

CHAPTER 11.

MOTOR VEHICLES AND TRAFFIC

Article I. In General.

- §11-1. Definitions.
- §11-2. Limitation of Parades to Village Streets.
- §11-2.1. Parade Permits.
- §11-3. Obstruction of Driver's View; Interference with Driving Mechanism.
- §11-4. Boarding or Alighting from Vehicle in Motion.
- §11-5. Riders of Bicycles, Roller Skates, etc., Clinging to Moving Vehicles.
- §11-6. Riding on Portion of Vehicle Not Intended for Passengers.
- §11-7. Play Streets and Zones of Quiet.

Article II. Enforcement and Obedience to Traffic Regulations.

- §11-8. Enforcement of Chapter by Policemen.
- §11-9. Authority of Police to Direct Traffic Generally; Assistance of Policemen by Firemen.
- §11-10. Obedience to Traffic Regulations Generally.
- §11-11. Obedience to Police.
- §11-12. Applicability of Chapter to Authorized Emergency Vehicles.
- §11-13. Applicability of Chapter to Government Owned Vehicles.
- §11-14. Applicability of Chapter to Persons Riding Bicycles, Animals, etc.
- §11-15. Owners, Employers, etc., Requiring or Permitting Violation of Chapter.

Article III. Operation of Vehicles.

- §11-16. State License Required.
- §11-17. Proper Side of Highway.
- §11-18. Driving with Windshield, etc., Obstructed.
- §11-19. Passing Vehicles Proceeding in Opposite Directions.
- §11-20. Overtaking and Passing--On Left Generally.
- §11-21. Same--Limitations on Overtaking and Passing on Left.
- §11-22. Same--On Right.
- §11-23. Approaching, Overtaking and Passing School Bus.
- §11-24. Drag Racing.
- §11-25. Dimming Headlights.
- §11-26. Driving on Roadways Laned for Traffic.
- §11-27. One Way Roadways and Rotary Traffic Islands.
- §11-28. Following too Closely.
- §11-29. Driving onto or from Controlled Access Roadways.
- §11-30. Turning at Intersections.
- §11-31. Starting.
- §11-32. Driving on Divided Roadways.

- §11-33. Stop or Turn Signals--When Required.
- §11-34. Same--Methods of Giving Generally.
- §11-35. Same--Method of Giving Hand and Arm Signals.
- §11-36. Right-of-way at Intersections--Generally.
- §11-37. Same--Vehicles Turning Left.
- §11-38. Same--Vehicles Entering Through Streets, Stop Intersections or Stop Crosswalks.
- §11-39. Same--Vehicles Entering Yield Intersections.
- §11-40. Same--Vehicles Entering Street from Private Road or Driveway.
- §11-41. Emerging from Alley, Driveway or Building.
- §11-42. Duty on Approach of Authorized Emergency Vehicle.
- §11-43. Obedience to Signal, etc., Indicating Approach of Train.
- §11-44. Certain Vehicles to Stop at all Railroad Grade Crossings; Exceptions.
- §11-45. Stopping to Avoid Obstructing Traffic.
- §11-46. Backing.
- §11-47. U-turns.
- §11-48. Coasting.
- §11-49. Following Fire Apparatus.
- §11-50. Crossing Fire Hose.
- §11-51. Driving in Funeral or Other Procession; Identification of Funeral Procession.
- §11-52. Driving between Vehicles in Procession.
- §11-53. Driving on Sidewalk.
- §11-54. Repealed by Ord. 08-14.
- §11-55. Repealed by Ord. 08-14.
- §11-56. Vehicles Making Loud or Unnecessary Noises.
- §11-57. Speed Restrictions--Generally.
- §11-58. Same--Certain Streets.
- §11-59. Same--School Zones.
- §11-60. Same--Minimum Speed Regulation.
- §11-61. One-way Streets.
- §11-62. Truck Routes.
- §11-63. Riding on Motorcycles.
- §11-64. Use of Motorcycles, Minibikes, Golf Carts, etc.

Article IV. Village Motor Vehicle or Motor Bicycle License.

- §11-65. Repealed by Ord. 25-10.
- §11-66. Repealed by Ord. 25-10.
- §11-67. Repealed by Ord. 25-10.

Article V. Equipment on Vehicles.

- §11-68. Lamps--Requirements for Motor Vehicles, Motorcycles, etc. Generally.
- §11-69. Same--Requirements for Vehicles Not Specifically Mentioned Elsewhere in Article.
- §11-70. Same--Spot Lamps and Auxiliary Driving Lamps.
- §11-71. Same--Number of Driving Lamps Required or Permitted.

- §11-72. Same--Special Restrictions.
- §11-73. Lamp or Flag on Projecting Load.
- §11-74. Brakes--Equipment Required Generally.
- §11-75. Same--Performance Ability.
- §11-76. Horns and Warning Devices.
- §11-77. Mufflers.
- §11-78. Mirrors.
- §11-79. Windshield Wipers.
- §11-80. Tires.

Article VI. Stopping, Standing and Parking.

- §11-81. Manner of Parking Generally.
- §11-82. Parking--Prohibited for Certain Streets.
 - §11-82.1 No Parking on the West Side of Westgate Drive
 - §11-82.2. STOP Signs at Central Avenue and Red Oak Street.
 - §11-82.3. No Parking on the North Side and South Side of Army Trail Boulevard.
 - §11-82.4. STOP Signs at Byron Avenue and Green Ridge Street.
 - §11-82.5. STOP Signs at Palmondon Drive and Amelia Lane.
 - §11-82.6. STOP Signs Plamondon Drive and Woodland Avenue.
 - §11-82.7. STOP Signs at W Stone Avenue and DuPage Avenue.
 - §11-82.8. No Parking on the North Side of Palmer Avenue and South Side of Princeton Street.
 - §11-82.9. STOP Sign at White Pine Road and Central Avenue.
- §11-83. Same--Restricted on Certain Streets.
- §11-84. Same--Prohibited in Certain Specified Areas.
- §11-85. Same--Prohibited for Certain Purposes.
- §11-86. Same--In Alleys.
- §11-87. Same--Restrictions on Parking in Loading Zones, in Front of Entrances to Hospitals and Hotels, etc.
- §11-88. Same--Thirty Minute Parking between 2:00 a.m. and 5:00 a.m.
- §11-89. Unauthorized Use of Parking Places Reserved for Handicapped Persons.
- §11-90. Use of Bus Stops and Taxicab Stands by Vehicles other than Buses and Taxicabs.
- §11-91. Prohibited Overnight Parking of Trucks and Construction Equipment.
 - §11-91.1. Trailers and Semi-trailers.
 - §11-91.2. Trucks, Truck Tractors, etc. in Residential and Commercial Areas.
- §11-92. Same--Standing upon Perceptible Grade.
- §11-93. Vehicles with Reflectors Not Required to Display Lights when Parked at Night.
 - §11-93.1. Presumption of Owner's Liability.
- §11-94. Penalties for Stopping, Standing, Parking and Vehicle Compliance Violations.
 - §11-94.1. General Traffic Violation Penalty.

Article VII. Traffic Control Devices.

- §11-95. Authority to Install.
- §11-96. Obedience.

- §11-97. When Devices Required for Chapter to be Enforceable.
- §11-98. Traffic Control Signal Legend.
- §11-99. Pedestrian Control Signals.
- §11-100. Lane Control Signals.
- §11-101. Flashing Signals.
- §11-102. Unauthorized Signs, Signals or Markings.
- §11-103. Interference with Official Traffic Control Devices, etc.

Article VIII. Accidents.

- §11-104. Duty of Drivers Generally--Accidents Involving Death or Personal Injury.
- §11-105. Same--Accidents Involving Damage to Vehicles.
- §11-106. Same--Giving Information and Rendering Aid.
- §11-107. Same--Upon Striking Unattended Vehicle or Property.
- §11-108. Same--Reporting.
- §11-109. Duty of Occupant or Owner of Vehicle to Make Report.

Article IX. Pedestrians.

- §11-110. Applicability of Chapter.
- §11-111. Right-of-way at Crosswalk.
- §11-112. Crossing at Other than Crosswalk; Standing or Loitering in Roadway Restricted.
- §11-113. Duty to Use Right Half of Crosswalks.
- §11-114. Walking on Streets.
- §11-115. Blind Pedestrians.
- §11-116. Solicitation of Rides.

Article X. Size, Weight and Load.

- §11-117. Compliance with and Applicability of Article.
- §11-118. Certain Heavy Vehicles Prohibited on Village Streets.
- §11-119. Liability for Damages Caused by Heavy Vehicles.
- §11-120. Maximum Size.
- §11-121. Required Marking for Second Division Vehicles.
- §11-122. Projecting Loads on Passenger Vehicles.
- §11-123. Planking Edge of Pavement for Metal Tired or Other Heavy Vehicles.
- §11-124. Spilling Loads on Highways; Covering Loads.
- §11-125. Towed Vehicles.
- §11-126. Compliance with Weight Requirements of State Law Generally.
- §11-127. Village Manager to Route Vehicles with Gross Weight of More than Five Tons per Axle.
- §11-128. Industrial Truck Routes.
- §11-129. Police Officers to Weigh Vehicles, Require Removal of Excess Loads, etc.
- §11-130. Liability of Owner and Operator for Violation.
- §11-131. Penalty.

Article XI. Abandoned, Hazardous or Unlawful Vehicles.

- §11-132. Definitions.
- §11-133. Abandonment Prohibited.
- §11-134. Leaving Wrecked, Nonoperating, etc., Vehicle on Street.
- §11-135. Inoperable Motor Vehicles Declared Nuisance.
- §11-136. Duty to Comply with Notice to Dispose.
- §11-137. Administrative Penalties/Vehicle Possession.
- §11-138. Towing Permitted.
- §11-139. Authorization for Towing.
- §11-140. Pre-tow Notice for Abandoned Vehicles.
- §11-141. Pre-tow Hearing Procedures.
- §11-142. Post-tow Notice for Hazardous and Unlawful Vehicles.
- §11-143. Post-tow Hearing Procedures.

Article XII. Adoption of Certain Portions of the Illinois Motor Vehicle Code by Reference.

- §11-144. Provisions of Illinois Motor Vehicle Code Adopted.

Article XIII. Vehicle Immobilization Program

- §11-145. Vehicle Immobilization Program Established.
- §11-146. Vehicles Eligible for Immobilization.
- §11-147. Notice of Vehicle Immobilization and Hearing.
- §11-148. Notice to be Affixed to Immobilized Vehicle.
- §11-149. Towing of Immobilized Vehicle.
- §11-150. Release of Immobilized Vehicle.
- §11-151. Post Vehicle Immobilization/Impoundment Notice.
- §11-152. Immobilized Vehicle Hearing.
- §11-153. Immobilization Fees.
- §11-154. Unlawful to Relocate Immobilized Vehicles.

Article XIV. Restitution.

- §11-155. Restitution for Costs of Emergency Response to Driving under Influence Incidents.

Article XV. Penalty.

- §11-156. Penalty.

Article XVI. Regulation of Chartered Transportation.

- §11-157. Applicability.
- §11-158. Application.
- §11-159. Unlawful Operation of Chartered Transportation.

Article XVII. Relocators and Repossessors.

- §11-160. Definitions.
- §11-161. Declaration of Policy.
- §11-162. Towing Performed Pursuant to Police Order.
- §11-163. General Powers and Duties of the Chief of Police.

- §11-164. Relocators-Unlawful Practices.
- §11-165. Relocators-Posting of Signs; Sign Specifications.
- §11-166. Repossessors-Unlawful Practice.
- §11-167. Penalties.

Article XVIII. Motorized Bicycles.

- §11-168. Definitions.
- §11-169. Traffic Laws Apply.
- §11-170. Application.
- §11-171. Additional Regulations and Restrictions.
- §11-172. Penalties.

Article I. General.

Sec. 11-1. Definitions.

The following words and phrases when used in this Chapter shall, for the purpose of this Chapter, have the meanings respectively ascribed to them in this Section:

Abandoned vehicle means any vehicle apparently abandoned by its owner or agent.

Alley means any public way within a block generally giving access to the rear lots or buildings and not used for general traffic circulation.

Arterial street means any U.S. or State numbered route, or other major radial or circumferential street or highway designated as a major arterial system of streets or highways.

Authorized emergency vehicle means police vehicles, vehicles of the Fire Department, ambulances and emergency vehicles of municipal departments or public service corporations as are designated or authorized by proper local authorities.

Bicycle means a vehicle with two (2) tandem wheels, either of which is more than sixteen inches (16") in diameter, with solid or pneumatic tires, having a steering bar or wheel and a saddle seat, and propelled by human power.

Business district means the territory of the Village contiguous to and including a street when, within any six hundred feet (600') along such street, there are buildings in use for business or industrial purposes, including but not limited to hotels, banks or office buildings, railroad stations and public buildings which occupy at least three hundred feet (300') of frontage on one side or three hundred feet (300') collectively on both sides of the street.

Controlled access highway means every street or highway in respect to which owners or occupants of abutting lands and same, except at such points only as may be determined by the public authority having jurisdiction over such street or highway.

Crosswalk means that portion of a roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway distinctly indicated for a pedestrian crossing by lines or other markings on the surface.

Driver means every person who drives or is in actual physical control of a vehicle.

Explosive means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities or packing that an ignition by fire, by friction, by concussion, by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb.

Farm tractor means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

Flammable liquid means any liquid which has a flash point of 70 degrees Fahrenheit or less, as determined by a tagliabue or equivalent closed cup test device.

Improved highway means a road of concrete, brick, asphalt, macadam or gravel.

Intersection means the area embraced within the prolongation or connection of the lateral curb lines or, if none, the lateral boundary lines of the roadways of two (2) streets which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different streets joining at any other angle may come in conflict.

Laned roadway means a roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

Loading zone means the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Merging traffic means a maneuver executed by the drivers of vehicles on converging roadways to permit simultaneous or alternate entry into the junction thereof, wherein the driver of each vehicle involved is required to adjust his vehicular speed and lateral position so as to avoid a collision with any other vehicle.

Metal tire means every tire the surface of which in contact with the street is wholly or partly of metal or other hard nonresilient material.

Motorcycle means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

Motor vehicle means every motor vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Official traffic control devices means all signs, signals, markings and devices not inconsistent with this Chapter placed or erected by authority of the public body or official having jurisdiction for the purposes of regulating, warning or guiding traffic.

Overnight parking means the standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in loading or unloading at any time during the hours of 2:00 a.m. through 5:00 a.m. (Ord. 97-19)

Owner means a person who holds the legal title of a vehicle or, in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this Chapter.

Park or parking means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

Pedestrian means any person afoot.

Pneumatic tire means every tire in which compressed air is designed to support the load.

Police Officer means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Private road or driveway means every way or place in private ownership, used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Property line means the line marking the boundary between any street and the lots or property abutting thereon.

Public building means a building used by the Village or by any park district, school district, the State or the United States government.

Railroad means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

Railroad signs or signals means any sign, signal or device erected in accordance with the laws governing same and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Railroad train means a steam engine, electric or motor, with or without cars coupled thereto, operated upon rails, except streetcars.

Residence district means the territory contiguous to and including a street not comprising a business district, when the property on such street for a distance of three hundred feet (300') or more is in the main improved with residences or residences and buildings in use for business.

Right-of-way means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

Road tractor means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon, either independently or any part of the weight of a vehicle or load so drawn.

Roadway means that portion of a street improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a street includes two or more separate roadways, the term "roadway" as used in this Chapter shall refer to any such roadway separately, but not to all such roadways collectively.

Safety zone means the area of space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

Semitrailer means every vehicle, without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Sidewalk means that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

Solid tire means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

Stop means when required, means complete cessation from movement.

Stop, stopping or standing when prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

Street or highway means the entire width between property lines of every way or place of whatsoever nature, when any part thereof is open to the use of the public, as a matter of right, for purposes of vehicular traffic.

Suburban district means that portion of the Village other than the business and residence districts.

Through street means every street or portion thereof at the entrance to which vehicular traffic from intersecting streets is required by law to stop before entering or crossing the same, when stop signs are erected, as provided in this Chapter.

Traffic means pedestrians, ridden or herded animals, vehicles, streetcars and other conveyances, either singly or together, while using any street for the purposes of travel.

Traffic control signal means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

Trailer means every vehicle, without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Truck means every motor vehicle designed, used or maintained primarily for the transportation of property.

Truck tractor means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Urban district means the territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred feet (100') for a distance of a quarter of a mile or more.

Vehicle means every device in, upon or by which any person or property is or may be transported or drawn upon a highway; except, devices moved by human power or used exclusively upon stationary rails or tracks.

Yield right-of-way, when required by an official sign, means the act of granting the privilege of the immediate use of the intersecting roadway to traffic within the intersection and to vehicles approaching from the right or left; provided, that when the roadway is clear, the vehicle may proceed into the intersection. (Ord. 62-58, 81-29)

Sec. 11-2. Limitation of Parades to Village Streets.

Except as hereinafter provided, no parade or public procession shall occupy, march or proceed along or across any state or county owned street or highway within the Village. All parades and public processions shall only utilize Village owned streets. Notwithstanding the foregoing, state or county owned streets or highways may be utilized for the annual Village-sponsored parade known as the Addison Community Days Parade. (Ord. 96-5)

Sec. 11-2.1. Parade Permits.

(A) No parade or public procession is permitted on any portion of the public way of the Village unless a permit allowing such activity has been obtained from the Village Manager.

- (B) A person, partnership, voluntary association, or other organization seeking to obtain a parade or public procession permit shall file an application with the Village Manager not less than fourteen (14) days before the date for which the parade or public procession is proposed.
- (C) The application for a parade or public procession permit shall contain the following information, which must be updated by the applicant as circumstances change:
 - (1) The name, address, and telephone number of the person signing the application.
 - (2) The name, address, and telephone number of the authorized and responsible leaders of the organization conducting the parade or public procession.
 - (3) The date of the proposed parade or public procession and the hours that it will commence and terminate.
 - (4) The location of the assembly and disbanding area and the time when the parade or public procession will begin to assemble and disband.
 - (5) The approximate number of persons to participate in the parade or public procession.
 - (6) The route along which the parade or public procession will proceed and the lanes of traffic it will occupy.
- (D) All applications for a permit filed hereunder shall be processed on a first-in-time basis. Any conflict between or among two or more such applications filed for the same day or for overlapping routes shall be resolved on a first-in-time basis.
- (E) The Village Manager shall investigate the facts set out in the application and shall issue a permit when he finds that:
 - (1) The proposed activity will not substantially or unnecessarily interfere with traffic in the area contiguous to the route.
 - (2) There are available at the time of the parade or public procession a sufficient number of peace officers to police and protect lawful participants in the activity.
 - (3) The concentration of persons, animals, vehicles or things at the assembly and disbanding areas and along the parade or public procession route will not prevent proper fire and police protection or ambulance service.
 - (4) The event is not being conducted for an unlawful purpose.
- (F) A nonrefundable application fee of ten dollars (\$10.00) shall be submitted with each such application.
- (G) The applicant shall be responsible for any loss, damage or injury sustained by any person

during the assembly, conduct or disbanding of the parade or procession, and the applicant shall indemnify and hold the Village harmless from any claim for damages or injury arising from or relating to the parade or procession. (Ord. 96-5)

Sec. 11-3. Obstruction to Driver's View; Interference with Driving Mechanism.

- (A) No person shall drive a vehicle when it is so loaded or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or so as to interfere with the driver's control over the driving mechanism of the vehicle.
- (B) No passenger in a vehicle shall ride in such a position as to interfere with the driver's view ahead or as to the sides, or to interfere with his control over the driving mechanism of the vehicle. (Ord. 62-58)

Sec. 11-4. Boarding or Alighting from Vehicle in Motion.

No person shall board or alight from any vehicle while such vehicle is in motion. (Ord. 62-58)

Sec. 11-5. Riders of Bicycles, Roller Skates, etc., Clinging to Moving Vehicles.

No person riding upon any bicycle, motorcycle, coaster, sled, roller skates or any toy vehicle shall attach the same or himself to any moving vehicle upon any street or roadway. (Ord. 62-58)

Sec. 11-6. Riding on Portion of Vehicle Not Intended for Passengers.

No person shall ride on any vehicle upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to any employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise. (Ord. 62-58)

Sec. 11-7. Play Streets and Zones of Quiet.

The public service committee shall have authority to declare any street or part thereof a play street and shall cause to be placed appropriate signs or devices in the street indicating and helping to protect the same.

The public service committee shall also have authority to establish zones of quiet in streets adjacent to hospitals whenever, in their judgment, such quiet zones are necessary for the welfare of inmates of such hospitals, and shall cause to be placed appropriate signs designating such zones as zones of quiet. Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof, except drivers having business or whose residences are within such closed area. Any such driver shall exercise the greatest care in driving upon such street or portion thereof. Whenever authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle

within any such zone shall sound the horn or other warning device of such vehicle, except in an emergency. (Ord. 62-58)

Article II. Enforcement and Obedience to Traffic Regulations.

