

CITY OF LEROY
COUNTY OF MC LEAN
STATE OF ILLINOIS

ORDINANCE NO. 431

**AN ORDINANCE ESTABLISHING THRU TRUCK ROUTES
AND LIMITING TRUCK TRAFFIC ON ALL OTHER STREETS
AND WAYS IN THE CITY OF LEROY BY AMENDMENT TO
CHAPTER 41, MUNICIPAL CODE OF LEROY, ILLINOIS,
1975 (as amended).**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LEROY THIS 2nd DAY OF
March, 1992.

PRESENTED: March 2, 1992

PASSED: March 2, 1992

APPROVED: March 2, 1992

RECORDED: March 2, 1992

PUBLISHED: March 2, 1992

In Pamphlet Form

Voting "Aye" 6

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 Daigley
City Clerk of the City of LeRoy,
McLean County, Illinois

Dated: March 2, 1992.

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1975 (as amended).**

WHEREAS, the Mayor and City Council of the City of LeRoy, McLean County, Illinois, an Illinois municipal corporation, have determined that it is in the best interests of the City of LeRoy and its citizens, and for their safety and welfare, that thru truck routes be established for the City, and that thru truck traffic on all other streets and ways in the City of LeRoy be restricted,

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of LeRoy, Illinois in lawful meeting assembled, as follows:

Section 1. That Chapter 41, Traffic, of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended), is hereby amended by addition of new Section 41.20, with Sections 41.18 and 41.19 being reserved for future use. The aforesaid new Section 41.20 shall be in words as follows:

(a) It shall be unlawful to operate a commercial vehicle upon any street or other way or alley in the City of LeRoy where commercial vehicle operation is prohibited by ordinance and where such signs of prohibition are posted, except that a commercial vehicle be driven on such street, way or alley for not more than the minimum distance necessary for the purpose of making deliveries, picking up loads, performing contractual services for hire, or pickup of personal property.

(b) Every person found driving a commercial vehicle on the streets, ways and alleys described in this Section 41.20 (a) shall be presumed to be driving said commercial vehicle in violation of said sub-section (a). Proof that a person was driving the commercial vehicle on said streets, ways or alleys shall constitute a prima facie case; however, as a defense to such presumption a person shall have the burden to show that at the time the person was found driving the commercial vehicle (presumably in violation of Sub-section (a)) said person was driving the commercial vehicle to or from a location on said streets, ways or alleys for one of the purposes not prohibited in sub-section (a) of this Section 41.20. Any person not able to establish that the commercial vehicle they were driving was properly on said street, way or alley shall be issued a traffic citation therefor. As a defense to such citation a person receiving the citation shall have

the burden to show that at the time the citation was issued the person was driving the commercial vehicle to or from a location on said street, way or alley for one of the purposes allowed under Sub-section (a) (of this Section 41.20).

(c) Commercial vehicles may be operated upon those streets and alleys listed in Schedule B-THRU TRUCK ROUTES, the same being Schedule B attached to this Chapter 41, and such designated streets and alleys are further shown on the map attached to this ordinance, said thru truck routes being shown in red on the aforesaid map, a copy of which map shall be attached to Schedule B and updated from time to time whenever the list of streets, ways and alleys is amended on Schedule B.

(d) No person shall drive any motor vehicle with a gross weight in excess of 73,280 pounds on or over any street, way or alley in the City of LeRoy unless they shall have a special permit issued by the State of Illinois, State of Illinois Department of Transportation or other agency having proper jurisdiction over such matters, or by the Director of Public Works of the City of LeRoy.

(e) Commercial vehicle routes on which thru commercial vehicle traffic shall be permitted are those as set forth in Exhibit "I" attached hereto and incorporated herein, the same being a copy of Schedule B adopted by the City of LeRoy upon passage of this ordinance, as Schedule B to Chapter 41 of the Municipal Code of the City of LeRoy, Illinois, 1975 (as amended). Commercial vehicle traffic on all other streets, ways and alleys in the City of LeRoy shall be deemed prohibited upon adoption of this ordinance. The Director of Public Works of the City of LeRoy is hereby directed, as are the mayor and city clerk, to the extent necessary, to take all steps as may be necessary and appropriate to procure signs and post the same notifying the public of the prohibition of such thru traffic on all streets, ways and alleys except those as set forth in Schedule B of Chapter 41 of the Municipal Code of LeRoy, Illinois, 1975 (as amended).

