

Title 6 MOTOR VEHICLES AND TRAFFIC

Chapter 1 VEHICLE LICENSES¹

6-1-1: DEFINITION:

Whenever the term "motor vehicle" is used in this chapter, it shall be construed to include automobiles, motorcycles, motor driven cycles, trucks and all other vehicles as defined in 625 Illinois Compiled Statutes 5/1-146. (Ord. 511-92, 3-16-1992)

The term "motor vehicle" shall also include privately owned golf carts as defined in 625 Illinois Compiled Statutes 5/1-123.9. (Ord. 1317-10, 4-19-2010)

6-1-2: LICENSE REQUIRED; EXEMPTIONS:

Every owner or operator of a motor vehicle who resides within the corporate limits of the village or who owns or operates a motor vehicle having its situs or base within the corporate limits of the village shall, each year, apply for a vehicle license and pay a license fee as hereinafter provided and affix the vehicle license to the lower right hand (passenger's side) of the windshield. The foregoing requirements shall not apply in the following cases:

- A. No vehicle license shall be required of the owner or operator of a motor vehicle registered under the laws of any state other than the state of Illinois or any municipality located therein. (Ord. 814-98, 1-12-1998)

- B. No vehicle license shall be required of the owner or operator of a motor vehicle who resides within the corporate limits of the village if the motor vehicle has its situs or base in another city, village, incorporated town or other municipal corporation regardless of whether or not the motor vehicle is displaying a plate or tax or license number issued by such city, village, incorporated town or municipal corporation. (Ord. 818-98, 2-21-1998)

- C. No vehicle license shall be required of the owner or operator of any commercial motor vehicle, as defined in 625 Illinois Compiled Statutes 5/18b-101(2) that is registered under 625 Illinois Compiled Statutes 5/3-402.1. (Ord. 814-98, 1-12-1998)

6-1-3: APPLICATION FOR LICENSE:

Any person required to have a Hawthorn Woods vehicle license for a motor vehicle shall file an application with the office of the village clerk. Said application shall be made upon a form provided for that purpose and shall include the name and address of the registered owner of the vehicle, name and address of the applicant if different from owner, description of the motor vehicle (including make, color, model, etc.) for which application for license is made. The application shall not be considered complete until accompanied by payment in full of the proper fee as set forth in subsection [11-1-1E](#) of this code. (Ord. 511-92, 3-16-1992; amd. 1995 Code)

6-1-4: TIME LIMIT FOR LICENSING:

- A. Any person who becomes the owner of a new motor vehicle, replaces a motor vehicle or becomes a new resident shall have thirty (30) days to properly license their motor vehicles with the village without penalty. (Ord. 511-92, 3-16-1992)

- B. Every Hawthorn Woods resident person shall renew his vehicle license prior to February 1 of each year. (Ord. 1321-10, 5-17-2010)

- C. If a person fails to license said vehicle within this time limit, they shall still be required to license said vehicle and shall pay fifty percent (50%) additional of the applicable motor vehicle license fee during the month of February, and two (2) times the original applicable motor vehicle license fee set forth in subsection [11-1-1E](#) of this code thereafter. (Ord. 1411-12, 7-16-2012, eff. 1-1-2013)

6-1-5: FEES:

- A. Vehicle Licenses: See subsection [11-1-1E](#) of this code. (Ord. 511-92, 3-16-1992; amd. 1995 Code)

- B. Half Year License: Any person who becomes the owner of any vehicle on or after August 1 of any license year, or any person who becomes a new resident of the village on or after August 1 of any license year, may obtain his motor vehicle license at a license fee of one-half ($\frac{1}{2}$) of the amount specified in subsection A of this section for the annual license fee. (Ord. 1353-10, 11-15-2010)

- C. Senior Citizens: Any person over the age of sixty five (65) years as of February 1 of the applicable license year shall, upon showing proof of age, be entitled to a license for up to one motor vehicle registered in his name, at the reduced rate set forth in subsection [11-1-1E](#) of this code. Any additional

licenses shall be at the full amount of the applicable fee, as set forth in subsection [11-1-1E](#) of this code. (Ord. 1321-10, 5-17-2010)

6-1-6: TERM OF LICENSE:

The license year for motor vehicles shall be from February 1 of each calendar year through January 31 of the following calendar year. (Ord. 1321-10, 5-17-2010)

6-1-7: LICENSE STICKERS:

A vehicle license shall be issued to each person as provided herein. A replacement sticker may be issued upon the payment of the fee set forth in subsection [11-1-1E](#) of this code and upon the submission of a recognizable portion of the original sticker. (Ord. 895-00, 3-18-2000)

6-1-8: PENALTY:

Any person violating any provision of this chapter shall be subject to penalty as provided in [title 1, chapter 4](#) of this code for each offense, and a separate offense shall be deemed committed on each and every day during or on which a violation occurs or continues. (Ord. 1277-09, 2-23-2009)

Chapter 2

TRAFFIC CODE; MISCELLANEOUS PROVISIONS

6-2-1: ADOPTION OF THE ILLINOIS VEHICLE CODE:

In lieu of using any section or in addition to any section of this title, the officer issuing a citation may issue it by using any of the sections of the Illinois vehicle code, 625 Illinois Compiled Statutes, as the same may be amended from time to time, which are incorporated and adopted by reference as a part of this chapter, three (3) copies of said code having been on file in the office of the village clerk and available for public use, inspection and examination for at least thirty (30) days prior to the effective date hereof as provided in 65 Illinois Compiled Statutes 5/1-3-2. All citations issued for these violations shall be in the name of the village and shall refer to the numbered sections in the Illinois vehicle code but shall also be referred to as an ordinance violation in the traffic ticket or complaint. (Ord. 1475-13, 11-18-2013)

6-2-2: VEHICLE WEIGHT RESTRICTIONS:

A. Definitions: For purposes of this section, the following definitions apply:

LIMITED CONTINUOUS USE MOVEMENTS: Movements generally to one site over a period of three (3) months made by oversized vehicles which do not exceed the weight limits set forth in subsection B of this section. Limited continuous use permits may be issued for up to ten (10) trips, generally to the same site during the time period allowed.

MULTIPLE MOVEMENTS: Those movements by a single permittee involving trips in close proximity to each other in distance and in time. The village's police department may, in its sole discretion, consider such multiple movements under a single permit. Such a multiple move permit, when granted by the police department, may not exceed a thirty (30) day period of time. The precise routes and times must be identified prior to obtaining a permit.

ONE-WAY OR SINGLE TRIP MOVEMENT: One move from the point of origin to the point of destination. 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 Hawthorn Woods police department.

ROUND TRIP MOVEMENT: A trip from point of origin to the point of destination and back to point of origin over the same route. Round trip permits are effective for ten (10) consecutive days from the date of issuance.

B. Permits Required:

1. A permit issued by the village shall be required for the movement of any vehicle on a roadway or bridge owned and maintained by the village which exceed the following limits:
 - a. Maximum gross weight of more than six (6) tons.
 - b. Maximum length of more than fifty five feet (55').
 - c. Maximum width of more than eight feet (8').
 - d. Maximum height of more than thirteen feet six inches (13'6").

This shall apply to any single vehicle or series of vehicles pulled by a single tractor. With respect to those roadways and bridges under construction, road closures with or without signage do not exempt overweight and/or oversized movements from permit requirements when any traffic is allowed through construction zone(s) and when the movement is made by applicant(s) not performing construction on the roadway closed. In an emergency declared by resolution of the village, the requirements to obtain permits may be waived.

2. The following are exempt from permits:
 - a. Fire department vehicles;
 - b. Vehicles operating under an emergency declaration;
 - c. Village owned vehicles;
 - d. Vehicles engaged in emergency utility repair;

- e. Equipment used for snow and ice removal, owned or operated by any governmental body;
 - f. Refuse trucks (state nondesignated highway weight limits apply); and
 - g. Utility vehicles.
3. Permits shall be issued only in the name of a person, firm, business, or corporation that owns and operates the transporting vehicle or that operates the vehicle under a bona fide lease agreement.
 4. Permits for vehicles that are both overweight and oversized are valid only one-half ($1/2$) hour before sunrise until one-half ($1/2$) hour after sunset, on any day for which the permit is valid.
 5. Permits are nontransferable and apply only to the permittee.
 6. 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; or
 - c. To adjust weights, dimension or routes as issued on the permit, before the move is made.

Any revisions made at the request of the permittee for purposes of changing weights, dimensions, routes or load description shall be made before any move is made at a cost of twenty dollars (\$20.00) per permit.

