

VILLAGE OF MT. AUBURN, ILLINOIS

ORDINANCE NO. 68

AN ORDINANCE ADDING A NEW ARTICLE VII TO CHAPTER 9
(MOTOR VEHICLE CODE) TO THE VILLAGE CODE OF MT. AUBURN
(Re: semi-tractor trailer combinations, semi-tractors, and semi-trailers)

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF MT. AUBURN
THIS 1ST DAY OF FEBRUARY, 1999.

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS,
THIS 2ND DAY OF MARCH, 1999.

VILLAGE OF MT. AUBURN, ILLINOIS

ORDINANCE NO. 68

AN ORDINANCE ADDING A NEW ARTICLE VII TO CHAPTER 9 (MOTOR VEHICLE CODE) TO THE VILLAGE CODE OF MT. AUBURN (Re: semi-tractor trailer combinations, semi-tractors, and semi-trailers)

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, ILLINOIS, AS FOLLOWS:

Section 1. A new Article VII to Chapter 9 (Motor Vehicle Code) of the Village Code of Mt. Auburn is hereby enacted, adopted, and added and shall now read as follows:

CHAPTER 9

MOTOR VEHICLE CODE

ARTICLE VII – SEMI-TRACTOR TRAILER COMBINATIONS, SEMI-TRACTORS, AND SEMI-TRAILERS

9-7-1 PARKING.

- (A) No person shall park, stop, or stand any semi-tractor trailer combination, semi-tractor, or semi-trailer upon any Village street, highway, roadway, alleyway, boulevard or right of way for a continuous period of 6 hours or more.
- (B) No person shall park, stop, or stand any semi-tractor trailer combination, semi-tractor, or semi-trailer upon any Village street, highway, roadway, alleyway, boulevard or right of way for any period of time if such parking, stopping, or standing:
 - (1) creates a safety hazard for normal vehicular traffic flow (for purposes hereof, a safety hazard shall be deemed to exist if a law enforcement officer determines there is insufficient room for two vehicles traveling in opposite directions to safely pass each other at the location of such parked, stopped, or standing semi-tractor trailer combination or semi-tractor or semi-trailer); or

- (2) interferes with snow removal operations;
- (3) causes any complaint(s) by any neighbor(s) or other concerned Village resident(s) which the Village Board of Trustees, by majority vote, determines is or are legitimate, in which case the Village Board of Trustees may thereafter disallow such parking, stopping, or standing on a case by case basis upon a 10-day prior notice given to the owner or operator of such semi-tractor trailer combination, semi-tractor, or semi-trailer.

9-7-2 Traveling on Village Streets, etc.

- (A) No person shall drive or operate any semi-tractor trailer combination, carrying any cargo load, upon any Village street, highway, roadway, alleyway, boulevard or right of way except for the limited purpose of making a delivery of such load, or part thereof, to any Village residence or Village business and returning therefrom, and in such case the most direct route to and from such residence or business shall be taken.

9-7-3 Liability for Damages.

- (A) Each owner and/or operator of a semi-tractor trailer combination or semi-tractor or semi-trailer shall be jointly and severally liable to and shall pay the Village for any and all damage(s) to any and all Village street(s), highway(s), roadway(s), alleyway(s), boulevard(s), right of way(s), ditch(es), or culvert(s) caused, in whole or in part, by the parking, stopping, standing, driving, or operation of any such owned and/or operated semi-tractor trailer combination, semi-tractor, or semi-trailer. Within 10 days following a demand by the Village President or Village Board of Trustees to do so, such owner and/or operator shall pay the Village the cost(s) incurred or to be incurred by the Village to repair such damage(s) and/or to restore such street(s), highway(s), roadway(s), alleyway(s), boulevard(s), right of way(s), ditch(es), or culvert(s) to substantially the same condition which existed immediately prior to such damage(s).

9-7-4 Reservations.

- (A) The Village reserves the right at any time and from time to time and for any reason(s) or purpose(s) to hereafter amend, modify, change, supplement, revise, terminate, or rescind this Ordinance and said Article VII, in whole or in part.

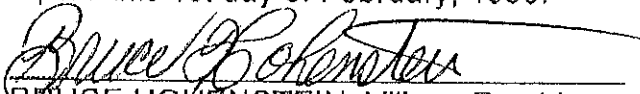
9-7-5 Penalty

(A) In addition to the liability for the aforesaid damage(s), and not in lieu thereof, each person found to be in violation of a any term, provision, or condition of this Article VII shall, upon conviction, be fined in an amount not less than seventy five dollars (\$75.00) and not more than seven hundred fifty dollars (\$750.00) for each offense, and a separate offense shall be deemed committed on each day each such violation occurs or continues.

Section 2: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

Section 3: That the provisions of other Village of Mt. Auburn Ordinances, to the extent they duplicate, conflict with or otherwise affect the validity hereof, shall be disregarded.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, this Ordinance was passed, approved and adopted this 1st day of February, 1999.


BRUCE HOKENSTEIN, Village President
Village of Mt. Auburn, Illinois

ATTEST:


TAMMY HAMELL, Village Clerk

AYES: Bottrell, Copenbarger, Vincent, Hardy, and Campbell

NAYS: None

ABSENT: Hanfland

FILED IN THE OFFICE OF THE VILLAGE CLERK,
VILLAGE OF MT. AUBURN, ON THE 2nd DAY OF MARCH, 1999.

PUBLISHED IN PAMPHLET FORM ON MARCH 2, 1999.

CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF CHRISTIAN)

I, TAMMY HAMELL, certify that I am the duly elected and acting Village Clerk of the Village of Mt. Auburn, Christian County, Illinois.

I further certify that on February 1, 1999, the Board of Trustees of said Village passed and approved Ordinance No. 68 entitled "AN ORDINANCE ADDING A NEW ARTICLE VII TO CHAPTER 9 (MOTOR VEHICLE CODE) TO THE VILLAGE CODE OF MT. AUBURN (Re: semi-tractor trailer combinations, semi-tractors, and semi-trailers)".

The pamphlet form of Ordinance No. 68 including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on March 2, 1999, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

DATED at Mt. Auburn, Illinois, this 13th day of March, 1999.



TAMMY HAMELL, Village Clerk

(MUNICIPAL SEAL)