Sec. 11-8. Enforcement of Chapter by Policemen.

The members of the Police Department are hereby authorized to enforce the provisions of this Chapter. (Ord. 62-58)

Sec. 11-9. Authority of Police to Direct Traffic Generally; Assistance of Policemen by Firemen.

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

Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity. (Ord. 62-58)

Sec. 11-10. Obedience to Traffic Regulations Generally.

It shall be unlawful and, unless otherwise declared in this Chapter with respect to particular offenses, it is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this Chapter. (Ord. 62-58)

Sec. 11-11. Obedience to Police.

No person shall willfully fail or refuse to comply with any lawful order or direction of any police or other officer invested by law with authority to direct, control or regulate traffic. (Ord. 62-58)

Sec. 11-12. Applicability of Chapter to Authorized Emergency Vehicles.

The driver of any authorized emergency vehicle, when responding to an emergency call, upon approaching a red or stop signal at any stop sign, shall slow down as necessary for safety but may proceed cautiously past such red or stop sign or signal. At other times, drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.

The prima facie speed limitations set forth in this Chapter shall not apply to authorized emergency vehicles when responding to emergency calls and when the drivers thereof sound audible signals by bell, siren or exhaust whistle.

This Section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver

of any such vehicle from the consequence of a reckless disregard for the safety of others. (Ord. 62-58)

Sec. 11-13. Applicability of Chapter to Government Owned Vehicles.

- (A) The provisions of this Chapter applicable to the drivers of vehicles upon the streets shall apply to the drivers of all vehicles owned or operated by the United States, the state, county or village, or any other political subdivision, except as provided in this Section, and subject to such specific exceptions as are set forth in this Chapter with reference to authorized emergency vehicles.
- (B) The provisions of this Chapter shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the surface of the street, but shall apply to such persons and vehicles when traveling to or from such work. (Ord. 62-58)

Sec. 11-14. Applicability of Chapter to Persons Riding Bicycles, Animals, etc.

Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a street shall be subject to the provisions of this Chapter applicable to the driver of a vehicle except those provisions of this Chapter which, by their nature, can have no application. (Ord. 62-58)

Sec. 11-15. Owners, Employers, etc., Requiring or Permitting Violation of Chapter.

It shall be unlawful for the owner or any other person employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of such vehicle upon a street or highway in any manner contrary to this Chapter. (Ord. 62-58)

Article III. Operation of Vehicles.

Sec. 11-16. State License Required.

No person, except those expressly exempted by 625 ILCS 5/6-102, shall drive any motor vehicle upon a street in the Village, unless such person has a valid license or permit as an operator or chauffeur issued under the authority of the State. Every licensee or permittee shall have his operator's or chauffeur's license or permit in his immediate possession at all times while operating a motor vehicle and, for the purpose of indicating compliance with this requirement, shall display such license or permit if it is in his possession, upon demand made by a sheriff, policemen or other peace officer, when in uniform or displaying a badge or other sign of authority. No person charged with violating this Section, however, shall be convicted if he produces in court or the office of the arresting officer satisfactory evidence that an operator's license or permit had been issued to him and was valid at the time of his arrest. (Ord. 62-58)

Sec. 11-17. Proper Side of Highway.

- (A) Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

- (1) When overtaking and passing another vehicle proceeding in the same direction, under the rules governing such movement.
 - (2) When the right half of a roadway is closed to traffic while under construction or repair.
 - (3) Upon a roadway divided into three (3) marked lanes for traffic under the rules applicable to such roadways.
 - (4) Upon a roadway designated and signposted for one-way traffic.
 - (5) Whenever there is a single-track paved road on one side of the public street and two (2) vehicles meet thereon, in which case the driver on whose right is the wider shoulder shall give the right-of-way on such pavement to the other vehicle.
- (B) Upon all roadways, any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway. (Ord. 62-58)

Sec. 11-18. Driving with Windshield, etc., Obstructed.

- (A) No person shall drive any motor vehicle with any sign, poster or other nontransparent material upon the front windshield, sidewings, side or rear window of such vehicle which obstructs the driver's clear view of the street.
- (B) No person shall drive any motor vehicle with any object placed or suspended between the driver and the rear window which obstructs the driver's clear view of the highway. (Ord. 62-58)

Sec. 11-19. Passing Vehicles Proceeding in Opposite Directions.

Drivers of vehicles proceeding in opposite directions, except as provided in Section 11-17 of this Code, shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half (1/2) of the main-traveled portion of the roadway, as nearly as possible. (Ord. 62-58)

Sec. 11-20. Overtaking and Passing--On Left Generally.

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules otherwise stated in this Chapter:

- (A) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle.

- (B) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle. (Ord. 62-58)

Sec. 11-21. Same--Limitations on Overtaking and Passing on Left.

- (A) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction, unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event, the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred feet of any vehicle approaching from the opposite direction.
- (B) No vehicle shall be driven to the left side of the roadway under the following conditions:
 - (1) When approaching the crest of a grade or upon a curve in the street where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.
 - (2) When approaching within one hundred feet (100') of any bridge, viaduct or tunnel, or when approaching within one hundred feet (100') of or traversing any intersection or railroad grade crossing.
 - (3) Where official signs are in place directing that traffic keep to the right, or a distinctive center line is marked, which distinctive line also directs traffic as declared in the sign manual adopted by the State Department of Public Works and Buildings.
 - (4) The limitations in paragraphs (1) and (2) shall not apply upon a one-way roadway or upon a roadway with unobstructed pavement of sufficient width for two (2) or more lanes of moving traffic in each direction, when such movement can be made in safety. (Ord. 62-58)

Sec. 11-22. Same--On Right.

- (A) The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.
- (B) The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right of a roadway with unobstructed pavement of sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.
- (C) The driver of a vehicle may overtake and pass another vehicle upon the right upon a one-way street, or upon any roadway on which traffic is restricted to one direction of

movement, where the roadway is free from obstructions and of sufficient width for two (2) or more lanes of moving vehicles. (Ord. 62-58)

Sec. 11-23. Approaching, Overtaking and Passing School Bus.

The driver of a vehicle on a street or highway, upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children, shall stop the vehicle before reaching such school bus when there is in operation on the bus a visual signal as required by state law for operation while the bus is transporting pupils; provided, that the driver of a vehicle upon a street or highway on which the roadways for traffic moving in opposite directions are separated by a strip of ground which is not surfaced or suitable for vehicular traffic need not stop his vehicle upon meeting or passing a school bus which is on the opposite roadway. (Ord. 62-58)

Sec. 11-24. Drag Racing.

Any person who, as an operator of a motor vehicle, is a participant in drag racing shall be deemed guilty of a misdemeanor. For the purposes of this Section, "drag racing" means the act of two (2) or more individuals competing or racing on any street or highway in this Village in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the one driver attempts to prevent the competing driver from passing or overtaking him. (Ord. 62-58)

Sec. 11-25. Dimming Headlights.

On approaching another vehicle proceeding in an opposite direction or on overtaking another vehicle proceeding in the same direction, when a vehicle is within five hundred feet (500') or less of such other vehicle, any person in charge of a motorcycle or motor vehicle equipped with electric headlights shall dim or drop such headlights. The driver of any vehicle equipped with electric headlights, when there is another vehicle traveling in the same direction less than three hundred feet (300') to the front of him, shall dim or drop such headlights. (Ord. 62-58)

Sec. 11-26. Driving on Roadways Laned for Traffic.

Whenever any roadway has been divided into three (3) or more clearly marked lanes for traffic, the following rules, in addition to all others consistent with this Section, shall apply:

- (A) A vehicle shall be driven, as nearly as practicable, entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.
- (B) Upon a roadway which is divided into three (3) lanes, a vehicle shall not be driven in the center lane, except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance or in preparation for a left turn, or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is signposted to give notice of such allocation.

- (C) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction. Drivers of vehicles shall obey the directions of every such sign.
- (D) Reversible lanes on streets and highways may be designated, for all times or only during certain specified periods of time, upon the erection of lane control signals or official signs to affect the allocated lane usage. Drivers of vehicles shall obey the directions of every such sign and signal. (Ord. 62-58)

Sec. 11-27. One Way Roadways and Rotary Traffic Islands.

- (A) Village authorities may designate any highway or any separate roadway under their jurisdiction for one-way traffic and shall erect appropriate signs giving notice thereof.
- (B) Upon a roadway designated and signposted for one-way traffic, a vehicle may be driven only in the direction designated.
- (C) A vehicle passing a rotary traffic island shall be driven only to the right of such island. (Ord. 62-58)

Sec. 11-28. Following too Closely.

The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the street. (Ord. 62-58)

Sec. 11-29. Driving onto or from Controlled Access Roadways.

No person shall drive a vehicle onto or from any controlled access roadway, except at such entrances and exits as are established by the Mayor and Board of Trustees. (Ord. 62-58)

Sec. 11-30. Turning at Intersections.

The driver of a vehicle intending to turn at an intersection shall do as follows:

- (A) Both the approach for a right turn and the right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.
- (B) At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection. After entering the intersection, the left turn shall be made so as to leave the intersection to the right of the center lines of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
- (C) At any intersection where traffic is restricted to one direction on one (1) or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall

approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection, as early as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.

- (D) When markers, buttons or signs are placed within or adjacent to intersections requiring and directing that a different course from that specified in this Section be traveled, no driver of a vehicle shall turn a vehicle at such intersection other than as directed and required by such markers, buttons or signs. (Ord. 62-58)

Sec. 11-31. Starting.

No person shall start a vehicle which is stopped, standing or parked, unless and until such movement can be made with reasonable safety. (Ord. 62-58)

Sec. 11-32. Driving on Divided Roadways.

Whenever any street has been divided into two (2) roadways by leaving an intervening space or by a physical barrier or a clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right hand roadway, and no vehicle shall be driven over, across or within any such dividing space, barrier or section, except through an opening in such physical barrier, dividing section or space, or at a crossover or intersection established by the Mayor and Board of Trustees. (Ord. 62-58)

Sec. 11-33. Stop or Turn Signals--When Required.

- (A) No person shall turn a vehicle from a direct course upon a street, unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner provided in this Article in the event any other vehicle may be affected by such movement.
- (B) A signal of intention to turn right or left shall be given during not less than the last one hundred feet (100') traveled by the vehicle before turning.
- (C) No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided in this Article to the driver of any vehicle immediately to the rear, where there is opportunity to give such signal. (Ord. 62-58)

Sec. 11-34. Same--Methods of Giving Generally.

- (A) Any stop or turn signal when required in this Article shall be given either by means of the hand or by a signal lamp or mechanical signal device, except as otherwise provided in Subsection (B) of this Section.
- (B) Any motor vehicle in use on a street shall be equipped with, and the required signal shall be given by, a signal lamp or mechanical signal device when the distance from the center

of the top of the steering post to the left outside limit of the body, cab or load of such motor vehicle exceeds twenty-four inches (24”), or when the distance from the center of the top of the steering post to the rear limit of the body or load thereof exceeds fourteen feet (14'). The latter measurement shall apply to any single vehicle and to any combination of vehicles. (Ord. 62-58)

Sec. 11-35. Same--Method of Giving Hand and Arm Signals.

All signals required in this Article to be given by hand and arm shall be given from the left side of the vehicle in the following manner, and such signal shall indicate as follows:

- (A) Left turn. Hand and arm extended horizontally.
- (B) Right turn. Hand and arm extended upward.
- (C) Stop or decrease of speed. Hand and arm extended downward. (Ord. 62-58)

Sec. 11-36. Right-of-way at Intersections--Generally.

- (A) The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different street.
- (B) When two (2) vehicles enter an intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.
- (C) The right-of-way rules declared in paragraphs (A) and (B) of this Section are modified at through streets and otherwise as hereinafter stated in this Chapter. (Ord. 62-58)

Sec. 11-37. Same--Vehicles Turning Left.

The driver of a vehicle within an intersection or into an alley, private road or driveway intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but such driver, having so yielded and having given a signal when and as required by this Chapter, may make such left turn. The drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right-of-way to the vehicle making the left turn. (Ord. 62-58)

Sec. 11-38. Same--Vehicles Entering Through Streets, Stop Intersections or Stop Crosswalks.

- (A) The driver of a vehicle shall stop as required by Section 11-37 of this Code at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection from such through street or which are approaching so closely on such through street as to constitute an immediate hazard, but such driver having so yielded may proceed at such time as a safe interval occurs.

- (B) The driver of a vehicle shall likewise stop in obedience to a stop sign, as required in Section 11-37 of this Code, at an intersection where a stop sign is erected at one (1) or more entrances thereto, although not a part of a through street, and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but then may proceed.
- (C) Where stop signs are in place at an intersection or at a plainly marked crosswalk between intersections, drivers of vehicles shall stop before entering the nearest crosswalk, and pedestrians within or entering the crosswalk at either edge of the roadway shall have the right-of-way over vehicles so stopped. Drivers of vehicles having so yielded the right-of-way to pedestrians entering or within the nearest crosswalk at an intersection shall also yield the right-of-way to pedestrians within any other crosswalk at the intersection. (Ord. 62-58)

Sec. 11-39. Same--Vehicles Entering Yield Intersections.

The Village may, when traffic conditions warrant such action, give preference to traffic through any intersection on any highway and designate specified entrances to such intersections as yield right-of-way signs in lieu of stop signs.

- (A) The driver of a vehicle, in obedience to a yield right-of-way sign, shall reduce the speed of his vehicle to not more than twenty (20) miles per hour and shall yield the right-of-way to other vehicles which have entered the intersecting highway, either from the right or left, or which are approaching so closely on such intersecting highway as to constitute an immediate hazard. Such driver, having so yielded, may proceed at such time as a safe interval occurs.
- (B) If the driver is involved in a collision at an intersection or interferes with the movement of other vehicles after driving past a yield right-of-way sign, such collision or interference shall be deemed prima facie evidence of the driver's failure to yield the right-of-way. (Ord. 62-58)

Sec. 11-40. Same-Vehicles Entering Street from Private Road or Driveway.

The driver of a vehicle about to enter or cross a street from a private road or driveway shall yield the right-of-way to all vehicles approaching on such street. (Ord. 62-58)

Sec. 11-41. Emerging from Alley, Driveway or Building.

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alley or driveway, shall yield the right-of-way to any pedestrian as may be necessary to avoid collision, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on such roadway. (Ord. 62-58)

Sec. 11-42. Duty on Approach of Authorized Emergency Vehicle.

- (A) Upon the immediate approach of an authorized emergency vehicle, when the driver is giving an audible signal by siren, exhaust whistle or bell and a visual signal as provided by law, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the street clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.
- (B) This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street. (Ord. 62-58)

Sec. 11-43. Obedience to Signal, etc., Indicating Approach of Train.

- (A) Whenever any person driving a vehicle approaches a railroad grade crossing and a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train, the driver of such vehicle shall stop within fifty feet (50'), but not less than fifteen feet (15'), from the nearest track of such railroad and shall not proceed until he can do so safely.
- (B) The driver of a vehicle shall stop and remain standing within fifty feet (50'), but not less than fifteen feet (15') from the nearest track, and not traverse such a grade crossing when a crossing gate is lowered or when a flagman gives or continues to give a signal of the approach of passage of a train.
- (C) The driver of a vehicle shall stop within fifty feet (50'), but not less than fifteen feet (15'), from the nearest track when a train is approaching so closely that an immediate hazard is created, and shall not proceed until he can do so safely. (Ord. 62-58)

Sec. 11-44. Certain Vehicles to Stop at All Railroad Grade Crossings; Exceptions.

The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any vehicle carrying explosives, flammable liquids or radio-active materials as a cargo or part of a cargo, before crossing at grade any tracks of railroad, shall stop such vehicle within fifty feet (50'), but not less than fifteen feet (15'), from the nearest rail of such railroad, and while so stopped, shall listen and look in both directions along such track for any approaching train, except as provided in this Section, and shall not proceed until he can do so safely. No stop need be made at any such crossing where a police officer or a traffic control signal directs traffic to proceed. (Ord. 62-58)

Sec. 11-45. Stopping to Avoid Obstructing Traffic.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating, without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal permitting such driver to proceed. (Ord. 62-58)

Sec. 11-46. Backing.

The driver of a vehicle shall not back such vehicle, unless such movement can be made with reasonable safety and without interfering with other traffic. (Ord. 62-58)

Sec. 11-47. U-turns.

The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction, upon any street in a business district or at any place where such turns are prohibited by law or ordinance, and shall not upon any other street, so turn a vehicle unless such movement can be made in safety and without interfering with other traffic. (Ord. 62-58)

Sec. 11-48. Coasting.

- (A) The driver of any motor vehicle, when traveling upon a down grade, shall not coast with the gears of such vehicle in neutral.
- (B) The driver of a motor vehicle which is designed for carrying freight or for the carrying of more than several persons, when traveling upon a down grade, shall not coast with the clutch disengaged. (Ord. 62-58)

Sec. 11-49. 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 five hundred feet (500'), or drive into or park such vehicle within the block where the fire apparatus has stopped in answer to a fire alarm. (Ord. 62-58)

Sec. 11-50. Crossing Fire Hose.

No vehicle shall be driven over any unprotected hose of a 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. (Ord. 62-58)

Sec. 11-51. Driving in Funeral or Other Procession; Identification of Funeral Procession.

- (A) Each driver in a funeral or other procession shall drive as near to the right-hand edge of the roadway as practicable and follow the vehicle ahead as closely as is practicable.
- (B) A funeral composed of a procession of vehicles shall be identified as such by the display upon the outside of each vehicle of a pennant or other identifying insignia and by having the light of each vehicle lighted. (Ord. 62-58)

Sec. 11-52. Driving between Vehicles in Procession.

No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated. This provision shall not apply at intersections where traffic is controlled by traffic control signals or police officers. (Ord. 62-58)

Sec. 11-53. Driving on Sidewalk.

The driver of a vehicle shall not drive within any sidewalk area, except at a permanent or temporary driveway. (Ord. 62-58)

Sec. 11-54 and **Sec. 11-55** repealed by Ord. 08-14.

Sec. 11-56. Vehicles Making Loud or Unnecessary Noises.

- (A) It shall be unlawful to operate a motor vehicle on the streets or highways within the corporate limits of the Village which makes an unusually loud or unnecessary noise, or to operate a vehicle in such manner as to cause the vehicle to make unusually loud or unnecessary noise. (Ord. 62-58)
- (B) No driver of any motor vehicle shall operate or permit operation of any sound amplification system which can be heard outside the vehicle from seventy-five (75) or more feet when the vehicle is being operated upon any highway unless such system is being operated to request assistance or to warn of a hazardous situation. This Section does not apply to authorized emergency vehicles. (Ord. 00-10)

Sec. 11-57. Speed Restrictions--Generally.

It shall be unlawful to drive any motor vehicle on any street within the Village at a speed in excess of thirty (30) miles per hour, or in an alley at a speed in excess of fifteen (15) miles per hour; provided, that if by ordinance other limits are set as provided by statute after an engineering or traffic survey, then such limits shall govern the rate of speed on the streets indicated in such ordinance. The Superintendent of Streets shall post appropriate signs showing such speed limits; and provided, that the speed of all vehicles, of the second division, as defined by statute, having two or more solid tires shall not exceed ten (10) miles per hour.

The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway or when special hazards exist with respect to pedestrians or other traffic by reason of weather or highway conditions; and speed shall be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care. It shall be unlawful to drive any vehicle on any street or highway within the Village at a speed exceeding that lawfully set for such street. (Ord. 62-58)

Sec. 11-58. Same--Certain Streets.

The basic speed restrictions set forth in Section 11-57 are hereby modified as follows:

- (A) A ten (10) mile per hour speed limit is established on the following streets: On the right angle turn for the north-bound motorist at the corner of Church and Natoma Avenue.
- (B) A twenty (20) mile per hour speed limit is established on the following streets:

Street of thirty-six feet (36') or less between curb faces in R-1, R-2 and R-3 zones.

On northbound Chestnut near Oak Street Park.

- (C) A twenty-five (25) mile per hour speed limit is established on the following streets:

Diversey Avenue, both sides, from LaLonde Avenue to Mill Road.

LaLonde Avenue, both sides, from Fullerton Avenue to Diversey Avenue.

Meadows Boulevard, both sides, for its entire extent.

- (D) A thirty (30) mile per hour speed limit is established on the following streets:

Fullerton Avenue just west of Vista Avenue for eastbound traffic.

National Avenue, both sides, and Fairbank Street, both sides.

- (E) A thirty-five (35) mile per hour speed limit is established on the following streets: Streets forty-four feet (42') or more between curb faces or road edges on primary streets.

