

ORDINANCE 1141

AN ORDINANCE GOVERNING TRAFFIC REGULATION AND MOVEMENT OF VEHICLES FOR NONREPORTABLE OFFENSES TO THE SECRETARY OF STATE.

WHEREAS, the State of Illinois General Assembly has passed legislation authorizing municipalities to adjudicate by administrative hearings nonreportable traffic offenses.

WHEREAS, the Village of Peoria Heights is a home rule municipality; and

WHEREAS, the Village of Peoria Heights wishes to provide for the administrative adjudication of Ordinances regulating nonreportable traffic offenses to the Secretary of State, State of Illinois and the Village of Peoria Heights has provided a fair and efficient manner and process for adjudicating such violations by adopting an Ordinance establishing a system for administrative adjudication of violations of Village Ordinances; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Peoria Heights, Illinois, a municipal corporation:

SECTION 1: Adoption of Village of Peoria Heights Ordinance Hearing Department. There has been established by the Village of Peoria Heights, Illinois, the Village of Peoria Heights Ordinance Hearing Department for the purpose of expeditiously processing ordinance violations by Administrative Adjudication and providing a form for same and the process and procedures for hearings as set out in Ordinance number 1138 entitled an Ordinance establishing a System for the Administrative Adjudication of Violations of Village Ordinances and said Ordinance is hereby adopted for the purpose of expeditiously processing all of the traffic and nonreportable traffic offenses and incorporated into and made a part of this Ordinance.

SECTION 2: That the following nonreportable violations of the Illinois Vehicle Code (625 ILCS 5/1-100-short title) are incorporated by reference into and shall be a part of this Ordinance and enforceable by administrative adjudication, to wit: Sections 11-1406 (obstruction to driver's view or control), 11-1407 (improper opening of door into traffic), 11-1410 (coasting on downgrade), 11-1411 (following fire apparatus), 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving vehicle which is in unsafe condition or improperly equipped), 12-201(a) (daytime lights on motorcycle), 12-202 (clearance, identification and side marker lamps), 12-204 (lamp or flag on projecting load), 12-205 (failure to display the safety lights required), 12-401 (restrictions as to tire equipment), 12-502 (mirrors), 12-508 (windshields must be unobstructed and equipped with wipers), 12-601 (horns and warning devices), 12-602 (mufflers, prevention of noise or smoke), 12-603 (seat safety belts), 12-702 (certain vehicles to carry flares or other warning devices), 12-703 (vehicles for oiling road operated on highways), 12-710 (splash guards and replacements), 13-101 (safety tests), 15-101 (size, weight and load), 15-102 (width), 15-103 (height), 15-104 (name and address on second division vehicles), 15-107 (length of vehicle), 15-109.1 (cover or tarpaulin), 15-111 (weights), 15-112 (weights), 15-301 (weights), 15-316 (weights), 15-318 (weights) and 3-413(f) (operating a motor vehicle without a registration sticker or expired sticker).

A copy of the incorporated Sections of the Illinois Vehicle Code are attached hereto, made a part of this Ordinance and marked as Exhibit A.

SECTION 3: It shall be unlawful for any person to operate a motor vehicle in violation of the non-reportable offenses of the Illinois Vehicle Code, to wit: Sections 11-1406 (obstruction to driver's view or control), 11-1407 (improper opening of door into traffic), 11-1410 (coasting on downgrade), 11-1411 (following fire apparatus), 11-1419.01 (Motor Fuel Tax I.D. Card), 12-101 (driving vehicle which is in unsafe condition or improperly equipped), 12-201(a) (daytime lights on motorcycle), 12-202 (clearance, identification and side marker lamps), 12-204 (lamp or flag on projecting load), 12-205 (failure to display the safety lights required), 12-401 (restrictions as to tire equipment), 12-502 (mirrors), 12-508 (windshields must be unobstructed and equipped with wipers), 12-601 (horns and warning devices), 12-602 (mufflers,

prevention of noise or smoke), 12-603 (seat safety belts), 12-702 (certain vehicles to carry flares or other warning devices), 12-703 (vehicles for oiling road operated on highways), 12-710 (splash guards and replacements), 13-101 (safety tests), 15-101 (size, weight and load), 15-102 (width), 15-103 (height), 15-104 (name and address on second division vehicles), 15-107 (length of vehicle), 15-109.1 (cover or tarpaulin, 15-111 (weights), 15-112 (weights), 15-301 (weights), 15-316 (weights), 15-318 (weights), and 3-413(f) (operating a motor vehicle without a registration sticker or expired sticker) while driving a motor vehicle in the Village of Peoria Heights, Illinois.

SECTION 4: Any operator or owner of a motor vehicle violating Section 3 of this Ordinance except for Section 3-413(f) shall be fined not less than \$60.00 or more than \$500.00 for each offence plus costs. Any operator of a motor vehicle shall upon a conviction for violation of Section 3-413(f) shall upon conviction be fined not less than \$25.00 for each offence.

SECTION 5: Any operator of a motor vehicle violating Section 3 of this Ordinance and said individuals have been issued a Municipal Ordinance Violation Notice may settle the violation notice and pay a fine of Twenty Five Dollars (\$25.00) as provide in said notice for each violation. Said violation settlement of Twenty Five Dollars (\$25.00) shall be paid within fourteen (14) days of the receipt of the Municipal Ordinance Violation Notice, payment to the Village of Peoria Heights Police Department, Village of Peoria Heights, 4901 N. Prospect Road, Peoria Heights, Illinois 61616. Upon failure to pay the reduced settlement amount within fourteen (14) days of receipt of the violation of the Municipal Ordinance, the recipient shall be required to appear at the Administrative Adjudication hearing at the time and place listed on the violation notice. A default judgment may be entered against the recipient who fails to appear pursuant to the provisions of this Section. The Municipal Ordinance Violation Notice must accompany the payment of a settlement fine. Payment must be paid by check or money order payable to the Village of Peoria Heights, in care of the Police Department, 4901 N. Prospect Road, Peoria, Illinois 61616.

SECTION 6: All previous ordinances pertaining to the establishment of regulated intersection shall hereinafter be referred to under the heading of this Ordinance.

SECTION 7: SEVERABILITY. Should a court of competent jurisdiction determine that any Section of Subsection of this Ordinance is or are invalid, the remaining Sections and Subsections shall remain in full force and effect.

SECTION 8: REPEALER. Any and all Ordinances, Sections, Sections of Ordinances in conflict herewith are hereby repealed.

SECTION 9: EFFECTIVE DATE/PUBLICATION. This Ordinance shall become effective ten days after publication in pamphlet form as provided by law.

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 20 DAY OF MARCH 1999.


VILLAGE PRESIDENT

SEAL:

ATTEST: 
VILLAGE CLERK