

ORDINANCE NO. 2018-03

AN ORDINANCE AMENDING CHAPTER 14, SECTION 14-141 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING VEHICLE IMMOBILIZATION, TOWING AND IMPOUNDING

WHEREAS, the Village of Stickney (the “Village”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

WHEREAS, the Municipal Code, Village of Stickney, Illinois (the “Village Code”) currently sets forth certain regulations for the towing and impounding of vehicles (the “Existing Regulations”); and

WHEREAS, the Corporate Authorities recognize the need to update and clarify the Existing Regulations from time to time; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to amend Chapter 14, Section 14-141 of the Village Code as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 14, Section 14-141 of the Village Code to update and clarify the Village’s Existing Regulations, and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

ARTICLE II.
**AMENDMENT OF CHAPTER 14, SECTION 14-141 OF THE MUNICIPAL CODE, VILLAGE
OF STICKNEY, ILLINOIS**

SECTION 3.0 AMENDMENT OF CHAPTER 14, SECTION 14-141.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 14, Section 14-141 as follows:

Sec. 14-141. - Removal of illegally parked vehicles.

(a) In addition to Chapter 14, Division 9, the police department and all members thereof assigned to traffic duty are hereby authorized to remove and tow away or have removed and towed away by commercial towing service, any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs or may obstruct the movement of any emergency vehicle; or any other illegally parked vehicle which is parked in any public street or any other public place.

(b) Cars so towed away shall be stored on village property or in a public garage or parking lot and shall be restored to the owner or operator thereof after payment of the expense incurred by the village in removing and storing such vehicles.

(c) In lieu of or in addition to other remedies provided for under these codified ordinances, the police department is hereby authorized to use immobilization equipment on any vehicle found to be in violation of any of the provisions of these codified ordinances.

(1) The use of such equipment is authorized for the purpose of reducing or eliminating costs of towing, impounding and inventorying such vehicles, reducing the additional time and expense concerning the issuance of tag-on citations and the processing of the same and deterring would-be "scofflaws" from consistent violations of these codified ordinances.

(2) No person shall injure, damage or otherwise destroy any immobilization equipment belonging to the police department and attached to any vehicle.

(3) Within 72 hours of the placement of any immobilization equipment, if the owner of the vehicle does not contact the police department and the equipment is still on the vehicle, the village and the police department are authorized to tow the vehicle at the owner's expense, including the following described expenses: The cost to remove the immobilization equipment shall be ~~\$150.00~~ \$200.00, plus the cost of any outstanding citations and/or traffic or parking violations, towing charges and storage fees charged by the towing agent or the village, as applicable. A ~~\$25.00~~ \$50.00 per day storage fee for vehicles stored on village property.

SECTION 3.1. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith, including, but not limited to, the installation of any street or parking signs as contemplated herein. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective and in full force ten (10) days after its passage, approval and publication in accordance with Illinois law.

PASSED this 2nd day of January, 2018.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 2nd day of January, 2018.

Jeff Walik, President

ATTESTED AND FILED in my
office this 2nd day of January, 2018.

Audrey McAdams, Village Clerk