

TITLE 10 MOTOR VEHICLES AND TRAFFIC

CHAPTER 1 VEHICLE LICENSES

10-1-1: LICENSE REQUIRED; TERM:

It shall be unlawful for any person residing within or having quarters for the transaction of business within the village to use or operate or to cause or permit any of its agents or employees to use or operate upon any public street, way or alley any motor vehicle without first having obtained a license for such vehicle as hereinafter provided; provided, however, that no license shall be required for any motor vehicle bearing a valid current vehicle license sticker, decal or plate issued by any other municipality of the state. (Ord. 70-O-162, 6-4-1970)

The duration of each motor vehicle license shall be for one year commencing July 1 of each year. (Ord. 65-O-99, 6-3-1965)

10-1-2: LICENSE FEES:

Vehicle license fees shall be twenty dollars (\$20.00) per vehicle if purchased by August 1 of the license year (July 1 - June 30). Thereafter the vehicle license fee shall be forty dollars (\$40.00) per vehicle for the remainder of the license year (August 1 - June 30).

New residents who move into Kildeer during the year may (with proof of move date) purchase vehicle licenses for the twenty dollar (\$20.00) fee within thirty (30) days of the move.

Replacement vehicle licenses may be purchased by anyone to whom an original sticker was issued upon payment of a fee of one dollar (\$1.00). (Ord. 95-O-693, 4-3-1995)

10-1-3: APPLICATION FOR LICENSE; PLACEMENT OF DECAL:

Application for license shall be made to the village clerk on or before June 30 in each year. Upon payment of the license fee aforesaid, the clerk shall issue a decal designed, numbered and named for the village for the particular year during which it is issued. Such decal shall be placed upon the lower right hand side of the windshield of each licensed motor vehicle. (Ord. 65-O-99,

6-3-1965)

10-1-4: PENALTY:

Any person violating any provision of this chapter shall be fined not less than twenty five dollars (\$25.00) nor more than the maximum as set forth in section 1-4-1 of this code. (Ord. 75-O-212, 11-6-1975; amd. Ord. 95-O-707, 11-6-1995)

CHAPTER 2 TRAFFIC REGULATIONS

10-2-1: SPEED LIMITS:

- A. It shall be unlawful for any person to drive a motor vehicle of any kind upon any road within a residential area within the village at a speed greater than twenty (20) miles per hour. The term "motor vehicle" as used herein shall have the definition ascribed in 625 Illinois Compiled Statutes. (Ord. 02-O-860, 10-7-2002)
- B. The maximum speed limit for vehicular travel on West Cuba Road on that portion thereof lying between Rand Road and Quentin Road is hereby established to be twenty five (25) miles per hour.
- C. The maximum speed limit for vehicular travel on East Cuba Road, from Quentin Road to the territorial limits of the village, is hereby established to be twenty five (25) miles per hour.
- D. The maximum speed limit for vehicular travel on Long Grove Road, from Route 12 to the eastern territorial limits of the village, is hereby established to be twenty five (25) miles per hour. (Ord. 01-O-834, 7-2-2001)
- E. The maximum speed limit for vehicular travel on South Krueger Road from Route 22 to East Cuba Road, is hereby established to be twenty five (25) miles per hour. (Ord. 02-O-860, 10-7-2002)

10-2-2: STOP INTERSECTIONS:

It shall be unlawful for any driver of a motor vehicle to fail to stop before proceeding onto any of the following streets:

Amberly Drive going northerly at Long Grove Road.

Andover Road at the intersection of Andover Road and Middleton Drive.

Andover Road going northerly onto Exeter Road.

Andover Road going southerly onto Exeter Road.

Andover Road going westerly onto Hickory Hill Drive.

Boschome Drive onto Quentin Road.

Brandon Road onto Andover Road.

Buffalo Run going northerly onto Willow Drive.

Buffalo Run going southerly at Long Grove Road.

Buffalo Run going southerly onto Willow Drive.

Cambridge Drive going southerly at West Cuba Road.

Creekside Drive at South Krueger Road.

East Chestnut Ridge Road onto Cuba Road.

East Cuba Road going easterly at South Krueger Road.

East Cuba Road going westerly at South Krueger Road.

Eleanor Lane onto Krueger Road.

Exeter Road going westerly onto Andover Road.

Exeter Road going westerly onto Middleton Drive.