7. The permit, when issued, constitutes an agreement between the permittee and the village that the move described in the application will take place only as described. The permittee has the responsibility to report to the village's police department any inaccuracies or errors on the part of either the village or the permittee before starting any move. Undertaking the move is prima facie evidence of acceptance of the permit as issued and its terms.
8. 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 a permit. Permits shall be in the driver's possession at all times unless otherwise directed in writing by the village's police department and presented upon demand to any and all police officers for the purpose of inspection.
9. If required, arrangement shall be made by the permittee to have the proper utilities notified, property moved, bridges or highways analyses performed and completed in advance of any permit movement. Any associated cost shall be the responsibility of the permittee.
10. All movements under the permit shall be made in accordance with all applicable federal, state and local laws, ordinances, rules and regulations.
11. Permits are void if altered by the permittee. The permits issued under this subsection constitute the grant of a privilege by the village and may be denied or suspended for such reasons as the village may deem related to its governmental interests including, but not limited to:
 - a. A permittee's knowingly providing incorrect information in an application for a permit;
 - b. A permittee, its agents, or employees acting on a permit which has been altered for purposes of deception;
 - c. Noncompliance by permittee, its agents or employees with federal, state, or local ordinances pertaining to the transport of goods or operation of a vehicle engaged in the transport of goods; or

d. Moving on village streets without a valid permit as required under this subsection.

C. Applications For Permit:

1. Permits may be granted only pursuant to a completed application. Permits for proposed moves may be issued only if the village's police department is satisfied that:
 - a. The village roadways and bridges will not be damaged; and
 - b. The safety of the traveling public will be adequately protected.
2. Applications for a permit to move an oversized and/or overweight vehicle and/or load, must be made to the village's police department. The following information shall be included on the permit:
 - a. Company name;
 - b. Address of company;
 - c. Fax and telephone number of applicant;
 - d. Name of person making application;
 - e. Description of hauling vehicle;
 - f. Description of load to be moved;
 - g. Overall dimensions of vehicle and axle weight information;
 - h. Village roadways to be traveled;
 - i. Any special conditions;
 - j. Permit type with fee due to the village;
 - k. Date permit issued and expiration date;
 - l. Time permit issued and by whom; and
 - m. Category of permit.
3. Requests for permit moves shall be made no less than twenty four (24) hours prior to the move.

D. Police Escorts: Police escorts shall be required for certain vehicles and loads as determined by the village's police department. The total number of officers necessary to provide for a safe move shall be determined by the village's police department. Fees for escorts shall be in addition to any permit fees.

Fees for the escort shall be seventy five dollars (\$75.00) per hour per officer assigned with a minimum of one hundred fifty dollars (\$150.00), irrespective of the time or number of officers actually used.

E. Bonds, Indemnification And Insurance:

1. 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 move. The measure of liability shall be the actual cost for all repairs or replacement of property damaged by the permittee.
2. The permittee shall indemnify and hold harmless the village from any costs, judgments or settlements, including attorney 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.
3. Upon application for a permit(s) for loads over seventy three thousand two hundred eighty (73,280) pounds, each applicant shall provide evidence of a valid comprehensive general liability insurance policy for protection against personal injury or property damage in the amount of one million dollars (\$1,000,000.00) per occurrence. Such coverage shall be placed with a responsible company acceptable to the village, licensed to do business in the state of Illinois, and with a minimum insurance rating of A:VII as found in the current edition of "A.M. Best's Key Rating Guide". Each policy shall bear an endorsement precluding the cancellation or reduction of said policies without providing the village at least thirty (30) days' prior notice thereof in writing. All required insurance shall be maintained by the contractor in full force and effect during the life of the move.

F. Suspension And Reinstatement:

1. Suspension of a current permit, as authorized by subsection B11 of this section, shall be for the time determined appropriate by the village's police department. Reinstatement may be made upon conditions determined by the police department and payment of all outstanding fees.
2. In addition to any other fees and costs pursuant to subsection F1 of this section, there shall be a reinstatement fee of fifty dollars (\$50.00).
3. The chief of police or his or her designee shall administer and enforce this section and shall have the authority to grant, deny, suspend or reinstate permits. Any applicant or permittee denied a permit or who has had a permit suspended, upon request, shall have the right to appeal the action to the chief of police or his or her designee.

G. Permit Fee Schedules:

1. Collection Of Fees: The village, with respect to highways under its jurisdiction, shall collect a fee as set forth in subsection G3 of this section for the issuance of a permit to operate or move a vehicle or combination of vehicle(s) and/or loads.
2. Limited Continuous Use Permits: Limited continuous use permits are not available for overweight vehicles. Limited continuous use permits are available only for oversized vehicles and for a period of not more than three (3) months from the date of issue.
3. Fee Schedule: The fee schedule for single vehicles shall be as follows:

Category	Axles	Weight	Single Trip	Round Trip
1A	2	24,000 lbs. gross 16,000 lbs. on 1 axle	\$25.00	\$35.00
2A	2		30.00	45.00

		36,000 lbs. gross 20,000 lbs. on 1 axle		
3A	3 or more	50,000 lbs. gross 18,000 lbs. on 1 axle 36,000 lbs. on a tandem	35.00	55.00
4A	3 or more	68,000 lbs. gross 21,000 lbs. on 1 axle 48,000 lbs. on a tandem	40.00	65.00
5A	4 or more	72,000 lbs. gross 34,000 lbs. on 2 axles 40,000 lbs. on a tandem	45.00	75.00

The fee schedule for combination vehicles shall be as follows:

Category	Axles	Weight	Single Trip	Round Trip
1B	5	72,000 lbs. gross 18,000 lbs. on 1 axle 32,000 lbs. on a tandem	\$35.00	\$55.00
2B	5 or more	73,280 lbs. gross 18,000 lbs. on 1 axle 32,000 lbs. on a tandem	40.00	65.00

The fee schedule for oversized vehicles shall be as follows:

Category	Sizes	Escort	Single Trip	Round Trip	Limited Continuous
1C	10' wide 14'6" high 70' long	No	\$ 25 .00	\$ 35 .00	\$100.00/10 trips
2C	12' wide 14'6" high 85' long	No	30 .00	35 .00	\$150.00/10 trips
3C	14' wide 15' high 100' long	Yes	40 .00	65 .00	n/a
4C	18' wide 16'6" high 120' long	Yes	60 .00	105 .00	n/a
5C	Greater than 18' wide Greater than 16' high Greater than 120' long	Yes	110 .00	205 .00	n/a

Any axle or gross weight greater than the maximum weights set forth above are subject to special assessment and investigation to determine appropriate fees for the above table.

The number of police escort vehicles shall be determined by the police department for dimension categories 3C through 5C and shall be based on the route and safety considerations.

H. Bonds And Bond Forfeiture: All persons charged with a violation of 625 Illinois Compiled Statutes 5/15-100 et seq., or 5/3-401(d), shall post a cash bond in an amount equal to the amount of the minimum fine established by the Illinois vehicle code, plus costs in the amount of twenty five dollars (\$25.00) for administrative costs. The defendant may, in lieu of cash bail, deposit a money order issued by a money transfer service company which has been approved by the finance department of the village. The money order shall be made payable to the village.

If a person who submits a bond or money order is found guilty of or pleads guilty to the offense or fails to appear for a hearing before the administrative adjudication hearing officer, the hearing officer may order the forfeiture of all or part of the bond or money order to the village.

I. Authority Of Administrative Adjudication Hearing Officer: Any violations of the Illinois vehicle code relating to overweight trucks, specifically violations of 625 Illinois Compiled Statutes 5/15-100 et seq., and 5/3-401(d), may be decided by the administrative adjudication hearing officer as set forth in [title 1](#) of this code.

J. Fines And Penalties:

1. In addition to any other remedies, any permittee, its officers, agents or employees, found guilty of a violation of this section, shall be subject to a minimum two hundred dollar (\$200.00) and maximum two thousand five hundred dollar (\$2,500.00) fine for each vehicle and day during which a move was made.
2. Whenever any vehicle is operated in violation of the provisions of 625 Illinois Compiled Statutes 5/15-111 or 5/3-401(d), the owner or driver of such vehicle shall be deemed guilty of such violation and either the owner or the driver of such vehicle may be prosecuted for such violation. Any person, firm or corporation who is convicted for a violation of section 15-111, including, but not limited to, a maximum axle or gross limit specified on a regulatory sign posted in accordance with paragraph (g) or (h) of section 15-111, shall be fined according to the following schedule except for weights five thousand one (5,001) or more pounds overweight:

Pounds Overweight	Fine	Administrative Fee	Total
Up to and including 2,000	\$ 50 .00	\$25 .00	\$ 75 .00
From 2,001 through 2,500	135 .00	25 .00	160 .00
From 2,501 through 3,000	165 .00	25 .00	190 .00
From 3,001 through 3,500	260 .00	25 .00	285 .00

From 3,501 through 4,000	300 .00	25 .00	325 .00
From 4,001 through 4,500	425 .00	25 .00	450 .00
From 4,501 through 5,000	475 .00	25 .00	500 .00
5,001 or more	See below	See below	See below

For vehicles that are five thousand one (5,001) or more pounds overweight, the fine shall be computed by assessing seven hundred fifty dollars (\$750.00) for the first five thousand (5,000) pounds overweight and seventy five dollars (\$75.00) for each additional increment of five hundred (500) pounds overweight or fraction thereof. Also, an administrative fee of twenty five dollars (\$25.00) is added to the fine amount.

