

ORDINANCE 1055

AN ORDINANCE TO PROHIBIT THE PARKING
OR STORING OF DISABLED MOTOR VEHICLES
AND MOTOR VEHICLE PARTS WITHIN THE VILLAGE
OF PEORIA HEIGHTS, ILLINOIS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF PEORIA HEIGHTS, ILLINOIS:

SECTION ONE: As used in this Ordinance, disabled motor vehicle shall mean any vehicle or vehicle parts and or equipment, including trailers, which is without currently valid license plates or in either wrecked, discarded, dismantled, inoperative, or abandoned condition.

SECTION TWO: A disabled motor vehicle shall not be parked, stored, nor left in the open on private property unless it is necessary for the operation of a business enterprise lawfully conducted on said private property.

SECTION THREE: A disabled motor vehicle shall not be parked nor stored on any public right-of-way.

SECTION FOUR: The parking or storing of a disabled motor vehicle in violation of the provision of this Ordinance is hereby declared to constitute a public nuisance.

SECTION FIVE: The Chief of the Peoria Heights Police Department or official designee shall serve first written notice upon the person, firm, or corporation in control of a disabled motor vehicle parked or stored on any public right-of-way or in control of any private property upon which a disabled motor vehicle is parked or stored. Said first written notice shall demand the abatement of the nuisance within five days from the receipt of the first written notice by relocating said disabled motor vehicle to a completely enclosed location or otherwise to remove same from said public right-of-way or private property. Said first written notice shall be by personal service, registered or certified mail sent or delivered to the last known address of the person, firm or corporation in control of said disabled motor vehicle.

SECTION SIX: Upon the expiration of five days from the receipt of the first written notice as provided for in Section Five of this Ordinance, if the person, firm or corporation in control of said disabled motor vehicle has failed, neglected or refused to comply with the directions of said first written notice, the Chief of the Peoria Heights Police Department or official designee shall issue in the same manner as the first written notice, a notice to appear in court citing the violation of this Ordinance.

SECTION SEVEN: Should said disabled motor vehicle be parked or stored on any public right-of-way, the Chief of the Peoria Heights Police Department or official designee is hereby authorized and empowered to implement additional measures as necessary, including incurring costs, to cause the removal and impoundment of said disabled motor vehicle if in the best interest of public safety.

SECTION EIGHT: In the event the Village is required to incur costs to remove and or dispose of said disabled motor vehicle parked or stored on any public right-of-way, the person, firm or corporation in control of said disabled motor vehicle shall be liable to the Village for the costs incurred. A statement shall be rendered to the person, firm or corporation liable for the costs incurred in addition to any citations issued pursuant to violations of the provisions of this Ordinance, and if not paid within thirty days of receipt of said statement, suit by the Village to recover said costs shall be instituted.

SECTION NINE: Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not less than SIXTY DOLLARS (\$60.00) nor more than FIVE HUNDRED DOLLARS (\$500.00) for each offense and each day any such violation shall continue shall constitute a separate offense.

SECTION TEN: Any and all fines imposed by this Ordinance shall bear interest at a rate of one (1) percent per month on the unpaid balance from the date of fine imposition.

SECTION ELEVEN: Upon default in payment of any fine, interest, court costs or installment thereof for more than thirty (30) days, the defendant shall be summoned to appear before the circuit court of Peoria County by personal service or registered mail, return receipt requested, to show cause, if any there be, why the person should not be held in contempt of court.

SECTION TWELVE: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION THIRTEEN: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS, THIS 3rd DAY OF

January, 1991.

R. M. L.
President

SEAL

ATTEST Marilee Wilmet
Acting Clerk