If parallel parking is permitted, the effective road dimension will be reduced by the width of the parking lane.

- (F) A forty (40) mile per hour speed limit is established on the following streets: Fullerton Avenue, from Grace Street on the east to Route 53 on the west. (R-70-11; R-70-23; Ord. 76-42)

Sec. 11-59. Same--School Zones.

No person shall drive a motor vehicle at a speed in excess of twenty (20) miles per hour while passing a school zone or while traveling upon any public thoroughfare on or across which children pass going to and from school, during school days when school children are present; provided, that appropriate signs have been posted upon the village streets wherein the school zone is located. (Ord. 62-58)

Sec. 11-60. Same--Minimum Speed Regulation.

- (A) No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or in compliance with law.

- (B) Police officers are hereby authorized to enforce this provision by directions to drivers, and in the event of apparent willful disobedience to this provision and refusal to comply with a direction of an officer in accordance herewith, the continued slow operation of such vehicle by a driver shall be a misdemeanor. (Ord. 62-58)

Sec. 11-61. One-way Streets.

It shall be the duty of every driver of a vehicle in the Village to obey all signs designating streets or portions of streets which shall be open, at all times or during certain specified hours, to traffic moving in one direction only, where such signs are placed in accordance with ordinances or resolutions of the Village Board.

Sec. 11-62. Truck Routes.

The Village Board may, from time to time, by ordinance or resolution, designate certain streets or portions of streets as truck routes. A schedule of such truck routes shall be kept on file in the office of the Village Clerk.

When such truck routes have been established, no driver of a truck shall proceed except in accordance with instructions given on the signs denoting such truck route.

Sec. 11-63. Riding on Motorcycles.

A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto. Such operator shall not carry any other person, nor shall any other person ride on a motorcycle, unless such motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons or upon another seat firmly attached to the rear or side of the operator. (Ord. 62-58)

Sec. 11-64. Use of Motorcycles, Minibikes, Golf Carts, etc.

No person shall operate any motorcycle, motorbike, motorized scooter, minibike, golfcart, snowmobile or other manufactured or hand built vehicle, propelled or drawn by power other than human muscular power, on the sidewalks of the Village. No person shall operate any motorbike, motorized scooter, minibike, golfcart, snowmobile or other manufactured or hand built vehicle, propelled or drawn by power other than human muscular power, on the streets of the Village. The foregoing prohibitions shall not apply to powered transport devices for the handicapped. (Ord. 71-38; 92-82; 04-102)

Article IV. Village Motor Vehicle or Motor Bicycle License

Sec. 11-65 through **Sec. 11-67** repealed by Ord. 25-10.

Sec. 11-65. Fees; Late Charges; Registration; Exception.

- (A) Except as hereafter provided in this Section, every owner of a motor vehicle or motor bicycle who resides within the Village or owns a vehicle which has its situs or base within the Village shall pay an annual license fee.
- (B) A resident owner shall not be required to display an Addison sticker if his vehicle has a valid registration issued by the place wherein the vehicle has its situs or base.
- (C) Any owner of a motor vehicle or motor bicycle that is registered with the Secretary of State to an address within the Village of Addison shall pay the annual license fee and

properly display a valid Village sticker on such vehicle. The annual license fee shall be as follows:

Vehicle	
Passenger	\$25.00
Recreation	31.00
Motorcycle	14.00
Trucks	
Up to 8,000 lbs. (Class B)	44.00
8,001 – 10,000 lbs. (Class C)	55.00
10,001 – 12,000 lbs. (Class D)	65.00
12,001 – 16,000 lbs. (Class F)	90.00
16,001 – 26,000 lbs. (Class H)	109.00
Over 26,000 lbs. and semi-truck trailers	131.00
Transfer of license/replacement	1.00
Antique	1.00
Seniors	1.00

(Ord. 03-56; 06-19; 13-23; 20-23)

- (D) Every owner or operator of a motor vehicle or motor bicycle who reaches the age of sixty-five (65) years on or before January 1st, or who is an active, full-time member of the armed forces, or who has handicapped license plates, or who has disabled veteran license plates, shall pay an annual fee as set forth hereinabove. However, this fee shall only apply to one motor vehicle or motor bicycle per individual. If an owner has more than one vehicle, then the reduced fee will apply to the motor vehicle or motor bicycle with the lowest license fee.
- (E) Notwithstanding anything to the contrary set forth in this Section, no annual license shall be payable by the owner of a commercial vehicle, that is registered under 625 ILCS 5/3-402.1. A "commercial vehicle" means any self propelled or towed vehicle used on public highways in interstate and intrastate commerce to transport passengers or property when the vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or the vehicle is designed to transport more than fifteen (15) passengers, including the driver; or the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under the Illinois Hazardous Materials Transportation Act. This definition shall not include farm machinery, fertilizer spreaders, and other special agricultural movement equipment nor implements of husbandry.
- (F) In the event the owner of a motor vehicle or motor bicycle residing with the Village fails to pay said tax or license fee on or before September 30th, or within forty five (45) days after the purchase of a vehicle, or within forty five (45) days of establishing a residence within the Village based upon the submission of reasonable evidence thereof, or have a valid vehicle sticker, the owner shall pay, in addition to license fee, a late charge of ten

dollars (\$10.00), which late charge is necessary to cover the additional administrative costs of such late applications. (Ord. 06-19)

- (G) In the event that title to a motor vehicle or motor bicycle is newly acquired by an owner residing within the Village after the expiration of the first half of any license period, then the license fee for such period shall be reduced to one-half of the applicable fee set forth hereinabove. (Ord. 89-73; 92-76; 94-102; 95-8; 95-95; 97-26; 97-60)

Sec. 11-66. Issuance and Display of Sticker.

Each owner, upon payment of the fee provided for in this Article, shall be given a windshield sticker of such design and material as may be approved by the Village Board, which sticker must be fastened on the passenger's lower right-hand side of the front windshield of the vehicle at all times and such owner either resides within the Village or has the vehicle registered with the Secretary of State to an address within the Village, or causes the vehicle to have a situs or base within the Village. Motorcycle license tags are to be firmly bolted to and with the state license plate. (Ord. 80-02; 82-35)

Sec. 11-67. Penalties.

The Police Department is hereby authorized to serve nontraffic complaints upon any person violating Section 11-65 or 11-66, and the penalty for violating either of said sections shall be the amount set forth in Section 11-94. (Ord. 06-19)

Article V. Equipment on Vehicles.

Sec. 11-68. Lamps--Requirements for Motor Vehicles, Motorcycles, etc., Generally.

When upon any street on the city, every motorcycle shall at all times carry one (1) lighted lamp, and every motor vehicle two (2) lighted lamps, showing white lights or lights of yellow or amber tint visible at least five hundred feet (500') in the direction toward which each motorcycle or motor vehicle is proceeding. Each motor vehicle, trailer, or semi-trailer shall also exhibit at least two (2) lighted lamps, which shall be so situated as to throw a red light visible for at least five hundred feet (500') in the reverse direction. (Ord. 62-58)

Sec. 11-69. Same--Requirements for Vehicles Not Specifically Mentioned Elsewhere in Article.

All vehicles, including animal-drawn vehicles not specifically required to be equipped with lamps elsewhere in this Article shall, at the times specified in Section 11-68 of this Code, be equipped with at least two (2) lighted lamps or lanterns exhibiting a white light visible from a distance of at least one thousand feet (1000') to the front of such vehicle, and with at least two (2) lamps or lanterns exhibiting a red light visible from a distance of at least one thousand feet (1000') to the rear. (Ord. 62-58)

Sec. 11-70. Same--Spot Lamps and Auxiliary Driving Lamps.

- (A) Any motor vehicle may be equipped with not to exceed one (1) spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle, not more than one hundred feet (100') ahead of the vehicle.
- (B) Any motor vehicle may be equipped with not to exceed three (3) auxiliary driving lamps mounted on the front at a height of not less than twelve inches (12") nor more than forty-two inches (42") above the level surface upon which the vehicle stands. (Ord. 62-58)

Sec. 11-71. Same--Number of Driving Lamps Required or Permitted.

- (A) At all times specified in Section 11-68 of this Code, at least two lighted lamps shall be displayed, one on each side of the front of every motor vehicle other than a motorcycle; except, that when such vehicle is parked, it is subject to the regulations governing lights on parked vehicles.
- (B) Whenever a motor vehicle equipped with head lamps as required in this Article is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof, projecting a beam of an intensity greater than three hundred (300) candlepower, not more than a total of four (4) of any such lamps on the front of a vehicle shall be lighted at any one time when upon a street. (Ord. 62-58)

Sec. 11-72. Same--Special Restrictions.

- (A) No person shall drive or move any vehicle or equipment upon any street with any lamp or device thereon displaying a red light visible from directly in front thereof.
- (B) Flashing lights are prohibited on motor vehicles, except as a means of indicating a right or left turn or stop or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing.
- (C) The provisions of Subsections (A) and (B) of this Section shall not apply to authorized emergency vehicles or to vehicles of the second division designed for towing or hoisting disabled vehicles while actually being used for such purposes, or to motor vehicles or equipment of state or local authorities, contractors or public utilities while engaged in maintenance or construction operations within the limits of construction projects. The provisions of Subsection (B) shall not apply to rural mail delivery vehicles when actually used for such purpose. (Ord. 62-58)

Sec. 11-73. Lamp or Flag on Projecting Load.

Whenever the load upon any vehicle extends to the rear four feet (4') or more beyond the bed or body of such vehicle, there shall be displayed at the extreme rear end of the load, at all times specified in Section 11-92 of this Code, a red light or lantern plainly visible from a distance of at least five hundred feet (500') to the sides and rear. The red light or lantern required under this Section shall be in addition to the rear light required upon every vehicle. At any other

time, there shall be displayed at the extreme rear end of such load a red flag or cloth, not less than twelve inches (12") square. (Ord. 62-58)

Sec. 11-74. Brakes--Equipment Required Generally.

- (A) Every motor vehicle, other than a motorcycle, when operated upon a street, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.
- (B) Every motorcycle, and bicycle with motor attached, when operated upon a street, shall be equipped with at least one brake, which may be operated by hand or foot.
- (C) Every trailer or semitrailer of a gross weight of three thousand (3,000) pounds or more, when operated upon a street or highway, shall be equipped with brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab. Such brakes shall be so designed and connected that, in case of an accidental breakaway of a towed vehicle five thousand (5,000) pounds or more in weight, the brakes shall be automatically applied.
- (D) Every motor vehicle, trailer or semitrailer sold in the Village and operated upon the streets or highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motorcycle; except that any semitrailer of less than three thousand (3,000) pounds gross weight need not be equipped with brakes; provided, that any motor vehicle or truck tractor having three (3) or more axles need not have brakes on the front wheels; except, that when such vehicle is equipped with at least two (2) steerable axles, the wheels of one (1) such axle need not be equipped with brakes. (Ord. 62-58)

Sec. 11-75. Same--Performance Ability.

- (A) The service brakes upon any motor vehicle or combination of vehicles operating on a level surface shall be adequate to stop such vehicles when traveling twenty (20) miles per hour within a distance of thirty feet (30') when upon dry asphalt or concrete pavement surface free from loose material.
- (B) Under the above conditions, the service brakes upon an antique vehicle shall be adequate to stop the vehicle within a distance of forty feet (40') and the handbrake adequate to hold such vehicle stationary on any grade upon which operated.
- (C) Under the above conditions the service brakes upon an antique vehicle shall be adequate to stop the vehicle within a distance of forty feet (40') and the handbrake adequate to stop the vehicle within a distance of fifty-five feet (55').

- (D) All braking distances specified in this Section shall apply to all vehicles mentioned, whether such vehicles are loaded or are not loaded to the maximum capacity permitted under state law.
- (E) All brakes shall be maintained in good working order and shall be so adjusted so as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle. (Ord. 62-58)

Sec. 11-76. Horns and Warning Devices.

- (A) Every motor vehicle of the first and second divisions, when operated upon a street or highway, shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions for a distance of not less than two hundred feet (200'), but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn, but shall not otherwise use such horn when upon a street or highway.
- (B) No vehicle shall be equipped with, nor shall any person use upon a vehicle any siren, whistle or bell, except as otherwise permitted in this subsection. Any authorized emergency vehicle may be equipped with a siren, whistle or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred feet (500'), but such siren, whistle or bell shall not be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which such latter events the driver of such vehicle shall sound such siren, whistle or bell when necessary to warn pedestrians and other drivers of the approach thereof.
- (C) No bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle. (Ord. 62-58)

Sec. 11-77. Mufflers.

Every motor vehicle shall, at all times, be equipped with a muffler in good working order and in constant operation, to prevent excessive or unusual noise. No person shall use a muffler cutout, bypass or similar device upon a motor vehicle on a street. (Ord. 62-58)

Sec. 11-78. Mirrors.

Every motor vehicle, operated singly or when towing another vehicle, shall be equipped with a mirror having at least three (3) square inches of reflecting surface and so located as to reflect to the driver a view of the highway for a distance of at least two hundred feet (200') to the rear of such motor vehicle. (Ord. 62-58)

Sec. 11-79. Windshield Wipers.

The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. (Ord. 62-58)

Sec. 11-80. Tires.

It shall be unlawful to operate on any street any motor vehicle which is not equipped with tires conforming to the requirements of the state traffic law. (Ord. 62-58)

Article VI. Stopping, Standing and Parking.

Sec. 11-81. Manner of Parking Generally.

Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right-hand wheels of such vehicle parallel with and within twelve inches (12") of the right-hand curb, except as otherwise provided in the following paragraph:

Upon those streets which have been marked or signposted for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs. The parking of any vehicle shall be limited to areas specifically designated as parking spaces, and these designated areas must be improved with asphalt or concrete in accordance with the Addison Building Code.

Without limiting the generality of the foregoing parking regulations, it shall be unlawful for any portion of a vehicle to extend onto a public street while the vehicle is parked or standing on a driveway or on private property. (Ord. 62-58; 81-29; 04-76)

Sec. 11-82. Parking--Prohibited for Certain Streets.

Where the Board has prohibited the parking of vehicles at all times or between certain hours on any street or portion of street, when such parking may impede the free flow of traffic on such streets, and has caused appropriate signs to be erected and maintained, giving notice thereof, no person shall park a vehicle during the time prohibited at places so indicated by official signs. (Ord. 62-58)

Sec. 11-82.1. No Parking on the West Side of Westgate Drive.

- (A) No parking on that part of the west side of Westgate Drive commencing at a point about eight feet (8') south of the centerline of Commercial Road, thence about one hundred eighty-one feet (181') south of the first point.
- (B) No parking on that part of the west side of Westgate Drive commencing at a point about sixty-five feet (65') north of the centerline of Commercial Road, thence about fifty-six feet (56') (more or less) north of the first point.
- (C) No parking on that part of the west side of Westgate Drive commencing at a point about one hundred forty-one feet (141') north of the centerline of Commercial Road, thence about forty-nine feet (49') (more or less) north of the first point. (Ord. 17-48)

Sec. 11-82.2. STOP Signs at Central Avenue and Red Oak Street.

- (A) Installation of a STOP sign at the northwest corner of Central Avenue where it intersects with Red Oak Street.
- (B) Installation of a STOP sign at the southeast corner of Central Avenue where it intersects with Red Oak Street.
- (C) STOP signs controlling Red Oak Street are to remain. (Ord. 23-26)

Sec. 11-82.3. No Parking on the North Side and South Side of Army Trail Boulevard.

- (A) No Parking on that part of the north side of Army Trail Boulevard commencing at a point 91 feet (more or less) west of the centerline of May Street; thence 170 feet west of the first point.
- (B) No Parking on that part of the south side of Army Trail Boulevard commencing at a point 11 feet (more or less) east of the centerline of May Street; thence 46 feet east of the first point. (Ord. 24-40)

Sec. 11-82.4. STOP Signs at Byron Avenue and Green Ridge Street.

Installation of a STOP signs at the southwest and northeast corners of Byron Avenue as it intersects with Green Ridge Street – creating an All-Way Stop. (Ord. 25-37)

Sec. 11-82.5. STOP Signs at Plamondon Drive and Amelia Lane.

Installation of STOP signs at the southeast and northwest corners of Plamondon Drive as it intersects with Amelia Lane – creating an All-Way Stop. (Ord. 25-37)

Sec. 11-82.6. STOP Signs at Plamondon Drive and Woodland Avenue.

Installation of STOP signs at the northwest and southeast corners of Plamondon Drive as it intersects with Woodland Avenue – creating an All-Way Stop. (Ord. 25-37)

Sec. 11-82.7. STOP Signs at W Stone Avenue and DuPage Avenue.

Installation of STOP signs at the southwest, southeast, and northeast corners of W Stone Avenue as it intersects with DuPage Avenue – creating an All-Way Stop. (Ord. 25-37)

Sec. 11-82.8. No Parking on the North Side of Palmer Avenue and South Side of Princeton Street.

No parking on that part of the east side of Princeton Street and that part of the north side of Palmer Avenue commencing at a point 8 feet, more or less south of the centerline of Palmer Avenue on Princeton Street; thence 240 feet south/east of the first point along Princeton Street and then Palmer Avenue. (Ord. 25-40)

Sec. 11-82.9. STOP Signs at Princeton Avenue and Normandy Drive.

Installation of STOP signs at the northeast and southeast corners of Princeton Avenue as it intersects with Normandy Drive – creating an All-Way Stop. (Ord. 25-41)

Sec. 11-82.9. STOP Sign at Forestview Road and Central Avenue.

Installation of a STOP sign at the northeast corner of Forestview Road as it intersects with Central Avenue. (Ord. 25-41)

Sec. 11-82.10. STOP Sign at White Pine Road and Central Avenue.

Installation of a STOP sign at the northeast corner of White Pine Road as it intersects with Central Avenue. (Ord. 25-41)

Sec. 11-83. Same--Restricted on Certain Streets.

Where the Board has designated either side, both sides or any portion of either side of any street as a restricted parking area, has determined the time of the day any such parking restriction shall be effective, as well as the duration of time allowed for continuous vehicular parking, and as caused appropriate signs to be erected and maintained in such areas, designating the effective time of day of such parking restriction, as well as the duration of time that continuous vehicular parking is allowed, no person shall park a vehicle for any period of time in excess of the time posted on the officially erected sign, legend or notice effective for the parking space for which space it is erected during the effective time thereof.

Such designation shall be evidenced by the physical presence of signs or legends on or near the parking land of the street or portions thereof where such restriction is to be effective. (Ord. 62-58)

Sec. 11-84. Same--Prohibited in Certain Specified Areas.

It shall be unlawful to park or permit any vehicle to stand in any of the following places at any time, except when necessary to avoid conflict with other traffic or in compliance with the directions of a policeman or traffic control device:

- (A) In any intersection.
- (B) In a crosswalk.
- (C) Upon any bridge or viaduct, or in any subway or tunnel or the approach thereto.

- (D) Between a safety zone and the adjacent curb or within thirty feet (30') of a point of the curb immediately opposite the end of a safety zone.
- (E) Within thirty feet of a traffic signal, beacon or sign on the approaching side.
- (F) Within twenty feet (20') of any intersection or crosswalk.
- (G) At any place where the standing of a vehicle will reduce the usable width of the roadway for moving traffic to less than eighteen feet (18').
- (H) Within fifteen feet (15') of a fire hydrant.
- (I) At any place where the standing of a vehicle would block the use of a driveway.
- (J) Within fifty feet (50') of the nearest rail of a railroad grade crossing.
- (K) Within twenty feet (20') of the driveway entrance to any fire department station and on the side of the street opposite the entrance to any such station within seventy-five feet (75') of such entrance, when properly signposted.
- (L) On any sidewalk or parkway. However, between the hours of 10:00 p.m. and 7:00 a.m. parking may be permitted on the driveway portion of the sidewalk and the driveway portion of the parkway.
- (M) At any place where official signs prohibit parking.
- (N) At any place designated as a fire lane. Such places are to be designated by signs with the words "fire lane" printed thereon.
- (O) The driveways and aisles of the parking lot adjacent to the Chablis Apartments, located at 620 North Lincoln Avenue are hereby designated as a fire lane and parking shall be prohibited.
- (P) Designated areas for parking and restricted parking around municipal buildings:
 - (1) East Parking Lots
 - (a) Areas posted "Village Vehicles Only" shall be limited to vehicles owned and operated by the Village of Addison, its employees and officials.
 - (b) Other areas – no restrictions.
 - (2) West Parking Lots
 - (a) Areas posted "Employee Parking" shall be limited to vehicles owned and operated by the Village of Addison, County of DuPage, Addison Public Library, DuPage High School District 88, and their employees and officials, between the hours of 8:00a.m. and 5:00p.m. on business days.

Business days shall be defined as Monday through Friday except holidays specified by the Village Board.