Foxtail Drive going northerly onto Illinois Route 22.

Greenwood Drive going westerly onto Quentin Road.

Hawthorne Lane onto East Chestnut Ridge Road.

Heather Court going southerly at Long Grove Road.

Hickory Hill Drive onto Cuba Road.

Hidden Valley Road going westerly onto Quentin Road.

Highwood Road onto White Pine Road.

Hilandale Lane going northerly at Illinois Route 22.

Kirkley going northerly at Long Grove Road.

Little Pond onto White Pine Road.

Long Meadows Drive going northerly at Long Grove Road.

Meadowlark Drive at East Cuba Road.

Middleton Drive going southerly at Long Grove Road.

Pine Lake Circle going easterly at Quentin Road.

Plumwood Drive going northerly onto Long Grove Road.

Providence Drive at Illinois Route 22.

South Krueger Road going northerly at Illinois Route 22.

South Krueger Road going southerly at East Cuba Road.

Stoneybrook Court going southerly onto West Cuba Road.

Thornridge Drive going easterly onto Cambridge Drive.

Thornridge Drive going westerly onto Cambridge Drive.

Tree Road going westerly at Highwood Road.

Tree Road onto White Pine Road.

Valley Road onto Long Grove Road.

Weatherstone Road going northerly at Long Grove Road.

West Chestnut Ridge Road onto Cuba Road.

West Cuba Road going easterly at Stoneybrook Court.

West Cuba Road going westerly at Stoneybrook Court.

White Pine Road going easterly at Quentin Road.

White Pine Road going northwesterly at Little Pond.

White Pine Road going southwestly at Little Pond.

Willow Drive onto Buffalo Run.

Wooded Ridge going northerly at U.S. 12.

Yorkshire Road going easterly on South Krueger Road.

Yorkshire Road going westerly at South Krueger Road. (Ord. 75-O-211, 11-6-1975; amd. Ord. 77-O-255, 12-1-1977; Ord. 87-O-460, 12-7-1987; Ord. 90-O-537, 5-7-1990; Ord. 94-O-662, 6-6-1994; Ord. 95-O-703, 8-7-1995; Ord. 97-O-759, 11-3-1997; Ord. 03-O-868, 2-10-2003; Ord. 03-O-871, 3-3-2003; Ord. 04-O-925, 12-6-2004)

10-2-3: INTERSECTIONS:

- A. Yield Intersections: It shall be unlawful for any driver of a motor vehicle to fail to yield the right of way to any motor vehicle when said driver is proceeding onto any of the following streets:

Cliffside Drive onto Buffalo Run.

Elder Court onto White Pine Road.

Hampton Court onto Hickory Hill Drive.

Lexington Drive onto Middleton Drive.

South Boschome Circle Drive going south onto Boschome Drive.

White Pine Road onto Chestnut Ridge Road West.

York Court onto Buffalo Run. (Ord. 94-O-661, 5-9-1994)

- B. No Left Turn Intersections: It shall be unlawful for any driver of a motor vehicle to make a left turn at any of the following intersections:

South Quentin Road to eastbound Boschome Drive (Monday through Friday, 7:00 A.M. to 9:00 A.M., except for authorized vehicles). (Ord. 04-O-893, 3-1-2004)

- C. No Right Turn Intersections: It shall be unlawful for any driver of a motor vehicle to make a right turn at any of the following intersections:

Northbound Quentin Road to eastbound Greenwood Drive (Monday through Friday, 7:00 A.M. to 9:00 A.M., except for authorized vehicles). (Ord. 96-O-717, 4-1-1996)

10-2-4: SIGNS ERECTED:

Appropriate signs shall be erected as provided by state statute at the appropriate places to give notice to motorists of the above regulations. Every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the street of the intersection or in the event there is no crosswalk, shall stop at a clearly marked stop line or in the event there is none, then at the point nearest the intersected road before entering the intersection. (Ord. 67-O-123, 2-2-1967; amd.

Ord. 75-O-211, 11-6-1975)

10-2-5: VEHICLE WEIGHTS; ROAD CLOSINGS:

(Rep. by Ord. 03-O-865, 2-10-2003)

10-2-6: WEIGHT LIMITATIONS ON VILLAGE ROADS:

No vehicle or combination of vehicles equipped with pneumatic tires shall be operated, unladen or with load, when the gross weight on the road surface through any axle thereof exceeds twelve thousand (12,000) pounds, upon any street or highway within the village, except those roads under the jurisdiction and control of the Lake County highway department, the township road commissioner, or the Illinois department of transportation.

