

ORDINANCE NO. 804

AN ORDINANCE PROVIDING FOR REMOVAL OF ABANDONED MOTOR VEHICLES

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SPARLAND, MARSHALL COUNTY, ILLINOIS, AS FOLLOWS:

Section 1 - Definition. The following definitions shall apply in the interpretation and enforcement of this Ordinance:

a. "Person" shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

b. "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.

c. "Property" shall mean any real property within the Village which is not a street or highway.

d. "Abandoned vehicle" means all motor vehicles or other vehicles in a state of disrepair rendering the vehicle incapable of being driven in its condition; or any motor vehicle or other vehicle that has not been moved or used for 7 consecutive days or more and is apparently deserted.

e. "Abandoned motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations nor to any motor vehicles that are kept within a building when not in use.

SECTION 2 - Leaving of abandoned vehicles on street.

No person shall leave any partially dismantled, non-operating wrecked or junked vehicle on any street or highway in the Village.

SECTION 3 - Abandoned vehicles declared to be a nuisance.

Abandoned motor vehicles, as defined herein, whether on public or private property, are hereby declared to be a nuisance.

SECTION 4 - Disposal Notice

All persons are required to dispose of any abandoned motor vehicles under their control upon written notice received from the corporate authorities or from the Chief of Police or any member of his department designated by him commanding such disposition of said abandoned motor vehicle.

SECTION 5 - Impounding

The Chief of Police or any member of his department designated by him is hereby authorized to remove or have removed any vehicle left at any place within the Village which is an abandoned vehicle as defined herein. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with the provisions of Paragraph 4-200, et. seq., of the Illinois Motor Vehicle Act (Chapter 95^{1/2}, Ill. Rev. Stats.).

SECTION 6 - Penalties

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not exceeding \$500.00. Each day of such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

SECTION 7 - This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

AYES: 6
NAYS: 0
ABSENT: 0

PASSED this 6th day of May, A.D. 1976
APPROVED this 6th day of May, A.D. 1976

ATTEST:
Russell B. Reginald
Village Clerk

Lyle E. Schupp
Village President