- (b) Areas posted “Court Parking” – no restrictions
 - (c) Areas posted “Addison Business” shall be limited to use by persons conducting non-court-related Village business for a period of fifteen (15) minutes between the hours of 8:00 .a.m. and 5:00 p.m. on business days.
 - (d) Areas posted “Police Parking Only” and “DARE Parking Only” shall be limited to vehicles owned and operated by the Police Department of the Village of Addison.
 - (e) Areas posted "Library Parking" shall be limited to use by persons conducting business at the Addison Public Library, or by its employees and officials.
 - (f) Areas posted “District 88 Parking” shall be limited to use by persons conducting business at the District 88 Administration Building, or by its employees and officials.
 - (g) Parking spaces designated as Electric Vehicle (EV) Stations shall only be used by an EV that is physically charging its batteries.
- (3) South Parking Lots
- (a) Areas posted “Police Parking Only” shall be limited to vehicles owned and operated by the Police Department of the Village of Addison or by employees and officials of the County of DuPage.
- (4) Balzer House Museum and Century House. Parking shall be limited to vehicles owned and operated by the Village of Addison, its employees and officials.
- (Q) On any public street, public property or public right-of-way, or on any private street, private property or private right-of-way that is open to the general public, with the front and/or back license plate missing from the vehicle, unless the vehicle has a current temporary permit pending registration.
- (R) On any public street, public property or public right-of-way, or on any private street, private property or private right-of-way that is open to the general public, with expired license plates, unless the vehicle has a current temporary permit pending registration.
- (S) Use of the West Parking Lots at the Village government complex located at Friendship Plaza to drop off or pick up any person during the hours of 7:00 a.m. to 8:00 a.m. and 2:00 p.m. to 3:30 p.m., Monday through Friday, is strictly prohibited. (Ord. 62-58; 67-16; 75-17; 82-24; 84-41, repealed 84-64; 07-95; 13-16; 14-54)

Sec. 11-85. Same--Prohibited for Certain Purposes.

No person shall park a vehicle upon any roadway for the principal purpose of:

- (A) Displaying such vehicle for sale.
- (B) Washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.
- (C) Upon any business street, when merchandise is peddled from such vehicle. (Ord. 62-58)

Sec. 11-86. Same--In Alleys.

No person shall park a vehicle within any alley in such a manner or under such conditions as to leave available less than ten feet (10') 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 position as to block the driveway entrance to any abutting property. (Ord. 62-58)

Sec. 11-87. Same--Restrictions on Parking in Loading Zones, in Front of Entrances to Hospitals and Hotels, etc.

It shall be 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, not to exceed three (3) minutes, and for the driver to stand any freight-carrying vehicles for a period of time longer than is necessary to load, unload and deliver materials, not to exceed thirty (30) minutes, in any place designated by the Village as a loading zone and marked as such, or in any of the following designated places:

- (A) At any place, not to exceed seventy-five feet (75'), along the curb before the entrance to any hospital or hotel at any time.
- (B) At any place, not to exceed seventy-five feet (75') along the curb before the entrance to a public building between 8:00 a.m. and 6:00 p.m., except on Sunday.
- (C) Directly in front of the entrance to any theater at any time that the theater is open for business. (Ord. 62-58)

Sec. 11-88. Same—Parking between 2:00 a.m. and 5:00 a.m..

No person shall park any vehicle on any street between the hours of 2:00 a.m. and 5:00 a.m. of any day. (Ord. 62-58; 11-26)

Sec. 11-89. Unauthorized Use of Parking Places Reserved for Handicapped Persons.

It shall be prohibited to park any motor vehicle which is not bearing registration plates or decals issued to a physically handicapped person or to a disabled veteran in any parking place, including any private or public off-street parking facility, specifically reserved by the posting of an official sign for motor vehicles bearing such registration plates or decals.

Any person or local authority owning or operating any public or private off-street parking facility may, after notifying the police, remove or cause to be removed to the nearest garage or

proper place of safety, any vehicle parked within a stall or space reserved for use by the physically handicapped which does not display handicapped registration plates or decals as required under this Section. (Ord. 84-63) (Note: previous §11-89 rep. by 79-74)

Sec. 11-90. Use of Bus Stops and Taxicab Stands by Vehicles other than Buses and Taxicabs.

No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately assigned; except, that the driver of a passenger vehicle may temporarily stop in such stop or stand for the purpose of, and while actually engaged in, loading passengers, when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone. (Ord. 62-58)

Sec. 11-91. Prohibited Overnight Parking of Trucks and Construction Equipment.

(A) The overnight parking of the following vehicles on any Village street is prohibited:

- (1) Trucks or buses, except Class B licensed vehicles or vehicles registered as recreational vehicles under the Illinois Motor Vehicle Code; and
- (2) Motorized or table construction equipment.

(B) No truck or bus (except Class B licensed vehicles or vehicles registered as recreational vehicles under the Illinois Motor Vehicle Code) or towable contractor's equipment or trailer shall be stored or parked on any lot in any residence district unless such truck, bus, towable equipment or trailer is being used in connection with a legitimate service actually being rendered for the benefit of such lot.¹ (Ord. 00-94; 01-75)

Sec. 11-91.1. Trailers and Semi-trailers.

No trailer or semi-trailer shall be parked at any time on any street or public right-of-way unless connected to a vehicle capable of pulling or drawing such trailer or semi-trailer, and parked where legally permitted. (Ord. 84-28)

Sec. 11-91.2 Trucks, Truck Tractors, etc. in Residential and Commercial Areas.

No semi-trailer, truck tractor, tractor/trailer combination or truck over eight thousand (8,000) pounds shall be parked in any residential area at any time except for immediate pickup or delivery. No semi-trailer, truck tractor, tractor/trailer combination or truck over eight thousand (8,000) pounds shall be parked in any commercial area at any time except for immediate pickup or delivery or unless such vehicle is parked in a truck loading area designed for loading and unloading. (Ord. 08-48)

Sec. 11-92. Same--Standing upon Perceptible Grade.

¹Note: See also Section VIII.B.1 of the Addison Zoning Ordinance for additional regulations.

No person driving or in charge of a motor vehicle shall permit such motor vehicle to stand unattended upon any perceptible grade without effectively setting the brake thereon and turning the front wheels to the curb or side of the street. (Ord. 62-58)

Sec. 11-93. Vehicles with Reflectors Not Required to Display Lights when Parked at Night.

Vehicles may be parked between sunset and sunrise without displaying lights as otherwise required by this Chapter on all streets within the Village limits where parking is permitted; provided, that such vehicles are equipped at the rear with at least one red reflector which has the equivalent of at least two (2) square inches of surface area and is sufficiently clean and so placed as to reflect headlights or other vehicles approaching from the rear. (Ord. 62-58)

Sec. 11-93.1. Presumption of Owner's Liability.

The fact that a vehicle 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 vehicle at the time of such parking. This presumption shall apply to all Sections of this Article VI. However, the owner of the vehicle may overcome the aforesaid presumption by executing a sworn statement that the vehicle was in the custody or control of another person at the time of the parking violation. (Ord. 80-01; 19-35)

Sec. 11-94. Penalties for Stopping, Standing, Parking and Vehicle Compliance Violations.

The Police Department is authorized to place violation notices on every vehicle stopped or parked in violation of this Article and on any vehicle which is operated or maintained in a manner that is not in compliance with this Chapter. If such penalties are paid directly to the Police Department in an envelope provided for such purpose by the Police Department within ten (10) days from the date of violation, such penalties shall be in the amount set forth in this Section. If such penalty is not paid within ten (10) days from the date of issuance, the prescribed fine amount shall be due and owing as set forth in the Fine Schedule. All violations shall be administratively adjudicated in accordance with the provisions of Chapter 30 of the Village Code.

The last column of the Fine Schedule contains the penalty amount for each class of violation, which amount shall be subject to reduction for early payment as follows:

Fine Schedule

Fine Schedule	If Paid Within 10 Days	If Paid AFTER 10 Days but BEFORE 1 st Hearing Date	If Paid After Finding of Liability at Hearing or After Entry of Default Judgment
A	\$15.00	\$75.00	\$250.00
B	\$25.00	\$85.00	\$250.00

C	\$75.00	\$135.00	\$250.00
D	\$100.00	\$160.00	\$250.00
E	\$250.00	\$250.00	\$250.00

Explanation of Fine Schedule:

“A” – Overnight parking

“B” – Other parking or Village sticker violations, including

- Parking on snow route
- Overtime parking
- One-way street
- Parking in fire lane
- Parking too close to a fire hydrant
- Unattended vehicle
- Sign limitation
- All other parking or vehicle compliance violations not listed as an “A,” “C,” “D,” or “E” violation
- No Village sticker

“C” – Vehicle compliance violations

- Equipment violations
- Loud muffler
- No headlights
- Other vehicle compliance violations

“D” – Overnight Parking of Trucks in Residential Areas & similar violations

“E” – Handicapped Parking Violations

(Ord. 69-45; 76-33; 77-76; 79-23; 85-16; 92-4; 96-74; 00-94; 05-123; 08-02; 08-65; 24-11)

Sec. 11-94.1. General Traffic Violation Penalty.

- (A) Except as provided in Section 11-94 with respect to fines for parking, standing, stopping and vehicle compliance violations, a violation of any of the provisions of this Chapter 11 that is classified as a petty or business offense by the Illinois Vehicle Code shall be punishable by a fine of not less than one hundred fifty dollars (\$150.00) nor more than the maximum applicable amount as set forth in the Illinois Vehicle Code or other Illinois Compiled Statutes, and a separate offense shall be deemed committed on each day during or on which the violation occurs.
- (B) Except as provided in Section 11-144(D)(2), a violation of any of the provisions of this Chapter 11 that is classified as a misdemeanor offense by the Illinois Vehicle Code shall be punishable by a fine of not less than three hundred fifty dollars (\$350.00) nor more than the maximum applicable amount for the offense as set forth in the Illinois Vehicle Code or other Illinois Compiled Statutes. (Ord. 69-45, 76-33, 77-76, 79-23, 85-16, 92-4, 96-74, 00-94; 05-123; 08-02; 65; 22-30, 59)

Article VII. Traffic Control Devices.

Sec. 11-95. Authority to Install.

The public service committee or public safety committee or both shall cause to be placed and maintained traffic control sign, signals and devices when and as required under this Chapter and other traffic laws or ordinances of the Village to make effective the provisions of this Chapter and such laws or ordinances, and may cause to be placed and maintained such additional traffic control devices as they may deem necessary to regulate traffic under the traffic laws or ordinances of the Village or under State law, or to guide or warn traffic. (Ord. 62-58)

Sec. 11-96. Obedience.

No driver of a vehicle shall disobey the instructions of any stoplight, stop sign, yield sign or other official traffic control device placed in accordance with the directions of the Village Board, unless at the time otherwise directed by a police officer. (Ord. 62-58)

Sec. 11-97. When Devices Required for Chapter to be Enforceable.

No provision of this Chapter for which official traffic control devices are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official traffic control device is not in proper position and sufficiently legible as to be seen by an ordinarily observant person. Whenever a particular section does not state that devices are required, such section shall be effective, even though no devices are erected in place. (Ord. 62-58)

Sec. 11-98. Traffic Control Signal Legend.

Whenever traffic is controlled by traffic control signals exhibiting the words "Go", "Caution" or "Stop" or exhibiting different colored lights successively, the following colors only shall be used, and such terms and lights shall indicate as follows:

- (A) Green alone or "Go".
 - (1) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn, but vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.
 - (2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.
- (B) Steady yellow.
 - (1) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter, when vehicular traffic may not enter the intersection.

- (2) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal, as provided in Section 11-99, are thereby advised that there is insufficient time to cross the roadway, and no pedestrian shall start to cross.
- (C) Steady red.
- (1) Vehicular traffic facing a steady red signal alone must stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of an intersection, or if none, before entering the intersection, and shall remain standing until an indication to proceed is shown, except as provided in paragraph (2) of this Subsection.
 - (2) When a sign is in place permitting a turn, vehicular traffic facing a steady red signal may cautiously enter the intersection to make the turn indicated by such sign after stopping as required by paragraph (1) of this Subsection. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
 - (3) No pedestrian facing such signal shall enter the roadway unless he can do so safely without interfering with any vehicular traffic or unless a separate "Walk" indication is shown.
- (D) Green straight-through arrow (alone).
- (1) Vehicular traffic facing the signal may proceed straight through, but shall not turn right or left. Such vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians legally within the intersection at the time such signal is exhibited.
 - (2) Pedestrians facing the signal may proceed across the roadway within the appropriate marked or unmarked crosswalk unless directed otherwise by a pedestrian signal as provided in Section 11-99.
- (E) Green turn arrow (with circular green, with steady yellow, with steady red or with green straight-through arrow).
- (1) Vehicular traffic facing the signal shall comply with the meaning of the circular green, steady yellow, steady red or green straight-through arrow indication as if it were shown alone; except, that such vehicular traffic may cautiously enter the intersection to make the movement indicated by the green turn arrow. Vehicular traffic shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.
 - (2) Pedestrians facing such signal shall comply with the meaning of the circular green, steady yellow, steady red or straight-through arrow indication as if it were shown alone, unless directed otherwise by a pedestrian signal as provided in Section 11-99.

- (F) In the event an official traffic control signal or flashing red signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable, except as to provisions which by their nature can have no application. Any stop required shall be at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking, the stop shall be made at the signal. (Ord. 62-58)

Sec. 11-99. Pedestrian Control Signals.

Whenever special pedestrian control signals exhibiting the words "Walk" or "Wait" or "Don't Walk" are in place, such signals shall indicate as follows:

- (A) **Walk.** Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.
- (B) **Wait or Don't Walk.** No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety island while the "Wait" or "Don't Walk" signal is showing. (Ord. 62-58)

Sec. 11-100. Lane Control Signals.

Whenever lane control signals are used in conjunction with official signs, they shall have the following meanings:

- (A) **Downward-pointing green arrow.** A driver facing this indication is permitted to drive in the lane over which the arrow signal is located. Otherwise, he shall obey all other traffic controls present and follow normal safe driving practices.
- (B) **Red X symbol.** A driver facing this indication shall not drive in the lane over which the signal is located, and this indication shall modify accordingly the meaning of all other traffic controls present. Otherwise, he shall obey all other traffic controls and follow normal safe driving practices.
- (C) **Yellow X (steady).** A driver facing this indication shall prepare to vacate the lane over which the signal is located in a safe manner, to avoid, if possible, occupying that lane when a steady red X is displayed. (Ord. 62-58)

Sec. 11-101. Flashing Signals.

Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows:

- (A) **Flashing red, stop signal.** When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection, at a limit line when marked, or if no such line has been marked, before entering the intersection. The right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

- (B) **Flashing yellow, caution signal.** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution. (Ord. 62-58)

Sec. 11-102. Unauthorized Signs, Signals or Markings.

No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, nor shall any person place, maintain or display upon or in view of any highway any other sign which hides from view or interferes with the movement of traffic or the effectiveness of any traffic control device or any railroad sign or signal. No person shall place or maintain, nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising. The chief of police, after approval by the Board, shall remove or cause to be removed any such sign or signal. (Ord. 62-58)

Sec. 11-103. Interference with Official Traffic Control Devices, etc.

No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic control device, or any railroad sign or signal, or any inscription, shield or insignia thereon, or any other part thereof. (Ord. 62-58)

Article VIII. Accidents.

Sec. 11-104. Duty of Drivers Generally—Accidents Involving Death or Personal Injury.

The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, and shall then forthwith return to, and in every event shall remain at, the scene of the accident until he has fulfilled the requirements of Section 11-106 of this Code. Every such stop shall be made without obstructing traffic more than is necessary. (Ord. 62-58)

Sec. 11-105. Same--Accidents Involving Damage to Vehicles.

The driver of any vehicle involved in an accident resulting only in damage to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, and shall forthwith return to, and in every event shall remain at, the scene of such accident until he has fulfilled the requirements of Section 11-106 of this Code. Every such stop shall be made without obstructing traffic more than is necessary. (Ord. 62-58)

Sec. 11-106. Same--Giving Information and Rendering Aid.

The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his operator's or chauffeur's license to the persons struck or the driver of, occupant of or person attending any vehicle collided with and shall render to any person injured

in such accident reasonable assistance, including the carrying or making of arrangements for the carrying of such person to a physician, surgeon or hospital for medical or surgical treatment, if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. (Ord. 62-58)

Sec. 11-107. Same--Upon Striking Unattended Vehicle or Other Property.

The driver of any vehicle which is unattended, or other property, resulting in any damage to such other vehicle or property, shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle or other property of his name, address and the registration number of the vehicle he is driving or shall attach securely in a conspicuous place on or in the vehicle or other property struck a written notice giving his name, address and the registration number of the vehicle he is driving and shall without unnecessary delay notify the police and shall make a report of such accident when and as required in Section 11-108. Every such stop shall be made without obstructing traffic more than is necessary. (Ord. 62-58)

Sec. 11-108. Same--Reporting.

The driver of the vehicle which is in any manner involved in an accident within the Village, resulting in injury to or death of any person, or in which damage to the property of any person, including himself, in excess of one hundred dollars (\$100.00) is sustained, shall, as soon as possible, but not later than ten (10) days after such accident, file with the Police Department of the Village a copy of the report of such accident required by law to be filed with the State.

The chief of police may require any driver, occupant or owner of a vehicle involved in an accident of which report must be made as provided in this Section or Section 11-109 of this Code to file supplemental reports whenever the original report is insufficient, in the opinion of the chief of police, and may require witnesses of accidents to render reports to the Police Department. (Ord. 62-58)

Sec. 11-109. Duty of Occupant or Owner of Vehicle to Make Report.

Whenever the driver of a vehicle is physically incapable of making a required accident report and if there was another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made such report. If such driver fails for any reason to make such report, the owner of the vehicle involved in such accident shall, as soon as he learns of the accident, make such report to the Police Department. (Ord. 62-58)

Article IX. Pedestrians.

Sec. 11-110. Applicability of Chapter.

Pedestrians shall be subject to traffic control signals at intersections, as provided for in this Chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this Article. (Ord. 62-58)

Sec. 11-111. Right-of-way at Crosswalk.

- (A) Whenever stop signs or flashing red signals are in place at an intersection or at a plainly marked crosswalk between intersections, drivers shall yield right-of-way to pedestrians.
- (B) When traffic control signals are not in place or not in operation, the driver of a vehicle shall stop and yield the right-of-way to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- (C) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a moving vehicle that is so close as to constitute an immediate hazard.
- (D) Whenever any vehicle is stopped at a marked crosswalk or any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
- (E) The Chief of Police or his/her designee is hereby authorized to place stop signs in or in the vicinity of crosswalks; provided, however, such signs shall conform to the Illinois Manual on Traffic Control Devices, as now existing or hereafter amended. (Ord. 62-58; 11-48)

Sec. 11-112. Crossing at Other than Crosswalk; Standing or Loitering in Roadway Restricted.

At no place shall a pedestrian cross any roadway other than by the most direct route to the opposite curbing, and when crossing at any place other than a crosswalk, he shall yield the right-of-way to all vehicles upon the roadway. No person shall stand or loiter in any roadway, other than in a safety zone, if such act interferes with the lawful movement of traffic. (Ord. 62-58)

Sec. 11-113. Duty to Use Right Half of Crosswalks.

Pedestrians shall move, whenever practicable, upon the right half of crosswalks. (Ord. 62-58)

Sec. 11-114. Walking on Streets.

- (A) It shall be the duty of any person walking along and upon improved streets to keep on the left of the paved portion, or on the left shoulder thereof, and upon meeting a vehicle when walking on such paved portion, to step off to the left.
- (B) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway. (Ord. 62-58)

Sec. 11-115. Blind Pedestrians.

Any blind person who is carrying in a raised or extended position a cane or walking stick which is white in color or white tipped with red, or who is being guided by a dog, shall have the

right of way in crossing any street or highway, whether or not traffic on such street or highway is controlled by traffic signals, anything in this Chapter to the contrary notwithstanding. The driver of every vehicle approaching the place where a blind person so carrying such a cane or walking stick or being guided is crossing a street or highway shall bring his vehicle to a full stop and before proceeding shall take such precautions as may be necessary to avoid injury to the blind person. The provisions of this Section shall not apply to a blind person who is not so carrying such a cane or walking stick or who is not guided by a dog, but the other provisions of this Chapter relating to pedestrians shall apply to such person. However, the failure of a blind person to so use or carry such a cane or walking stick or to be guided by a guide dog when walking on streets, highways or sidewalks shall not be considered evidence of contributory negligence. (Ord. 62-58)

Sec. 11-116. Solicitation of Rides.

No person shall stand in any roadway for the purpose of soliciting a ride from the driver of any vehicle. (Ord. 62-58)

Article X. Size, Weight and Load
(Amended in its Entirety by Ord. 90-52)

Sec. 11-117. Compliance with and Applicability of Article.