3. If a second division vehicle (as defined in the Illinois vehicle code) and load are operated within the village and the required registration fees and taxes for the gross weight of the vehicle and load have not been paid or the vehicle and load exceed the registered gross weight for which the required fees and taxes have been paid by two thousand one (2,001) pounds or more, the operator or owner shall be fined as stated in subsection J2 of this section. For any unregistered vehicle or vehicle displaying expired registration, no fine shall exceed the actual cost of what the appropriate registration for that vehicle and load should have been as established in 625 Illinois Compiled Statutes 5/3-815(a), as amended from time to time, plus an administrative fee of twenty five dollars (\$25.00). (Ord. 1288-09, 8-17-2009)

6-2-3: TURNING RESTRICTIONS, SPECIFIC AREAS:

(Rep. by Ord. 1370-11, 7-19-2011)

6-2-4: STOP INTERSECTIONS DESIGNATED:

- A. Generally: Except when directed to proceed by a police officer or traffic control signal, every driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right of way to any vehicle which has entered the intersection from another roadway or which is approaching so closely on the roadway as to constitute an immediate hazard during the time when the driver is moving across or within the intersection, but said driver having so yielded may proceed at such time as a safe interval occurs. (Ord. 578-93, 11-8-1993; amd. Ord. 775-96, 11-11-1996)

- B. Certain Intersections Designated: The following intersections are hereby designated as stop intersections:

94 Midlothian Road (Aquatic Center exit), eastbound at Midlothian Road.

Aberdeen Road (north end), eastbound at Darlington Drive.

Aberdeen Road (south end), eastbound at Darlington Drive.

Acorn Drive, northbound at Old McHenry Road.

Acorn Drive, southbound at Robin Crest Road.

Andrew Lane, northbound at Cardinal Drive.

Anne Court, northbound at Deer Point Drive.

Bedford Court, westbound at South Chestnut Court.

Bent Tree Court, eastbound at Foxhunt Trail.

Bethpage Circle, northbound at River Highlands Drive.

Birch Lakes Drive, eastbound at Fairfield Road.

Birch Lakes Drive, eastbound at High Point Drive.

Birch Lakes Drive, westbound at Deer Point Drive.

Birch Lakes Drive, westbound at High Point Drive.

Bittersweet Trail, northbound at Schwerman Road.

Bixtone Path, southbound at Old McHenry Road.

Blackhawk Road, northbound at Indian Creek Road.

Blackhawk Road, southbound at Sequoia Road.

Briar Creek Drive, northbound at Dorel Drive.

Briar Creek Drive, southbound at Schwerman Road.

Bridle Path, northbound at Milton Road.

Bridle Path, southeastbound at North Trail.

Brierwoods Lane, eastbound at Bruce Circle North.

Brierwoods Lane, southbound at Miller Road.

Brighton Court, westbound at Mark Drive.

Bruce Circle North, eastbound at Acorn Drive.

Bruce Circle North, eastbound at Bruce Circle South.

Bruce Circle North, westbound at Bruce Circle South.

Bruce Circle South, eastbound at Acorn Drive.

Bruce Circle South, northbound at Bruce Circle North.

Cambridge Drive, eastbound at Carlisle Road.

Cambridge Drive, northbound at Gilmer Road.

Canterbury Lane, westbound at Mark Drive.

Cardinal Drive, eastbound at Gilmer Road.

Cardinal Drive, northbound at Falcon Drive.

Cardinal Drive, northbound at Schwerman Road.

Cardinal Drive, southbound at Falcon Drive.

Carlisle Road, eastbound at Darlington Drive.

Carlisle Road, northbound (east fork) at Carlisle Road.

Carlisle Road, northbound (east fork) at Falkirk Road.

Carlisle Road, southbound (east and west forks) at Falkirk Road.

Carlisle Road, southbound at Glen Road.

Carlisle Road, southbound at North Highview Circle.

Cattail Court, southbound at Foxtail Road.

Championship Parkway, eastbound at Gilmer Road.

Championship Parkway, southbound at Tournament Drive North.

Chancellor Court, northbound at Copperfield Drive.

Chantilly Lane, northbound at Wedgewood Drive.

Charleston Court, northbound at Hawthorn Grove Circle.

Circle Drive, southbound at Old McHenry Road.

Cobblewood Lane, northbound at North Trail.

Community Park exit, eastbound at Park View Lane.

Copperfield Drive, southbound at Old McHenry Road.

Copperfield Drive, westbound at Chantilly Lane.

Costekin Court, southbound at Illinois Route 176.

Country Club entrance, eastbound at Tournament Drive North.

Croydon Road, northbound at Glen Road.

Croydon Road, southbound at Stonehaven Drive.

Crystal Downs Drive, westbound at Tournament Drive South.

Darlington Drive, northbound at choker point north of John Drive.

Darlington Drive, northbound at choker point north of Trent Road.

Darlington Drive, northbound at Falkirk Road.

Darlington Drive, northbound at Gilmer Road.

Darlington Drive, northbound at Glen Road.

Darlington Drive, southbound at choker point north of John Drive.

Darlington Drive, southbound at choker point north of Trent Road.

Darlington Drive, southbound at Falkirk Road.

Darlington Drive, southbound at Glen Road.

Darlington Drive, southbound at Old McHenry Road.

Dartmouth Lane, eastbound at Cambridge Drive.

Deer Point Drive, eastbound at choker point west of Overlook Drive.

Deer Point Drive, northbound at Birch Lakes Drive.

Deer Point Drive, northbound at Governors Way.

Deer Point Drive, southbound at Birch Lakes Drive.

Deer Point Drive, southbound at Old Lake Road.

Deer Point Drive, westbound at choker point west of Overlook Drive.

Deerfield Drive, westbound at Forest View Drive.

Doral Court, southbound at Doral Drive.

Dorchester Court, southbound at Highland Drive.

Dorset Court, northbound at North Trail.

Durango Court, westbound at Deer Point Drive.

Eagle Ridge Drive, northbound at Championship Parkway.

Eagle Ridge Drive, southbound at Tournament Drive North.

East Peter Lane, westbound at Cardinal Drive.

Echo Court, westbound at Acorn Drive.

Echo Lake Road, northbound at Miller Road.

Echo Lake Road, northbound at Old McHenry Road.

Echo Lake Road, southbound at Miller Road.

Edward Lane, westbound at Mark Drive.

Elm Street, eastbound at Darlington Drive.

Elm Street, northbound at Lagoon Drive.

Elmwood Drive, southbound at Miller Road.

Equestrian Way, northbound at North Trail.

Equestrian Way, southbound at Old McHenry Road.

Essex Court, westbound at Mark Drive.

Executive Drive, southbound at Landover Parkway.

Falkirk Road, eastbound at Darlington Drive.

Falkirk Road, westbound at Lagoon Drive.

Flint Creek Drive, northbound at Abbey Glenn Road.

Flint Creek Drive, southbound at East Stonebridge Drive.

Forest View Drive, northbound at Deerfield Drive.

Forest View Drive, southbound at Kruckenberg Road.

Foxhunt Trail, northbound at Pheasant Run.

Foxhunt Trail, southbound at Old McHenry Road.

Foxtail Road, westbound at Squire Road.

Furlong Drive, southbound at North Trail.

Gentry Drive, northbound at Bagpipe Court.

Gentry Drive, southbound at Copperfield Drive.

Gino Lane, eastbound at St. John Drive.

Gino Lane, westbound at Hawthorn Grove Drive.

Glen Club Court, eastbound at Open Parkway North.

Glen Road, eastbound at Darlington Drive.

Glen Road, eastbound at Lynn Drive.

Glen Road, eastbound at Orchard Lane.

Glen Road, westbound at Lynn Drive.

Glen Road, westbound at Orchard Lane.

Glen Road, westbound at Squire Road.

Governors Way, westbound at Gentry Drive.

Greenfield Court, southbound at Deerfield Drive.

Hampton Lane, westbound at Mark Drive.

Harborside Way, northbound at Tournament Drive North.

Harrington Court, eastbound at Hawthorn Grove Drive.

Harvard Lane, southbound at Cambridge Drive.

Harvard Lane, westbound at Cambridge Drive.

Hawthorn Drive, southbound at Old McHenry Road.

Hawthorn Grove Circle, eastbound at Hawthorn Grove Drive.

Hawthorn Grove Drive, northbound at Gilmer Road.

Hawthorn Ridge Drive, eastbound at Hawthorn Ridge Drive (north/south).

Hawthorn Ridge Drive, northbound at Open Parkway North.

