

TITLE 4: SAFETY

CHAPTER 2 - INOPERABLE MOTOR VEHICLES

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SECTION 4-2-1 DEFINITIONS

- **“Person”** shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.
- **“Vehicle”** shall mean a machine propelled by power designed to travel along the ground by use of wheels, treads, runners, or slides, and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy, and wagon.
- **“Street or highway”** shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- **“Property”** shall mean any real property within the Village which is not a street or highway.
- **“Inoperable motor vehicle”** shall mean any motor vehicle from which, for a period of at least seven (7) days, any part including but not limited to the engine wheels, or frame have been removed, altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power. It shall also include any vehicle that is unlicensed or has been under repair for a period of seven (7) days.
- **“Inoperable motor vehicle”** shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations nor to any motor vehicles that are kept within a building when not in use, to historic vehicles over 25 years age, which are licensed pursuant to Section 3-804 of the Illinois Vehicle Code (625 ILCS 5/3-804).
- **“Abandoned Vehicle”** shall mean any vehicle which is left at any place for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

SECTION 4-2-2 DECLARATION OF NUISANCE

It is hereby declared a menace to the public safety and welfare and a public nuisance for any person to cause, permit, or allow to remain in the open in view of the general public or on any City street or any publicly or privately owned premises or land any abandoned vehicle or any inoperable motor vehicle.

SECTION 4-2-3 ABANDONMENT OF VEHICLES

It shall be unlawful for any person to leave an abandoned vehicle anywhere within the City for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

SECTION 4-2-4 INOPERABLE MOTOR VEHICLES

It shall be unlawful for any person to permit or allow any damaged or inoperable motor vehicle to be stored or parked in the open and in the view of the general public, upon the

owner's property within the City. It shall also be unlawful for any owner of any damaged or inoperable motor vehicle to permit or allow said motor vehicle to be stored or parked in the open anywhere within the City, including all streets, highways and other public ways.

SECTION 4-2-5 REMOVAL OF INOPERABLE MOTOR VEHICLES

All persons found to be in violation of this Ordinance are required to dispose of any abandoned or inoperable motor vehicles under their control or on their property within seven (7) days upon written notice received from the City Council commanding such disposition of said vehicles.

SECTION 4-2-6 IMPOUNDING

The corporate authorities are hereby authorized to remove or have removed any vehicle left at any place within the City which reasonably appears to be in violation of this ordinance or which reasonably appears to be lost, stolen or unclaimed, or which is an inoperable motor vehicle as defined herein. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with applicable law. Such vehicles shall be impounded as follows: Inoperable motor vehicles may be removed by a towing service authorized by the City Council seven (7) days after issuance of municipal notice to the owner of the vehicle and the owner of the property. If the owner of the vehicle cannot be determined, notice shall be given in the form of a sticker placed on the vehicle. The notice provided for shall include the right to a hearing and shall be substantially as follows:

Notice of Inoperable Motor Vehicle

Description of vehicle _____

Location of vehicle _____

You are hereby notified that the City of West Peoria has determined that the above-described motor vehicle is an inoperable vehicle in violation of Ordinance _____. You have seven (7) days from the date of this Notice to remove the vehicle or it shall be subject to towing. You may also be subject to a fine.

If you so desire, you are entitled to a hearing on this matter before the West Peoria City Council. Your written request for a hearing must be delivered to the City Clerk prior to seven (7) days from the date of this Notice.

By Order of the Mayor of the City of West Peoria

SECTION 4-2-7 PENALTIES FOR VIOLATIONS AND TOWING

- A. Every person violating any of the provisions of this Section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not less than Fifty Dollars (\$50.00) and not more than Five Hundred Dollars (\$500.00), plus attorneys' fees and Court costs and also towing and storage fees. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.
- B. Abandoned vehicles may be removed by a towing service authorized by the City Council as follows:
 - 1. When an abandoned vehicles may be removed by a towing service authorized by the City Council as follows:
 - 2. An abandoned vehicle on private property may be removed after seven (7) days notice as provided above in Section 6 or if a hearing is requested seven days

after the hearing if the City Council determines the vehicle is abandoned or inoperable.

SOURCE 94-03