- (A) It shall be unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle of a size and weight exceeding the limitations stated in this Article or otherwise in violation of this Article. The maximum lawful size and weight of vehicles shall be as specified in this Article.
- (B) The provisions of this Article governing size, weight and load shall not apply to fire apparatus, equipment designed for snow and ice removal operations on streets and highways and owned and operated by the Village, or to implements of husbandry temporarily moved upon a highway, under a special permit issued by the State or the Village.
- (C) Permits for overweight and/or overdimension vehicles. (Ord. 07-47)
 - (1) A permit shall be required for the movement of any vehicle and/or nondivisible load (one which cannot be easily disassembled) or combination of vehicles on roadways and bridges within the jurisdiction of the Village which exceeds either the dimensions and/or weights permitted for the particular roadways to be traversed, whether they are nondesignated or designated roadways.
 - (2) The Village with respect to any street or highway under its jurisdiction may, upon application to the Village of Addison Police Department on forms provided by the Police Department and good cause being shown therefore, issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in

Sections 11-120 and/or 11-128. The applicant shall furnish the following information in the special permit application:

- (a) The name and address of the owner or lessee of the vehicle.
 - (b) Applicant's name.
 - (c) Type of permit requested whether it be for a single trip, round trip, multiple trip, or limited continuous.
 - (d) The description and registration (or the Illinois Department of Transportation (IDOT) registration number or classification) of the power unit.
 - (e) Description of the object or vehicle to be moved.
 - (f) The number of axles of the vehicle or combination of vehicles.
 - (g) The maximum axle weight of all single, tandem or series axles.
 - (h) Maximum gross weight of the vehicle.
 - (i) The maximum width, length and height of the vehicle and load.
 - (j) Requested routing over Village streets to and from a specified location.
- (3) The Village may issue revisions to permits:
- (a) To correct an error attributed to the Village;
 - (b) To correct an error attributed to the applicant, discovered before the move;
 - (c) To adjust weights, dimension or routes as issued on the permit before the move is made.

Any revision made at the request of the permittee for purposes of changing weight, dimensions, route or load description shall be made before any move is made at a cost of twenty-five (\$25.00) per permit.

- (4) For the purpose of this Section, the following definitions apply:
- (a) A one-way or single trip movement means one move from the point of origin to the point of destination. Any additional stops between the point of origin and the point of destination are expressly prohibited. Single trip permits are effective for five (5) consecutive days from the date of issuance unless otherwise directed by the Police Department.

- (b) Round trip movement means two trips over the same route in opposite directions. Round trip permits are effective for ten (10) consecutive days from the date of issuance.
 - (c) Multiple moves are those in such close proximity to each other in distance or in time that the Police Department would consider incorporating two or more permit moves within one permit application. Multiple move permits when granted by the police department shall be for a period time not to exceed thirty (30) days from the date of issuance. Multiple moves shall be identified prior to the moves in order to obtain a permit.
 - (d) Limited continuous use movements are movements generally to one site over a period of ninety (90) consecutive days made by over dimension vehicles which do not exceed the weight limits. Limited Continuous Use Permits may be issued for up to ten (10) trips generally to the same site during the time period allowed.
- (5) The owner or his or her agent shall submit an application fee based on the attached chart for a single trip routing which will be valid for five (5) consecutive days, round trip routing valid for ten (10) consecutive days and multiple routing valid for a base period of thirty (30) calendar days. Permits may be issued for a maximum of four consecutive permit periods (365 days) with the permit fee calculated in the appropriate multiples of the base (90) consecutive day multiple trip permit. Unlimited company use fee will be valid for ninety (90) consecutive days. Permits are valid only for the date periods specified on the permit and for the specified vehicle, load and routing is permitted without expressed written permission by Chief of Police or his or her designee and the permit must be carried in the vehicle to which the permit applies.
- (6) The Chief or his or her designee is authorized to approve the application for approved routes. Upon approval and payment of all required fees, the Police Department shall issue a permit allowing passage of the oversize and/or overweight vehicles over Village streets. The permit shall be specific and contain:
- (a) Permit number.
 - (b) The dates the permit is valid.
 - (c) Whether the permit is for single, round, multiple or limited continuous trip routing.
 - (d) The description of object or vehicle to be moved.
 - (e) Authorized gross weight, axle weights, width, length and height.
 - (f) The authorized routing over Village streets including the origin and termination point within the Village.

- (g) The Fee amount.
 - (h) The date and signature of the Chief of Police or his or her designee.
 - (i) In addition, the permit will specify general conditions that the permittee must comply with that are consistent and reasonable for the protection of the general public and Village streets. A copy of all permits issued will be provided to the Village Manager for information purposes.
- (7) It is the duty of the permittee to read and familiarize himself or herself with the permit provisions upon receipt. Undertaking of the permitted move is deemed prima facie evidence of acceptance of the permit and that:
- (a) The permittee is in compliance with all operation requirements;
 - (b) All dimension and weight limitations specified in the permit will not be exceeded;
 - (c) All operation, registration and license requirements have been complied with;
 - (d) All financial responsibilities, obligations and other legal requirements have been met; and
 - (e) The permittee assumes all responsibility for injury or damage to persons or to public or private property, including his or her own, or to the object being transported, caused directly or indirectly by the transportation or movement of vehicles and objects authorized under the permit. He or she agrees to hold the Village harmless from all suits, claims, damage, or proceedings of any kind and to indemnify the Village for any claim it may be required to pay arising from the movement.
- (8) The permit shall be carried in the vehicle to which the permit applies at all times while operating on streets within the Village and shall be exhibited upon demand to any law enforcement officer, police officer or authorized official of the Village.
- (9) Whenever any vehicle is operated in violation of the provisions of a Village permit whether it be by size, weight or general provisions, either or both the owner or the driver of such vehicle shall be deemed guilty and either or both the owner or the driver of such vehicle may be prosecuted for such violation.
- (10) The permit, when issued, constitutes an agreement between permittee and the Village that the move described in the application will take place as described. The permittee has the responsibility to report to the Village any inaccuracies or errors on the part of either the Village or the permittee before starting any move. Undertaking the permitted move is prima facie evidence of acceptance of the permit as issued and its terms.

The routing prescribed in the permit constitutes the sole extent of the authority granted by the permit for the use of Village roads, and any vehicle and or load found to be off route will be considered off route and without permit. Permits shall be in the driver's possession at all times unless otherwise directed by the Traffic Unit and present upon demand to any and all police officers for the purpose of inspection.

If required, arrangements shall be made by the permittee to have the proper utilities notified, property movement under the permit shall be made in accordance with all applicable federal, state and local laws, ordinances, rules and regulations.

- (11) Police escorts are required for certain vehicles and loads as indicated in the fee schedule herein. The total number of officers necessary to provide for a safe move shall be determined by the Police Chief or his or her designee based upon size and weight of the permit move. Fees for said escorts shall be fifty dollars (\$50.00) per hour per officer assigned and shall provide for a minimum of two (2) hours of service.
- (12) The permittee shall assume total liability for any and all damages to streets, bridges, Village owned appurtenances and private or public property while engaged in a permit movement. The measure of liability is the cost for all repairs or replacement of property damaged by the permittee. The permittee shall indemnify and hold harmless the Village from any costs, judgments or settlements, including attorneys' fees, arising from physical injuries, including loss of life, or damage to or loss of property related to acts or omissions by permittee, its officers, agents or employees, pursuant to the permit.
- (13) Upon application for a permit(s), each applicant shall provide evidence of a valid comprehensive general liability insurance policy with an insurance company approved by the Village, for protection in the event of personal injury or property damage, in the amount of one million dollars (\$1,000,000) per occurrence.
- (14) Permits are void if altered for the purpose of deception or if incorrect information has knowingly been provided. Moving on Village streets with a void permit shall be an offense punishable by a fine as provided in Section 11-131.
- (15) The permits issued under this Section constitute the grant of a privilege by the Village and may be denied, suspended or revoked for such reasons as the Village may deem rationally to its governmental interest, including but not limited to:
 - (a) A permittee's knowingly providing incorrect information in an application for a permit;

- (b) A permittee, its agent or employee acting on a permit that has been altered for purposes of deception; or
- (c) Noncompliance by permittee, its agent or employee with federal, state or local laws pertaining to the transport of goods or operation of a vehicle engaged in the transport of goods.

Suspension or revocation of a current permit shall be for time determined by the Traffic Unit; however, reinstatement may be made upon conditions determined by the Village, and payment of all outstanding settlements or judgments. The charges for reinstatement are:

Denial.....	No charge
Suspended.....	\$150.00
Revoked.....	\$200.00

- (16) The Village with respect to highways under its jurisdiction shall collect a fee as shown herein from applicants for the issuance of a permit, as required by this Subsection (C), to operate or move a vehicle or combination of vehicle(s), and/or loads, which fit the categories shown below.

FEE SCHEDULE

	Fee		
	Single Trip	Round Trip	Multiple
Permit Size – gross weight (with load)			
Up to 120,000	75	100	200
120,001 – 150,000	100	125	n/a
Over 150,000	100*	125*	n/a
Permit Size – axle weight (with load)			
Axle or tandem over legal weight requirements	50	75	100
		Fee	
	Single Trip	Round Trip	Limited Continuous

Permit Size – width (with load)

Up to 12'	40	50	350
12'1" to 14'	45	50	400
Over 14' wide**	75*	120*	n/a

Permit Size – height (with load)

13'6" – 14'6"	30	45	250
Over 14'6"***	50*	75*	n/a

Permit Size – length (with load)

Up to 100'	30	45	250
Over 100'0"***	50*	..75*	n/a

Unlimited Company Permit Fee* \$2,500* – 90 consecutive days

A permit must be obtained for every vehicle with every move
All permit requirements still apply

- * Plus necessary and appropriate administrative, engineering and road damage fees.
- ** Police escort required

Sec. 11-118. Certain Heavy Vehicles Prohibited on Village Streets.

It shall be unlawful for any person to drive or permit to be driven upon improved streets within the Village any traction engines or heavy vehicles, unless such vehicles are rubber-cushioned and their weight does not exceed twenty thousand (20,000) pounds.

Sec. 11-119. Liability for Damages Caused by Heavy Vehicles.

Any person violating the provisions of Section 11-118, in addition penalties otherwise provided for, shall be held liable for all loss or damage caused by such vehicle passing over such streets, alleys or other public places.

Sec. 11-120. Maximum Size.

- (A) **Maximum width.** The maximum width of any vehicle and its load shall not exceed eight feet (8'); except, loads of loose hay, straw, corn fodder or other similar farm products, agricultural implements and threshing machines and except those streets designated in Section 11-128 as industrial truck routes for which the maximum width of any vehicle and its load shall not exceed eight feet six inches (8'6"). Required mirrors may project up to six inches (6") beyond each side of the vehicle, and such projection shall not be deemed a violation.

(B) **Maximum height.** The height of a vehicle from the underside of the tire to the top of the vehicle, inclusive of load, shall not exceed thirteen feet, six inches (13'6").

(C) **Maximum length.**

(1) No vehicle, unladen or with a load, other than a semitrailer that is not a house trailer, shall exceed a length of forty-two feet (42') extreme overall dimension.

(2) Except along the designated industrial truck routes as defined in Section 11-128, no truck tractor and semitrailer, unladen or with load, shall exceed a length of fifty-five feet (55') extreme overall dimension; except, that such combination when specially designed to transport motor vehicles may have a length of sixty feet (60') extreme overall dimension, subject to those exceptions and special rules otherwise stated in this Article and in Illinois Compiled Statutes Chapter 625. No other combination of vehicles, unladen or with load, shall exceed a length of sixty feet (60') extreme overall dimension.

(3) Only along industrial truck routes as defined in Section 11-128, a truck tractor semitrailer may draw one trailer, or may draw one vehicle which is special mobile equipment if the extreme length of such combination does not exceed sixty feet (60'), and a truck in transit may draw three trucks in transit coupled together by the triple saddlemount method. Except as otherwise provided, no other combinations of vehicles coupled together shall consist of more than two vehicles.

Vehicles in combination shall be operated and towed in compliance with all requirements of Federal Highway Administration, Title 49, C.F.R., Motor Carrier Safety Regulations, pertaining to coupling devices and towing methods and all other equipment safety requirements set forth in such regulations.

(4) Notwithstanding any other provisions of this Article, there is no overall length limitation on motor vehicles being driven along industrial truck routes, as defined in Section 11-128 and operating in truck tractor-semitrailer or truck tractor-semitrailer-trailer combinations, except that a combination of vehicles specifically designed to transport motor vehicles, a truck in transit transporting three (3) trucks coupled together by the triple saddlemount method, and maxicube combinations as defined in this Section shall not exceed sixty five feet (65') overall length, inclusive of front and rear bumpers, but exclusive of the overhang of the transported vehicles as provided for in subparagraph (7) of this Section, provided that the length of the semitrailer unit, unladen or with load, operated in a truck tractor-semitrailer combination shall not exceed fifty three feet (53'), and the distance between the kingpin and the rear axle of a semitrailer longer than forty eight feet (48') shall not exceed forty feet (40'); and provided that the length of any semitrailer or trailer, unladen or with load, operated in a truck tractor-semitrailer-trailer combination shall not exceed twenty eight feet, six inches (28'6").

For purposes of this Section, a maxi-cube vehicle shall be defined as a combination of vehicles consisting of a truck-tractor, upon which is mounted a separable cargo carrying semitrailer, and a trailing unit which is attached by a pintle hook or similar connection, with the separable cargo carrying semitrailer designed as to be loaded and unloaded through the trailing unit, except that the entire combination shall not exceed sixty five feet (65') in length and neither the semitrailer nor the trailing unit in such combination shall by itself exceed thirty four feet (34') in length.

- (5) Length limitations shall not apply to vehicles operated in the daytime, except on Saturdays, Sundays or legal holidays, when transporting poles, pipe, machinery and other objects of a structural nature which cannot readily be dismembered, nor to vehicles transporting such objects operated on Saturdays, Sundays or legal holidays or at nighttime by a public utility when required for emergency repair of public service facilities or properties, but in respect to such night operation every such vehicle and the load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load; provided, that the overall length of vehicle and load shall not exceed one hundred feet (100'), and no such object exceeding eighty feet (80') in length shall be transported, except by a public utility when required for emergency repairs, unless a permit has first been obtained as authorized in 625 ILCS 5/15-301. Neither shall the length limitations apply to a combination of vehicles consisting of a towing vehicle and a disabled vehicle when engaged in towing the disabled vehicle from the highway to the nearest repair station; however, it is unlawful under any circumstances for any vehicle to push any other vehicle, except in an extreme emergency, and then the vehicle shall not be pushed farther than is reasonably necessary to remove it from the roadway or from the immediate hazard that exists.
- (6) The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet (3') beyond the front wheels of such vehicle or the front bumper of such vehicle if it is equipped with such a bumper.
- (7) Notwithstanding the provisions in subparagraph (6), the load upon the front vehicle of a combination of vehicles specifically designed to transport motor vehicles and being driven along an industrial truck route as defined in Section 11-128, shall not extend more than three feet (3') beyond the foremost part of the transporting vehicle and the load upon the rear transporting vehicle shall not extend more than four feet (4') beyond the rear of the bed or body of such vehicle.
- (8) The length limitations described in this Section shall be exclusive of safety and energy conservation devices, such as rearview mirrors, turn signals, marker lamps, steps and handholds for entry and egress, flexible fender extensions, bumpers, mudflaps and splash and spray suppressant devices, load-induced tire bulge, refrigeration units or air compressors and other devices, as necessary for

safe and efficient operation; except that no device excluded under this paragraph shall have by its design or use the capability to carry cargo.

- (9) No vehicle shall be permitted to extend into the public right-of-way when parked on adjacent private property.

Sec. 11-121. Required Marking for Second Division Vehicles.

No second division vehicle as defined in the Illinois Motor Vehicle Code, other than farm tractors, farm machinery and implements, farm wagons, wagon-trailers or like vehicles used primarily in agricultural pursuits, vehicles licensed by the Secretary of State as a recreational vehicles and all vehicles registered in another state which, if titled in this state, would qualify for such recreation plate, house trailers, trailers designed to carry a single watercraft or vehicles owned by licensed vehicle dealers and manufacturers while used for demonstration or delivery purposes, may be operated upon a Village street unless there is painted or otherwise firmly affixed to the vehicle, on both sides thereof, in colors vividly contrasting to the color of the vehicle, the name and address of the owner and the certificate or permit number of the vehicle, if any.

Sec. 11-122. Projecting Loads on Passenger Vehicles.

No passenger type vehicle shall be operated on any highway with any load carrier thereon extending beyond the line of the fenders on the left side of such vehicle or extending more than six inches (6") beyond the line of the fenders on the right side thereof.

Sec. 11-123. Planking Edge of Pavement for Metal Tired or Other Heavy Vehicles.

No tractor, traction engine or other metal tired vehicle, weighing more than four (4) tons, including the weight of the vehicle and its load, shall drive up onto, off or over the edge of any paved street or highway without protecting such edge by putting down solid planks or other suitable device to prevent such vehicle from breaking off the edges or corners of such pavement.

No person shall drive a vehicle of the second division over curbing or sidewalks without protecting same by putting down solid planks or other suitable protection to prevent such vehicle from breaking off edges or corners of curbing and cracking sidewalks.

Sec. 11-124. Spilling Loads on Highways; Covering Loads.

- (A) No vehicle shall be driven on or moved on any street or highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking or otherwise escaping therefrom; except, that sand may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
- (B) No person shall operate on any street or highway any vehicle with any load unless such load and any covering thereon is securely fastened so as to prevent such covering or load from becoming loose, detached or in any manner a hazard to other users of the highway or street.

- (C) Notwithstanding any other penalty, whenever a police officer determines that the operator of a vehicle is in violation of this Section, the police officer shall require the operator to stop the vehicle in a suitable place and keep such vehicle stationary until the load has either been reduced, secured or covered with a cover or tarpaulin of sufficient size to prevent any further violation of this Section.

Sec. 11-125. Towed Vehicles.

- (A) When one vehicle is towing another, the drawbar or other connection shall be of sufficient strength to pull all the weight towed thereby, and the drawbar or other connection shall not exceed fifteen feet (15') from one vehicle to the other, except for the connection between any two vehicles transporting poles, pipes, machinery or other objects of structural nature which cannot readily be dismembered.
- (B) Outside a business, residential or suburban district or on any controlled access highway, no vehicle other than a pole trailer or a semitrailer which is being towed by a truck tractor and is connected by the means of a fifth wheel shall be towed on a roadway except by a drawbar, and each such vehicle so towed shall, in addition, be coupled with two (2) safety chains or cables to the towing vehicle. Such chains or cable shall be of sufficient size and strength to prevent the towed vehicle parting from the drawing vehicle in case the drawbar should break or become disengaged.
- (C) The provisions of this Section shall not apply to any second division vehicle owned, operated or controlled by any person who is registered with the Bureau of Motor Carrier Safety of the Federal Highway Administration and has complied with the federal safety provisions of the bureau of motor carrier safety of the Federal Highway Administration and the rules and regulations of the Bureau.

Sec. 11-126. Compliance with Weight Requirements of State Law Generally.

It shall be unlawful to drive on any street any motor vehicle with a weight, including load, in excess of that permitted by State law for driving on improved highways, or with weight distributed in a manner not conforming to such law.

Sec. 11-127. Village Manager to Route Vehicles with Gross Weight of More than Five Tons per Axle.

It shall be unlawful to drive or operate any vehicle with a gross weight, including vehicle and load, in excess of five (5) tons per axle in any part of the Village except on industrial truck routes as defined in Section 11-128; provided that vehicles having a gross weight in excess of the limitations prescribed in this Article may be permitted to enter the area for the purpose of making deliveries, provided notice is given to the Village Manager or any person designated by him for the purpose, and the route followed by such vehicle within this area shall be the route designated by the Village Manager or such other person designated by him.

Sec. 11-128. Industrial Truck Routes.