Heather Lane, eastbound at Quentin Road.

Heritage Park Drive, eastbound at Kruckenbergl Road.

Heritage Park Drive, westbound at Fairfield Road.

Heron Court, westbound at Darlington Drive.

Hickory Road, eastbound at Elm Street.

Hickory Road, southbound at Hawthorn Drive.

High Point Drive, southbound at Birch Lake Drive.

Highland Drive, eastbound at Quentin Road.

Highland Drive, westbound at Chestnut Court.

Hillcrest Drive, eastbound at Old Barn Road (west end).

Holmes Avenue, westbound at Fairfield Road.

Indian Creek Road, westbound at Gilmer Road.

Ivy Lane, southbound at Rosewood Drive.

James Court, southbound at Darlington Drive.

James Drive, eastbound at John Drive.

James Drive, eastbound at Mark Drive.

James Drive, northwestbound at Darlington Drive.

James Drive, westbound at John Drive.

Jamie Lane, eastbound at Mark Drive.

Jamie Lane, westbound at Trent Road.

Jane Court, northbound at Juel Drive.

Jessica Court, eastbound at Joshua Drive.

John Drive, westbound at Darlington Drive.

Joshua Drive, northbound at Regan Lane.

Joshua Drive, southbound at Jessica Court.

Juel Circle, northeastbound at Elm Street.

Juel Drive, eastbound at Darlington Drive.

Juel Drive, southbound at Elm Street.

Kathy Lane, eastbound at David Lane.

Kathy Lane, westbound at David Lane.

Kensington Court, eastbound at Hawthorn Grove Drive.

Kruger Road, eastbound at Midlothian Road.

Kruger Road, westbound at Fairfield Road.

Lagoon Drive, eastbound at Falkirk Road.

Lagoon Drive, northbound at Orchard Lane.

Lagoon Drive, southbound at Falkirk Road.

Lagoon Drive, southbound at Old McHenry Road.

Lagoon Drive, westbound at Orchard Lane.

Lakeview Road, northbound at Old Barn Road (east end).

Lakeview Road, southbound at Old Barn Road (east end).

Lakeview Road, westbound at Old Barn Road (west end).

Lancelot Lane, southbound at Glen Road.

Lancelot Lane, westbound at Squire Road.

Landover Parkway, eastbound at Midlothian Road.

Lannon Circle, northbound at West Stonebridge Drive.

Lisa Lane, westbound at Mark Drive.

Lydia Court, southbound at Acorn Drive.

Lynn Drive, northbound at Glen Road.

Lynn Drive, northbound at Lagoon Drive.

Lynn Drive, northbound at Rosewood Drive.

Lynn Drive, southbound at Glen Road.

Lynn Drive, southbound at Lagoon Drive.

Magnolia Parkway, eastbound at St. John Drive.

Margaret Boulevard, eastbound at Peggy Drive.

Margaret Boulevard, northbound at Illinois Route 176.

Mark Drive, westbound at Darlington Drive.

Mary Lane, eastbound at St. John Drive.

Meadowlark Drive, northbound at Schwerman Road.

Mooregate Trail, eastbound at Equestrian Way.

Mooregate Trail, eastbound at Thornfield Lane.

Mooregate Trail, westbound at Thornfield Lane.

Mulberry Drive, southbound at Old McHenry Road.

Mulberry Drive, westbound at Copperfield Drive.

Newbury Court, westbound at Mark Drive.

Newhaven Drive, westbound at Cobblewood Road.

Norbert Drive, eastbound at John Drive.

Norbert Drive, westbound at Darlington Drive.

North Trail, eastbound at Redwood Lane.

North Trail, northbound at Bridle Path.

North Trail, northbound at choker point south of Westwind Court.

North Trail, northbound at Westwind Court.

North Trail, southbound at Bridle Path.

North Trail, southbound at choker point south of Westwind Court.

North Trail, southbound at Westwind Court.

North Trail, westbound at Redwood Lane.

Oakland Hills Court, westbound at Crystal Downs Drive.

Old Barn Road (east end), eastbound at Lakeview Road.

Old Barn Road (east end), westbound at Lakeview Road.

Old Barn Road (west end), southbound at Lakeview Road.

Old Lake Drive, westbound at Mulberry Drive.

Olivers Way, southbound at Governors Way.

Olivers Way, northbound at Lochanora Drive.

Olympia Fields Lane, northbound at Tournament Drive North.

Oneida Lane, northbound at Washitay Avenue.

Oneida Lane, westbound at Seneca West Avenue.

Open Parkway North, eastbound at Hawthorn Ridge Drive.

Open Parkway North, westbound at Red Tail Drive.

Open Parkway South, eastbound at Tournament Drive South.

Open Parkway South, northbound at Tournament Drive South.

Orchard Lane, northbound at Glen Road.

Orchard Lane, southbound at Glen Road.

Orchard Lane, southbound at Lagoon Drive.

Owens Road, southbound at Schwerman Road.

Paddock Court, southbound at North Trail.

Park Place Circle, westbound at Park View Lane.

Peggy Drive, northbound at Margaret Boulevard.

Pheasant Run, eastbound at Thornfield Lane.

Pheasant Run, southbound at Thornfield Lane.

Pine Grove Boulevard, northbound at Illinois Route 176.

Prairie Landing Court, eastbound at Olympia Fields Court.

Princeton Lane, eastbound at Cambridge Drive.

Quail Hollow Court, northbound at Lakeview Road.

Quail Hollow Court, southbound at Lakeview Road.

Red Tail Drive, eastbound at Tournament Drive South.

Redwood Lane, northbound at North Trail.

Redwood Lane, northbound at Old McHenry Road.

Redwood Lane, southbound at Old McHenry Road.

Regan Lane, eastbound at Gilmer Road.

Reserve Court, eastbound at Joshua Drive.

River Highlands Drive, eastbound at Tournament Drive North.

Robert Court, westbound at Mark Drive.

Robin Crest Road, northbound at Bruce Circle South.

Rose Lane, westbound at Governors Way.

Rosewood Drive, eastbound at Orchard Lane.

Rutgers Court, northbound at Indian Creek Road.

Saddle Ridge Court, westbound at Equestrian Way.

Scarlet Oak Drive, eastbound at Golf Crest Drive.

Scarlet Oak Drive, westbound at Owens Road.

Seneca East Avenue, southbound at Indian Creek Road.

Seneca West Avenue, northbound at Indian Creek Road.

Seneca West Avenue, southbound at Indian Creek Road.

Sequoia Road, southbound at Gilmer Road.

Shore Acres Drive, southbound at Championship Parkway.

Somerset Hills Court, westbound at Tournament Drive South.

South Highview Circle, eastbound at Carlisle.

Spring Creek Court, westbound at Forest View Drive.

St. John Drive, northbound at Gilmer Road.

St. John Drive, southbound at Gilmer Road.

Steeplechase Drive, northbound at North Trail.

Steeplechase Drive, southbound at North Trail.

Stone Creek Drive, westbound at Echo Lake Road.

Stonehaven Drive, eastbound at Darlington Drive.

Stonehaven Drive, westbound at Carlisle Road.

Stoney Ridge Court, eastbound at Equestrian Way.

Sunset Court, southeastbound at Old Barn Road.

Tanglewood Court, southbound at Tanglewood Lane.

Tanglewood Lane, eastbound at Brierwoods Lane.

Thornfield Lane, northbound at Mooregate Trail.

Thornfield Lane, southbound at Mooregate Trail.

Tournament Drive North, eastbound at Harborside Way.

Tournament Drive North, southbound at Schwerman Road.

Tournament Drive South, northbound at Open Parkway South.

Tournament Drive South, northbound at Schwerman Road.

Tournament Drive South, southbound at Open Parkway South.

Tournament Drive South, westbound at Harborside Way.

Trent Road (north end), westbound at Darlington Drive.

Trent Road (south end), westbound at Darlington Drive.

Twin Eagles Court, southbound at Championship Parkway.

University Circle (east end), southbound at Carlisle Road.

University Circle (west end), southbound at Carlisle Road.

Valerie Court, northbound at Peggy Drive.

Vera Court, eastbound at Margaret Boulevard.

Victoria Lane, northbound at Lagoon Drive.

Victoria Lane, southbound at Hawthorn Drive.

Walnut Drive, northbound at Lagoon Drive.

Walnut Drive, southbound at Hickory Road.

Wayne Lane, southeastbound at Bruce Circle North.

Wedgewood Drive, northbound at Copperfield Drive.

Wedgewood Drive, westbound at Copperfield Drive.

Wellesley Court, eastbound at North Chestnut Court.

West Peter Lane, eastbound at Cardinal Drive.

West Wind Court, eastbound at North Trail.

Wild Way, eastbound at Mark Drive.

Winding Branch Road, eastbound at Pheasant Run.

Winding Branch Road, westbound at Milton Road.

Winged Foot Drive, eastbound at Tournament Drive South.