Any series of two (2) or more single axles whose centers are more than forty inches (40") and not more than ninety six inches (96") apart measured to the nearest inch between extreme axles in the series shall be defined as tandem axles and the gross weight transmitted to the road surface through such series shall not exceed twenty four thousand (24,000) pounds and no single axle of this series shall exceed the maximum weight permitted under this section for a single axle. (Ord. 90-O-547, 9-10-1990)

10-2-6-1: CERTAIN VEHICLES EXCEPTED:

The provisions of this section **10-2-6** shall not apply to the following vehicles:

- A. Emergency fire apparatus.
- B. Equipment for snow and ice removal operations which are owned, operated by or under contract with any governmental body while performing such operations within the village.
- C. School buses.
- D. Public utility vehicles, as defined in 625 Illinois Compiled Statutes 5/15-100.
- E. Trucks used exclusively for garbage or refuse disposal and equipped with self-compactors or industrial roll off hoists and roll off containers and vehicles used exclusively for the collection of rendering materials when such truck is picking up refuse, garbage or rendering material within the village.
- F. Any other truck that has a valid bill of lading for a delivery or pick up within the village, and it is reasonably necessary to utilize village roads to get to or from the point of pick up or delivery; provided, however, that this exception shall not apply to any vehicle which exceeds the weight limits established in 625 Illinois Compiled Statutes 5/15-111(a) and (b).

- G. A combination of vehicles including a tow truck and disabled or towed vehicle or combination of vehicles, provided that neither the disabled vehicle nor any vehicle being towed shall exceed the weight limits under this section 10-2-6. (Ord. 90-O-547, 9-10-1990)

10-2-6-2: SPECIAL PERMIT FOR EXCESS WEIGHT, APPLICATION:

The village administrator or director of public works may issue a permit for the traversing of village roads for a vehicle that would otherwise be prohibited by the terms of this section 10-2-6 subject to the following criteria:

- A. It is reasonably necessary for the vehicle to traverse village roads.
- B. There is no reasonable alternative utilizing other vehicles or other routes.
- C. Good cause has been shown by the applicant.
- D. The village is reasonably satisfied that the requested route and load will not unduly damage or harm village roads or constitute a danger to the health, safety, and welfare of the village and its citizens.
- E. The load consists of an object which cannot reasonably be dismantled or disassembled.

The permit, if issued, shall prescribe a precise route. It shall be for a specific duration. It shall not be assignable. The permit fee shall be twenty five dollars (\$25.00). (Ord. 90-O-547, 9-10-1990)

10-2-6-3: OFFICERS TO WEIGH VEHICLES:

Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require the driver to stop and submit to a weighing of the same by either means of portable or stationary scales. If such scales are not available at the place where such vehicle is stopped, the police officer shall require that such vehicle be driven to the nearest available scale that has been tested and approved by the Illinois department of agriculture. (Ord. 90-O-547, 9-10-1990)

10-2-6-4: PENALTY:

- A. Any person, firm or corporation convicted of any violation of this section 10-2-6 including, but not limited to, a maximum axle or gross limit shall be fined according to 625 Illinois Compiled Statutes 5/15-316(e). (Ord. 92-O-623, 12-7-1992)
- B. Whenever any vehicle is operated in violation of the permit conditions issued pursuant to section 10-2-6-2 of this chapter, the owner or driver of such vehicle shall be deemed guilty of such violation and either may be prosecuted for such violation. Any person, firm, or corporation convicted of any such violation shall be fined for the first or second conviction

an amount as set forth in section 1-4-1 of this code, and for the third and subsequent convictions by the same person, firm, or corporation within a period of one year after the date of the first offense, not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00). (Ord. 90-O-547, 9-10-1990; amd. Ord. 95-O-707, 11-6-1995)

10-2-7: TRUCK RESTRICTIONS:

The purpose of this section 10-2-7 is to restrict truck traffic in the village of Kildeer to the maximum extent possible to the system of state and county highways in order to enhance safety and to promote the efficient movement of vehicles while preserving the integrity of the residential communities. (Ord. 04-O-912, 9-9-2004)

10-2-7-1: RESTRICTED ROUTES:

- A. Trucks, truck tractors, truck and trailer combinations or truck tractor and semitrailer combinations over eight feet (8') in width, over thirty feet (30') in length, or over thirty two thousand (32,000) pounds' registered gross weight, and all vehicles transporting radioactive or hazardous cargo, shall be restricted to the state or county highway system; provided, when such locations are not immediately adjacent to a state or county highway, vehicles described in this section 10-2-7 shall use the shortest and most direct route between the nearest highway route and such departure or destination location, and such vehicles may not use village streets restricted under this section 10-2-7, except when traveling directly between such locations and the nearest highway or authorized truck route.
- B. The local authority enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating "NO THRU TRUCKS" at each end of that portion of any street affected thereby or at the entrance to a subdivision, and the provisions of this section 10-2-7 shall not be effective unless and until such signs are erected and maintained.
- C. Village streets restricted under these provisions are:

West Cuba Road from Quentin Road to Rand Road/U.S. Route 12. (Ord. 04-O-912, 9-9-2004)

10-2-7-2: EXEMPTIONS TO RESTRICTED ROUTES:

The following vehicles shall be exempt from the restrictions set forth in section 10-2-7-1 of this chapter:

Authorized emergency vehicles.

Public works, snowplows, and other street maintenance vehicles while in the performance of

their prescribed duties within the village of Kildeer.

School buses and other vehicles of public transportation.

Solid waste or refuse haulers while operating on scheduled routes within the village.

Vehicles of public utility companies while operating on utility infrastructure within the village of Kildeer. (Ord. 04-O-912, 9-9-2004)

10-2-7-3: VIOLATIONS:

Whenever any vehicle is operated in violation of this section 10-2-7, the owner or driver of such vehicle shall be deemed guilty of such violation and either may be prosecuted for such violation. Any person, firm, or corporation convicted of any such violation shall be fined for the first or second conviction an amount as set forth in section 1-4-1 of this code, and for the third and subsequent convictions by the same person, firm, or corporation within a period of one year after the date of the first offense, not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00). (Ord. 04-O-912, 9-9-2004)

10-2-7-4: SEVERABILITY:

If any provision of this section 10-2-7 or its application to any person or circumstance is held invalid, the remainder of this section 10-2-7, or the application of the provision to other persons or circumstances, is not affected. (Ord. 04-O-912, 9-9-2004)

CHAPTER 3 PARKING REGULATIONS

10-3-1: PURPOSE:

This chapter is enacted as an enforcement procedure for protection of the public peace, safety and welfare, and the safeguarding of property, and shall be used generally for the prevention and removal of traffic hazards, prevention and abatement of public nuisances arising from traffic law violations, and for the protection of the public rights in the use of village streets and thoroughfares. (Ord. 78-O-279A, 11-2-1978)

10-3-2: ON STREET PARKING PROHIBITED, EXCEPTION:

- A. It shall be unlawful to park an automotive vehicle on any public street within the village. A person may, however, with oral permission of the village police department, park a vehicle

on a public street within the village for a period not in excess of twelve (12) hours. The police department may grant such oral permission if, and only if, it determines that vehicular traffic will not be unduly hampered and that the safety of the public will not be endangered in granting said permission.

A person may also, with the oral permission of the police department, park a construction vehicle on a street within the village if it is determined by the police department:

1. That the presence of the construction vehicle is necessary to assist the owner or operator of the vehicle in performing services or labor at a construction site within the village.

2. That the parking of the construction vehicle is done or will be done in such a manner so that vehicular traffic will not be unduly impaired and the safety of the public will not be endangered. (Ord. 78-O-279A, 11-2-1978)