- (A) The following Village streets, which are hereby designated as Class II highways pursuant to Illinois Department of Transportation rules and regulations, shall hereafter be identified as industrial truck routes (Ord. 01-86):

INDUSTRIAL TRUCK ROUTES

ROADWAY

LIMITS

Annoreno Drive	Grace Street to Irmen Drive
Ari Court	Collins Avenue to 400' north of Collins Avenue
Armitage Court	Route 53 to Route 53
Army Trail Road	Swift Road to Meadow Road
Belden Avenue	Grace Street to Westwood Avenue
Bernard Drive	Lombard Road to Jeffrey Drive
Capitol Drive	Lombard Road to Fairbanks Street
Church Street	Lincoln Avenue to Fullerton Avenue
Collins Avenue	Swift Road to Fullerton Avenue
Commercial Avenue	Westgate Street to 1100' east of Westgate Street
Corporate Drive	Swift Road to Windsor Court
Cortland Court	Route 53 to 1000' east of Route 53
Executive Drive	Swift Road to Windsor Court
Factory Road	Grace Street to Addison Road
Fairbanks Street	Fullerton Avenue to 900' north of National Avenue
Fay Avenue	Westwood Avenue to Fiene Drive
Fiene Drive	Fay Avenue to Laura Drive
Fullerton Avenue	Collins Avenue to Church Street
Gerri Lane	Westwood Avenue to Westgate Street
Grace Street	Fullerton Avenue to Chicago Central and Pacific Railroad
Industrial Road	Westgate Street to Addison Road
Interstate Road	Vista Avenue to Addison Road
Irmen Drive	Fullerton Avenue to Annoreno Drive
Jeffrey Drive	Lombard Road to Fullerton Avenue
Kay Avenue	Westwood Avenue to 400' north of Belden Avenue
LaLonde Avenue	Fullerton Avenue to Wrightwood Avenue
Laura Drive	Westwood Avenue to 250' east of Fiene Drive
Lombard Road	Commonwealth Edison right-of-way to 200' south of Diversey Avenue
Meadow Road	Army Trail Road south to cul-de-sac
Mitchell Court	Route 53 to Route 53
National Avenue	Capitol Drive to 700' east of Republic Drive
Official Road	Westgate Street to 600' east of Power Court
Power Court	Fullerton Avenue to Official Road
Racquet Club Drive	Grace Street to Irmen Drive
Republic Drive	Fairbanks Street to National Avenue
Sidney Avenue	I-355 to Route 53
Stewart Avenue	Fullerton Avenue to 1600' north of Fullerton

	Avenue
Stiles Drive	Belden Avenue to 500' south of Belden Avenue
Swift Road	Lake Street to Chicago Central and Pacific Railroad
Vista Avenue	Commonwealth right-of-way to Fullerton Avenue
Westgate Street	Fullerton Avenue to 550' south of Gerri Lane
Westwood Avenue	Interstate Road to North Avenue
Windsor Court	Executive Drive to 700' west of Executive Drive
Winthrop Avenue	Grace Street to 300' east of Vista Avenue
Wrightwood Court	Lombard Road to 1000' west of Lombard Road

No vehicle shall be operated on said industrial truck routes with a weight in excess of 20,000 pounds carried on any one axle or with a tandem axle weight in excess of thirty-thirty-four thousand (34,000) pounds, or a gross weight in excess of eighty thousand (80,000) pounds for vehicle combinations of five (5) axles or more, or a gross weight on a group of two (2) or more consecutive axles in excess of that weight produced by the application of the following formula:

$$W = 500 \text{ times the sum of } (LN \text{ divided by } N-1) + 12N + 36$$

where "W" equals overall gross weight on any group of two (2) or more consecutive axles to the nearest five hundred (500) pounds; "L" equals the distance measured to the nearest foot between extremes of any group of two (2) or more consecutive axles; and "N" equals the number of axles in the group under consideration, except that two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, provided the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet (36') or more. Provided also that a 3-axle vehicle manufactured prior to the model year of 1994, and first registered in Illinois prior to January 1, 1995, with a distance greater than seventy-two inches (72") but not more than ninety-six inches (96") between the two (2) rear axles may transmit to the road surface a maximum weight of eighteen thousand (18,000) pounds on each of the two (2) rear axles. Any such vehicle manufactured in the model year of 1994 or thereafter or first registered in Illinois after December 31, 1994, may transmit to the road surface a maximum of thirty-four thousand (34,000) pounds through the two (2) rear axles and neither of the rear axles shall exceed twenty thousand (20,000) pounds. For purposes of this Section, tandem axles shall be defined as any two (2) or more single axles whose centers are more than forty inches (40") and not more than ninety-six inches (96") apart, measured to the nearest inch between extreme axles in the series.

The above formula, when expressed in tabular form, results in allowable loads as follows:

Distance measured to the nearest foot between the extremes of any group of 2 or more consecutive axles	Maximum load in pounds carried on any group of 2 or more consecutive axles				
	<u>2 axles</u>	<u>3 axles</u>	<u>4 axles</u>	<u>5 axles</u>	<u>6 axles</u>
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11		44,000			
12		45,000	50,000		
13		45,500	50,500		
14		46,500	51,500		
15		47,000	52,000		
16		48,000	52,500	58,000	
17		48,500	53,500	58,500	
18		49,500	54,000	59,000	
19		50,000	54,500	60,000	
20		51,000	55,500	60,500	66,000
21		51,500	56,000	61,000	66,500
22		52,500	56,500	61,500	67,000
23		53,000	57,500	62,500	68,000
24		54,000	58,000	63,000	68,500
25		54,500	58,500	64,500	69,000
26		55,500	59,500	65,000	69,500
27		56,000	60,000	65,000	70,000
28		57,000	60,500	65,500	71,000
29		57,500	61,500	66,000	71,500
30		58,500	62,000	66,500	72,000
31		59,000	62,500	67,500	72,500
32		60,000	63,500	68,000	73,000
33			64,000	68,500	74,000
34			64,500	69,000	74,500
35			65,500	70,000	75,000
36			66,000	70,500	75,500
37			66,500	71,000	76,000
38			67,500	72,000	77,000
39			68,000	72,500	77,500
40			68,500	73,000	78,000
41			69,500	73,500	78,500

42	70,000	74,000	79,000
43	70,500	75,000	80,000
44	71,500	75,500	
45	72,000	76,000	
46	72,500	76,500	
47	73,500	77,500	
48	74,000	78,000	
49	74,500	78,500	
50	75,500	79,000	
51	76,000	80,000	
52	76,500		
53	77,500		
54	78,000		
55	78,500		
56	79,500		
57	80,000		

In applying the above formula to a vehicle having more than four (4) axles which is not a combination, only 4 axles shall be considered in determining the maximum gross weight, and for a combination of vehicles having more than six (6) axles, only six (6) axles shall be considered in determining the maximum gross weight.

Notwithstanding the above table, two (2) consecutive sets of tandem axles may carry a gross weight of 34,000 pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet (36') or more.

Combinations of vehicles, which include a semitrailer manufactured prior to the model year of 1994, and first registered in Illinois prior to January 1, 1995, having five (5) axles with a distance of forty-two feet (42') or less between extreme axles that cannot comply with the above formula may have a gross weight of seventy-two thousand (72,000) pounds, provided the weight shall not exceed eighteen thousand (18,000) pounds on any single axle nor thirty-two thousand (32,000) pounds on any tandem axle. For all such combinations of vehicles, which include a semitrailer manufactured subsequent to the effective date of the amendatory Act of 1986, to Ill.Rev.Stat. ch. 95-1/2, the overall distance between the first and last axles of the two sets of tandems must be eighteen feet six inches (18'6") or more. All such combinations of vehicles which include a semitrailer manufactured in the model year of 1994 or thereafter or first registered in Illinois after December 31, 1994, or which has had its cargo container replaced in its entirety after December 31, 1994, are limited to the gross weight allowed by the above formula. (Ord. 91-52)

- (B) The following Village streets are hereby designated as limited industrial truck routes:

LIMITED INDUSTRIAL TRUCK ROUTES

<u>ROADWAY</u>	<u>LIMITS</u>
Addison Road	Entire length
Mill Road	Entire length
Moreland Avenue	Church Street to Addison Road
Church Street	Moreland Avenue to 800 feet south of Moreland Avenue

On limited industrial truck routes, the gross weight of vehicles and combination of vehicles including the weight of the vehicle or combination and its maximum load shall be subject to the foregoing limitations and further shall not exceed the following gross weights, dependent upon the number of axles and distance between extreme axles of the vehicle or combination measured longitudinally to the nearest foot.

VEHICLES HAVING 2 AXLES: 36,000 lbs.

VEHICLES OR COMBINATIONS HAVING 3 AXLES:

<u>With Tandem Axles</u>		<u>With or Without Tandem Axles</u>	
Minimum distance to nearest foot between extreme axles	Maximum gross weight (pounds)	Minimum distance to nearest foot between extreme axles	Maximum gross weight (pounds)
10 feet	41,000	15 feet	45,000
11	42,000	16	46,000
12	43,000	17	47,000
13	44,000	18	47,500
14	44,500	19	48,000
		20	49,000
		21 or more	50,000

VEHICLES OR COMBINATIONS HAVING 4 AXLES:

Minimum distance to nearest foot between extreme axles	Maximum gross weight (pounds)	Minimum distance to nearest foot between extreme axles	Maximum gross weight (pounds)
15 feet	50,000	26 feet	57,500
16	50,500	27	58,000
17	51,500	28	58,500

18	52,000	29	59,500
19	52,500	30	60,000
20	53,500	31	60,500
21	54,000	32	61,500
22	54,500	33	62,000
23	55,500	34	62,500
24	56,000	35	63,500
25	56,500	36 or more	64,000

COMBINATIONS HAVING 5 OR MORE AXLES:

Minimum distance to nearest foot between <u>extreme axles</u>	Maximum gross weight <u>(pounds)</u>
42 feet or less	72,000
43	73,000
44 feet or more	73,280

VEHICLES OPERATING ON CRAWLER TYPE TRACKS: 40,000 lbs.

TRUCKS EQUIPPED WITH SELFCOMPACTORS OR ROLL-OFF HOISTS AND ROLL-OFF CONTAINERS FOR GARBAGE OR REFUSE HAULS ONLY

On highway not part of national system of interstate and defense highways

Minimum distance to nearest foot between <u>extreme axles</u>	Maximum gross weight <u>(pounds)</u>
With 2 axles	36,000
With 3 axles	54,000

Sec. 11-129. Police Officers to Weigh Vehicles, Require Removal of Excess Loads, etc.

- (A) Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require the driver to stop and submit to a weighing of same, either by means of a portable or stationary scales. If such scales are not available at the place where such vehicle is stopped, the police officer shall require that such vehicle be driven to the nearest public scales.
- (B) Whenever an officer, upon weighing a vehicle and load as provided in this Section determines that the weight is unlawful, such officer shall require the driver to stop the

vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such limit as permitted under this Article and shall forthwith arrest the driver. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

- (C) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to weighing, or who fails or refuses, when directed by an officer upon weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this Section, shall be guilty of a misdemeanor.

Sec. 11-130. Liability of Owner and Operator for Violation.

Whenever any vehicle is operated in violation of the provisions of this Article, the owner or driver of such vehicle shall be deemed guilty of such violation, and either or both the owner and the driver of such vehicle may be prosecuted for such violation.

Sec. 11-131. Penalty.

Pursuant to 625 ILCS 5/20-204, the penalties provided in Chapter 15 of the Illinois Motor Vehicle Code, as now existing or hereafter amended, are hereby adopted as, and shall be, the penalties for violation of this Article. (*See, Appendix I.*)

Sec. 11-132. Definitions.

For the purposes of this Article, the following terms shall have the meanings stated in this Section. Any term not defined herein shall have the meaning ascribed to it in other ordinances of this municipality, and if not defined in any other municipal ordinances, it shall have the meaning ascribed in the Illinois Vehicle Code, 625 ILCS 5/1-101 *et seq.*

(A) **Abandoned vehicle** means

- (1) A vehicle parked or otherwise located on the public way and
 - (a) in such state of disrepair that it is incapable of being driven; or
 - (b) that has been unmoved for a period of at least twenty-four (24) hours and, because of its condition or the period during which it has not been moved or some other circumstance, appears to have been, and will be presumed to have been, abandoned by its owner; or
- (2) A vehicle defined as abandoned, or capable of being towed, by any other ordinances of the municipality, and which does not fall into the categories of "hazardous" or "unlawful" vehicles, and therefore is not subject to an immediate tow.

(B) **Hazardous vehicle** means

- (1) A vehicle that has been involved in an accident and is disabled or cannot be immediately moved by the owner or operator of the vehicle; or
- (2) A vehicle that presents an immediate danger to the health or welfare of the members of the public; or
- (3) A vehicle abandoned or disabled on a public street, way or alley that is impeding the orderly flow of traffic or poses a potential danger to pedestrians and other operators of vehicles; or
- (4) A vehicle that must be moved to allow for proper municipal snow removal from a public street, way or alley; or
- (5) A vehicle which is parked in a fire lane on private property, provided that the Village has entered into a specific agreement with the owner of said property with respect to the enforcement of fire lane violations.

(C) **Owner** means a person who holds legal title to the vehicle or the right of possession of the vehicle.

(D) **Unlawful vehicle** means:

- (1) A vehicle that has been reported stolen or is the subject of a search and seizure by the Police Department; or
- (2) A vehicle parked in violation of State of Illinois statutes or Village ordinances which prohibit parking at the location in question or which prohibit parking during specified hours or which prohibit parking for the period of time for which the vehicle has been parked; or
- (3) A vehicle operated or used in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Criminal Code of 2012; or
- (4) A vehicle when the driver of such vehicle is driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of Section 11-501 of the Illinois Vehicle Code; or
- (5) A vehicle operated or used in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act; or
- (6) A vehicle operated or used in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act; or

- (7) A vehicle operated or used in the commission of, or in the attempt to commit, an offense in violation of Section 24-1, 24-1.5, or 24-3.1 of the Criminal Code of 1961 or the Criminal Code of 2012; or
 - (8) A vehicle when the driver of such vehicle is driving while their driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of the Illinois Vehicle Code; except that 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; or
 - (9) A vehicle operated or used by a person who is soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Cannabis Control Act or the Illinois Controlled Substances Act; or
 - (10) A vehicle when the driver of such vehicle is driving with an expired driver's license, in violation of Section 6-101 of the Illinois Vehicle Code, if the period of expiration is greater than one year; or
 - (11) A vehicle when the driver of such vehicle has never been issued a driver's license or permit, in violation of Section 6-101 of the Illinois Vehicle Code, or the driver of such vehicle is operating the vehicle without ever having been issued a driver's license or permit due to a driver's age; or
 - (12) A vehicle operated or used by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6, 101, 6-303, or 11-501 of the Illinois Vehicle Code; or
 - (13) A vehicle operated or used in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961 or the Criminal Code of 2012; or
 - (14) A vehicle operated or used in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012; or
 - (15) A vehicle operated or used in violation of Section 11-503 of the Illinois Vehicle Code:
 - (A) While the vehicle is part of a funeral procession; or
 - (B) In a manner that interferes with a funeral procession.
 - (16) A vehicle operated or used in the commission of, or in the attempt to commit, a violation of any provision of this Code when such provision expressly authorizes the seizure, impoundment, or forfeiture of such vehicle pursuant to this Section.
- (E) **Vehicle** means any device in, upon or by which any person or property is or may be transported or drawn upon a street, highway or any public way, except devices moved by

human power, devices used exclusively upon stationary rails or tracks, and snowmobiles.
(Ord. 05-137; 07-46; 08-61; 23-25; 24-04)

Sec. 11-133. Abandonment Prohibited.

No person shall abandon any vehicle within the Village, and no person shall leave any vehicle at any place within the Village for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

Sec. 11-134. Leaving Wrecked, Nonoperating, etc., Vehicle on Street.

No person shall leave any partially dismantled, nonoperating, wrecked, or junked vehicle on any street or highway in the Village.

Sec. 11-135. Inoperable Motor Vehicles Declared Nuisance.

Inoperable motor vehicles, whether on public or private property, are hereby declared to be a nuisance.

Sec. 11-136. Duty to Comply with Notice to Dispose.

All persons are required to dispose of any abandoned or inoperative motor vehicles under their control or on their property upon written notice received from the corporate authorities or from the Chief of Police or any member of his department designated by him commanding such disposition of such abandoned or inoperable motor vehicles.

Sec. 11-137. Administrative Penalties/Vehicle Possession.

- (A) An administrative penalty of five hundred dollars (\$500.00) is hereby imposed on the owner of record of any vehicle towed or impounded under this Chapter. The penalty imposed pursuant to this Section shall constitute a debt due and owing the Village. A vehicle impounded pursuant to this Chapter shall remain impounded until:
 - (1) The penalty of five hundred dollars (\$500.00) is paid to the Village and all applicable towing fees are paid to the towing agent, in which case the owner of record shall be given possession of the vehicle; or
 - (2) A bond in the amount of five hundred dollars (\$500.00) is posted with the Police Department and all applicable towing fees are paid to the towing agent, at which time the vehicle will be released to the owner of record; or
 - (3) The vehicle is deemed abandoned, in which case the vehicle shall be disposed of in the manner provided by law for the disposition of abandoned vehicles.
- (B) If a bond in the amount of five hundred dollars (\$500.00) is posted with the Police Department, the impounded vehicle shall be released to the owner of record; the owner of the vehicle shall still be liable to the towing agent for any applicable towing fees. All bond money posted pursuant to this Section shall be held by the Village until the hearing

officer issues a decision or, if there is a judicial review, until the court issues its decision or if the owner fails to request a post-tow hearing in a timely manner.

- (C) If a post-tow hearing is requested by the owner of record as provided in Sections 11-142 and 11-143 and if it is determined after the hearing that the vehicle was improperly towed, then the owner of record shall be refunded the administrative penalty and towing charges incurred.
- (D) Any motor vehicle that is not reclaimed within thirty (30) days after a final judgment is rendered in favor of the Village or by the time a final administrative decision is rendered against an owner of record who is in default may be disposed of as an unclaimed vehicle as provided by law, provided, however, that where proceedings have been instituted under state or federal drug asset forfeiture laws, the subject vehicle may not be disposed of by the Village except as consistent with those proceedings. (Ord. 05-137; 07-46; 11-37)

Sec. 11-138. Towing Permitted.

Any hazardous, abandoned or unlawful vehicle may be towed by the Village or its designee from any highway, street or other public location, provided that the procedures hereinafter set forth in this Article are followed.

Sec. 11-139. Authorization for Towing.

The towing of vehicles by the Village, or by its approved towing service operators on behalf of the Village, shall be authorized only by the Police Department and only under the circumstances herein provided. Towed vehicles shall be impounded at facilities designated by the Police Department until lawfully claimed or disposed of pursuant to 625 ILCS 5/1-101 *et seq.*

- (A) Towing Without Notice; Immediate Tows. Hazardous or unlawful vehicles may be towed without prior notice, except that the police officer shall notify any person who identifies himself to the police officer as the owner of record of the vehicle of the fact of the vehicle's seizure and of the vehicle owner's right to request a post-tow administrative hearing to be conducted under the provisions of this Article.
- (B) Stolen Vehicles: When an unlawful vehicle is one that has been reported as stolen, the owner should be, when practicable, notified by telephone or other means and given the opportunity to claim or move the vehicle, if he so wishes, to avoid incurring the expenses of a police ordered tow. Provided, however, that the vehicle may be towed if the owner permitted the tow to be made when the vehicle was reported stolen or at any time thereafter. Within twenty-four (24) hours after towing a vehicle pursuant to this Article, a notice shall be sent to or personally delivered to the owner of the vehicle affording the opportunity for a hearing as provided in Sections 11-142 and 11-143.
- (C) Towing with Prior Notice; Abandoned Vehicles. Abandoned vehicles may be towed after the mailing or delivery of prior notice and the affording of an opportunity for a hearing as provided in Sections 11-140 and 11-141 and, to the extent required by law, after obtaining an appropriate court order allowing the tow from private property. (Ord. 05-137)

Sec. 11-140. Pre-tow Notice for Abandoned Vehicles.

- (A) Notice pursuant to this Section shall be personally delivered to the owner or shall be forwarded by certified or registered mail, return receipt requested, to the address of the owner of the vehicle as indicated in the most current registration list of the Secretary of State. In the event that an out-of-state vehicle is proposed to be towed, inquiry by computer, telephone or letter shall be made of the Secretary of State of the particular jurisdiction for the furnishing of the most current registered name and address of the owner of the vehicle, and notice shall be mailed as provided herein to the address furnished, though in no case will the Village be required to delay towing more than seven (7) days after the date of the mailing or personal delivery of the notice if no request for a hearing has been received within that seven (7) day period.
- (B) A "notice of intent to tow" sticker, with the earliest date upon which the tow may take place and the address and phone number of the Police Department, shall be placed on the vehicle.

Sec. 11-141. Pre-tow Hearing Procedures.