Wooded Lane, northbound at Milton Road.

Wooded Lane, southbound at Winding Branch Road. (Ord. 1260-08, 9-15-2008)

6-2-5: YIELD INTERSECTIONS DESIGNATED:

- A. Generally: Except when directed by a police officer, every driver of a vehicle approaching a yield intersection indicated by a yield sign shall yield and grant the privilege of immediate use of the intersection to any vehicle which has entered the intersection from another roadway or is approaching so closely on the roadway as to constitute an immediate hazard during the time when the driver is moving across or within the intersection, but said driver having so yielded may proceed at such time as a safe interval occurs. (Ord. 574-93, 10-11-1993; amd. 1995 Code)
- B. Certain Intersections Designated: The following intersections are hereby designated as yield intersections:

Arthur Court, northbound, at Glen Road.

Lynn Drive, southbound, at Hickory Road. (Ord. 574-93, 10-11-1993; amd. 1995 Code; Ord. 775-96, 11-11-1996)

6-2-6: PENALTY:

- A. Violation: Any person violating this section shall be subject to penalty as provided in [title 1, chapter 4](#) of this code for each offense, and a separate offense shall be deemed committed on each and every day during or on which a violation occurs or continues. (Ord. 1277-09, 2-23-2009)
- B. Arrests: Any person arrested for a violation of any provision of this title shall be released upon proper bail being furnished as required by law.
- C. Prima Facie Proof: The fact that an automobile which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such violation. (Ord. 365-86, 4-8-1986; amd. 1995 Code)

6-2-7: TRAFFIC ON SCHWERMAN ROAD:

No vehicle or combination of vehicles with more than two (2) axles shall be operated on Schwerman Road. Government owned vehicles and delivery trucks (other than delivery trucks hauling construction equipment or materials to a work site located on property that was annexed to the village at any time subsequent to May 1, 2003) and moving vans, while loading or unloading, are exempt from this section. (Ord. 1050-03, 11-17-2003)

Chapter 3

PARKING REGULATIONS

6-3-1: PROHIBITED PARKING AREAS:

It shall be unlawful for the operator of any vehicle to stop, stand or park such vehicle in any of the following places, except when necessary to avoid conflict with other traffic in compliance with direction of a police officer or official traffic sign or signal:

- A. In any intersection.

- B. In a crosswalk.

- C. Upon or under any bridge or viaduct, or in any subway or approach thereto.

- D. Between a safety zone and the adjacent curb or within twenty feet (20') of a point on the curb immediately opposite the end of a safety zone.

- E. Within thirty feet (30') of a traffic signal.

- F. Within twenty feet (20') of any intersection.

- G. At any curb within fifteen feet (15') of a fire hydrant.

- H. At any place where the vehicle would block the use of a driveway.

- I. Within fifty feet (50') of the nearest rail of a railroad grade crossing.

- J. Within twenty feet (20') of a 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.

K. At any place on the public streets at such time or in such a manner as will impair the plowing of snow from the streets.

L. Sidewalks.

M. In any parkway, except on a paved surface or any driveway apron constructed of concrete, asphalt and/or gravel.

N. On any street, along the pavement edge adjacent to the side of such street upon which the buildings bear even numbered street addresses, except as follows:

1. Carlisle Road, from South Highview Circle to North Highview Circle;
2. North Highview Circle, along the portion thereof lying north of the centerline of North Highview Circle;
3. Lynn Drive, from Lagoon Drive to Glen Road, whereon it shall be unlawful to stop, stand or park along the pavement edge adjacent to the side of such street upon which the buildings bear the street addresses 16, 17, 20, 21, 24, 29, 32, 35, 38 and 42 Lynn Drive;
4. Thornfield Lane, from the southerly edge of the pavement of Pheasant Run at its northerly intersection with Thornfield Lane to a point six hundred eighty five feet (685') south of said southerly edge of pavement of Pheasant Run;
5. Lagoon Drive from Old McHenry Road to Orchard Lane, whereon it shall be unlawful to stop, stand or park along the pavement edge adjacent to the side of Lagoon Drive upon which the buildings bear odd numbered street addresses.

O. On any street, between the hours of two o'clock (2:00) A.M. and five o'clock (5:00) A.M. of any day.

P. On Thornfield Lane, along the west pavement edge, from three hundred forty feet (340') north of the northerly edge of pavement of Pheasant Run at its southerly intersection with Thornfield Lane, to two hundred fifty feet (250') south of the southerly edge of pavement of Pheasant Run at its southerly intersection with Thornfield Lane.

Q. On any street, or any other place, as determined by the chief of police and designated by signs giving notice thereof, where the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic due to events in the area of a temporary nature, including, but not limited to, parades, special events and road construction or maintenance.

R. On Copperfield Drive, along the northwesterly pavement edge, from the west property line of lot 62 in Copperfield Subdivision (approximately 330 feet west of the west edge of pavement of Gentry Drive at its intersection with Copperfield Drive), to a point twenty feet (20') south of the south property line,

extended, of lot 55 in Copperfield Subdivision (approximately 600 feet north of the north edge of pavement of Wedgewood Drive at its intersection with Copperfield Drive).

S. On Equestrian Lane, from the southerly pavement edge of North Trail to the southerly terminus of Equestrian Lane, between the hours of eight o'clock (8:00) A.M. and four o'clock (4:00) P.M. of any Saturday or Sunday.

T. On Squire Road, from its southerly terminus to a point one hundred forty feet (140') north of its southerly terminus. (Ord. 365-86, 4-8-1986; amd. Ord. 524-92, 6-8-1992; Ord. 539-92, 9-21-1992; Ord. 742-95, 11-13-1995; Ord. 759-96, 4-8-1996; Ord. 764-96, 7-10-1996; Ord. 794-97, 6-9-1997; Ord. 797-97, 7-14-1997; Ord. 870-99, 8-9-1999)

6-3-2: SNOW REMOVAL:

It shall be unlawful for any person to park any vehicle or leave any vehicle parked or occupying any portion of any public street at such time or in such manner as will impede or impair the plowing or removal of snow from such public street. Any person violating any of the provisions of this section shall, upon conviction, be subject to penalty as provided in subsection [1-4-4E](#) of this code for each such conviction, each day. (Ord. 365-86, 4-8-1986; amd. 1995 Code)

6-3-3: PARKING AT CURB:

No vehicle shall be parked with the left side of such vehicle next to the curb, except on one-way streets, and it shall be unlawful to stand or park any vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve inches (12") of the regularly established curb line, except that upon those streets that have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks. (Ord. 365-86, 4-8-1986)

6-3-4: VEHICLES FOR SALE PROHIBITED; EXCEPTIONS:

It shall be unlawful to park any vehicle upon any street, public right of way or other public property or any private property in the village, for the purpose of displaying it for sale (except by special use granted in the B retail business/commercial district). For purposes of this section, the term "vehicle" shall have the definition set forth in 625 Illinois Compiled Statutes 5/1-217, except that said term shall also include boats, boat trailers, rafts, snowmobiles, snowmobile trailers, personal watercraft trailers, personal watercraft, nonmotorized apparatus containing two (2) or more wheels and motorcycle trailers. (Ord. 1051-03, 11-17-2003; amd. Ord. 1314-10, 1-19-2010)

Notwithstanding the above prohibition, parking an automobile, sport utility vehicle, motorcycle, boat or boat trailer for the purpose of displaying it for sale shall be permitted only in the driveway of the property

where the owner of such automobile, sport utility vehicle, motorcycle, boat or boat trailer resides and only so long as such automobile, sport utility vehicle, motorcycle, boat or boat trailer is parked no closer than thirty five feet (35') to any street pavement line. No such automobile, sport utility vehicle, motorcycle, boat or boat trailer shall be parked anywhere else on such property, including, but not limited to, the front, side or rear yard or other buildable area of the property. (Ord. 1051-03, 11-17-2003)

The parking and display of any vehicle for sale shall only be permitted once in any twelve (12) month period and the length of time a vehicle is displayed for sale may not exceed thirty (30) days. (Ord. 1340-10, 7-19-2010)

6-3-5: LOADING ZONES:

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, in any place designated by the village board 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 line before the entrance to a public building between eight o'clock (8:00) A.M. and six o'clock (6:00) P.M. except on a Sunday.