- B. Any individual violating any provision of this chapter shall, upon conviction, be subject to a fine not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 90-O-528, 4-2-1990)
- C. It shall be unlawful to park an automotive vehicle in any place where parking is prohibited and signs are posted to that effect or the parking area is designated no parking through a paint scheme, such as red for a fire lane, for any shopping center, school board property, hospital, church or apartment complex which is subject to an agreement between the owner thereof and the village, pursuant to 625 Illinois Compiled Statutes 5/11-209. It shall be unlawful to park an automotive vehicle, which does not have affixed to it registration plates or a decal, as provided for in the Illinois vehicle code, for handicapped persons or disabled veterans, in any place where parking is limited to handicapped parking only and the required signs are posted to that effect or the parking area is so designated by the required paint scheme, for any shopping center, school board property, hospital, church or apartment complex, which is subject to an agreement between the owner thereof and the village, pursuant to 625 Illinois Compiled Statutes 5/11-209. The terms "shopping center", "fire lane", and "apartment complex" shall have the meanings ascribed to them in 625 Illinois Compiled Statutes 5/11-209.
- D. It shall be unlawful to park an automotive vehicle, which does not have affixed to it registration plates, a decal or authorized placard, as provided for in the Illinois vehicle code, for handicapped persons or disabled veterans, in any place where parking is limited to handicapped parking only and the required signs are posted to that effect or the parking area is so designated by the required paint scheme. (Ord. 93-O-632, 1-11-1993)
- E. 1. Except as provided herein, it shall be unlawful to park, stand, or store any vehicle of the second division (as defined in 625 Illinois Compiled Statutes) on the property of a commercial planned development between the hours of ten o'clock (10:00) P.M. and six

o'clock (6:00) A.M.

2. The police department is authorized to relocate any commercial vehicle in violation of this subsection to a storage area at the sole cost and expense of the registered owner or lessee of that vehicle. Such police authority shall have the power and is hereby authorized to move the vehicle by either private or governmental equipment to a storage area.

3. Second division vehicles (as defined in 625 Illinois Compiled Statutes) used primarily for the construction of buildings, fixtures, or infrastructure of the commercial planned development are exempt from the provisions of this subsection during the actual construction process, pursuant to the issuance of a building permit for said construction. (Ord. 02-O-862, 10-7-2002)

- F. It shall be unlawful for the operator of any commercial cargo vehicle to park, load, or unload such vehicle in the public parking area of any retail or restaurant establishment except where such parking, loading, or unloading area has been designated for the use of such commercial cargo vehicles.

The owners of any such described property shall erect or cause to be erected and maintained, signage designating "NO TRUCK PARKING" at each entrance to such property.

For the purpose of this section, a "commercial cargo vehicle" is defined as any truck, truck tractor, truck and trailer combination, or truck tractor and trailer combination over eight feet (8') in width, or over thirty feet (30') in overall length, or over thirty two thousand (32,000) pounds' gross registered weight, or any vehicle transporting cargo that is required to be placarded by the U.S. department of transportation. (Ord. 05-O-926, 1-3-2005)

10-3-3: AVOIDANCE OF PROSECUTION:

(Rep. by Ord. 02-O-852, 6-3-2002)

10-3-4: REMOVAL AND IMPOUNDMENT:

Any vehicle parked on a village street in violation of this chapter and deemed a hazard to traffic and the general public may, at the order of the police department, be removed or caused to be removed at the sole cost and expense of the owner of the vehicle to a storage facility. Such police authority shall have the power and is hereby authorized to remove the vehicle by either private or governmental equipment to a storage area. (Ord. 78-O-279A, 11-2-1978)

10-3-5: NOTICE TO OWNER:

Whenever the police department has impounded a vehicle described above, a notice of such

removal and the storage place of such vehicle shall be mailed to the last registered owner of such vehicle, if the name and address of such owner can be ascertained with reasonable diligence. Such notice shall state that if the owner fails to reclaim such vehicle within sixty (60) days from the date of the mailing, title to such vehicle will vest in the village and such vehicle will be sold at public auction to be held not sooner than thirty (30) days after the expiration of the sixty (60) day period contained in the notice.

A registered owner of a vehicle shall be presumed to be the owner at the time the vehicle was observed parked in a village street and said owner shall be responsible for the offense and the impoundment, except when the use of the vehicle was secured by the operator without the owner's consent. (Ord. 78-O-279A, 11-2-1978)

10-3-6: RECORDS KEPT:

It shall be the duty of the police department to safely keep any impounded vehicle until such vehicle shall have been repossessed by the owner or person legally entitled to possession thereof or otherwise disposed of as provided in this chapter. The police department shall cause to be kept an accurate record of the description of such vehicle, including the name of the officer from whom such a vehicle was received, the officer employed to tow or have delivered the same to said storage area, 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, 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 cost of outstanding summonses and the towing and storage charges. (Ord. 78-O-279A, 11-2-1978)

10-3-7: RELEASE OF VEHICLE:

Vehicles impounded pursuant to this chapter will be released; provided, that the lawful owner or person entitled to possession demonstrates adequate evidence of a right to its possession and pays all storage costs incurred thereby.

