

**VILLAGE OF CAMPTON HILLS
AN ORDINANCE AMENDING THE VILLAGE OF CAMPTON HILLS CODE
BY ADDING A NEW TITLE 4, VEHICLE CODE**

WHEREAS, it is in the best interests of the Village of Campton Hills that a the Village adopt a Vehicle Code.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Campton Hills, Kane County, Illinois that:

Section 1. There is hereby added to the Village Code of the Village of Campton Hills a new Title 4 entitled "Vehicle Code", as follows:

TITLE 4

VEHICLE CODE

4-1-1 VEHICLE CODE ADOPTED:

A. Provisions Adopted: There is hereby adopted by reference as part of this Title 4, the following provisions of the Illinois vehicle code, 625 Illinois Compiled Statutes, the same being a public record of the state, subject to deletions, additions, amendments or modifications hereinafter set forth:

1. Chapters 1, 3, 6, 9, 11, 12, 13A, 13B, 15 and 16 in their entirety.
2. Snowmobile registration and safety act.
3. Child passenger protection act.

B. Exclusions: Excluded from adoption by reference and hereby deleted are chapters 2, 4, 5, 7, 8, 10, 14, 17, 18A, 18B and 18C and the miscellaneous laws of the Illinois vehicle code, except as specified above.

4-1-2 AMENDMENTS TO CODE:

The amendments, modifications, and/or additions, as found in the following sections of this title, are hereby made in the provisions in the Illinois motor vehicle code otherwise herein adopted by reference. To the extent such amendments, modifications and/or additions or any other provisions of this code are inconsistent with the provisions of the Illinois vehicle code herein adopted, the more restrictive and specific regulation shall apply.

4-1-3 CITATIONS:

Any citation to the above and foregoing provisions shall be designated as set forth in the Illinois vehicle code and prefixed by reference to Title 4 of this code.

4-1-4 PENALTIES:

Every person convicted of violating any provision of section 4-1-1 of this Title (the Illinois motor vehicle code, as incorporated by reference into this code by the foregoing said section 4-1-1) shall be punishable by one or more of the following dispositions as are authorized for such offense by reference to the Illinois motor vehicle code and as may be determined by the court:

- A. Such maximum fine as authorized by reference to the Illinois motor vehicle code.
- B. A term of incarceration, either periodic or continuous, in a penal institution other than the penitentiary as authorized by reference to the Illinois motor vehicle code.
- C. A term of supervision or conditional discharge as authorized by reference to the Illinois motor vehicle code and the Illinois unified code of corrections.

4-1-5 APPLICATION OF PROVISIONS:

The provisions of this title applicable to the drivers of vehicles upon the highways shall apply to the drivers of all vehicles owned or operated by the United States, the state, the Village or any county, city, town, district or any other political subdivision of the state, except as provided in this title and subject to such specific exceptions as set forth in this title with reference to authorized emergency vehicles.

4-1-6 AUTHORITY TO DIRECT TRAFFIC:

- A. Law Enforcement Agency: Law enforcement officials, or such authorized officers or crossing guards as are assigned or authorized by the law enforcement agency, are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws and regulations; provided, that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, law enforcement officials may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws and regulations.
- B. Fire Department: Officers of the fire department, when at the scene of a fire, may direct or assist the law enforcement officials in directing traffic thereat or in the immediate vicinity.

- C. Unauthorized Persons: It shall be unlawful for any person not authorized by the law enforcement agency to direct or attempt to direct traffic.

4-1-7 OBEDIENCE TO, ELUDING LAW ENFORCEMENT OFFICIALS:

- A. Obedience To Law Enforcement Officials: No person shall willfully fail or refuse to comply with any lawful order or direction of any law enforcement official invested by law with authority to direct, control or regulate traffic.
- B. Fleeing, Attempting To Elude Law Enforcement Officials:
 - 1. Fleeing, Attempting To Elude Prohibited: Any driver or operator of a motor vehicle who, having been given a visual or audible signal by a law enforcement official directing such driver or operator to bring his vehicle to a stop, willfully fails or refuses to obey such direction, increases his speed, extinguishes his lights, or otherwise flees or attempts to elude the official, is guilty of a violation of this code. The signal given by the law enforcement official may be by hand, voice, siren, or red or blue light; provided, the official giving such signal shall be in police uniform, and, if driving a vehicle, such vehicle shall be marked showing it to be an official vehicle of the law enforcement agency.
 - 2. Suspension Of Driver's License: Upon receiving notice of such conviction, the secretary of state may forthwith suspend the driver's license of the person so convicted for a period of not more than six (6) months.

4-1-8 FIRE DEPARTMENT VEHICLES:

- A. Following Or Parking Near Fire Apparatus: The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred feet (500') or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.
- B. Driving Over Fire Hose: No vehicle shall be driven over any unprotected hose of a fire department when laid down on any street, private road or driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command.

