the safety of others. ('78 Code, § 10.68.040) (Ord. 254, passed - -70)

§ 10.05.050 FIRE EQUIPMENT; FOLLOWING FIRE APPARATUS.

The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. ('78 Code, § 10.68.050) (Ord. 254, passed - -70)

§ 10.05.060 FIRE EQUIPMENT; CROSSING FIRE HOSE.

No vehicle shall be driven over an unprotected hose of the Fire Department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the Fire Department official in command. ('78 Code, § 10.68.060) (Ord. 254, passed - -70)

CHAPTER 10.10: VEHICLE IMPOUNDMENT

Section

10.10.010	Authorization
10.10.020	Vehicle impoundment
10.10.030	Applicability; fees
10.10.040	Impoundment
10.10.050	Appeal; preliminary hearing
10.10.060	Notification of hearing
10.10.070	Payment
10.10.080	Possession of vehicle
10.10.090	Impact on existing administrative adjudication systems

§ 10.10.010 AUTHORIZATION.

The city's Police Department is hereby authorized to direct and supervise a program of vehicle impoundment pursuant to the provision of this section. The Police Department, and any other duly authorized agent of the city, is hereby authorized to seize and impound any vehicle eligible for impoundment pursuant to this chapter.

(Ord. 1527, passed 5-17-10)

§ 10.10.020 VEHICLE IMPOUNDMENT.

(A) *Violation.* A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with any of the following violations, shall be subject to tow and impoundment by the city, and the owner of record of the vehicle shall be liable to the city for an administrative processing fee of \$500, in addition to any towing and storage fees as hereinafter provided. For purposes of this chapter, **MOTOR VEHICLE** or **VEHICLE** shall mean every vehicle defined by § 5/1-146 of the Illinois Vehicle Code (ILCS Ch. 625, Act 5, § 1-146), as amended.

(1) Driving while driver's license, permit or privileges to operate a motor vehicle is suspended or revoked, ILCS Ch. 625, Act 5, § 6-303; except vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving), or due to failure to comply with emission testing.

(2) Driving under the influence of alcohol, other drug or drugs, intoxicating compounds, in violation of ILCS Ch. 625, Act 5, § 11-501, as amended; or similar provision of local ordinance.

(3) Operating a motor vehicle in violation of ILCS Ch. 625, Act 5, § 11-501.8 (Zero Tolerance), as amended, or similar provision of local ordinance.

(4) Operation or use of a motor vehicle in connection with the commission or attempted commission of any felony offense or in the violation of the provisions of the Illinois Cannabis Control Act, ILCS Ch. 720, Act 550, § 1.

(5) Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the Illinois Controlled Substance Act, ILCS Ch. 720, Act 570, § 100.

(6) Unlawful use of a weapon in violation of ILCS Ch. 720, Act 5, § 24-1: Aggravated Discharge of a Firearm in violation of ILCS Ch. 720, Act 5, § 24-1.5; Unlawful Possession of a Firearm and Firearm Ammunition in violation of ILCS Ch. 720, Act 5, § 24-3.1.

(7) Operation or use of a motor vehicle while soliciting, possession, or attempting to solicit or possess cannabis or a controlled substance - as defined by Illinois Cannabis Control Act, ILCS Ch. 720, Act 550, § 2, or the Illinois Controlled Substance Act, ILCS Ch. 720, Act 570, §§ 100 *et seq.*

(8) Operating a motor vehicle without having ever been issued a driver's license or permit, or without currently possessing a valid driver's license, permit or restricted driving permit, as described in ILCS Ch. 625, Act 5, § 6-101, as amended, or similar provision of local ordinance, when also in violation of ILCS Ch. 625, Act 5, § 7-601, as amended or similar provision of local ordinance.

(9) Operating a motor vehicle when the operator's driver's license has been expired for more than one year, regardless of whether such license was previously issued by the State of Illinois or another state.

(10) Operation or use a motor vehicle by a person against whom a warrant has been issued by a Circuit Clerk in Illinois for failure to answer charges that the driver violated the offense of driving while license is suspended or revoked, ILCS Ch. 625, Act 5, § 6-303, as amended, or similar provision of local ordinance; operating a motor vehicle without a valid license, ILCS Ch. 625, Act 5, § 6-101, as amended, or similar provision of local ordinance; and/or driving under the influence of alcohol, other drugs, intoxicating compound(s), or any combination thereof, ILCS Ch. 625, Act 5, § 11-501, as amended, or similar provision of local ordinance.
(Ord. 1527, passed 5-17-10)

§ 10.10.030 APPLICABILITY; FEES.