(f) DEFINITIONS. The following definitions shall apply wherever those terms are set forth in this Section 41.20:

(1) Alley: Those public or private thoroughfares less than twenty (20) feet in width and used primarily as the service access to abutting properties.

(2) Commercial Vehicle: Every "Second Division Vehicle," as the same are set forth in the Illinois Motor Vehicle Code, designed, equipped and used for carrying freight, goods, wares or merchandise, and registered as such.

(3) Street, Highway or Way: 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 traffic.

(g) Every person convicted of a violation of Section 41.20 (a) shall be punished by a fine of not less than Fifty Dollars (\$50.00) and not more than Five Hundred Dollars (\$500.00).

Section 2. That Chapter 3, City Administration, of the Municipal Code of the City of LeRoy, 1975 (as amended), Section 3.11, is hereby amended by the addition of the following words and figures at the end of Subdivision 4.-TRAFFIC, of said section and previous to the subsection numbered 5.-OFFENSES REGARDING AND IN REGARD TO MINORS:

	<u>CHAPTER</u>	<u>SECTION</u>	<u>AMOUNT</u>
I. Driving a commercial vehicle on a street, way or alley other than for a legal purpose and not a thru commercial vehicle route.	41	41.20	\$50.00

PASSED by the City Council of the City of LeRoy, Illinois, upon the motion by _____ Gary Builta _____, seconded by _____ William Swindle _____, by roll call vote, on the 2nd day of _____ March _____, 1992, as follows:

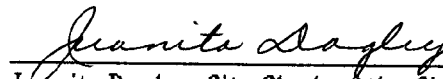
Trustees elected 6
Trustees present 6

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

VOTING NAY None
(names)


ABSENT, ABSTAIN, OTHER none
(names)

and deposited and filed in the office of the city clerk in said municipality on the 2nd day of _____ March _____, 1992.



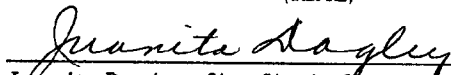
Juanita Dagley, City Clerk of the City of
LeRoy, McLean County, Illinois

APPROVED by the Mayor of the City of LeRoy, Illinois, this 2nd day of
_____ March _____, 1992.



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

ATTEST:

(SEAL)


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

STATE OF ILLINOIS)
) SS.
COUNTY OF MCLEAN)

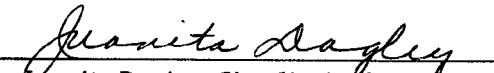
I, Juanita Dagley, do hereby certify that I am the duly qualified and acting City Clerk of the City of LeRoy, McLean, County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

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

**AN ORDINANCE ESTABLISHING THRU TRUCK ROUTES
AND LIMITING TRUCK TRAFFIC ON ALL OTHER STREETS
AND WAYS IN THE CITY OF LEROY BY AMENDMENT TO
CHAPTER 41, MUNICIPAL CODE OF LEROY, ILLINOIS,
1975 (as amended),**

Said ordinance was adopted by the City Council of the City of LeRoy at a regular meeting on the 2nd day of March, 1992, and a faithful record of said Ordinance has been made in the record books.

Dated this 2nd day of March, 1992.



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

(SEAL)

CERTIFICATE

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

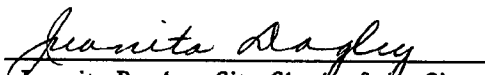
I further certify that on March 2, 1992, the corporate authorities of such municipality passed and approved Ordinance No. 431, entitled:

**AN ORDINANCE ESTABLISHING THRU TRUCK ROUTES
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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 431, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance No. 431 was posted at the municipal building, commencing on March 2, 1992, and continuing for at least ten days thereafter. Copies of such Ordinance No. 431 were were also available for public inspection upon request in the office of the municipal clerk.

Dated at LeRoy, Illinois, this 2nd day of March, 1992.



