

CITY OF LEROY
COUNTY OF MC LEAN
STATE OF ILLINOIS

ORDINANCE NO. 441

**AN ORDINANCE AMENDING THE MUNICIPAL CODE OF LEROY, ILLINOIS
1975 (AS AMENDED), CHAPTER 12, NUISANCES.**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LEROY THIS 1st DAY OF
June, 1992.

PRESENTED: June 1, 1992

PASSED: June 1, 1992

APPROVED: June 1, 1992

RECORDED: June 1, 1992

PUBLISHED: June 1, 1992

In Pamphlet Form

Voting "Aye" 5

Voting "Nay" 0

The undersigned being the duly qualified and acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned ordinance and that such ordinance was presented, passed, approved, recorded and published as above stated.

(SEAL)

Juanita Hagley
City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: June 1, 1992

ORDINANCE NO. 441

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF LEROY, ILLINOIS,
1975 (AS AMENDED), CHAPTER 12, NUISANCES

Section 1. That Chapter 12, Nuisances, Municipal Code, LeRoy, Illinois, 1975 (as amended), is hereby further amended by the addition of new provisions being Section 12.06 7/8 and sub-sections thereunder in words and figures as follows:

(a) **DEFINITIONS.** The following definitions shall apply in this section:

(1). **Inoperable Motor Vehicle:** Any vehicle (as defined herein) from which, for a period of at least seven (7) days, the engine, wheels, or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power.

(2). **Property:** Any private property within the City which is not a street, highway or alley and which is not owned by the City of LeRoy.

(3). **Public Property:** Any property owned by the City of LeRoy.

(4). **Street or Highway:** The entire width between the boundary lines of every way publicly maintained when any part thereof is opened to the use of the public for purposes of vehicular travel. This shall include all of the right-of-way owned by the municipality in any thoroughfare, street, highway or alley.

(5). **Vehicle:** A machine propelled by power, other than human power, designed to travel along the ground by use of wheels, treads, runners or slides, which transports persons or property or pulls machinery, and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor and wagon.

(6). **City:** City of LeRoy, Illinois, an Illinois municipal corporation.

(7). All other words and phrases used herein shall be defined as the definition for that word is given in Chapter 95 1/2, § 1, Illinois Revised Statutes, 1989 (as amended).

(b) **ABANDONMENT OF VEHICLES.**

(1). The abandonment of a motor vehicle or any part thereof on any street, highway, alley, or other public way or public property in this municipality is unlawful and subject to penalties as set forth herein. Any police authority of the City or acting on behalf of the City or any member of any such police authority's force or department is hereby authorized to remove a vehicle from a street, highway, alley, or other public thoroughfare or public property, to the nearest garage or other

place of safety, or to the garage designated or maintained by City under the circumstances hereinafter enumerated:

(A). When a vehicle is abandoned on a highway or street within the City ten (10) hours or more;

(B). Immediate removal from any street or highway, or private property adjacent to a highway, when any vehicle left abandoned, unattended, wrecked, burned, or partially dismantled, is creating a traffic hazard because of its position in relation to a street or highway or its physical appearance is causing the impeding of traffic.

(C). When any vehicle is left abandoned or unattended upon a street, highway, other public thoroughfare or alley, and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

(D). When any vehicle is left abandoned or unattended upon public property for over 48 hours.

(2). No person shall abandon any vehicle within the City and no person shall leave any vehicle at any place within the City for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned. Further, no person shall leave any partially dismantled, inoperable, wrecked or junked vehicle on any street, highway or other public property. Any vehicle so left may be removed by the City through its lawful police force or by any police force acting on behalf of the City, whenever any such vehicle is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic, or is left unattended for over 48 hours.

(c) REMOVAL OF ABANDONED, UNATTENDED OR INOPERABLE VEHICLES.