4-1-9 RIGHT OF WAY:

- A. Preferential Right Of Way: Preferential right of way at an intersection may be indicated by stop or yield signs.

- B. **Stop Intersections:** Except when directed to proceed by a law enforcement 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.
- C. **Yield Right Of Way Intersections:**
1. The driver of a vehicle approaching a yield sign shall, in obedience to such sign, slow to a speed reasonable for the existing conditions and, if required for safety to stop, 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. After slowing or stopping, the driver shall yield the right of way to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard during the time such driver is moving across or within the intersection.
 2. If a driver is involved in a collision or interferes with the movement of other vehicles at an intersection which is controlled by a yield right of way sign, such collision or interference shall be deemed prima facie evidence of the driver's failure to yield the right of way.

4-1-10 CLINGING TO MOVING VEHICLES:

Any person riding upon any bicycle, motorcycle, motor driven cycle, coaster, sled, roller skates, or any toy vehicle shall not attach the same or himself to any moving vehicle upon any street or roadway.

4-1-11 TRANSPORTING ALCOHOLIC LIQUOR:

No person shall transport, carry, possess or have any alcoholic liquor in or upon or about any motor vehicle except as permitted by state statute.

4-1-12 UNLAWFUL USE OF OR DAMAGE TO HIGHWAYS:

It shall be unlawful for any person to injure or damage any public highway or street or any bridge, culvert, sign, signpost, or structure upon or used or

constructed in connection with any public highway or street for the protection thereof or for protection or regulation of traffic thereon by any unusual, improper or unreasonable use thereof, or by carelessly driving or using any vehicle thereon, or by mutilating, defacing or destruction thereof.

4-1-13 DISPLAY OF STATE REGISTRATION PLATES:

State registration plates issued for a motor vehicle shall be attached thereto, as provided by statute. Every such registration plate shall at all times be:

- A. Securely fastened in a horizontal position to the vehicle for which it is issued so as to prevent the plate from swinging.
- B. Fastened in a place and position to be clearly visible.
- C. Maintained free from foreign materials and in a condition to be clearly legible.

4-1-14 SPECIFICATIONS FOR TRAFFIC CONTROL DEVICES; OFFICIAL DEVICES:

- A. State Specifications To Apply: All traffic control signs, signals and devices shall conform to the "Manual of Uniform Traffic Control Devices and Specifications" approved by the state department of transportation.
- B. Uniformity: All signs and signals required hereunder for a particular purpose shall, so far as practicable, be uniform as to type and location throughout the Village.
- C. Official Traffic Control Devices: All traffic control devices so erected and not inconsistent with the provisions of state law or this title shall be official traffic control devices.

4-1-15 INSTALLATION AND MAINTENANCE OF TRAFFIC CONTROL DEVICES:

The appropriate official shall place and maintain traffic control signs, signals, and devices when and as required under the traffic regulations of the Village to make effective the provisions of said regulations and, with the concurrence of the Village Board of Trustees, may place and maintain such additional traffic control devices as he may deem necessary and as may be authorized by the Village Board of Trustees to regulate traffic under the traffic regulations of the Village, under state law, or to guide or warn traffic.

4-1-16 OBEDIENCE TO TRAFFIC CONTROL DEVICES:

- A. Obedience Required: Every person shall obey the instructions of any official traffic control device thereto placed in accordance with this Title,

unless otherwise directed by a law enforcement official, subject to the exceptions granted the driver of an authorized emergency vehicle in this title.

- B. **Avoiding Traffic Control Devices Prohibited:** It is unlawful for any person to leave the roadway and travel across private property to avoid an official traffic control device.

4-1-17 UNAUTHORIZED SIGNS, SIGNALS, MARKINGS AND ADVERTISEMENTS:

- A. **Unauthorized Signs, Signals And Markings:** No person shall place, maintain or display upon or in view of any street any unauthorized sign, signal, marking, or device which purports to be or is an imitation of or resembles an official traffic control device or which attempts to direct the movement of traffic, nor shall any person place, maintain, or display upon or in view of any street any other sign which hides from view or interferes with the movement of traffic or the effectiveness of any traffic control device.
- B. **Advertising On Traffic Signs Prohibited:** No person may place or maintain nor shall the Village permit upon any street any traffic sign or signal bearing thereon any commercial advertising.
- C. **Nuisance Declared:** Every such prohibited sign, signal or marking is a public nuisance, and the appropriate Village official is empowered to remove the same or cause it to be removed without notice.

4-1-18 DAMAGE TO, INTERFERENCE WITH DEVICES:

No person shall, without lawful authority, attempt to or in fact alter, injure, knock down, or remove any official traffic control device.

