

ORDINANCE NO. ~~8~~-12-1

AN ORDINANCE AMENDING TITLE 6 CHAPTER 5 OF THE  
MUNICIPAL CODE OF THE VILLAGE OF CLIFTON, ILLINOIS CONCERNING  
ABANDONED VEHICLES

**WHEREAS**, it is essential to protect the safety of the citizens and the peace of the Village of Clifton; and

**WHEREAS**, it is the policy of the Village of Clifton to control and prohibit certain types of abandoned vehicles including boats in the Village for public safety and peace; and

**WHEREAS**, the current ordinance Chapter 8 Article II contains inadequate protections for the citizens of the Village of Clifton, and should therefore be amended; and

**WHEREAS**, it is necessary and appropriate to amend Title 5, Chapter 5 by amending said ordinances by adding the following underlined language which shall read as follows:

**WHEREBY** it is hereby Ordained that Chapter 8, Article II of the Abandoned Vehicle Ordinance is amended as follows, and any sections not indicated as amended shall remain in full force and effect as previously adopted by this Village Board.

**ARTICLE II. ABANDONED VEHICLES**

6-5-1 **DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of this Chapter:

- (1) "Person" shall mean any person, firm, partnership, association, corporation, company entity or organization of any kind.
- (2) "Vehicle" shall mean a machine propelled by power other than human power designed to travel along the ground, water, or air by use of wheels, treads, runners or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor. For the purpose of this ordinance, vehicles shall also include boats, rowboats, canoes, kayak and similar modes of transportation.
- (3) "Street or highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (4) "Property" shall mean any real property, including a temporary shelter/shed utilized as a tubular carport with a canvas cover, within the Village which is not a street or highway.
- (5) "Abandoned Vehicle" shall mean all motor vehicles or other vehicles as defined in paragraph (2) a state of disrepair rendering the vehicle incapable of being driven or pulled in its condition; or any motor vehicle or other vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted.
- (6) "Antique Vehicle" shall mean any motor vehicle or other vehicle twenty five (25) years of age or older in operable condition as defined in the Illinois Vehicle Code located at 625 ILCS 5/1-101 et seq.

#### **6-5-2 Abandonment of Vehicles:**

No person shall abandon any vehicle within the Village and no person shall leave any abandoned vehicle at any place within the Village for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned. The abandonment of a motor vehicle or other vehicle as defined in paragraph (2) or any part thereof on any highway in the municipality is unlawful and subject to penalties as set forth in this code. 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 this municipality is unlawful. A motor vehicle or other vehicle or any part thereof so abandoned on private property may be authorized for removal by or upon the order of the village police chief after a waiting period of seven (7) days or more has expired. This provision shall not apply to properly registered and licensed antique vehicles.

#### **6-5-4 Disposition of Abandoned Vehicles:**


No person in charge or control of any property within the Village, whether, as owner, tenant, occupant, lessee or otherwise shall allow any abandoned, non-operating, junked vehicle(s) to remain on such property longer than 7 days; and no person shall leave any such vehicle on any property within the Village for longer time than 7 days; except that this Chapter shall not apply with regard to a vehicle in an enclosed building, a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place or depository maintained in a lawful place or manner by the Village. When a motor vehicle or other vehicle is abandoned on a highway in the village ten (10) hours or more, its removal by a towing service may be authorized by order of the police chief. 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 causing the impeding of traffic, its immediate removal from the highway by a towing service may be authorized by order of the police chief. When a vehicle removed from either public or private property is authorized by order of the police chief, the owner of the vehicle shall be responsible for all towing costs.

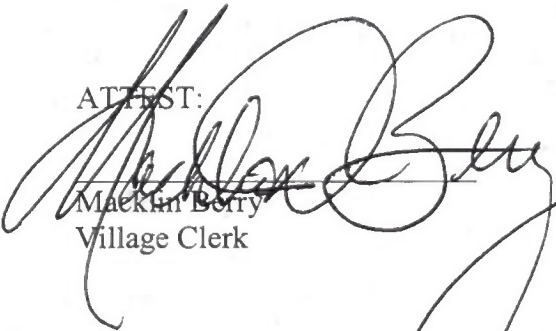
#### **6-5-5 Impounding:**

The Chief of Police or any member of the Police Department designated by ~~him~~ the Chief is hereby authorized to remove or have removed any vehicle left at any place within the Village which reasonably appears to be left or abandoned in violation of this Title or lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with 625 ILCS 5/4-201 et seq.

**PASSED** by the President and the Board of Trustees of the Village of Clifton, Iroquois

County, Illinois this 15th day of MAY 2012.

  
Jan Meier-O'Connell  
Village President

ATTEST:  
  
Macklin Berry  
Village Clerk