(1). The City police authority, or any police authority acting on behalf of City to enforce this ordinance, is hereby authorized to remove any abandoned, unattended or inoperable vehicle in violation of the provisions of this ordinance. The police authority authorizing the towing shall keep and maintain a record of the vehicle towed, listing the color, year, manufacturer's series name, body style, vehicle identification number, license plate year and number, and registration sticker year and number displayed on the vehicle. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing, and the name of the police authority authorizing the tow.

(2). Whenever any police authority removes a vehicle from a street, highway, alley or other public way as authorized in this ordinance and the police authority knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such police authority shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and the place to which such vehicle has been removed. In the

event any such vehicle has been stored in a public garage, a copy of such notice shall be sent to the proprietor of such garage.

(3). Whenever any policy authority removes a vehicle from a street, highway, alley or other public way, and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of 3 days, then and in that event the police authority shall immediately send or cause to be sent a written report of such removal by mail to the agency or department of the State of Illinois whose duty it is to register motor vehicles and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reason for such removal, and the name of the garage or place where the vehicle is stored.

(4). Vehicles not claimed by the owner thereof may be disposed of after the time and in the manner as set forth in Chapter 95 1/2, Para. 4-208, Illinois Revised Statutes, 1989 (as amended).

(5). All costs of towing and storing a vehicle under the provisions of this ordinance will be paid by the owner or by sale of such vehicle in accordance with the applicable laws providing for such sale.

(d) **PENALTIES.**

Any person violating this ordinance shall be subject to the penalty provided for violation of this code.

Section 2. This ordinance shall be in full force and effect 10 days after its passage, approval and publication in pamphlet form as required by law.

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by _____ David Spratt _____, seconded by _____ Randy Zimmerman _____, by roll call vote, on the 1st day of June, 1992, as follows:

Trustees elected 6

Trustees present 5

VOTING AYE:

William Swindle, Randy Zimmerman, Robert D. Johnson, David Spratt
(names) Gary Builta

VOTING NAY:

None
(names)

ABSENT, ABSTAIN, OTHER:

Jerry Davis
(names)

and deposited and filed in the office of the city clerk in said municipality on the
1st day of June, 1992.

Juanita Dagley
Juanita Dagley, City Clerk of the City of
LeRoy, McLean County, Illinois

APPROVED by the Mayor of the City of LeRoy, Illinois,
this 1st day of June, 1992.

Jerry C. Davis
Jerry C. Davis, Mayor of the City of LeRoy,
McLean County, Illinois

ATTEST:

(SEAL)

Gary W. Buntle

Juanita Dagley
Juanita Dagley, City Clerk, City of LeRoy,
McLean County, Illinois.

CERTIFICATE

I, Juanita Dagley, certify that I am the duly elected and acting municipal clerk of the City of LeRoy, of McLean County, Illinois.

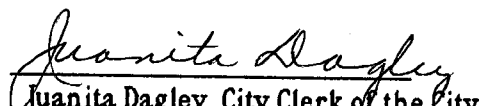
I further certify that on June 1, 19 92, the corporate authorities of such municipality passed and approved Ordinance No. 441, entitled:

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF LEROY, ILLINOIS,
1975 (AS AMENDED), CHAPTER 12, NUISANCES,

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 441, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance No. 441 was posted at the municipal building, commencing on June 1, 19 92, and continuing for at least ten days thereafter. Copies of such Ordinance No. _____ were were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 1st day of June, 1992.


Juanita Dagley, City Clerk of the City
of LeRoy, Illinois

STATE OF ILLINOIS)
) SS.
COUNTY OF MCLEAN)

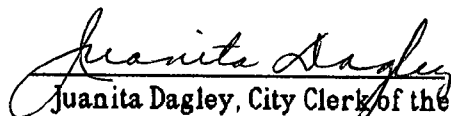
I, Juanita Dagley do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF LEROY, ILLINOIS,
1975 (AS AMENDED), CHAPTER 12, NUISANCES.

Said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 1st day of June, 1992, and a faithful record of said Ordinance has been amde in the record books.

Dated this 1st day of June, 1992.



Juanita Dagley, City Clerk of the City of
LeRoy, Illinois

(SEAL)