10-3-8: SALE OF VEHICLE:

Whenever any vehicle so impounded shall remain unclaimed by the owner or other person legally entitled to possession thereof for a period of sixty (60) days from the day notice to owner was mailed, it shall be the duty of the police department 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) days nor more than fifteen (15) days from expiration of said sixty (60) 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. The proceeds of such sale after paying all liens and deducting all reasonable charges and expenses incurred by such officer charged with the keeping of said pound, including the fees and charges herein specified, 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 clerk.

Whenever any such vehicle shall remain unsold for a period of one hundred eighty (180) days from and including the day when the same shall have been delivered to any storage area as in this chapter provided, any such vehicle may be given to the use of any department of the village or other governmental agency desiring the same.

No member of the police department, nor any other employee of the village, directly or indirectly, shall purchase or participate in the bidding for, or purchase of, any vehicle offered for sale as aforesaid.

If the vehicle shall be deemed by the police chief of no value or of insufficient value to warrant storage and sale, and if no owner shall appear to redeem such valueless vehicle within sixty (60) days after the mailing of notice of its removal, which notice shall contain a statement that the vehicle is deemed to be of no value or of insufficient value to warrant storage and sale, and that it is the intention to dispose or destroy such vehicle, to any owner whose name and address can be ascertained with reasonable diligence, or by publishing such notice in the official newspaper once, at least five (5) days before its destruction or other disposition. Such vehicle as above provided shall be conclusively deemed of no value and to be abandoned property, and there shall be no claim against the village nor any of its agents or employees by reason of such destruction or disposition.

10-3-9: LIABILITY OF REGISTERED OWNER:

Whenever any vehicle is parked in violation of any provision of this chapter, prohibiting or restricting parking, the person in whose name such vehicle is registered shall be prima facie responsible for such violation and subject to the penalty therefor **1(1)**. (Ord. 78-0-279A, 11-2-78)

CHAPTER 4 SNOWMOBILES

10-4-1: DEFINITIONS:

OPERATE: To control the operation of a snowmobile.

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

SNOWMOBILE: A self-propelled vehicle designed for travel on snow or ice in a natural terrain steered by wheels, skis or runners.

10-4-2: REGULATIONS:

It shall be unlawful for any person to operate a snowmobile under the following circumstances:

- A. On private property of another without the express written permission to do so by the owner or occupant of said property.
- B. In a manner so as to create loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.
- C. In a careless, reckless or negligent manner so as to endanger the safety of any person or the property of any other person.
- D. Without having such snowmobile registered as provided for by Statute, except that this provision shall not apply to the operation of a snowmobile on the private property of the owner by the owner or a member of his immediate family.
- E. Within the shoulder or parkway only of any right of way (except for crossing said street or streets) of any public street within the Village unless the operator shall have a valid driver's license, or is accompanied by a licensed driver, who is actually occupying a seat in the vehicle, and has on display a snowmobile tag issued by the Village.

10-4-3: EQUIPMENT REQUIRED:

All snowmobiles operated within the Village shall have the following equipment:

- A. Mufflers which are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for operating the vehicle, and no person shall use a muffler cut-out, by-pass or similar device on said vehicle.
- B. Adequate brakes in good working condition and at least one headlight and one taillight.
- C. A safety or so-called "dead man" throttle in operating condition; a safety or "dead man" throttle is defined as a device which, when pressure is removed from the accelerator or throttle, causes the motor to be disengaged from the driving track.

10-4-4: UNATTENDED VEHICLES:

It is unlawful for the owner or operator to leave or allow a snowmobile to be or remain unattended on public property while the motor is running or with the keys for starting the vehicle left in the ignition.