- C. Directly in front of the entrance to any theater at any time that the theater is open. (Ord. 365-86, 4-8-1986)

6-3-6: ALLEYS:

No person shall park a vehicle within an alley except for the purpose of loading and unloading merchandise and then in such a manner or under such conditions as to leave available not 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 a position as to block the driveway entrance to any abutting property. (Ord. 365-86, 4-8-1986)

6-3-7: CAB AND BUS STANDS:

No vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a cab stand; and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. (Ord. 365-86, 4-8-1986)

6-3-8: PARKING ON PRIVATE PROPERTY:

- A. It shall be unlawful to park any vehicle on any private property without the consent of the owner of the property.
- B. It shall be unlawful for the owner of any private property to park, or allow to be parked, any vehicle in any area of said private property other than the paved driveway area; provided, however, that in the event of a special occasion or gathering, automobiles or sport utility vehicles may be parked in areas outside the paved driveway area for a period of not more than six (6) hours and not more frequently than once per calendar year.
- C. Except as otherwise permitted by this code, no person shall park outdoors, store outdoors, occupy, or cause, permit or suffer the outdoor parking, outdoor storage or occupation of, any camping trailer, commercial vehicle, commuter vehicle, commuter van, farm tractor, house trailer, motor home, mini-motor home, van camper, pole trailer, recreational vehicle, road tractor, semitrailer, special mobile equipment, trailer, travel trailer, truck, truck camper, truckster, truck tractor or nonmotorized apparatus containing two (2) or more wheels, on any land in a residential area within the village. For purposes of this subsection, the definitions set forth in 625 Illinois Compiled Statutes 5/1-100 et seq., shall apply, except that the term "recreational vehicle" shall also include boats, boat trailers, rafts, snowmobiles, snowmobile trailers, personal watercraft trailers, personal watercraft and motorcycle trailers. (Ord. 1051-03, 11-17-2003)

6-3-9: INOPERATIVE VEHICLES:

No vehicle which is in an inoperative condition may be left on any portion of a public street for longer than seventy two (72) hours. (Ord. 365-86, 4-8-1986)

6-3-10: PARKING VIOLATION CITATIONS AND SETTLEMENT OF CLAIMS:

- A. Fine Imposed: Any person charged with a violation of this chapter may, in lieu of prosecution for a violation thereof, make payment in accordance with section [1-4-4](#) of this code. For the purpose of determining penalties for parking violations, each hour that a car remains illegally parked constitutes a separate violation, except for section [6-3-2](#) of this chapter or unless otherwise specified. (Ord. 1134-05, 7-25-2005)
- B. Parking Ticket Form: The village board may, from time to time, designate by ordinance a form parking ticket to be used by the village police. (Ord. 365-86, 4-8-1986)

C. Exceptions: This section shall not apply to:

1. Persons parking so as to obstruct the entrance or exit of any place where police or fire department apparatus or other emergency equipment is kept or housed, or so as to block an emergency entrance in a hospital;
2. Persons parking so as to entirely obstruct traffic in any street or alley;
3. Persons parking in such a way as to reduce traffic on an arterial street to one-way traffic only;
4. Persons who refuse to move an illegally parked vehicle at the request of any member of the police department. (Ord. 1051-03, 11-17-2003)

6-3-11: IMPROPERLY PARKED VEHICLES; ABATEMENT:

A. Towing Cars Away:

1. Authorization: The police department and all members thereof assigned to traffic duty are hereby authorized to remove and tow away or have removed and towed away by commercial towing service, any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs or may obstruct the movement of any emergency vehicle.
2. Nuisance Declared: A vehicle parked or occupying any portion of any public street in violation hereof is hereby declared to be a nuisance which shall be abated by any police officer by issuing a traffic citation for such violation and placing it upon such vehicle and causing such vehicle to be removed and towed or conveyed to a vehicle pound designated by the chief of police.

B. Redemption Of Impounded Vehicles: The owner or authorized operator of such impounded vehicle may have the vehicle removed from impoundment by paying all costs and expenses that have been incurred for the towing and storage of such vehicle, plus all towage and storage charges which have theretofore accrued against such vehicle during the time of his ownership thereof. The payment of such costs, expenses and charges shall be in addition to the penalty that may be imposed upon conviction of a violation of this chapter as provided hereafter.

C. Sale Of Impounded Vehicles; Notice To Owner: Any vehicle impounded under authority of this chapter may, after thirty (30) days from the date of impoundment, be sold by the department of police either at a private or public sale to the highest bidder. The owner of such vehicle on the date of impoundment, as may be shown by the records of the office of the secretary of state of Illinois or of the office of the secretary of state of that state in which such vehicle was last licensed, shall be given at least ten (10) days' notice in writing of the proposed sale; the notice of proposed sale may be delivered in person or sent by United States mail, postage prepaid in full, to such owner at the address as shown in such secretary of state's office. (Ord. 365-86, 4-8-1986)

6-3-12: POSTING OF SIGNS:

Appropriate signs shall be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions. (Ord. 365-86, 4-8-1986)

Chapter 4 ABANDONED, WRECKED VEHICLES

6-4-1: ABANDONMENT PROHIBITED; REMOVAL BY VILLAGE:

The abandonment of a motor vehicle or other vehicle or any part thereof on any highway in the Village is unlawful and subject to penalties as set forth herein. The abandonment of a motor vehicle or other vehicle or any part thereof on private or public property, other than a highway, in view of the general public anywhere in the Village, is unlawful. Upon the authorization and order of the Chief of Police, upon the complaint of the owner of said property, or after a waiting period of seven (7) days has expired, a motor vehicle or other vehicle or any part thereof so abandoned on private property may be removed by the Village. (Ord. 365-86, 4-8-86; 1995 Code)

6-4-2: NOTIFY POLICE OF ABANDONED VEHICLE; TOWING AWAY:

A. Notification Required; Towing Authorized: When an abandoned, lost, stolen or unclaimed motor vehicle or other vehicle comes into the temporary possession or custody of a person in this State, not the owner of the vehicle, such person shall immediately notify the Village Police Department when the vehicle is within the corporate limits of the Village. Upon receipt of such notification, the Chief of Police shall authorize a towing service to remove and take possession of the abandoned, lost, stolen or unclaimed motor vehicle or other vehicle. The towing service shall safely keep the towed vehicle and its contents, maintain a record of the tow until the vehicle is claimed by the owner or any other person legally entitled to possession thereof, or until it is disposed of as provided in this Chapter.

B. Time for Removal:

1. When a motor vehicle or other vehicle is abandoned for ten (10) hours or more on a highway in the Village, its removal by a towing service may be authorized by order of the Chief of Police.
2. When an abandoned, unattended, wrecked, burned or partially dismantled motor vehicle or other vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is impeding traffic, its immediate removal from the highway by a towing service may be authorized by order of the Chief of Police.

- C. Owner Responsible for Towing Charges: When the removal of a vehicle from either public or private property is authorized by order of the Chief of Police, the owner of the vehicle shall be responsible for all towing costs.
- D. Record of Towed Vehicle: When a motor vehicle or other vehicle is towed away pursuant to proper authorization, the Police Department shall keep and maintain a record of the vehicle, listing the color, year of manufacture, manufacturer's trade name and series name, body style, vehicle identification number and license plate year and number and State issuing such license 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 officer authorizing the tow. (Ord. 365-86, 4-8-86)

6-4-3: VEHICLE OWNERSHIP INFORMATION:

- A. When the identity of the registered owner or other legally entitled person is not known, the Police Department shall cause the motor vehicle registration records of the State of Illinois to be searched, by a directed communication to the Secretary of State, for the purpose of obtaining the required ownership information.
- B. The Police Department shall cause the stolen motor vehicle files of the Illinois State Police to be searched, by a directed communication to the Illinois State Police, for stolen or wanted information on the vehicle. If such search produces negative results, the Illinois State Police shall be requested to search the files of the National Crime Information Center (NCIC). The information determined from these record searches will be used by the Police Department to send a notification, by certified mail, to the owner or legally entitled person, advising where the vehicle is held, requesting that disposition be made, and setting forth public sale information.
- C. When the registered owner or other person legally entitled to the possession of a motor vehicle or other vehicle cannot be identified from the registration files of the State of Illinois, or from the registration files of a foreign state, if applicable, the Police Department shall notify the Illinois State Police for the purpose of identifying the vehicle's owner or other person legally entitled to the possession of the vehicle and shall request the Illinois State Police to immediately forward its information to the Village Police Department. (Ord. 365-86, 4-8-86)

6-4-4: RECLAMATION OF VEHICLE:

Any time before a motor vehicle or other vehicle is sold at public sale or disposed of as provided herein, the owner or other person legally entitled to its possession may reclaim the vehicle by presenting to the Police Department proof of ownership or proof of the right to possession of the vehicle. No vehicle shall be released to the owner or other person under this Chapter until all towing and storage charges have been paid. (Ord. 365-86, 4-8-86)

6-4-5: SALE OF ABANDONED VEHICLE:

- A. Whenever an abandoned, lost, stolen or unclaimed motor vehicle or other vehicle seven (7) years of age or newer remains unclaimed by the registered owner or other person legally entitled to its possession for a period of thirty (30) days after notice has been given as provided herein, the Police Department shall cause it to be sold at public sale to the highest bidder. Notice of the time and place of the sale shall be posted in a conspicuous place for at least ten (10) days prior to the sale on the premises where the vehicle has been impounded. At least ten (10) days prior to the sale, the Police Department shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner or other person known by the Police Department or towing service to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description of the vehicle to be sold and shall state what steps must be taken by any legally entitled person to reclaim the vehicle. If the certified notice specified herein is returned by the postal authorities to the Police Department due to the addressee having moved or being unknown at the address obtained from the registration records of the State, the sending of a second certified notice is not required.
- B. When the identity of the registered owner or other person legally entitled to the possession of an abandoned, lost or unclaimed vehicle of seven (7) years of age or newer cannot be determined by any means provided for in this Chapter, the vehicle may be sold as provided herein or disposed of in the manner authorized by this Chapter without notice to the registered owner or other person legally entitled to the possession of the vehicle.
- C. When an abandoned vehicle of more than seven (7) years of age is impounded as specified by this Chapter, it shall be kept in custody for a minimum of ten (10) days for the purpose of determining ownership and for contacting the registered owner by mail, public service or in person for a determination of disposition, and for the purpose of an examination of the Illinois State Police stolen motor vehicle files for theft and wanted information. At the expiration of the ten (10) day period, if no disposition information has been received from the registered owner, the Chief of Police shall authorize the disposal of the vehicle as junk only.
- D. When a motor vehicle or other vehicle in the custody of the Police Department is reclaimed by the registered owner or other legally entitled person, or when the vehicle is sold at public sale or otherwise disposed of as provided in this Chapter, a report of the transaction will be maintained by the Police Department for a period of one year from the date of the sale or disposal.
- E. When the Chief of Police authorizes a vehicle to be towed away and disposed of as set forth in this Chapter, the proceeds of the public sale or disposition, after the deduction of towing, storage and processing charges, shall be deposited in the Village Treasury.
- F. No police officer, towing service owner, operator or employee shall be held to answer or be liable for damages in any action brought by the registered owner, former registered owner, or his legal representative, or any other person legally entitled to the possession of a motor vehicle or other vehicle when the vehicle was processed and sold or disposed of as provided by this Chapter. (Ord. 365-86, 4-8-86)

6-4-6: ANTIQUE VEHICLES:

A motor vehicle or other vehicle classified as an antique vehicle is not excluded from the provisions of this Chapter. (Ord. 404-88, 5-10-88)

6-4-7: PENALTY:

Any person violating any provision of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in Section [1-4-1](#) of this Code. Each day that such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable hereunder as such. (Ord. 365-86, 4-8-86; 1995 Code)

Chapter 5 SNOWMOBILES

6-5-1: DEFINITIONS:

For the purposes of this Chapter, the following words shall have the meanings ascribed to them unless the context clearly requires a different meaning:

OPERATE: To ride in or on, other than as a passenger, use or control the operation of a snowmobile in any manner, whether or not the snowmobile is under way.

OPERATOR: Every person who operates or is in actual physical control of a snowmobile.

SNOWMOBILE: A self-propelled device designed for travel on snow or ice or natural terrain steered by skis or runners, and supported in part by skis, belts or cleats.

To the extent that words or phrases used in this Chapter are defined in the Snowmobile Registration and Safety Act, 625 Illinois Compiled Statutes Act 40, said definitions or phrases are hereby incorporated herein by reference. (Ord. 589-94, 1-10-94)

6-5-2: ADOPTION OF STATE ACT:

The Snowmobile Registration and Safety Act, 625 Illinois Compiled Statutes Act 40, as the same is amended from time to time, is hereby incorporated and adopted by reference as a part of this Chapter, three (3) copies of said Act having been on file in the office of the Village Clerk and available for public use, inspection and examination for at least thirty (30) days prior to the passage of this Chapter. All citations or complaints issued for violations shall be in the name of the Village and shall refer to the

numbered sections of the Act, but shall also be referred to as a Chapter violation in any citation or complaint. (Ord. 589-94, 1-10-94)

6-5-3: ADDITIONAL REGULATIONS:

A. It shall be unlawful:

1. To operate any snowmobile within the Village between the hours of twelve o'clock (12:00) midnight and eight o'clock (8:00) A.M., Monday through Friday, and between the hours of two o'clock (2:00) A.M. and eight o'clock (8:00) A.M., Saturday and Sunday.
2. To operate any snowmobile on any Village highway or street (including the roadway and any adjacent right-of-way) at any time.
3. To operate any snowmobile within one hundred feet (100') of any area cleared or designated for skating purposes, sledding or tobogganing purposes, or other winter activities.
4. To operate any snowmobile on any public property, including but not limited to Village owned property, including park property, and school property, without the written consent of the owner thereof.
5. To tow any person or object behind a snowmobile except that stiff bar towing of a snowmobile trailer shall be permitted.
6. To operate any snowmobile unless such snowmobile is equipped with an adequate muffler or noise suppression device in constant operation and properly maintained to prevent any excessive or unusual noise. No such muffler or noise suppression device shall be equipped with a cutout, bypass or similar device.

B. It shall be unlawful to operate any snowmobile in any organized or sanctioned race within the corporate limits of the Village without the express written approval of the corporate authorities of the Village. (Ord. 589-94, 1-10-94)

6-5-4: PENALTY:

Any person who violates any provision of this Chapter shall, upon conviction, be subject to penalty as provided in Section [1-4-1](#) of this Code. Any person who shall be convicted a second time during a calendar year of any violation of this Chapter shall be prohibited from operating any snowmobile within the Village for the remainder of such calendar year. (Ord. 589-94, 1-10-94)

Chapter 6

SPEED RESTRICTIONS

6-6-1: GENERAL LIMITATIONS:

It shall be unlawful to drive any motor vehicle on any street not under the jurisdiction of the Illinois department of transportation, the Illinois state toll highway authority or the county of Lake, or in an urban district within the village at a speed in excess of twenty five (25) miles per hour, or in an alley at a speed in excess of fifteen (15) miles per hour.

It shall be unlawful to drive any vehicle on any highway outside an urban district at a speed exceeding that lawfully set for such street. (Ord. 784-97, 3-10-1997)

Provided, that if the mayor and village board by ordinance, set other limits as provided by statute¹ after an engineering or traffic survey, then such limits shall govern the rate of speed on the streets indicated in such ordinance. Appropriate signs shall be posted showing such speed limits. (Ord. 784-97, 3-10-1997; amd. Ord. 1125-05, 5-16-2005)

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 under the jurisdiction of the Illinois department of transportation, the Illinois state toll highway authority or the county of Lake, at a speed exceeding that lawfully set for such street. (Ord. 784-97, 3-10-1997)

6-6-2: SPECIAL SPEED LIMITS, GENERAL:

It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by state law, as modified by section [6-6-1](#) of this chapter, upon the following streets is less than is reasonable or safe under the conditions found to exist upon such streets and it is hereby declared that the maximum speed limit shall be as herein set forth on those streets designated when signs are erected giving notice thereof:

Name Of Street	Maximum Speed Limit
Echo Lake	30 mph
Indian Creek Road	30 mph
Krueger Road	35 mph
Miller Road	35 mph
Milton Road	30 mph

Owens Road	35 mph
Schwerman Road	35 mph

(Ord. 784-97, 3-10-1997)

6-6-3: SPECIAL SPEED LIMITS, SCHOOLS:

On a school day when school children are present and so close thereto that a potential hazard exists because of the close proximity of the motorized traffic, 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 where children pass going to and from school.

For the purpose of this section, a school day shall begin at seven o'clock (7:00) A.M. and shall conclude at four o'clock (4:00) P.M.

This section shall not be applicable unless appropriate signs are posted upon streets and highways wherein the school zone is located. Such signs shall give proper due warning that a school zone is being approached and shall indicate the school zone and the maximum speed limit in effect during school days when school children are present. Nothing shall prohibit the use of electronic speed detecting devices within five hundred feet (500') of signs within a special school speed zone indicating such zone, as defined in this section, nor shall evidence obtained thereby be inadmissible in any prosecution for speeding, provided the use of such device shall apply only to the enforcement of the speed limit in such special school speed zone. (Ord. 784-97, 3-10-1997)

6-6-4: SPECIAL SPEED LIMITS, CONSTRUCTION ZONES:

No person shall operate a motor vehicle in a construction or maintenance zone at a speed in excess of the posted speed limits when workers are present and so close to the moving traffic that a potential hazard exists because of the motorized traffic.

Nothing in this chapter shall prohibit the use of electronic speed detecting devices within five hundred feet (500') of signs within a construction or maintenance zone indicating such zone, as defined in this section, nor shall evidence obtained thereby be inadmissible in any prosecution for speeding provided the use of such device shall apply only to the enforcement of the speed limit in such construction or maintenance zone.

For the purpose of this section, a construction or maintenance zone is an area in which the village has determined that the preexisting established speed limit through a highway construction or maintenance project is greater than is reasonable or safe with respect to the conditions expected to exist in the construction or maintenance zone and has posted a lower speed limit with a highway construction or maintenance zone special speed limit sign.