- (A) Opportunity for Hearing. The tower or person entitled to possession of a vehicle to be towed as an abandoned vehicle shall have seven (7) days after the date of mailing or personal delivery of the notice to request, in writing, a pre-tow hearing. Subsequent to this seven (7) day period, the vehicle may be towed if the owner has not filed a written hearing request within the seven (7) day period, and any hearing rights under the provisions of this Article will be deemed waived.
- (B) Scheduling of Pre-Tow Hearings. The pre-tow hearing shall be scheduled for a date within fourteen (14) days of the mailing or personal delivery of the pre-tow notice. The Village shall not be required to delay towing longer than such fourteen (14) day period.
- (C) Request for Pre-Tow Hearings. Requests for a pre-tow hearing are to be made to the office of the Village Manager. Requests for hearing by persons who reside more than fifty (50) miles from the Village may be made by mail. Forms for such requests shall be made available at the Police Department. At the time of making the request, the owner will be provided a hearing date and time by mail or in person, as the circumstances require.
- (D) Appointment of Hearing Officer. The Village Manager or his designee shall serve as the hearing officer. In no case shall that hearing officer be an individual who was involved in the initial decision to tow the vehicle. The hearing officer shall have the authority to require the presence of the enforcement officer who initiated the proposed tow or any other Village personnel.
- (E) Nature of Hearing. The hearing shall be informal in nature, and the rules of evidence shall not apply. The hearing will not be determinative of, or adjudicate, any citation relative to any vehicle. After receiving all relevant evidence, the hearing officer shall make a written decision based upon a preponderance of the evidence as to whether towing of the vehicle is authorized by the laws of the State of Illinois or the ordinances of

the Village, with a specific statutory or ordinance section cited in the decision. The owner shall be provided a copy of such pre-tow hearing decision.

- (F) Decision to Tow and Rates to be Charged. If the preponderance of the evidence supports towing and compliance with the provisions of this Article, the hearing officer shall direct that the vehicle be towed or, to the extent required by law, than an appropriate court order for towing from private property be obtained, with any towing and storage costs to then be imposed upon the owner thereof. The fees to be charged for towing and storage services shall be no more than the maximum rates set by the Chief of Police pursuant to the provisions of Section 11-142(E). The owner of said vehicle having had such a hearing may avoid the towing by immediately removing the vehicle from the improper location to a proper, lawful location and correcting any unlawful condition of the vehicle. (Ord. 02-102)
- (G) Decision not to Tow. If the preponderance of the evidence fails to support towing of the vehicle, the hearing officer shall direct that the vehicle shall not be towed. The Village shall furnish a copy of such decision to the owner, who may place it inside the vehicle in a location plainly visible from the outside, such as the dashboard or rear window. No vehicle about which such a decision has been rendered shall be towed by the Village unless the circumstances under which the decision was rendered have changed. If at some subsequent time the Village should wish to tow the vehicle from the same location, it shall follow the same procedures required for the towing of any other similarly situated vehicle.
- (H) Reports and Documents to be Retained; Contesting Decisions. Originals or copies of all notices, pre-tow hearing decisions, towing reports, and any associated police reports or documents shall be retained by the Police Department for a period of at least five (5) years after each hearing, or after each tow if no hearing was requested or held. The Village or the owner may contest the decision of the hearing officer in any manner provided by law.

Sec. 11-142. Post-tow Notice for Hazardous and Unlawful Vehicles.

- (A) Mailing or Delivery of Notice. Notice pursuant to this Section shall be forwarded by certified or registered mail, return receipt requested, to the address of the owner of the hazardous or unlawful vehicle as indicated in the most current registration list of the Secretary of State unless the notice is personally delivered to the owner, in which case the date and time of delivery and the name of the police officer making the delivery shall be noted in the Police Department records or reports. The notice shall be delivered within twenty-four (24) hours of the tow of the hazardous or unlawful vehicle in the manner provided in Section 11-140(A). In the event that the Village has towed an out-of-state hazardous or unlawful vehicle, inquiry by computer, telephone or letter shall be made of the Secretary of State of the particular jurisdiction for the furnishing of the most current registered name and address of the owner of the vehicle, and notice shall be mailed as provided herein to the address furnished. (Ord. 02-102)

- (B) Posting of Signs Showing Hearing Rights. All approved towing service operators shall prominently post at least one sign, with dimensions of at least twelve inches by eighteen inches (12" x 18") indicating the opportunity and procedures for a hearing to contest the validity of the towing of the vehicle. The sign shall be placed in locations readily visible to the public transacting business at any towing facility. If a towing service operator performs services for more than one municipality, the information for contacting the various appropriate village offices can be listed in one such sign.
- (C) Request for Post-Tow Hearings. Requests for hearings are to be made at the office indicated on the notice within fifteen (15) days of the mailing or personal delivery of the notification of tow, or release of the vehicle, whichever occurs first; otherwise, the right to a hearing shall be deemed waived. Requests for hearing by persons who reside more than fifty (50) miles from the Village may be made in person or by mail received within the fifteen (15) day period.
- (D) Release of Motor Vehicles. Before the owner or person entitled to possession of any impounded vehicle shall be permitted to remove same, the owner or other person entitled to possession shall furnish evidence of his identity, ownership of the vehicle, or his right to possession, sign a receipt for the vehicle, pay the administrative penalty to the Village (or a bond therefor), and pay the amount currently owed for towing and storage fees to the towing service operator. The Chief of Police is authorized to promulgate regulations as to the documents or other proof necessary to establish these facts. (Ord. 05-137)
- (E) Establishment of Maximum Towing and Storage Rates. The owner shall pay fees to the towing service operator for towing and storage on police-ordered tows at rates that do not exceed maximum amounts to be administratively established by the Chief of Police and which may be revised from time to time. The basic rates for such fees shall be shown in the form and sign concerning vehicle release requirements. However, nothing in this Article is intended to prevent a competitive towing service operator from charging less than the established maximum rates for police-ordered or any other tows. In arriving at the maximum rates for various services, the Chief of Police shall consider such matters as the prevalent market rates in the area for the different types of vehicles, the types of storage and area requirements for categories such as large trucks and commercial vehicles, and the relative difficulties and amount of work required to perform various types of towing operations. For particularly difficult or unusual towing jobs, such as large or serious accidents, the Chief of Police is authorized to allow towing operators to charge rates above those established for normal situations, which special charges must be based upon the cost of services provided, taking into account such matters as the man-hours and equipment time required for the job. A towing service operator must fully itemize in writing the details of such a billing at special rates for a particularly difficult or unusual tow and supply a copy of the itemized bill to the owner and to the Police Department. Any such special rates charged must be customary in the towing industry in the area for the nature and extent of the services provided. Every towing service operator and the Police Department shall have available a copy of the complete current rate schedule and any special rate policy established by the Chief of Police for vehicle owners to view upon request.

Sec. 11-143. Post-tow Hearing Procedures.

- (A) Opportunity for Hearing. The owner of a vehicle towed as an immediate tow, by or pursuant to the authority of the Police Department as set forth in Section 11-142, shall be provided the opportunity for a post-tow hearing to determine the validity of such tow and any administrative penalty, towing or storage charges. The hearing will not be determinative of, or adjudicate, any citation issued relative to any towed vehicle. The owner shall be deemed to have waived any right to a post-tow hearing unless a hearing is requested within fourteen (14) days of the mailing or delivery of the post-tow notice, as provided in Section 11-142.
- (B) Nature of the Hearing/Hearing Officer. The nature of the hearing and the appointment of the hearing officer shall be the same as set forth above in Sections 11-141(D) and 11-141(E).
- (C) Scheduling of Post-Tow Hearings. The post-tow hearing shall take place as follows:
 - (1) In those instances where the vehicle has been released upon the deposit of the full payment currently owed for towing and storage charges and the owner has properly requested a hearing, the hearing shall take place within fifteen (15) days after the request for a hearing, unless the owner requests a later date convenient to all parties.
 - (2) In those instances where the vehicle remains impounded, the hearing shall take place, at the option of the owner:
 - (a) on the next day after an owner's demand for such hearing, excluding Saturdays, Sundays and holidays; if such demand is made after 3:00 p.m. or if the unavailability of a necessary witness or evidence creates a particular difficulty in conducting the hearing on the next calendar day, then a hearing shall be held on the second day following the request, excluding Saturdays, Sundays and holidays; or
 - (b) if acceptable to the owner, within fifteen (15) days of said request on a date convenient to all parties.
- (D) Conduct of Post-Tow Hearing. The hearing officer shall review all evidence presented by the vehicle owner and the Police Department or other municipal employees and shall make a finding, based upon the preponderance of the evidence presented, as to the lawful authority for the towing and storage of the vehicle. The Village must establish such authority by a preponderance of the evidence.
- (E) Post-Tow Hearing Decision. For each hearing, the hearing officer shall complete a post-tow hearing decision, attach such decision to the Police Department's original vehicle towing report, and supply a copy of the decision to the owner by personal delivery, if the owner is present, or by mail.

- (F) Reports and Documents to be Retained; Contesting Decisions. All originals or copies of all notices, post-tow hearing decisions, towing reports, and any associated police reports or documents shall be retained by the Police Department for a period of at least five (5) years after each hearing, or after each tow if no hearing was requested or held. The Village or the owner may contest the decision of the hearing officer in any manner provided by law.
- (G) Towing Services Subject to Ordinance. Notwithstanding any other ordinance or statutory provisions to the contrary, any towing service operator authorized to perform tows on behalf of the Village must perform its services subject to the provisions of this Article. However, the towing company shall have the right to recover the reasonable value of its services for police-ordered tows, which are not paid by the vehicle owner, from the Village. Provided, however, that if a tow or the charge for a tow is found by a court to be illegal and the towing service operator is required to return the charge for the tow to the owner of the vehicle, the Village shall not be liable to reimburse the operator for the towing charges. (Ord. 67-43; 72-46; 87-44; 05-137)

Article XII. Adoption of Certain Portions of the Illinois Motor Vehicle Code by Reference.

(Established by Ord. 90-33; Amended in its Entirety by Ord. 07-45)

Sec. 11-144. Provisions of Illinois Motor Vehicle Code Adopted.

- (A) Chapters 3, 6, 11, 12, 15 and 25 of the Illinois Vehicle Code (625 ILCS 5/1-100 *et seq.*), as now existing or hereafter amended, are hereby adopted by reference to be applied within the corporate limits of the Village to the extent permitted by law and to the extent that their subject matter is not otherwise regulated by the Village Code or inconsistent with any lawful provision of the Village Code. All actions or failure to act made unlawful in the aforesaid chapters of the Illinois Vehicle Code shall be made unlawful events under the provisions of the Village Code. (Ord. 07-45; 09-35)
- (B) All references in the aforesaid chapters of the Illinois Vehicle Code to "this code" shall be to sections of the Illinois Vehicle Code and shall not refer to sections of the Addison Village Code. References to a state employee or official may be to a corresponding Village employee or official where such reference is applicable or necessary. (07-45)
- (C) Citations for violations of the aforesaid chapters of the Illinois Vehicle Code adopted by reference herein may be issued by authorized personnel of the Village, using the appropriate Illinois Vehicle Code section which shall, by the effect of this Section, represent identically and specially numbered sections of the Addison Village Code. (07-45)
- (D) Without limiting the generality of Subsection (A) hereinabove:
 - (1) The following provisions of the Illinois Vehicle Code, as may be amended from time to time, are hereby expressly adopted by reference pursuant to the authority granted in 625 ILCS 5/20-204: Sections 11-501, 11-105.1, 11-501.2, 11-501.4,

11-501.4-1, 11-501.5, 11-501.6, 11-501.7, and 11-501.8, excepting Section 11-501(d).

Reference to this Section 11-144(D) can be made in the following manner: Addison Village Code, Chapter 11, Section 11-144(D) followed by the applicable Illinois Vehicle Code section number, e.g., Section 11-144(D) of the Addison Village Code/IVC 11-501(a).

- (2) The court, upon making a finding of guilty for any offense under this subsection, in addition to any sentencing alternative selected by the court, shall impose a fine of not less than seven hundred fifty dollars (\$750.00) for each such offense. In the event the Illinois Vehicle Code imposes a minimum fine greater than seven hundred fifty dollars (\$750.00) for such an offense, the greater of the statutory minimum fine or seven hundred fifty dollars (\$750.00) shall be imposed.

Article XIII. Vehicle Immobilization Program
(Established by Ord. 92-81)

Sec. 11-145. Vehicle Immobilization Program Established.

The Chief of Police, or his designee, is authorized to direct and supervise a program of vehicle immobilization as provided for in this Article. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way, in a public place, or on private property with the consent of the property owner, by placement of a restraint in such a manner as to prevent its operation when there are three (3) or more outstanding or otherwise unsettled parking violation notices or warrants issued for such violations pending against the owner of such motor vehicle. (Ord. 11-03)

Sec. 11-146. Vehicles Eligible for Immobilization.

A vehicle shall be eligible for immobilization, as provided herein, any time after inclusion of its state registration number or other vehicle identification number on any immobilization list, regardless of whether or not the listed vehicle itself has received a parking violation complaint. A vehicle's state registration number or other vehicle identification number shall be included on an immobilization list only if:

- (A) The registered owner of the vehicle has accumulated three (3) or more outstanding or otherwise unsettled parking violation notices from the Village or a warrant issued for such violations is pending against the owner of such motor vehicle. (Ord.11-03)
- (B) At least twenty four (24) days prior to the Village's placing the registration plate number of the vehicle on the vehicle immobilization eligibility list, notice of impending vehicle immobilization has been sent to the registered owner via first class mail, postage prepaid, at the address of the registered owner recorded with the Secretary of State or, in the case of a vehicle bearing the registration number of a state other than Illinois, at the address of the registered owner recorded in that state's registry of motor vehicles.

Sec. 11-147. Notice of Vehicle Immobilization and Hearing.

The notice required in Section 11-146(B) shall state the name and address of the registered owner, the state registration number or vehicle identification number of the vehicle, the nature of the ordinance(s) violated and the numbers and issue dates of the outstanding complaints. The notice shall also advise that a person may request a hearing to challenge the validity of the notice of impending vehicle immobilization. The request for a hearing shall be made within ten (10) days of mailing the notice.

Sec. 11-148. Notice to be Affixed to Immobilized Vehicle.

Upon immobilization of an eligible vehicle, a notice shall be affixed to the vehicle in a conspicuous place. Such notice shall warn that the vehicle is immobilized and that any attempt to move the vehicle may result in its damage. The notice shall also state that the unauthorized removal of or damage to the immobilizing restraint is a violation of the Illinois Criminal Code. The notice shall also provide information specifying how release of the immobilizing restraint may be had and how the registered owner may obtain a post-immobilization hearing pursuant to this Article.

Sec. 11-149. Towing of Immobilized Vehicle.

Except where the vehicle is otherwise subject to towing, if the immobilizing restraint has not been released pursuant to Section 11-150 within twenty-four (24) hours of its placement, the restraint shall be released and the vehicle towed and impounded.

Sec. 11-150. Release of Immobilized Vehicle.

Prior to a hearing on the validity of the immobilization as provided in Section 11-152, the owner of an immobilized vehicle or other interested person shall be permitted to secure release of the vehicle by:

- (A) Paying the immobilization and towing and storage fees, if applicable, specified in Section 11-153; and
- (B) Taking one of the following actions:
 - (1) Paying all the fines and penalties, if any, on the outstanding complaints for which notice had been sent prior to the date of the immobilization; or
 - (2) Completing appearance forms on all outstanding parking violation complaints for which notice had been sent prior to the date of the immobilization and depositing collateral in the amount of fifty percent (50%) of the total fines for these outstanding parking violation complaints or two thousand five hundred dollars (\$2,500), whichever is less. (Ord. 11-03)

Sec. 11-151. Post Vehicle Immobilization/Impoundment Notice.

Within ten (10) days after a vehicle has been impounded, notice of impoundment shall be sent by certified mail, return receipt requested, to the registered owner of the vehicle at the address to which the notice specified in Section 11-146(B) was mailed. The notice shall state that the owner has the right to a post-immobilization and post-towing hearing as provided in Section 11-152, and that if the car is not claimed within thirty (30) days from the date of the notice, the vehicle may be disposed of in accordance with the Illinois Vehicle Code and/or Village of Addison Ordinance.

Sec. 11-152. Immobilized Vehicle Hearing.

The owner of an immobilized vehicle or other interested person shall have the right to a hearing to determine whether the immobilization or any subsequent towing was erroneous or whether the vehicle was properly included on an immobilization list, if the owner files a written demand for a hearing with the Chief of Police, or his designee, within fourteen (14) days after issuance of the notice specified in Section 11-146 or within fourteen (14) days after the immobilization, whichever is later. A hearing shall be conducted within seventy-two (72) hours of receipt of a written demand for a hearing prior to the immobilization of the vehicle and within forty-eight (48) hours of receipt of a written demand for a hearing after the vehicle has been immobilized, unless otherwise mutually agreed by the parties. Failure to request or attend a scheduled hearing shall be deemed a waiver of the right to a hearing. In the event of such failure, any amount deposited pursuant to Section 11-150(A) shall be forfeited. A hearing provided in accordance with this Article shall not determine the validity of or otherwise adjudicate any citation or notice of parking violations issued relative to the immobilized vehicle but shall only relate to whether the vehicle was properly immobilized or towed. (Ord. 11-03)

Sec. 11-153. Immobilization Fees.

The fee for immobilization shall be one hundred eighty dollars (\$180.00). The owner of the vehicle shall be charged reasonable storage and towing fees should the vehicle be removed to a private storage facility, provided that no fees shall be assessed for any immobilization or tow which has been determined to be erroneous. (Ord. 11-03)

Sec. 11-154. Unlawful to Relocate Immobilized Vehicles.

It shall be unlawful to relocate or tow any vehicle restrained by an immobilizing device without the approval of the Chief of Police or his designee.

Article XIV. Restitution

Sec. 11-155. Restitution for Costs of Emergency Response to Driving under Influence Incidents.

In addition to any other fine or penalty provided by law, any individual who is convicted of a violation of Section 11-501 of the Motor Vehicle Code (625 ILCS 5/11-501) or a similar provision of local ordinances, involving driving under the influence of alcohol, drugs, or a combination of both, whose operation of a motor vehicle while in violation of any of the

aforesaid laws proximately caused an incident resulting in an appropriate emergency response by the Village, shall be required to make restitution to the Village for the costs of that emergency response. Such restitution shall not exceed one thousand dollars (\$1,000.00) for each such emergency response. For the purposes of this Section, the term "emergency response" shall mean a response to the incident by a Village of Addison police officer. The emergency response fee for each police squad responding shall be five hundred dollars (\$500.00) per incident. (Ord. 11-47)

Article XV. Penalty.

Sec. 11-156. Penalty.

Except where a fine is otherwise expressly provided for, any person, firm or corporation who shall be convicted of violating any provision of this Chapter shall be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense, in addition to any other sanctions and remedies provided by law, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 90-52)

Article XVI. Regulation of Chartered Transportation.

(Established by Ord. 24-04)

Sec. 11-157. Applicability.

This Article applies to all persons engaged in the operation of a commercial motor vehicle operating as a common carrier which involves the disembarking of ten (10) or more passengers in the Village other than on a predictable and recurring basis, that do not follow a schedule that is published in advance and available to the general public, or do not provide service in exchange for paying a fare.

Sec. 11-158. Application.

- (A) The owner, operator, or driver of any motor vehicle to which this Article applies which proposes to allow passengers to disembark in the Village shall file an application with the Village Manager. The completed application shall contain all required information, as set forth in paragraph (B) below, and shall be submitted at least ten (10) calendar days prior to the date of the proposed disembarking date.
- (B) The Village Manager shall prepare an application form which shall, at a minimum, require an applicant to provide the following information:
 - (1) The full name, address and telephone number of the owner, operator and driver of the motor vehicle. The date of birth, driver's license number and mobile phone number of the driver of the vehicle shall also be provided.
 - (2) The full name, address, mobile and land-line telephone numbers of the entity or individuals that have either directed, paid for or financed the transport of persons who will disembark in the Village.

- (3) The full name of all persons that may disembark in the Village, along with copies of identification cards for said persons.
- (4) The address or location in the Village at which the applicant proposes to allow passengers to disembark.
- (5) The date and time at which the applicant's passengers will disembark in the Village, which shall be from 8:00 a.m. to 4:00 p.m. on a Monday through Friday, excluding any and all federal, state and Village holidays.
- (6) The name and address of all locations the passengers are being picked up from for transportation to the Village.
- (7) The full name, address, mobile and land-line telephone numbers and electronic mail addresses of all entities or individuals that will be present to meet and receive the passengers disembarking in the Village.
- (8) A detailed plan identifying how the disembarking passengers will be cared for, housed and fed, either temporarily or permanently, upon disembarking in the Village. The plan shall include the full names, addresses and landline and mobile telephone numbers of all persons who will be present at the date and time of the disembarking and responsible for the care, housing and feeding of the disembarking passengers. The plan shall be signed by the entity or individual that agrees to be responsible for the care of the disembarking passengers and at least one additional individual that will be present to receive the passengers and responsible for their care. The entity and the individual that will present to receive the passengers and be responsible for their care shall each by their signature certify that they will be responsible for providing the actions detailed in the plan.
- (9) Any additional information the Village Manager may require provided that such information is related to the purposes of this Article.