(A) This chapter shall not replace or otherwise abrogate any existing state or federal laws or city ordinance pertaining to vehicle seizure and impoundment, and the owner shall be subject to the penalties set forth herein, in addition to any penalties that may be assessed by a court of law, for any criminal charges.

(B) This section shall not apply to any vehicle which was stolen at the time of the violation, provided the theft was reported to the police within 24 hours of the discovery.
(Ord. 1527, passed 5-17-10)

§ 10.10.040 IMPOUNDMENT.

Whenever a police officer has probable cause to believe that a vehicle is subject to tow and impoundment pursuant to this chapter, the police officer shall provide for the towing of the vehicle to a facility authorized by the city. Before or at the time the vehicle is towed, the police officer shall notify the person identifying himself or herself as the owner of the vehicle or any person who is found to be in control of the vehicle at the time of the alleged violation, of the fact of the impoundment of the vehicle and of the owner's right to request a preliminary vehicle impoundment hearing to be conducted in accordance with this chapter. The vehicle shall be impounded pending the completion of the hearing provided for in the following sections, unless the owner of the vehicle posts with the city a cash bond in a form of payment acceptable to the city in the amount of \$500 and pays all towing and storage fees for the vehicle.

(Ord. 1527, passed 5-17-10)

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§ 10.10.050 APPEAL; PRELIMINARY HEARING.

If the owner of record of a vehicle seized and impounded pursuant to this chapter desires to appeal the impoundment, the owner must make a request for a preliminary impoundment hearing within 48 hours of the impoundment. the request shall be in writing and filed with the Chief of Police or his or her designee, who shall conduct such a preliminary hearing within two business days of receipt of the owner's request for the hearing. For purposes of this chapter, **BUSINESS DAYS** shall mean Monday through Friday, excluding holidays. All interested persons shall be given a reasonable opportunity to be heard at the preliminary vehicle impoundment hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible. If, after the hearing, the Chief of Police or his or her designee determines there is probably cause to believe that the vehicle is subject to impoundment pursuant to this section, he or she shall order the continued impoundment of the vehicle as provided in this section, unless the owner of the vehicle posts with the city an administrative fee in a form of payment acceptable to the city in the amount of \$500, and pays all applicable towing and storage fees. If the Chief of Police or his or her designee determines there is no such probable cause, the vehicle will be released without penalty or payment of other fees. (Ord. 1527, passed 5-17-10)

§ 10.10.060 NOTIFICATION OF HEARING.

Within ten business days after a vehicle is impounded pursuant to this chapter, the city shall notify by certified mail, return receipt requested, addressed to the owner of record of the date, time, and location of a hearing that will be conducted, pursuant to this chapter. The owner shall notify the Chief of Police or his or her designee, of a plea of not guilty at least two business days prior to the hearing. If a plea of guilty is entered, the case will be disposed of at the time. If the owner pleads not guilty and had not notified the Chief of Police or his or her designee of the intent to plead not guilty, a final hearing may be scheduled and held. The final hearing will be conducted pursuant to the city's administrative adjudicative procedures in City of Crest Hill Ordinance no. 1610. In a hearing on the propriety of impoundment of a vehicle, any sworn or affirmed report that: 1) is prepared in the performance of law enforcement officer's duties; and 2) sufficiently describes the circumstances leading to the impoundment, shall be admissible evidence of the vehicle owner's liability, unless rebutted by clear and convincing evidence. If, after the hearing, the hearing officer determines by a preponderance of evidence that the vehicle was used in connection with a violation set forth in this chapter, the hearing officer shall enter an order finding the owner of record of the vehicle civilly liable to the city for an administrative penalty in the amount of \$500 and requiring the vehicle to continue to be impounded until the owner pays the administrative penalty to the city and all towing and storage charges due for the vehicle. If the owner of record fails to appear at the hearing, the hearing officer shall enter a default order in favor of the city. If the hearing officer finds that no such violation occurred, the hearing officer shall order the immediate return of the owner's vehicle or cash bond without fees. (Ord. 1527, passed 5-17-10)

§ 10.10.070 PAYMENT.