Highway construction or maintenance zone special speed limit signs shall be of a design approved by the Illinois department of transportation. The signs shall give proper due warning that a construction or maintenance zone is being approached and shall indicate the maximum speed limit in effect. The signs

shall also state the amount of the minimum fine for a violation when workers are present. (Ord. 784-97, 3-10-1997)

[Footnote 1](#): 625 ILCS 5/11-604.

Chapter 7 VEHICLE SEIZURE AND IMPOUNDMENT

6-7-1: DEFINITIONS:

For purposes of this chapter, the following terms shall have the meanings stated in this section:

DAY: Any day in which the office of the village clerk of the village of Hawthorn Woods is open to the public for a minimum of seven (7) hours.

MOTOR VEHICLE OR VEHICLE: Every vehicle which is self-propelled, including, but not limited to, automobiles, trucks, vans, motorcycles and motor scooters.

OWNER OF RECORD OR OWNER: The record titleholder(s) of the vehicle. (Ord. 1287-09, 8-17-2009)

6-7-2: VIOLATIONS AUTHORIZING SEIZURE:

A motor vehicle, operated with the permission, express or implied, of the owner of record, which is used in connection with the following violations, may be subject to seizure and impoundment by the village if the violation prevents the driver from lawfully operating the vehicle, or if a police officer determines that seizure and impoundment of the vehicle is reasonably necessary as a community caretaking function so that the vehicle does not jeopardize public safety and the efficient movement of vehicular traffic. The owner shall be liable to the village for an administrative fine in an amount not to exceed five hundred dollars (\$500.00), in addition to all towing and storage fees, as hereinafter provided:

A.	625 ILCS 5/11-501(a)	Driving under the influence, as provided in section 11-501(a) of the Illinois vehicle code.
B.	625 ILCS 5/6-303 625 ILCS 5/11-501(a) 625 ILCS 5/11-501.1	Driving with a suspended or revoked license, as provided in section 6-303 of the Illinois vehicle code, as a result of a conviction pursuant to section 11-501(a) of the Illinois vehicle code or suspension under section 11-501.1 of the Illinois vehicle code.
C.	625 ILCS 5/11-204	Fleeing or attempting to elude a peace officer, as provided in section 11-204 of the Illinois vehicle code.
D.		

	625 ILCS 5/11-506	Street racing or aggravated street racing as provided in section 11-506 of the Illinois vehicle code.
E.	625 ILCS 5/11-503	Reckless driving as provided in section 11-503 of the Illinois vehicle code.
F.	625 ILCS 5/11-401	Leaving the scene of a motor vehicle accident involving death or personal injuries as provided in section 11-401 of the Illinois vehicle code.
G.	625 ILCS 5/6-101	No valid driver's license (unlicensed) excluding expired drivers' licenses (or a similar local ordinance).

(Ord. 1287-09, 8-17-2009; amd. Ord. 1318-10, 4-19-2010)

6-7-3: GENERAL REGULATIONS:

- A. This chapter shall not replace or otherwise abrogate any existing state or federal laws or village ordinances pertaining to vehicle seizure and impoundment.
- B. All fines and charges contained in this chapter shall be in addition to any fines or penalties assessed by a court for criminal charges.
- C. This chapter shall not apply if the vehicle was reported stolen to the appropriate police authorities within twenty four (24) hours of discovery of such theft.
- D. The amount of fees imposed for towing and storage of a vehicle impounded under this chapter shall be subject to the approval of the chief of police.
- E. Prior to vehicle seizure, if in the judgment of the police officer then present, if a person authorized by the owner or operator of the vehicle is present and able to provide for the lawful immediate removal of the vehicle, the vehicle shall be released to that person and prompt removal of the vehicle effected, and no administrative fines or other charges shall be imposed.
- F. Except to the extent otherwise provided for in this chapter, the administrative hearing provided for in this chapter shall be in accordance with the procedures set forth in [title 1, chapter 11](#) of this code. In the event of a conflict, the procedures contained in [title 1, chapter 11](#) of this code shall control. (Ord. 1287-09, 8-17-2009)

6-7-4: NOTICE:

Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this chapter, the police officer shall provide for the towing of the vehicle to a facility authorized by the village except as otherwise provided in this chapter. Before or at the time the vehicle is towed, the police officer shall make reasonable attempts to notify any person identifying himself as the owner or any person who is found to be in control of the vehicle at the time of the alleged violation, of the fact of the seizure and impoundment of the vehicle and of the owner's right to request a preliminary vehicle impoundment hearing to be conducted pursuant to this chapter. Said vehicle shall be impounded pending the completion of such hearing(s), unless the owner posts with the village a cash bond in the amount of five hundred dollars (\$500.00) and pays all towing and storage charges. (Ord. 1287-09, 8-17-2009)

6-7-5: PRELIMINARY HEARING:

If the owner of a vehicle seized pursuant to this chapter desires to preliminarily appeal the seizure, said owner must make a request for a preliminary hearing within one day of the seizure. All requests shall be in writing and filed with the police chief, or her designee, who shall conduct such preliminary hearing within one day after receipt of the request. This hearing is informal and shall be conducted in the police department offices. All interested persons shall be given a reasonable opportunity to be heard. The formal rules of evidence shall not apply at the preliminary hearing and hearsay evidence shall be admissible only if it is the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If after the preliminary hearing, the police chief, or her designee, determines there is probable cause to believe that the vehicle is subject to seizure and impoundment pursuant to this chapter, she shall order the continued impoundment of the vehicle, as provided in this chapter, unless the owner posts with the village a cash bond in the amount of five hundred dollars (\$500.00) and pays all towing and storage charges. If the police chief, or her designee, determines that there is no such probable cause, the vehicle shall be returned without fine or additional fees. (Ord. 1287-09, 8-17-2009)

6-7-6: PLEA AND HEARING:

The owner shall be notified of the hearing as provided in [title 1, chapter 11](#) of this code and the hearing conducted as provided for therein. All interested persons shall be given an opportunity to be heard. The formal rules of evidence shall not apply and hearsay evidence shall be admissible if it is a type commonly relied upon by reasonably prudent persons in the conduct of their affairs. In such hearing any sworn or affirmed report, citation or ticket that: a) is prepared in the performance of a law enforcement officer's duties and b) sufficiently describes the circumstances leading to the impoundment shall be admissible evidence of the vehicle owner's liability, unless rebutted by clear and convincing evidence. If, after the hearing, the hearing officer determines by a preponderance of the evidence that the vehicle was used in connection with a violation set forth in this chapter, the hearing officer shall enter an order finding the owner civilly liable to the city for an administrative fine in an amount not to exceed five hundred dollars (\$500.00) and requiring the vehicle's continued impoundment until the owner pays the administrative fine to the village plus towing and storage charges, all as applicable. The owner shall further be responsible for reasonable hearing costs as assessed by the hearing officer. If the owner fails to appear at the hearing, the hearing officer shall enter a default order in favor of the village. If the hearing officer finds no such violation occurred, the hearing officer shall order the immediate return of the owner's vehicle or cash bond without any additional fees. (Ord. 1287-09, 8-17-2009)

6-7-7: ADMINISTRATIVE FINE:

If an administrative fine is imposed pursuant to this chapter, such fine shall constitute a debt due and owing the village. If a cash bond has been posted pursuant to this chapter, the bond shall be applied to the fine and all charges. If a vehicle is impounded when such a fine is imposed, the village may seek to obtain a judgment on the debt and enforce such judgment against the vehicle as provided for by law. Except as provided otherwise in this chapter, a vehicle shall remain impounded until the administrative fine and all applicable towing and storage charges are paid to the village, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle, or the vehicle is sold, or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If said administrative fine and all applicable towing and storage charges are not paid to the village within thirty (30) days from and after the expiration of the time in which the owner could seek judicial review of the hearing officer's determination, or within thirty (30) days after an action seeking judicial review has been resolved in favor of the village, whichever is applicable, the vehicle shall be deemed unclaimed and shall be disposed of in the manner provided for by law for the disposition of unclaimed vehicles under the Illinois vehicle code. For the purposes of this chapter, the hearing officer's determination, including, but not limited to, a finding of default, shall constitute a final administrative decision subject to judicial review. (Ord. 1287-09, 8-17-2009)

6-7-8: VEHICLE POSSESSION:

Except as otherwise specifically provided by law, no owner, lienholder, or other person shall be legally entitled to take possession of a vehicle impounded under this chapter until the administrative fine and all applicable fees applicable under this chapter have been paid. However, whenever a person with a lien of record against an impounded vehicle has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if he or she agrees in writing to refund the village the amount of the net proceeds of any foreclosure sale, less any amounts required to pay all lienholders of record, not to exceed the administrative fine, plus the applicable fees. (Ord. 1287-09, 8-17-2009)