10-4-5: TRAFFIC REGULATIONS:

Each person operating a snowmobile shall strictly observe all traffic signs and signals and all other traffic rules and regulations applicable thereto, and shall obey the orders and directions of any police officer of the Village authorized to direct or regulate traffic. (Ord. 71-0-177, 12-2-71)

10-4-6: PENALTY:

Each violation of this Chapter shall subject the violator to a fine of a minimum of fifty dollars (\$50.00) per violation and a maximum of five hundred dollars (\$500.00). (Ord. 71-0-177, 12-2-71; amd. 1981 Code)

CHAPTER 5 ILLINOIS VEHICLE CODE

10-5-1: ADOPTION OF ILLINOIS VEHICLE CODE:

Pursuant to 625 Illinois Compiled Statutes 5/20-204, the Village hereby adopts in entirety the Illinois Vehicle Code, 625 Illinois Compiled Statutes 5/1-100 et seq., as heretofore or hereafter amended, and the same are hereby adopted as ordinance provisions of the Village. Any violation of said provisions of the Illinois Vehicle Code shall hereinafter be considered a violation of this Chapter, and each such violation shall subject the violator, upon conviction, to the same penalty as set forth in the Illinois Vehicle Code. (Ord. 93-0-632, 1-11-93)

CHAPTER 6 ABANDONED VEHICLES

10-6-1: DEFINITIONS:

For the purpose of this Chapter, the following words shall have the meanings described to them:

ABANDONED VEHICLE: Any motor vehicle or other vehicle that has not been moved or

used for seven (7) consecutive days or more, or is not fully licensed in accordance with the State of Illinois Statutes and the Village Code.

ANTIQUUE VEHICLE: Any motor vehicle or other vehicle twenty (20) years of age or older.

HIGHWAY: Any road, street, alley, or other public way situated within the Village.

10-6-2: ABANDONMENT UNLAWFUL:

The abandonment of a motor vehicle or other vehicle, or any part thereof, on any highway within the Village is unlawful and subject to the penalties as set forth herein. The abandonment of a motor vehicle or other vehicle, or any part thereof, on private or public property, or other than a highway, in view of the general public within the Village is unlawful, except on property of the owner or bailee of such abandoned vehicle. 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 Chief of Police after a waiting period of seven (7) days or more has expired. No owner may keep or store on private property more than one nonfunctioning vehicle, unless the private property is a licensed garage, service station, farm, or auto repair facility.

10-6-3: NOTIFICATION OF ABANDONMENT:

When an abandoned, lost, stolen, or unclaimed motor vehicle or other vehicle comes into the temporary possession or custody of a person within the Village who is not the owner of the vehicle, such person shall immediately notify the 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 will 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.

10-6-4: REMOVAL OF ABANDONED, WRECKED, OR UNATTENDED VEHICLES:

- A. When a motor vehicle or other vehicle is abandoned on a highway within the Village twelve (12) hours or more, its removal by a towing service may be authorized by order of the Chief of Police.
- B. 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 or private property adjacent to the highway by a towing service may be authorized

by the Chief of Police.

- C. When a vehicle removed 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.

10-6-5: RECORD OF VEHICLES TOWED AWAY:

When a motor vehicle or other vehicle is authorized to be towed away, the Police Department shall keep and maintain a record of the vehicle towed, including a listing of the color, year of the manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number, and license plate year and number displayed on the vehicle. The record shall also indicate the date and hour of the tow, the location towed from and the location towed to, the reason for the towing, and the name of the officer authorizing the tow.

10-6-6: IDENTIFICATION PROCEDURE:

- A. When the Police Department does not know the identity of the registered owner or other legally entitled person, it will cause the motor vehicle registration records of the State of Illinois to be searched by a direct communication with the Secretary of State, for the purpose of obtaining the required ownership information.

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. When the Illinois State Police files are searched with negative results, the information contained in the National Crime Information Center files will be searched by the Illinois State Police. The information determined from these records searches will be used by the Police Department in sending a notification by certified mail to the owner or legally entitled person, advising where the vehicle was held, requesting a disposition to be made, and setting forth public sale information.

- B. 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 this State, or from the registration files of any other state, 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. The information obtained by the Illinois State Police will be immediately forwarded to the law enforcement agency having custody of the vehicle for notification of owner.

10-6-7: RECLAMATION:

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 Section until all towing and storage charges have been paid. All such payments shall be made by cash, cashier's check, or certified check.

10-6-8: SALE OF VEHICLE SEVEN YEARS OF AGE OR NEWER:

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 the vehicle 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 to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description of the vehicles to be sold, and what steps must be taken by any legally entitled person to reclaim the vehicle.