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

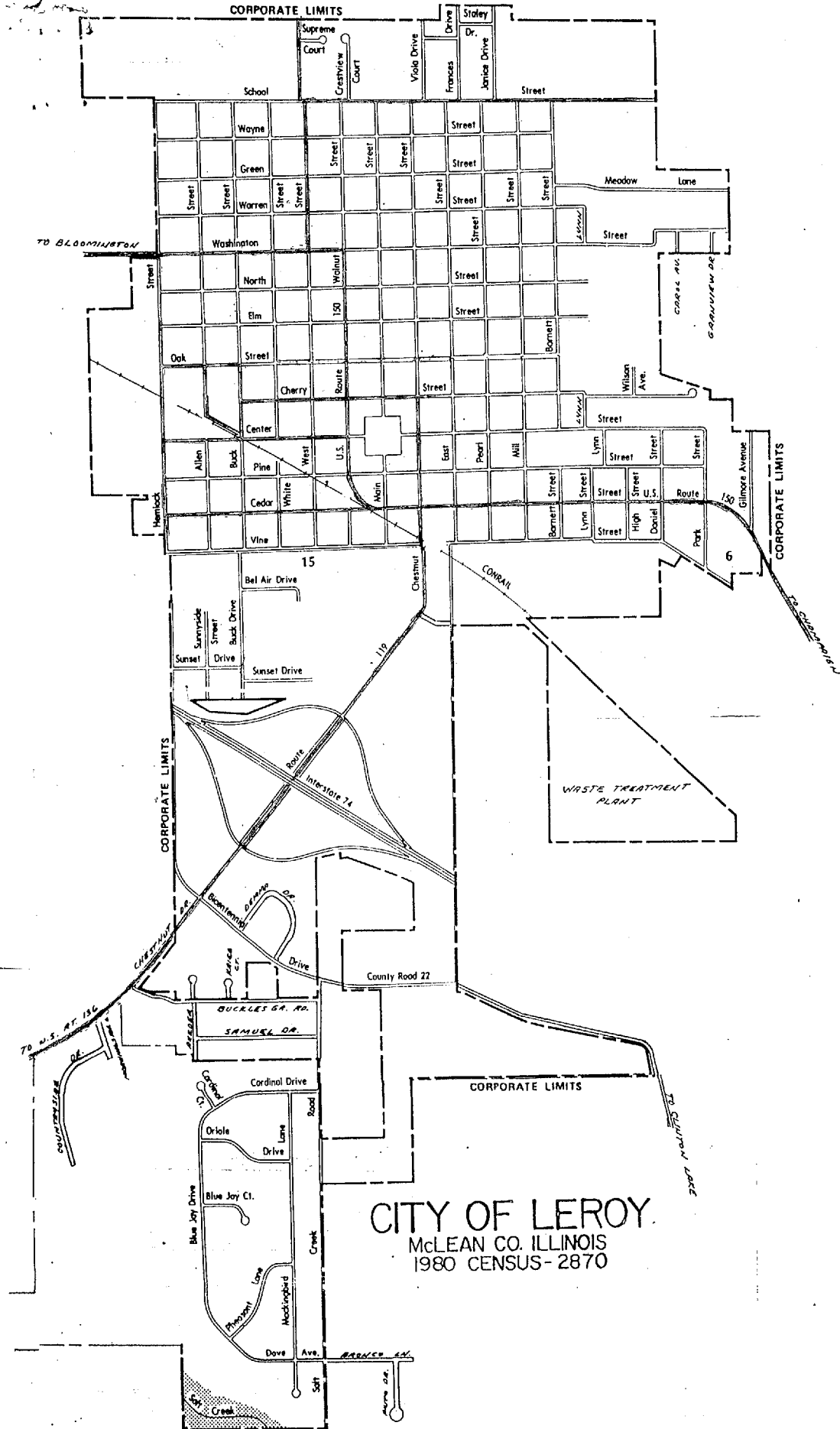
SCHEDULE B

THRU TRUCK ROUTES

**IN ACCORDANCE WITH SECTION 41.20, THE FOLLOWING STREETS
AND WAYS ARE DESIGNATED THRU TRUCK ROUTES IN THE
CITY OF LEROY, ILLINOIS**

- 1) U.S. Route 150 as marked and designated thru the entire city limits.
- 2) West Street north from Washington Street to the north city limits.
- 3) School Street from West Street to the east limits of the City of LeRoy.
- 4) Hemlock Street south from Washington Street to Cedar Street.
- 5) Oak Street east from Hemlock to and including Buck Street.
- 6) Buck Street south from Oak to and including Center Street.
- 7) Center Street east from Hemlock to Walnut Street.
- 8) Cherry Street from Buck Street east to midway in the block between Chestnut and East Streets.
- 9) Chestnut Street from the intersection with Cherry Street south across I-74 by the overpass and further south to the city limits as Chestnut Street turns into the U.S. Route 136 spur and exits the city limits.
- 10) Allen Street south from Oak to the north side of the Conrail railroad tracks, thence southerly along the Conrail railroad tracks to the intersection with Buck Street.
- 11) Cedar Street from Hemlock Street to U.S. Route 150.

EXHIBIT I



CITY OF LEROY.
 McLEAN CO. ILLINOIS
 1980 CENSUS-2870