

ORDINANCE NO. 2020-01-08- 01

VILLAGE OF MAPLETON, ILLINOIS

**AN ORDINANCE REGARDING THE DISPOSITION OF  
ABANDONED, INOPERABLE AND UNLICENSED MOTOR VEHICLES**

WHEREAS, it has come to the attention of the Village of Mapleton Board of Trustees that abandoned, inoperable and unlicensed motor vehicles are a nuisance within the Village; and

WHEREAS, Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes municipalities to define, prevent and abate nuisances; and

WHEREAS, Section 4-201 of the Illinois Vehicle Code (625 ILCS 5/4-201) prohibits the abandoning of vehicles on public property, and provides that vehicles abandoned on private property are subject to removal by a local law enforcement agency;

WHEREAS, Section 11-40-3 of the Illinois Municipal Code (65 ILCS 5/11-40-3) provides for the removal of inoperable vehicles by municipalities; and

WHEREAS, the Village Board has determined that it is in the best interests of the Village and its citizens that the provisions of the Village Code regarding inoperable vehicles be revised;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MAPLETON, ILLINOIS:

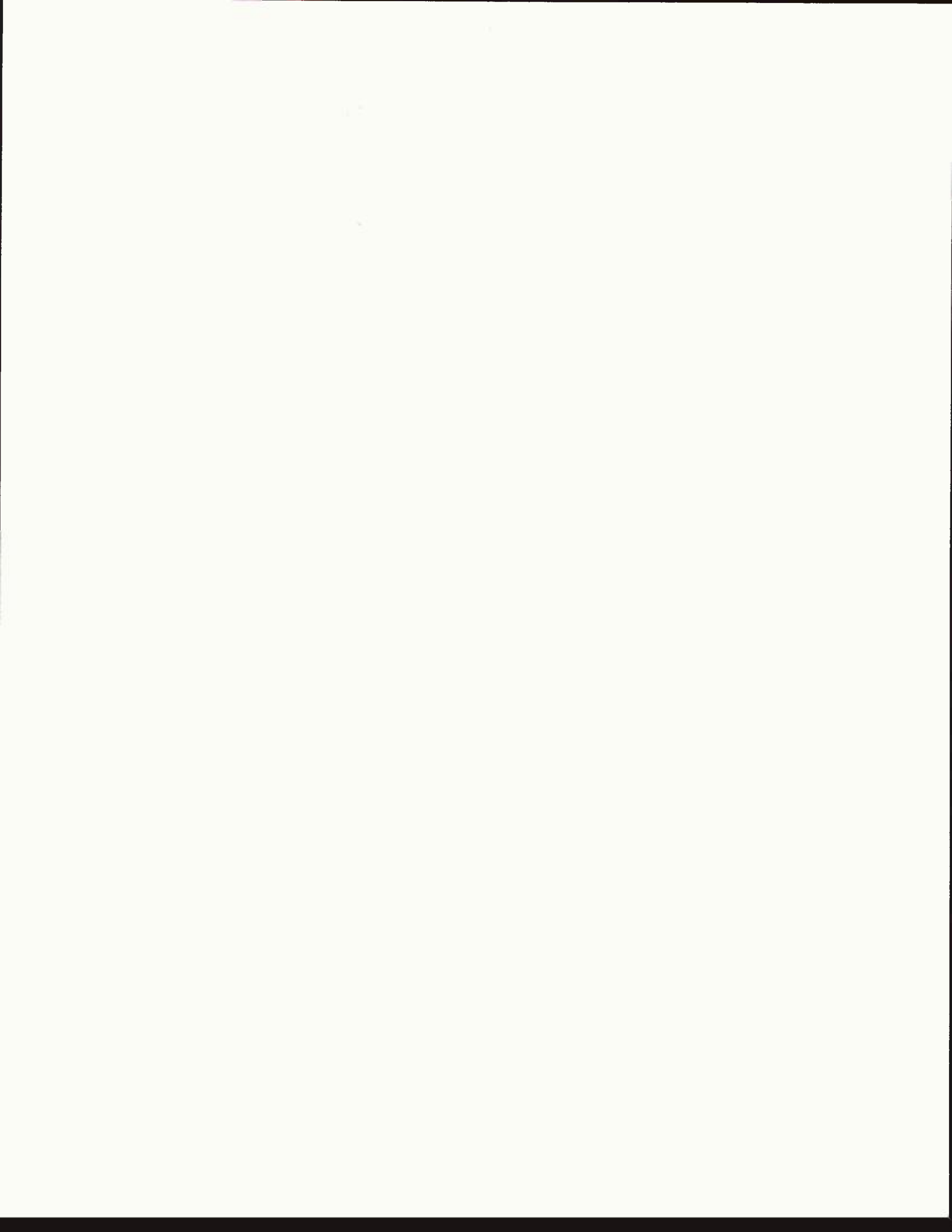
Section 1: Section 7-9, inoperable motor vehicles, of Chapter 7, Nuisances, of the Village Code shall be deleted in its entirety, and the following language shall be substituted in its place:

Sec. 7-9 Abandoned, inoperable and unlicensed motor vehicles.

a. Abandoned vehicles.

(1) Abandonment of vehicles prohibited. All abandoned vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance, and shall be unlawful as provided herein.

- Highways. The abandonment of a vehicle or any part thereof on any highway in this Village is unlawful and subject to penalties as set forth under subsection (e) of this Section.
- Other Property. The abandonment of a vehicle or any part thereof on private or public property, other than a highway, in view of the general public, anywhere in this Village is unlawful except on property of the owner or bailee of that abandoned vehicle. A vehicle or any part thereof so abandoned on private property shall be authorized for removal, by the Sheriff of Peoria County or any member of the Sheriff's Department, after a waiting period of 7 days or more, or may be removed immediately if determined to be a hazardous dilapidated motor vehicle under Section 11-40-3.1 of the Illinois Municipal Code (65 ILCS 5/11-40-3.1). A violation of this Section is subject to penalties as set forth under subsection (e) of this Section.



(2)Removal of Abandoned Vehicles. The Sheriff of Peoria County or any member of the Sheriff's Department is hereby authorized to remove any abandoned vehicle in violation of the provisions of this Section.

(3)Defined. "Abandoned vehicle" shall have the same meaning as described in Section 101.05 of the Illinois Vehicle Code (625 ILCS 5/1-101.05).

(b) Inoperable vehicles.

(1)Inoperable Motor Vehicles are a Nuisance. All inoperable motor vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance. The term "inoperable motor vehicle" shall have the meaning as described in Section 11-40-3 of the Illinois Municipal Code (65 ILCS 5/11-40-3).