If an administrative penalty is imposed pursuant to this chapter, such penalty shall constitute a debt due and owing to the city. If a cash bond has been posted pursuant to this chapter, the bond shall be applied to the penalty. If a vehicle has been impounded when such a penalty is imposed, the city may seek to obtain a judgment on the debt and enforce such judgment against the vehicle as provided by law. Except as provided otherwise in this chapter, a vehicle shall continue to be impounded until the penalty is paid to the city and any applicable towing and storage fees are paid in full, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle or the vehicle is

sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If the administrative penalty and applicable fees are not paid within 30 days after an administrative penalty is imposed against an owner of record who defaults by failing to appear at the hearing, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles. In all other cases, if the administrative penalty and applicable fees are not paid within 30 days after the expiration of time at which administrative review of the hearing officer's determination may be sought, or within 30 days after an action seeking administrative review has been resolved in favor of the city, whichever is applicable, the vehicles shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles under the Illinois Vehicle Code.

(Ord. 1527, passed 5-17-10)

§ 10.10.080 POSSESSION OF VEHICLE.

(A) Except as otherwise specifically provided by law, no owner, lien holder, or other person shall be legally entitled to take possession of a vehicle impounded under this chapter until the administrative penalty and fees applicable under this chapter have been paid. However, whenever a person with a lien of record against an impounded vehicle has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if he or she agrees in writing to refund to the city the amount of the net proceeds of any foreclosure sale, less any amounts required to pay all lien holders of record, not to exceed the administrative penalty, plus the applicable fees.

(B) The provisions of this chapter authorizing an owner or other party to regain possession of a motor vehicle are not applicable when vehicle or asset forfeiture proceedings have been instituted under state or federal drug asset forfeiture laws or Article 36 of the Illinois Criminal Code of 1961. In such case, the city shall not release, or dispose of, the vehicle to any person except as consistent with those proceedings.

(C) In the event the Crest Hill Police Department determines that the vehicle impounded pursuant to this chapter should not be released to its owner or other persons, or disposed of as an unclaimed vehicle, due to the need to retain the vehicle as part of a continuing criminal investigation, or as evidence in a crime, then the city shall notify the owner that the vehicle will be retained and not released except as required by law.

(D) For purposes of this chapter, the **OWNER** or **OWNER OF RECORD** of a vehicle is the record title holder as registered with the Illinois Secretary of State or applicable agency of a foreign jurisdiction. When in this chapter, the word **OWNER** or **OWNER OF RECORD** is used, it shall apply to all owners. This chapter presumes that all owners have equal rights to an impounded vehicle. In instances of multiple owners of a vehicle, the city shall not have a duty or responsibility to inquire or determine whether all owners concur with, or object to, any action taken, or omissions by any one owner in relation to the impounded vehicle.

(Ord. 1527, passed 5-17-10)

§ 10.10.090 IMPACT ON EXISTING ADMINISTRATIVE ADJUDICATION SYSTEMS.

This chapter shall not affect the validity of the system of administrative adjudication authorized by state law, including the City of Crest Hill ordinances, and in existence prior to the effective date of this chapter.

(Ord. 1527, passed 5-17-10)

CHAPTER 10.15: RECREATIONAL VEHICLES

Section

10.15.010	Definitions
10.15.020	Recreational vehicle parking
10.15.030	Penalty

§ 10.15.010 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

HARD SURFACE. An off-street parking facility for the placement of parking spaces in conformity with this chapter constructed of asphalt, pavers or concrete, and graded and drained in such a manner so as to dispose of surface water accumulation by means of a positive storm water drainage system as determined by the Building Commissioner or his or her designee. The construction of such **HARD SURFACE** design shall be reviewed by the City Building Commissioner or his or her designee.

RECREATIONAL VEHICLE. A vehicle designed for living or recreation and not used as a commercial vehicle, including, but not limited to, mobile homes, motor homes, travel trailers, recreational trailers, campers, and shall further include, but not be limited to, boats, personal watercraft, snowmobiles, vans, all terrain vehicles, racing cars, and trailers used to transport a recreational vehicle.

(Ord. 727, passed - -; Am. Ord. 1562, passed 4-4-11)

§ 10.15.020 RECREATIONAL VEHICLE PARKING.

(A) Except as otherwise provided herein for temporary parking purposes, recreational vehicles shall not be used, parked, maintained or otherwise situated on a residential zoning lot, except as expressly provided for herein. For all purposes pertaining to recreational parking, **TEMPORARY** shall be defined as 48 hours in the same location.

(B) The construction design of the off-street parking facilities shall be reviewed by the Building Commissioner or his or her designee to determine:

(1) That every parking space shall be upon a hard surface and shall be so graded and drained as to dispose of surface water accumulation by means of a positive storm water drainage system as determined by the Building Commissioner or his or her designee;

(2) That the parking area shall be constructed in accordance with the requirements as set forth in the city's zoning ordinance 11.6 Off-Street Parking and Loading; and

(3) The parking area shall be at least a minimum length of the recreational vehicle and at least a minimum width plus four feet of the recreational vehicle.

