

ORDINANCE NO. 2021-12

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE VII, SECTIONS 14-271 AND 14-272 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING ABANDONED VEHICLES.

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 Village residents; and

WHEREAS, Chapter 14, Article VII, Sections 14-271 and 14-272 of the Municipal Code, Village of Stickney (the "Village Code") currently regulates abandoned vehicles in the Village (the "Existing Regulations"); and

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

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 14, Article VII, Sections 14-271 and 14-272 of the Village Code related to abandoned vehicles in the Village, 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, Article VII, Sections 14-271 and 14-272 of the Village Code related to abandoned vehicles and to authorize the President or his designee to take all action necessary to carry out the intent of this Ordinance.

ARTICLE II.
**AMENDMENT OF CHAPTER 14, ARTICLE VII, SECTION 14-271 AND 14-272 OF THE
MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS**

SECTION 3.0. AMENDMENT OF CHAPTER 14, ARTICLE VII, SECTION 14-271.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 14, Article VII, Section 14-271 as follows:

Sec. 14-271. – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned vehicle means any motor vehicle or any other vehicle in a state of disrepair rendering it incapable of being driven in its condition, or any motor vehicle or other motor vehicle that has not been moved or used for ~~seven~~ five (5) consecutive days or more and is apparently deserted.

Antique vehicle means a motor vehicle that is more than 25 years of age or a bona fide replica thereof and which is driven on the highways only going to and returning from an antique auto show or an exhibition or for servicing or demonstration, or a fire-fighting vehicle more than 20 years old which is not used as fire-fighting equipment, but is used only for the purpose of exhibition or demonstration.

SECTION 3.1. AMENDMENT OF CHAPTER 14, ARTICLE VII, SECTION 14-272.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 14, Article VII, Section 14-272 as follows:

Sec. 14-272. - Abandonment prohibited.

When a vehicle is abandoned or left unattended upon a highway or public property in this village and the vehicle poses a public danger or nuisance, the chief of police may authorize a towing service to relocate or tow and impound the vehicle.

Registered owners of vehicles that have not moved or are inoperable as defined by the definition for abandoned vehicles shall have a notice posted to their vehicle or otherwise issued, and a notice sent by certified or registered mail informing the registered owner that the vehicle will be deemed an abandoned vehicle if it has not been moved or operated in ~~seven~~ five (5) business days and it will be towed on the ~~eighth~~ sixth business day if the vehicle is not relocated. The registered owner shall be responsible for the costs of the towing, the storage of the vehicle, and an administrative ~~cost~~ penalty of ~~\$750.00~~ \$200.00.

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. 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 immediately upon its passage.

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PASSED this 14th day of June, 2021.

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

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 14th day of June, 2021.

Jeff Walik, President

**ATTESTED AND FILED in my
office this 15th day of June, 2021.**

Audrey McAdams, Village Clerk