In those instances where the certified notification specified herein has been returned by the postal authorities to the Police Department, the sending of a second certified notice shall not be required. (Ord. 83-O-364, 7-12-1983)

10-6-9: DISPOSAL OF VEHICLES:

When the identity of a 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. (Ord. 83-O-364, 7-12-1983)

10-6-10: DISPOSAL OF VEHICLES MORE THAN SEVEN YEARS OF AGE:

When an abandoned vehicle of more than seven (7) years of age is impounded as specified in this Chapter, it will be kept in custody for a minimum of ten (10) days for the purpose of determining ownership, the contacting of the registered owner by U.S. mail or in person for a determination of disposition, and 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 disposition information has not been received from the registered owner, the Chief of Police may authorize the disposal of the vehicle as a junk only. This Section does not apply to antique

vehicles, which are specifically excluded from this Chapter. (Ord. 83-O-364, 7-12-1983)

10-6-11: REPORT OF SALE AND DISPOSAL:

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 shall be maintained by the Police Department for a period of one year from the date of the sale or disposal. (Ord. 83-O-364, 7-12-1983)

10-6-12: PROCEEDS OF SALE:

When a motor vehicle or other vehicle located within the corporate limits of the Village is authorized to be towed away by the Chief of Police 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 General Corporate Fund. (Ord. 83-O-364, 7-12-1983)

10-6-13: LIABILITY FOR DAMAGES:

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, his legal representative, or any other person legally entitled to the possession of a motor vehicle or any other vehicle, when the vehicle was processed and sold or disposed of as provided by this Chapter. (Ord. 83-O-364, 7-12-1983)

10-6-14: IMPOUNDMENT OF VEHICLES:

The Police Department is hereby authorized to remove a vehicle from a private parking space or lot to the nearest vehicle pound or authorized garage as determined and designated by the Chief of Police under the following circumstances:

- A. When the private space or lot is clearly marked or posted with the sign containing a warning "Private parking", "No trespassing", "Violators will be towed away at their expense", or words to that effect.
- B. When the owner or proprietor of the space or lot, or his authorization, signs a written complaint for trespassing.
- C. When the owner or proprietor of said space or lot, or his duly authorization, deposits with Police Department a sum of money sufficient to cover the minimum towing and storage

charges to be incurred by the Village in removing and storing of the vehicle.

Any person seeking to reclaim a vehicle impounded pursuant to this Section shall first pay all towing and storing charges incurred by the Village. All such payments shall be made in cash, cashier's check, or a certified check. (Ord. 83-O-364, 7-12-1983)

10-6-15: PRESUMPTION OF OWNERSHIP:

The fact that an automobile which is illegally abandoned, operated, stored, 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. 83-O-364, 7-12-1983)

10-6-16: PENALTY:

Any person who violates any of the terms of this Chapter shall, upon conviction thereof, be fined a sum as set forth in Section 1-4-1 of this Code, and a separate offense shall be committed on each day upon or during which a violation occurs or continues. (Ord. 83-O-364, 7-12-1983; amd. Ord. 95-O-707, 11-6-1995)

CHAPTER 7 INOPERATIVE MOTOR VEHICLES

10-7-1: INOPERABLE VEHICLES A NUISANCE; DEFINITION:

The storage or parking of inoperable motor vehicles on public or private property is hereby declared to be a nuisance and unlawful. For the purpose of this Chapter, an "inoperable motor vehicle" shall mean any motor vehicle from which, for a period of at least sixty (60) days, the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power. The term "inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations, nor shall it include any motor vehicle which is kept within a building when not in use, or historic vehicles over twenty (20) years of age. (Ord. 83-O-365, 7-12-1983)

10-7-2: REMOVAL, DISPOSITION OF VEHICLE:

The owner of an inoperative motor vehicle shall remove and dispose of said vehicle within seven (7) days of receiving notice from the Kildeer Police Department, which states that such person is

to dispose of any inoperable motor vehicle under his control. The failure to dispose of said vehicle within the prescribed time, after notice having been given, is hereby declared to be unlawful and in violation of this Chapter. (Ord. 83-O-365, 7-12-1983)

10-7-3: PENALTY:

Any person who violates any of the terms or provisions of this Chapter shall, upon conviction, be fined a sum as set forth in Section 1-4-1 of this Code, and a separate offense shall be deemed to have occurred for each day during, or upon which a violation commences or continues. (Ord. 83-O-365, 7-12-1983; amd. Ord. 95-O-707, 11-6-1995)

Endnotes

1 (Popup - Popup)

For parking violation penalty, see section [9-3-2A2a](#) of this code.