

# Chapter 1

## GENERAL TRAFFIC PROVISIONS

### 7-1-1: STATE VEHICLE CODE ADOPTED:

Except insofar as the application thereof is clearly impractical or inappropriate, in view of the context of purposes or penalty as provided, all of the definitions, requirements, regulations, prohibitions, provisions and sections of the Illinois vehicle code, 625 Illinois Compiled Statutes 5/1-100 et seq., as amended, are hereby adopted by the village. Any and all violations thereof shall be considered violations of this title, and each such violation shall subject the violator thereof to penalty provisions of section [1-4-1](#) of this code. (2010 Code)

### 7-1-2: MOTOR VEHICLE DEFINED:

The term "motor vehicle", as used in this title, shall mean every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead wires, but not operated upon rails, including, but not limited to, automobiles, motorcycles, motorscooters, motorbikes, snowmobiles or any self-propelled vehicle used for transporting persons or property except for vehicles moved solely by human power, motorized wheelchairs, low speed electric bicycles and low speed gas bicycles. (1984 Code § 10-1-1; amd. 2010 Code)

### 7-1-3: TRAFFIC CONTROL SIGNS AND SIGNALS:

#### A. Specifications:

1. All signs and signals established by direction of the village president and board of trustees shall conform to the state manual of uniform traffic control devices for streets and highways as published by the state department of transportation.
2. All traffic signs and signals now in place within the village which conform to the state manual of uniform traffic control devices for streets and highways as published by the state department of transportation or may in the future be placed in compliance with the state manual of uniform traffic control devices for streets and highways as published by the state department of transportation shall have full force and effect upon the effective date hereof, or at such time any sign or signal may be placed in compliance with said manual, whichever occurs later.

- B. Obedience Required: It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the president and board of trustees or in accordance with the laws of the state, excepting upon direction of a police officer. (1984 Code § 10-1-4)
- C. Penalty And Bail: Any person convicted of the offense of violating any traffic signs or signals placed in compliance with this section shall be convicted of a "petty offense", as defined in the criminal code of the state, and shall be fined as provided in section [1-4-1](#) of this code. Any person arrested for a violation of any provision of this section shall be released upon proper bail being furnished as required by law. (1984 Code § 10-1-4; amd. 2010 Code)

#### **7-1-4: SPEED LIMIT ESTABLISHED:**

- A. General Speed Limit: Pursuant to the provisions of 625 Illinois Compiled Statutes 5/11-604, the board of trustees finds, upon the basis of an ongoing traffic study of the speed limits existing within the village limits and of the adjoining and surrounding areas, that a reasonable and safe maximum speed limit may not exceed thirty (30) miles per hour. Accordingly, no "motor vehicle", as defined in section [7-1-2](#) of this chapter, shall be driven on any public street, road or alley in the village at a speed in excess of thirty (30) miles per hour.
- B. Penalties; Bail: Any person convicted of the offense of speeding less than ten (10) miles per hour in excess of the speed limit shall be punished by a fine of not less than one dollar (\$1.00) per mile of excess speed over the speed limit nor more than seven hundred fifty dollars (\$750.00), and any person convicted of speeding ten (10) miles per hour or more in excess of the speed limit shall be punished by a fine of not less than ten dollars (\$10.00) nor more than seven hundred fifty dollars (\$750.00). Any person arrested for a violation of any provision of this section shall be released upon proper bail being furnished as required by law. (1984 Code § 10-1-2; amd. 2010 Code)

#### **7-1-5: STOP INTERSECTIONS:**

By resolution, motion or ordinance, the village board of trustees may designate certain streets as stop streets. Signs shall be posted at the appropriate locations indicating said stop streets. (2010 Code)

#### **7-1-6: WEIGHT LIMITS:**

A. Statute Authority: Pursuant to 65 Illinois Compiled Statutes 5/11-80-2 and 625 Illinois Compiled Statutes 5/15-316(c), the village is authorized to limit all trucks and commercial vehicle traffic upon certain streets in the village. (Ord. 1991-8, 5-7-1991; amd. 2010 Code)

B. Specific Weight Limit Streets:

1. The following streets in the village are restricted to the following weight limits:

Street/Location	Weight Limit	Ord. No.
Old Tipton School Road, from its intersection with Andrew Road on the north to its intersection with Business I-55 on the south	8 tons	1996-12
Sebring Road, west of Old Tipton School	10 tons	1991-8

2. Signs shall be posted at the appropriate locations indicating the above weight limits. (2010 Code)

C. Exemptions: The terms and provisions of this section shall not apply to farm equipment and vehicles, moving vans, service vehicles and trucks belonging to the village, school buses, garbage trucks, fire trucks or emergency vehicles providing services for residents or nonresidents of the village occupying property abutting the streets enumerated in subsection B of this section or whose sole access to a public road is limited to said streets. (Ord. 1991-8, 5-7-1991)

D. Permit For Use Required; Fee: Permits allowing the use of streets enumerated in subsection B of this section by trucks and commercial vehicles with weight in excess of that indicated in subsection B of this section may be granted by the village board or such person as the board may designate in accordance with the standards contained in 625 Illinois Compiled Statutes 5/15-301(a), (b), (c) and (e). The village clerk shall have available, application forms requiring the information set forth in 625 Illinois Compiled Statutes 5/15-301(b). No permit granted under this subsection shall be good for more than thirty (30) days nor shall it authorize more than three (3) round trips within such period. No more than three (3) such permits shall be granted to any single person or entity within any twelve (12) month period without express board action and approval. No permits for continuous operation shall be issued to any person or entity except as allowed under 625 Illinois Compiled Statutes 5/15-301(e). The fee for each permit issued pursuant to this subsection shall be twenty five dollars (\$25.00), said sum being necessary to defray the cost of administering and monitoring the issuance of said permits.

- E. **Liability For Damages:** Any person or entity owning or operating any vehicle in excess of the weight limits specified in subsection B of this section shall be liable for the cost of repairing any street damage. Said owner or operator shall be liable whether or not a permit has been obtained, and the measure of liability shall be as set forth in 625 Illinois Compiled Statutes 5/15-318(a). 625 Illinois Compiled Statutes 5/15-318(b) and 5/15-318(c) shall also apply with respect to liability for damages.
- F. **Penalty:** Any person or entity owning or operating any vehicle in excess of the weight limits specified in subsection B of this section and who shall do so without obtaining a permit as set forth in subsection D of this section, shall, in addition to any liability for damages under subsection E of this section, be liable for a fine as set forth in the schedule contained in 625 Illinois Compiled Statutes 5/15-113(a). In the event that any court of law shall rule the schedule of fines set forth in 625 Illinois Compiled Statutes 5/15-113(a) inapplicable to any case, then any person or entity violating this section shall be liable for a fine as provided in section [1-4-1](#) of this code for each violation of the gross weight limits set forth herein, as authorized by 65 Illinois Compiled Statutes 5/1-2-1.
- G. **Statutes Adopted By Reference:** The texts of the following portions of the Illinois Compiled Statutes are incorporated herein by reference:
1. 625 Illinois Compiled Statutes 5/15-301(a), (b), (c) and (e).
  2. 625 Illinois Compiled Statutes 5/15-318(a), (b) and (c).
  3. 625 Illinois Compiled Statutes 5/15-113(a) and (b).
  4. 65 Illinois Compiled Statutes 5/1-2-1. (Ord. 1991-8, 5-7-1991; amd. 2010 Code)