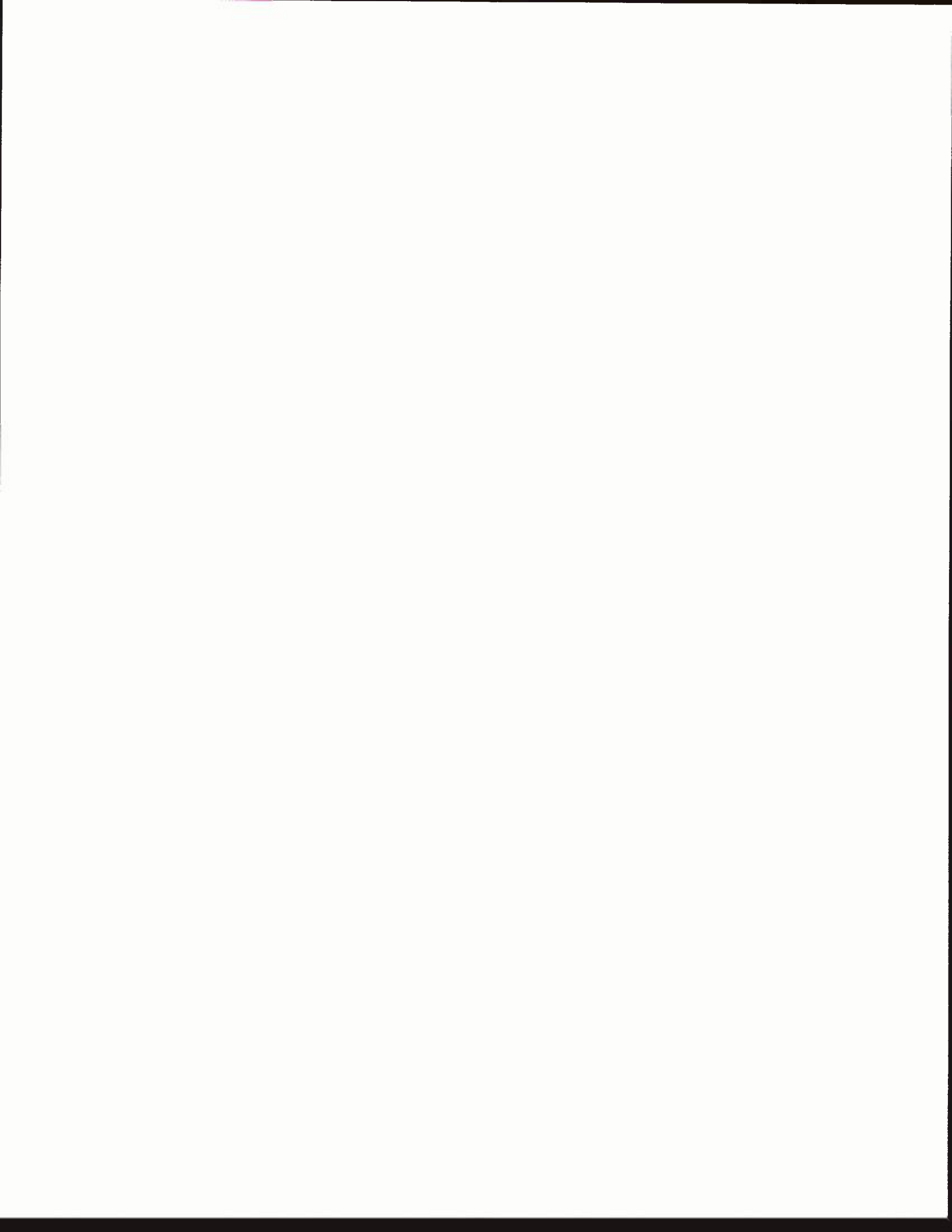
(2)Disposal Upon Notice. All persons are required to dispose of any inoperable motor vehicles under their control upon written notice received from the Village or from the Sheriff of Peoria County or any member of the Sheriff's Department commanding such disposition of said inoperable motor vehicle.

(3)Removal by Sheriff. The Sheriff of Peoria County, or any member of the Sheriff's Department, is hereby authorized to remove or have removed any inoperable motor vehicle or parts thereof within the Village after seven (7) days from the issuance of the notice. Such vehicle shall be removed and held until lawfully claimed or disposed of in accordance with ILCS Ch. 625, Act 5 §4-201 *et seq.*, as amended from time to time.

(c) Unlicensed vehicles.

(1)Unlicensed Motor Vehicles are a Nuisance. All unlicensed motor vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance. The term "unlicensed motor vehicle" shall mean any motor vehicle which does not have valid licenses plates and registration.

(2)Disposal Upon Notice. All persons are required to dispose of any unlicensed motor vehicle under their control upon written notice received from the Village or from the Sheriff of Peoria County or any member of the Sheriff's Department commanding such disposition of said unlicensed motor vehicle.



(d) In the case of an abandoned or inoperable motor vehicle towed pursuant to this Ordinance, the owner of the vehicle or other person legally entitled to possession or the person who controls the vehicle is liable for all associated towing and storage charges.

(e) Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined an amount not less than One Hundred Dollars (\$100.00) nor more than Seven Hundred Fifty Dollars (\$750.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 2: This Ordinance shall be effective upon its passage as provided by law.

PASSED AND APPROVED THIS 8th DAY OF JANUARY 2020.

Ayes: 5

Nays: 0

Absent: 1

VILLAGE OF MAPLETON, ILLINOIS

By: Carl Anthony Bishop  
Carl Anthony Bishop, President

Attest: Patricia S. Briggs  
Patricia S. Briggs, Village Clerk