(C) The condition of the recreational vehicles must meet the following minimum standards:

- (1) Recreational vehicles must be in useable condition and not in a state of disrepair;
- (2) Tires on such recreational vehicles must be fully inflated, shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicles; and
- (3) The recreational vehicle must be properly licensed, if required by the state, and registered to the particular location in which it is situated.

(D) Recreational vehicles located upon a residential lot may not be used for the following prohibited uses.

- (1) At no time shall a parked or stored recreational vehicle be used for living, sleeping, or housekeeping purposes for a period exceeding 48 consecutive hours.
- (2) No recreational vehicle shall be connected to gas, water or sanitary sewer service.
- (3) Temporary electrical hook-up shall be permitted.
- (4) No recreational vehicles shall be converted and used for the storage of any household items.

(E) Except as otherwise provided for herein, no recreational vehicle shall be parked permanently or temporarily on any public street in front of a residential lot by the owner or guest of the owner. In the event the owner of a residential lot does not have a driveway such owner may temporarily park the recreational vehicle upon the street or roadway immediately in front of his or her house for a period not to exceed 48 consecutive hours provided that parking is otherwise permitted upon such street or roadway.

(F) Amortization of all existing recreational vehicles in violation of the regulations herein shall be brought into conformity with the applicable regulations of this section within 15 days after the notification of any violation.

(Ord. 727, passed - -; Am. Ord. 1562, passed 4-4-11) Penalty, see § 10.15.030

§ 10.15.030 PENALTY.

Any person convicted of violating this chapter may be fined an amount not to exceed \$750. In addition, any person found in violation of this chapter shall be expected to pay all costs and expenses related to adjudicating the offense. Each day that a violation is permitted to exist after notification thereof shall constitute a separate offense.

(Ord. 727, passed - -; Am. Ord. 1562, passed 4-4-11)

CHAPTER 10.20: ADOPT-A-HIGHWAY PROGRAM

Section

- 10.20.010 Created
- 10.20.020 Responsibilities of the city
- 10.20.030 Group responsibilities/rules and regulations

§ 10.20.010 CREATED.

The City of Crest Hill Adopt-a-Highway Program (“Program”) is hereby created. The rules and regulations of the Program shall, at all times, comply with the Illinois Adopt-A-Highway Act (see ILCS Ch. 605, Act 120 §§ 1 et seq.), as amended, and as described herein.
(Ord. 1673, passed 9-15-14)

§ 10.20.020 RESPONSIBILITIES OF THE CITY.

(A) Administer the operation of the program, its participants and procedures.

(B) Accept or reject group right-of-way adoption applications (incorporated herein by reference as Exhibit 1 of Ordinance 1673, passed September 15, 2014) and determine the specific section of right-of-way that will be adopted. Preference will be given to City of Crest Hill based groups.

(C) Enter into an agreement (incorporated herein by reference as Exhibit 2 of Ordinance 1673, passed September 15, 2014) with the group coordination and group leader for participation in the program. The “group coordinator” is the person selected by the group to serve as its liaison with the city. The “group leader” is the recognized leader, president or chairman of the group.

(D) Erect sign(s) that conform to IDOT developed standards at the adopted right-of-way section with the name or acronym of the group.

(E) Provide all garbage bags needed for the pick-up.

(F) Provide appropriate safety apparel and traffic warning signs.

(G) Remove filled garbage bags and large, heavy or hazardous items.

(H) Provided safety training for group coordinators and appropriate safety training materials to be used by the group coordinators in their safety presentations to the group’s participants.
(Ord. 1673, passed 9-15-14)

§ 10.20.030 GROUP RESPONSIBILITIES/RULES AND REGULATIONS.

(A) Apply for participation in the program and, if approved, execute a written agreement (incorporated herein by reference as Exhibit 2 of Ordinance 1673, passed September 15, 2014) with the city as required by the Illinois Adopt-A-Highway Act.

Crest Hill - Vehicles and Traffic

(B) Each member of the group shall obey all rules, laws and regulations of the city and the state.

(C) Assume all liability for and hold the state and the state's agents or employees harmless from any and all claims of action resulting from the group's volunteers or agents work in the program, except for the negligent acts of the state, and the state's agents or employees.

(D) Assume all liability for and hold the city and the city's agents or employees harmless from any and all claims of action resulting from the group's volunteers or agents work in the program, except for the negligent acts of the city, and the city's agents or employees.

(E) No subcontracting or assigning of duties or responsibilities to any other group or organization shall be allowed.

(Ord. 1673, passed 9-15-14)

