

VILLAGE OF MILLINGTON
LaSALLE AND KENDALL COUNTIES, ILLINOIS

ORDINANCE NO. 01-01-97

AN ORDINANCE REGULATING THE STORAGE OR ACCUMULATION OF
INOPERABLE VEHICLES, UNLICENSED VEHICLES, JUNK AND OTHER PERSONAL
PROPERTY WITHIN THE VILLAGE OF MILLINGTON, LASALLE AND KENDALL
COUNTIES, ILLINOIS

ADOPTED BY THE
BOARD OF TRUSTEES
AND PRESIDENT OF THE
VILLAGE OF MILLINGTON

THIS 6th DAY OF Jan, 1997

Published in pamphlet form by authority of the Mayor and Board of Trustees of the Village of
Millington, Kendall and LaSalle County, Illinois, this 6th day of Jan, 1997.

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BE IT ORDAINED by the President and Board of Trustees of the Village of Millington, LaSalle and Kendall Counties, Illinois:

Section 1. PUBLIC NUISANCES DECLARED. The following are hereby declared to be public nuisances wherever they may be found within the Village:

(a) Any motor vehicle, truck body, tractor or trailer as enumerated in Subsections (3) and (4) below and defined in Paragraphs (2)(a), (b) and (c) below.

(b) Any junk stored contrary to Subsection (5) below.

SECTION 2. DEFINITIONS. The following words, phrases and terms used in this Section shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

Disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers: motor vehicles, truck bodies, tractors or trailers in such state of physical or mechanical ruin as to be incapable of propulsion or of being operated upon the public streets or highways.

Junk: Worn out or discarded material of little or no value including, but not limited to, household appliances or parts thereof, tools, discarded building materials or any other unsightly debris, the accumulation of which has an adverse effect upon neighborhood or Village property values, health, safety or general welfare.

Motor Vehicle: As defined in State Law, to wit: Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. (625 ILCS 5/1-146) This includes motor vehicles of the first division and second division.

Unlicensed Motor Vehicles, Truck Bodies, Tractors or Trailers: Motor vehicles, truck bodies, tractors or trailers which do not bear lawful current license plates and registration.

Section 3. STORAGE OR ACCUMULATION OF INOPERABLE VEHICLES.

(a) Restricted. No person shall accumulate, store or allow any disassembled, inoperable,

junked or wrecked motor vehicles, truck bodies, tractors or trailers in the open upon any public or private property within the Village for a period exceeding 72 hours.

(b) Exceptions. Any business engaged in automotive sales or repair located in a property zoned district may retain no more than 3 disassembled or wrecked vehicles in the open for a period not to exceed 30 days, after which such vehicles shall be removed.

Section 4. STORAGE OF UNLICENSED VEHICLES.

(a) Restricted. No person shall accumulate, store or allow any unlicensed motor vehicle, truck body, tractor or trailer in the open upon any public or private property within the Village for a period exceeding 72 hours.

(b) Exceptions.

1. Any business engaged in the sale, repair or storage of such unlicensed vehicles in a properly zoned district may store such vehicles.
2. Operable garden tractors and mowers may be stored in the rear yard not less than three feet from the property line.

Section 5. STORAGE OF JUNK PROHIBITED. No person shall accumulate, store or allow any junk outside of any building on any public or private real estate located within the Village, unless screened from view from all locations off of the premises. Such screening may be by landscaping, fencing or buildings complying with all applicable laws and ordinances.

Section 6. ABATEMENT OF NUISANCE BY OWNERS. The owner, owners, tenants, lessees and/or occupants of any lot within the corporate limits of this Village upon which such storage is made, and also the owner, owners, and/or lessees of said disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors, trailers, junk, unlicensed motor vehicles, truck bodies, tractors or trailers involved in such storage (all of whom are hereinafter referred to collectively as "owners"), shall jointly and severally abate said nuisance by the prompt removal of said property into completely enclosed buildings authorized to be used for such storage purposes, if within the corporate limits of the Village, or otherwise to remove it to a location outside said corporate limits.

Section 7. PENALTY FOR FAILURE OF OWNER TO ABATE SUCH NUISANCE. If said owners allow said nuisance to exist or fail to abate said nuisance they, and each of them, upon conviction thereof shall be fined not less than twenty-five dollars nor more than five hundred dollars

for each offense and a separate offense shall be deemed committed on each day during or on which such nuisance is permitted to exist.

Section 8. ABATEMENT BY VILLAGE. Whenever said owners fail to abate said nuisance then the Village shall remove the said property to a location of its selection, the expenses therefor to be billed to said owners, jointly and severally, said bill to be recoverable in a suit at law.

When said property has been removed and placed in storage by the Village, as provided for herein, said property shall be sold by the Village after the lapse of such time as is provided by law. If the proceeds of such sale are insufficient to pay the costs of abatement said owners shall be liable to the Village for the balance of the costs, jointly and severally, to be recoverable in a suit at law. If the proceeds are in excess of costs the balance shall be paid to said owners, or deposited in the Village treasury for their use.

PASSED by the Board of Trustees of the Village of Millington, Illinois this 6th day of January, 1997.

Margaret Franzen
Village Clerk

Don Bedford	<u>yes</u>	Sarah Thompson	<u>yes</u>
Janet Blue	<u>yes</u>	Larry Zoglman	<u>yes</u>
Edith Kuklok	<u>yes</u>	Rick Anderson	<u>yes</u>

APPROVED by me as President of the Board of Trustees of the Village of Millington, Kendall and LaSalle Counties, Illinois, this 6th day of January, 1997.

Alice M. Ruggles
Village President