4-1-19 EFFECT OF TRAFFIC CONTROL DEVICES ON ENFORCEMENT:

No provision of this Title for which official traffic control devices are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place.

4-1-20 WEIGHT LIMITS ESTABLISHED:

- A. **Limits Established:** All vehicles operated on Village roads constructed of bituminous pavement over a gravel base shall be limited to a maximum weight of twelve thousand (12,000) pounds for any one axle; except, that such maximum weight shall be reduced to eight thousand (8,000) pounds

for any one axle upon direction of the Village President, or any law enforcement official, if such official finds that damage to the Village streets and roads will be probable from loads in excess of eight thousand (8,000) pounds on any one axle, due to weather or road conditions.

- B. Exemptions From Provisions: The provisions of subsection A of this section shall not be applicable to trucks specifically equipped with a self-compactor, or an industrial roll off hoist and roll off container used exclusively for garbage or refuse operations, or to fire apparatus, vehicles used in snow and ice removal, farm implements or accessory equipment, or school buses.
- C. Signs Posted: Regulatory signs providing notice of the weight limitations in this section shall be posted at appropriate locations.

4-1-21 ENFORCEMENT OF WEIGHT LIMITS:

- A. Enforcement Officers: Any law enforcement official having reason to believe that the weight of a vehicle and load is unlawful, may require the driver of any vehicle other than a passenger automobile to submit to having said vehicle weighed at the nearest public scales or at any suitable portable or stationary scales, whether private or public.
- B. Removal Of Overweight Vehicles: Whenever a law enforcement officer, or other official, upon weighing a vehicle and load as provided herein, determines that the weight exceeds that permitted herein, the driver of such vehicle shall remove said vehicle from all roadways by the shortest available route.

4-1-22 VIOLATION:

Whenever any vehicle is operated in violation of the provisions of this Section 4-1-21 of this Code, or whenever any driver of a vehicle who fails or refuses to stop and submit to a weighing, or fails or refuses when directed by an officer to comply with the provisions of this Title, the owner or driver of such vehicle, or both such owner and driver, shall be deemed guilty of a misdemeanor.

4-1-23 PENALTIES:

- A. Whenever any vehicle is operated in violation of the provisions of section 4-1-21 of this Code, 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 convicted of any violation of section 4-1-21 of this Code, including, but not limited to, a maximum axle or gross limit specified on a regulatory sign, shall be fined according to the following schedule:

Overweight Pounds	Fine
Up to and including 2,000	\$50.00 unless the overweight can be shifted or removed to conform to all legal weights
2,001 through 2,500	\$135.00
2,501 through 3,000	\$165.00
3,001 through 3,500	\$260.00
3,501 through 4,000	\$350.00
4,001 through 4,500	\$425.00
4,501 through 5,000	\$475.00
5,001 or more	The fine shall be computed at the rate of \$75.00 for each increment of 500 pounds overweight or fraction thereof

- B. In addition, any person, firm or corporation convicted of four (4) or more violations of section 4-1-21 of this Code within any twelve (12) month period shall be fined an additional amount of two thousand five hundred dollars (\$2,500.00) for the fourth and each subsequent conviction within a twelve (12) month period. Provided, however, that with regard to a firm or corporation, a fourth or subsequent conviction shall mean a fourth or subsequent conviction attributable to any one employee driver.

4-1-24 IMPOUNDMENT OF VEHICLES:

Members of the law enforcement agency are hereby authorized to remove a vehicle from any public way to the nearest vehicle pound or authorized garage as determined and designated by the law enforcement agency under the circumstances hereinafter enumerated:

- A. When a vehicle on any public way is so disabled as to constitute an obstruction to traffic, and the person in charge of the vehicle is, by reason of physical injury, incapacitated to such an extent as to be unable to provide for its custody or removal.
- B. When any vehicle is left unattended on any public way and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.

- C. When any vehicle illegally occupies a parking space for an unreasonable time.

4-1-25 SUPERVISION OF IMPOUNDMENT:

It shall be the duty of the law enforcement agency to cause every vehicle removed from any public way to be so removed and conveyed by or under the direction of a member of the law enforcement agency to an authorized garage or place of impoundment.

4-1-26 NOTICE OF IMPOUNDMENT:

- A. Notice To Owner: Whenever the law enforcement agency has impounded any vehicle as aforesaid, said agency shall ascertain from the registration records of the state and of the Village the name and address of the owner thereof and shall immediately give or cause to be given notice to such owner of the fact of such removal and impounding and the reason therefor and of the place to which such vehicle has been removed.
- B. Owner Unknown; Notice To State: Whenever the law enforcement agency has impounded any vehicle as aforesaid and does not know and is not able to ascertain the name of the owner, or for any reason is unable to give notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of seven (7) days, then and in that event, the law enforcement agency shall immediately send or cause to be sent a written report of such removal and impounding by mail to the secretary of state. Such notice shall include a complete description of the vehicle, the date, time, and place from which removed, the reasons for such removal, and the address of the vehicle pound or authorized garage where the vehicle is stored.