(C) Application Review.

- (1) Upon receipt of an application pursuant to this section, the Village Manager or his designee shall review said application and the information contained within the application to verify its truth and authenticity. If the application is not complete, the Village Manager or his designee shall, in writing, advise the applicant of the additional items needed to complete the application.
- (2) Within five (5) calendar days after receiving a completed application, the Village Manager or his designee shall inform the applicant in writing whether the application is approved or denied. Upon approval of an application, the Village Manager or his designee shall provide the applicant, or a person designated thereby, with a telephone number to coordinate the arrival of the motor vehicle in

the Village. Upon denial of an application, the Village Manager or his designee shall reduce his findings to writing and transmit the same to the applicant.

- (3) An unsuccessful applicant may submit a new application or appeal, in writing, to the Village Board. The Village Board shall hold a hearing on the request to appeal at a regularly scheduled Village Board meeting within thirty (30) days of receipt of the request to appeal. During the hearing, the unsuccessful applicant shall be permitted to contest the decision of the Village Manager and may present any testimony, argument or evidence. The Village Board shall issue a written decision on the request to appeal within fourteen (14) days of the conclusion of the hearing.

(D) Disqualification.

The Village Manager shall not approve an application from any person who has:

- (1) Supplied materially false or misleading information in connection with an application made under this Article; or
- (2) Has failed to ensure the care, housing, transportation or feeding of any passengers disembarking in the Village or otherwise failed to implement or perform the detailed plan pursuant to the terms of an approved application; or
- (3) A criminal history or driving record that, in the opinion of the Village Manager or his designee, would not allow such person to responsibly and safely operate a motor vehicle in the Village.

(E) Penalty.

Complaints alleging any violation of this Article for which the Village may impose a fine upon the owner, operator or driver of any motor vehicle to which this Article applies to shall be brought in the name of the Village and adjudicated before an administrative hearing officer in the manner set forth in Chapter 30 of the Village Code. The administrative hearing officer shall impose a fine of not less than one thousand dollars (\$1,000.00) plus costs per passenger.

Sec. 11-159. Unlawful Operation of Chartered Transportation.

(A) Definitions. As used in this section, the following terms are hereby defined as follows:

“Bus” means any type of commercial motor vehicle with a weight of at least thirty six thousand (36,000) pounds, that is designed to carry, or is actually carrying, more than ten (10) individuals and operating as a common carrier.

“Regularly Scheduled Service” means bus service that operates trips involving passengers disembarking in the Village on a predictable and recurring basis, following a

schedule that is published in advance and available to the general public, and provides service in exchange for paying a fare.

“Unscheduled bus stop” means the unloading or disembarking of passengers from a bus that originated from a location outside of that portion of the Chicago-Naperville-Elgin metropolitan statistical area that is not providing regularly scheduled service or is not operating pursuant and in accordance with an application approved in accordance with Sec. 11-158 of the Village Code.

(B) Prohibited Conduct.

- (1) Unscheduled bus stops. No person, including, but not limited to, the owner, operator, or driver of any bus shall make an unscheduled bus stop in the Village.
- (2) Operation of a bus without a Village franchise. Except as otherwise provided by law, it shall be unlawful for any person to operate a bus on any street, place or public highway in the Village without first having obtained a specific grant of authority to do so from the Village Board in the form of an ordinance designating the routes, terms and conditions under which such bus may be operated, and regulating such other matters pertaining to bus as is within the scope of the powers granted to the Village.

(C) Penalty.

Any person found guilty of violating, disobeying, omitting, neglecting, or refusing to comply with, or resisting or opposing the enforcement of, any of the provisions of this section, upon conviction thereof, shall be punishable by a fine of seven-hundred fifty dollars (\$750.00) for each offense. The operation of each bus contrary to the provisions of this Section shall be considered a separate and distinct offense for each day that the same is so operated.

(D) Impoundment.

Police officers shall have the right to seize, impound and tow any bus that used in the commission or furtherance of a violation of this Section. Whenever a police officer has probable cause to believe that a bus is subject to seizure, impoundment and towing, such seizure, impoundment and towing shall be in the manner set forth in Sec. 11-139 of the Village Code.

XVII. Relocators and Repossessors

(Established by Ord. 24-60)

Sec. 11-160. Definitions.

For the purposes of this Chapter, the following words shall have the meanings indicated unless their context clearly requires otherwise:

Commission means Illinois Commerce Commission.

Collateral means any motor vehicle, boat, recreational vehicle, motor home, motorcycle or other property that is subject to a security, lease, or rental agreement.

Dispatcher means any person who, as an employee or agent of a Relocator or Repossession agency, dispatches vehicles for Operators who perform removal activities.

Operator means any person who, as an employee of a Relocator or Repossessor, removes trespassing vehicles from private property by means of towing or otherwise recovers vehicles for Collateral. This term includes the driver of any vehicle used in removing a trespassing vehicle from private property as well as any person other than the driver who assists in the removal of a trespassing vehicle from private property.

Relocator's license means a license issued to a commercial vehicle Relocator in accordance with this Chapter.

Relocator means any person or entity engaged in the business of removing trespassing vehicles from private property by means of towing or otherwise, and thereafter relocating and storing such vehicles.

Repossessor means any person or entity conducting business, or an employee of the business, who, for any type of consideration, engages in the business of, accepts employment, or agrees to provide Collateral vehicle recovery.

Sec. 161. Declaration of Policy.

It is hereby declared to be the policy of the Village of Addison to regulate the Collateral recovery of vehicles and the removal of trespassing vehicles from private property and the subsequent relocation and storage of such vehicles in such manner as to fairly distribute rights and responsibilities among vehicle owners, private property owners, Relocators and Repossessors. For this purpose, the Village's regulations herein are for the purpose of complementing and supplementing the regulatory process of the Commission pursuant to 225 ILCS 422/1 et. seq. and 625 ILCS 5/18a-100 et seq., and any amendments thereto, and its enforcement efforts thereunder. The laws and regulations adopted hereunder are adopted pursuant to the home rule authority of the Village of Addison as well as the express authority conferred by the state legislature on local units of government pursuant to 225 ILCS 422/1 et. seq. and 625 ILCS 5/18a-100 et seq.

Sec. 162. Towing Performed Pursuant to Police Order.

Nothing contained in this Chapter shall be construed to regulate or otherwise affect towing performed by any Relocator pursuant to the order of a law enforcement official or agency in accordance with 625 ILCS 5/4-201 through 5/4-204 of the Illinois Vehicle Code, or pursuant to the Addison Code of Ordinances.

Sec. 163. General Powers and Duties of the Chief of Police.

The Chief of Police or his designee shall:

- (1) Regulate Relocators and Repossessors and their employees or agents in accordance with this Chapter and to that end, may establish reasonable requirements with respect to proper service and practices relating thereto;
- (2) Require the maintenance of uniform systems of accounts, records and the preservation thereof;
- (3) Require all drivers and other personnel used in relocation and repossession operations to be employees of a Relocator or Repossessor;
- (4) Issue permits to Relocators and Repossessors in accordance within the requirements of this Chapter;
- (5) Upon verified complaint in writing by any person, organization or body politic, or upon its own initiative, may investigate whether any Relocator, Repossessor, Operator, Dispatcher or person otherwise required to comply with any provision of this Chapter or any rule promulgated hereunder has failed to comply with any such provision or rule.

Sec. 164. Relocators-Unlawful Practices.

It shall be unlawful for any Relocator to:

- (1) *Relocate vehicles from authorized spaces.* No vehicle shall be relocated if it is parked in a space on private property where it is authorized to be parked.
- (2) *Relocate vehicles from private property without authorization from property owner.* No vehicle shall be relocated from private property without express, written authorization from the property owner, lessee or agent. The authorization must either direct the Relocator to remove the specific vehicle in question or authorize the Relocator to remove all unauthorized vehicles from the property.
- (3) *Relocate vehicles not in accordance with proper posting.* No vehicle shall be relocated from a lot which does not, at the time of the tow and for at least twenty-four (24) hours prior thereto, have signs posted in compliance with this Chapter. Furthermore, no vehicle shall be relocated to a storage lot or facility that is not identified on signs posted in compliance with this Chapter at the location from which the vehicle is relocated. No vehicle shall be relocated and/or stored even temporarily at any other location than the location advertised on the Relocator's sign. Once a vehicle is relocated from private property it must be towed immediately to the storage lot or facility that is identified on the sign posted on the private property. No vehicle shall be subsequently transported to any other lot or facility.

- (4) *Relocate vehicles where owner or driver is present.* No vehicle shall be relocated when the owner or Operator of such vehicle is present or arrives at such location at any time prior to the completion of the removal of the vehicle from private property, and provided such owner and Operator is willing and able to remove the vehicle immediately, and provided that the owner or Operator does immediately remove the vehicle from the private property.
- (5) *Commercial Motor Vehicles.* No Operator shall engage in the removal of a commercial motor vehicle that requires a commercial driver's license to operate, as required under 625 ILCS 5/6-500 et. seq., by operating the vehicle under its own power on a highway without authorization by a police officer.
- (6) *Notification of police department.* No Relocator or Repossessor may transact any part of its business at any location until after the Relocator or Repossessor has obtained and remitted payment for a permit from the police department. The police department is authorized to establish an electronic method for Relocators to obtain a permit online using the internet.
- (7) *Post signs at locations where the Relocator is not authorized to operate or tow beyond a maximum distance.* No Relocator shall remove any vehicle otherwise in accordance with this Chapter more than ten (10) air miles from its location when towed nor shall it post a sign at a location more than ten (10) air miles from the storage lot to which the Relocator can relocate vehicles.
- (8) *Relocate vehicles unless the relocation lot is open during certain prescribed hours.* No vehicle shall be relocated to a lot which is not open to allow the vehicle owner to retrieve the vehicle within two (2) hours following the tow.
- (9) *Accept certain types of compensation:*

Except as provided in subsection (b) below, no Relocator shall demand, collect or receive anything of value or compensation in relation to its relocation business:

- a. From the property owner, lessee or their agents or from any person other than the owner or owner's agent of the relocated vehicle, except according to terms in the contract entered into between the property owner or lessee and the Relocator;
- b. From the vehicle owner, lessee or their agents;
 - i. Greater than the amount posted on the signs, posted on the private property from which the vehicle was relocated;
 - ii. Greater than or other than the rates prescribed by the Illinois Commerce Commission; or

- iii. Where the relocation was not performed in compliance with the law in this Chapter.
 - c. Storage fees must be posted in accordance with administrative rules of the Commission.
 - d. A Relocator must release the vehicle provided payment is either in cash or through a valid major credit card, including, but not limited to, VISA, American Express, Discovery or MasterCard.
- (10) *Prerequisites to operation within the Village.* No Relocator shall:
- a. Employ as an Operator or otherwise so use the services of any person who has not been duly licensed by the Commission and the Illinois Secretary of State pursuant to the applicable laws, rules and regulations.
 - b. Operate a business other than in conformance with the laws of the Commission and the rules and regulations adopted thereunder.
 - c. Operate any towing vehicle which does not carry a copy of 625 ILCS 5/18A of the Illinois Vehicle Code, a copy of this Chapter of the Village of Addison Code of Ordinances and sufficient copies of the Commission complaint form. All documents shall be made available to any complainant at their request in the event of a dispute regarding vehicle relocation.
 - d. Operate any vehicle which has not passed a safety test as required in 625 ILCS 5/13-101.
 - e. Relocate or Repossess any vehicle, without first applying for, and remitting payment for a permit. The police department is authorized to establish an electronic method for Relocators to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fee for permits shall be \$30.00.
 - f. Relocate a vehicle unless the Operator has a valid Operator's permit issued from the Commission.
- (11) *Notice to police department.* A Relocator must:
- a. Notify the Village police department prior to such removal by purchasing a permit as described in 7-12-5 (10) (f). Notification shall include, but not limited to, a complete description of the vehicle, including the year, make, model vehicle identification number (VIN), state license plate number, the registration numbers, the locations from which and to which the vehicle was removed, the time of removal, and any other information required by state or local regulations, statute or ordinance.

- b. Make a telephone number available to the police department at which the locator or an employer of the Relocator may be contacted at any time, twenty-four hours each day. This phone number shall be advertised for the purpose of effectuating the release of a towed vehicle. The Relocator must have an employee available at all times on the premises owned or controlled by the Relocator for the purposes of arranging for the immediate release of the vehicle.

Sec. 165. Relocators-Posting of Signs; Sign Specifications.

- (1) *Generally.* It shall be unlawful for an owner or other person in lawful possession or control of private property to remove, or employ a Relocator to remove, an unauthorized vehicle from such property unless written notice is provided pursuant to the administrative rules of the Commission. Such notice shall consist of a sign posted in a conspicuous place in the affected area of a size and content as required by the Commission. Such sign shall state the amount of the towing charges to which the person parking may be subject. Such signs must be posted at least twenty-four (24) hours before any vehicle is relocated from the lot.
- (2) *Application to residential property.* No express notice shall be required under this Chapter upon residential property which, paying due regard to the circumstances in the surrounding area, is clearly reserved or intended exclusively for the use or occupation of residents or their vehicles.
- (3) *Sign specifications:*
 - a. Those portions of the sign warning that unauthorized vehicles will be relocated must be formatted in accordance with the administrative rules of the Commission.
 - b. Each sign must contain:
 - i. A warning that unauthorized vehicles will be relocated;
 - ii. The full legal name of the Relocator as it appears on the Relocator's license, the address and telephone number of the Relocator, and the address and telephone number of the location to which the vehicle will be relocated and at which it can be reclaimed, if different from the address of the Relocator;
 - iii. The maximum fee which the Relocator will charge the owner as a condition of reclaiming the vehicle and any restrictions on the method of payment which will be accepted by the Relocator. No sign shall indicate a restriction on the method of acceptable payment that is contrary to Section 164(9);

- iv. The hours which the owner can reclaim the vehicle. To the extent that a sign does not show a limitation on hours or days when the vehicle can be reclaimed, the sign shall constitute a representation the vehicle can be reclaimed at any time or on any day. No sign shall include hours of doing business contrary to the restrictions contained in Section 164(8).
- c. Such signs must be visible and readable from all entrances and exits, both during the day and at night, free of any natural or man-made interference.
- d. No more than one (1) location where the vehicle may be relocated shall be identified on any posted sign at any lot from where the vehicle was relocated.
- e. *Lighting standard.* All such signs shall be illuminated from dusk to dawn. Such lighting shall be directed to the sign face, uniformly distributed over the sign face and provide an illumination level on the sign face of at least twenty (20) feet.

Sec. 166. Repossessors-Unlawful Practice.

It shall be unlawful for any Repossessor:

- (1) To repossess a vehicle prior to obtaining a valid permit issued by the Village of Addison. The police department is authorized to establish an electronic method for Repossessors to obtain and remit payment for an online permit using the internet. This permit must be displayed in either paper or electronic form to any police officer. The fee for permits shall be thirty dollars (\$30.00).
- (2) To successfully repossess a vehicle and fail to submit a notification to the police department. The police department is authorized to establish an electronic method for Repossessors to submit notifications.
- (3) To violate any other provision of this Chapter, Commission regulations or orders adopted under this Chapter or pursuant to 225 ILCS 422 et. seq.
- (4) The police department shall establish the form and content of the online permit.
- (5) No Repossessor may remove a vehicle from private property where trespassing signs have been erected prohibiting a Repossessor from entering and remaining on the property.

Sec. 167. Penalties.

Any Relocator, Repossessor, Operator, Dispatcher or employee of a Relocator or Repossessor who violates a section of this Chapter other than Sections 166(1), 166(2), 164(10) or 164(11) shall pay a fine of no less than two hundred fifty dollars (\$250.00) for each violation. Any Relocator, Repossessor, Operator, Dispatcher or employee of a Relocator or Repossessor

who violates Sections 166(1), 166(2), 164(10) or 164(11) shall pay a fine of no less than \$500.00 for each violation.”

ARTICLE XVIII. MOTORIZED BICYCLES

(Established by Ord. 25-25)

Sec. 11-168. Definitions.

For purposes of this Article, the Village hereby adopts the following definitions from the Illinois Vehicle Code.

- a. “Low-speed electric bicycle” means a bicycle equipped with fully operable pedals and an electric motor of less than 750 watts that is not a moped or a motor driven cycle that meets the requirements of one of the following classes:
 - i. “Class 1 low-speed electric bicycle” means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour. 625 ILCS 5/1-140.10(a)
 - ii. “Class 2 low-speed electric bicycle” means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of 20 miles per hour. 625 ILCS 5/1-140.10(b)
 - iii. “Class 3 low-speed electric bicycle” means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide when the bicycle reaches a speed of 28 miles per hour. 625 ILCS 5/1-140.10(c)
- b. A “Low-speed electric scooter” means a device weighing less than 100 pounds, with 2 or 3 wheels, handlebars, and a floorboard that can be stood up while riding, that is solely powered by an electric motor and human power, and whose maximum speed, with or without human propulsion, is not more than 10 miles per hour. 625 ILCS 5/1-140.11
- c. A “Low-speed gas bicycle” means a 2-wheeled or 3 wheeled device with fully operable pedals and a gasoline motor of less than one horsepower or 15 cubic centimeter displacement that is operated at speeds of less than 20 miles per hour. 625 ILCS 5/1-140.15
- d. A “Moped” is a motor-driven cycle, with or without optional power derived from manually operated pedals, whose speed attainable in one mile is at least 20 mph but not greater than 30 mph and is equipped with a motor that produces 2 brake horsepower or less. If an internal combustion engine is used, the displacement

shall not exceed 50 cubic centimeter displacement, and the power drive system shall not require the operator to shift gears. 626 ILCS 5/1-148.2

Sec. 11-169. Traffic Laws Apply.

Every person riding or operating a low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter on any street, roadway, alley, sidewalk, or parking lot or on other public property within the Village shall be subject to all the duties applicable to the driver of a vehicle, except as to any special regulations for the use of such vehicles as set forth in this Article or in the Illinois Vehicle Code. Additionally, every person operating a bicycle, low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter shall comply with all special regulations set forth in Chapter 11 (Rules of Road), Article XV (Bicycles) of the Illinois Vehicle Code (625 ILCS 5/11-1501 through 11-1518, inclusive, and as amended from time to time) and all additional regulations and restrictions provided in this Article.

Sec. 11-170. Application.

- (A) It is unlawful for a person to do any act forbidden, or fail to perform any act required, by any provision of this Article or any applicable provision of the Illinois Vehicle Code while riding or operating a bicycle, low-speed electric bicycle, low-speed gas bicycle, moped, or low speed electric scooter within the Village.
- (B) It is unlawful for a person to permit any minor child of which they are a parent or guardian to violate any provision of this Article or any applicable provision of the Illinois Vehicle Code while riding or operating a bicycle, low-speed electric bicycle, low-speed gas bicycle, moped, or low-speed electric scooter within the Village.

Sec. 11-171. Additional Regulations and Restrictions.

- (A) The following additional regulations and restrictions shall apply to the operation of a low-speed electric bicycle, low-speed gas bicycle, or low-speed electric scooter on any street, roadway, alley, sidewalk, bicycle path, multi-use path, or parking lot or on other public property within the Village:
 - 1. A person may operate a low-speed electric bicycle (including a Class 1, Class 2, or Class 3 low-speed electric bicycle) or low-speed gas bicycle only if the person is at least 16 years of age. This limitation does not apply to a Class 1 or Class 2 low-speed electric bicycle that is being operated under manual power and without utilizing motorized propulsion or assistance.
 - 2. A person may operate a low-speed electric scooter only if the person is at least 18 years of age.
 - 3. A person may not operate a low-speed electric bicycle (including a Class 1, Class 2, or Class 3 low-speed electric bicycle), low speed gas bicycle or low speed

electric scooter within the Village on any public sidewalk, bicycle path, or multi-use path or any other public property or public way where the use of motor vehicles is not permitted; provided, however that a Class 1, Class 2 or Class 3 low-speed electric bicycle may be operated on a bicycle path or multi-use path under manual power only and without utilizing motorized propulsion or assistance.

4. Nothing in this section shall be construed to prohibit the use of a motorized wheelchair or similar personal mobility device that is designed for and used by a person with disabilities on any sidewalk, multi-use path, or other public way consistent with the rights and duties applicable to pedestrians.
- (B) No person may operate any bicycle that is equipped with an electric-powered motor of 750 watts or more, or any off-highway motorcycle on any street, roadway, alley, sidewalk, bicycle path, multi-use path, or parking lot or on other public property within the Village.

Sec. 11-172. Penalties.

Any person, firm, association, copartnership, or corporation violating any provisions of this Article for which another penalty is not provided, shall be fined no less than \$150.00 nor more than \$750.00 for each offense.

APPENDIX I

625 ILCS 5/15-113 *et seq.*