

VILLAGE OF CORNELL

ORDINANCE 19.3

ABANDONED, WRECKED VEHICLES

BE IT ORDAINED THAT:

SECTION I: (Definitions) The following definitions shall apply in the interpretation and enforcement of this Ordinance:

VEHICLE shall mean a machine propelled by power, other than human power, designed to travel along the ground by use of wheels, treads, runners, or slides and transports persons or property or pulls machinery and shall include, without limitation, automobiles, truck, trailer, motorcycle, tractor, farm equipment of any kind, recreational vehicles of all kinds, campers, pop-up trailers, motor homes, boats, boat trailers, trailers golf carts, buggy, and wagon.

STREET or HIGHWAY shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel and all rights-of-way appurtenant thereto.

PROPERTY shall mean any real property within the Village which is not a street or highway.

SECTION II: (Abandonment)

1. The abandonment of a motor vehicle or other vehicle or any part thereof on any highway in the municipality is unlawful and subject to penalties set forth herein. Continuous standing of a vehicle on a highway, street, alley, or other public right-of-way for over a 48 (forty-eight) hour period shall be prima facie evidence of abandonment of said vehicle. After a reasonable effort to notify the owner of any such vehicle that the vehicle has to be removed, any police officer may impound said vehicle and have the same removed and conveyed to a vehicle pound.
2. The abandonment of a motor vehicle or other vehicle or any part thereof on private or public property, other than a highway, in view of the general public, anywhere in the Village is unlawful except on property of the owner or person in lawful possession of such abandoned vehicle. A motor vehicle or other vehicle or any part thereof so abandoned on private property may be authorized for removal by or upon the order of any police officer or official of the Village, after a waiting period of seven days or more has expired.

3. When an abandoned, unattended, wrecked, burned or partially dismantled motor vehicle or other vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway by a towing service may be authorized by any police official of the Village.

SECTION III: (Disposition of Wrecked or Discarded Vehicles) No person in charge or control of any property within the Village, whether as owner, tenant, occupant, lessee or otherwise shall allow any partially dismantled, non-operating, wrecked, junked, or discarded vehicle that is visible to the public to remain on such property longer than 7 (seven) calendar days.

An inoperable vehicle shall mean any vehicle that cannot propel itself or be lawfully operated on a public street or highway per the provisions of the Illinois Vehicle Code, including but not limited to those which are in parts, have their tires or wheels removed, their engine or parts thereof removed, is not properly registered or licensed in the State of Illinois.

This Ordinance shall not apply with regard to a vehicle in an enclosed building; a vehicle on the premises of a business enterprise operated in a lawful place and manner for the repair of vehicles or when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the Village.

SECTION IV: (Impoundment of Vehicle) Any police official or other official of the Village is hereby authorized to remove or have removed any vehicle left at any place within the Village which reasonably appears to be in violation of this Ordinance or lost, stolen, or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with Chapter 4, Article 2 of the Illinois Compiled Statutes, 625 ILCS 5/4-200 *et. seq.*

SECTION V: (Vehicle Pound) A vehicle pound is hereby declared to be any suitable place designated by the Board of Trustees of the Village as a vehicle pound. The owner or operator of such vehicle may have the same removed from the impoundment by paying the costs and expenses of the towage and impounding of said vehicle, together with all fines and penalties as provided in this Ordinance, but may not return the vehicle to any location that would violate this Ordinance.

SECTION VI: (Penalty) Any person, firm, entity, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not less than \$100 (One Hundred Dollars) and no more than \$500 (Five Hundred Dollars).

Each day a violation is committed or permitted to continue shall constitute a separate and distinct offense and shall be punishable as such hereunder.

In addition, any person violating any provision of this Ordinance shall be responsible for the payment of all costs incurred by the Village of Cornell including but not limited to all court costs and attorney's fees that the Village may incur in bringing an action against that person to enforce this Ordinance.

SECTION VII: (Repeal) Upon the adoption of this Ordinance, the Village of Cornell Ordinance 2 adopted prior to this Ordinance is repealed.

PASSED AND APPROVED this 11th day of December, 2024 pursuant to roll call as follows:

Motion made by Carol Burgone, seconded by Don Leonard that the Ordinance be passed.

Ayes: 5

Not Voting: 0

Nays: 0

Abstaining: 0

Approved by me this 9th day of December, 2024.

Steven Rapp
Steven Rapp, President
Board of Trustees for the
Village of Cornell

Attested to this 9th day of December, 2024.

Margaret Elzey
Margaret Elzey, Village Clerk