4-1-27 STORAGE OF IMPOUNDED VEHICLE; REDEMPTION:

- A. Storage: It shall be the duty of the law enforcement agency to safely keep any vehicle so impounded until such vehicle shall have been repossessed by the owner or person legally entitled to possession thereof or otherwise disposed of, as hereinafter provided.
- B. Redemption Of Impounded Vehicle: Before the owner or person entitled to possession of any legally impounded vehicle shall be permitted to remove the same from the custody of the law enforcement agency, he shall furnish evidence of his identity and ownership of the vehicle and right of possession thereto, shall sign a receipt for the vehicle, and shall pay a fee to cover the cost of towing or removal to an authorized garage, and in addition thereto, the cost of storage at a rate for each day or fraction of a day said vehicle is stored therein.

4-1-28 DISPOSITION OF UNCLAIMED VEHICLES:

A. Public Sale:

1. Whenever any abandoned, lost, stolen or unclaimed vehicle seven (7) years of age or newer remains unclaimed by the owner or other person legally entitled to possession thereof for a period of thirty (30) days from the day such vehicle was impounded, and after notice shall have been given, it shall be the duty of the law enforcement agency to sell such vehicle at public auction to the highest bidder for cash, the time and place of such sale to be published at least once in a newspaper of general circulation in the Village, not less than ten (10) nor more than fifteen (15) days from the expiration of said thirty (30) days, and the agency shall also cause a notice of such sale to be mailed to the secretary of state not less than ten (10) nor more than fifteen (15) days from the expiration of said thirty (30) days. Said notice shall contain a full description of the vehicle to be sold and the time and place of sale; provided, that any such vehicle not sold at the first sale may be offered for sale and sold at any subsequent sale without further notice or publication.
2. The proceeds of such sale, after paying all liens and deducting all reasonable charges and expenses incurred in receiving, towing, keeping, preparing and giving notices, advertising for sale or selling or otherwise disposing of such vehicle, shall be paid to the Village Treasurer.

B. Restoration By Village: If, in the opinion of the law enforcement official processing the vehicle, it has a value of two hundred dollars (\$200.00) or more and can be restored to a safe operating condition, the Village may authorize its purchase as salvage, and the Village shall apply to the secretary of state for a salvage certificate as provided in the Illinois vehicle code, 625 Illinois Compiled Statutes 5/3-101 through 5/3-118.1. A vehicle classified as an antique vehicle may, however, be sold to a person desiring to restore it.

C. Sales To Public Employees Prohibited: No member of the law enforcement agency, nor any other employee of the Village or any other village, city, county or state, directly or indirectly, shall purchase or participate in the bidding for or purchase of any vehicle offered for sale as aforesaid.

4-1-29 RECORDS KEPT:

The law enforcement agency shall cause to be kept an accurate record of the description of such vehicle, including the name of the officer from whom such vehicle was received, the officer employed to tow or deliver the same to said authorized garage, the date and time when received, the place where found, seized or taken possession of, the make and color of car, style or body, kind of power, motor number, serial number, number of cylinders, year built, state license number, if any, wheel tax license number, if any, equipment and general description of condition, the name and address of the person redeeming said vehicle, the date of redemption, and the manner and date of disposal of said vehicle in case the same shall not be redeemed, together with the towing and storage charges. Said record shall be in the form prescribed by the law enforcement agency. It shall also be the duty of the law enforcement agency to keep reports of all such vehicles delivered to said agency, which reports shall be kept in the office of the agency and available for inspection by any interested party at all reasonable hours of the day.

Section 2. This Ordinance shall be in full force and effect from and after the date of its passage, approval and publication as required by law. This Ordinance shall be published in pamphlet form.

Passed this 16th day of October, 2007 by roll call vote as follows:

	AYES	NAYS	ABSENT	ABSTAIN
Trustee Bernard Bertsche	X	_____	_____	_____
Trustee Charles Cappell	X	_____	_____	_____
Trustee Jim Kopec	X	_____	_____	_____
Trustee Albert Lenkaitis, Jr.	X	_____	_____	_____
Trustee Mike Millette	X	_____	_____	_____
Trustee Roy Pollack	_____	_____	X	_____
President Patsy Smith	_____	_____	_____	_____


APPROVED THIS 16th DAY OF OCTOBER, 2007



 Patsy J. Smith, Village President

(SEAL)

ATTEST AND FILED: October 16th, 2007



 Rebecca R. Lambe, Village Clerk

Published in pamphlet form this 16th day of October, 2007.