

ORDINANCE NO. 2012-04

AN ORDINANCE AMENDING CHAPTER 14, "MOTOR VEHICLES AND TRAFFIC", OF THE ORDINANCES OF THE VILLAGE OF STICKNEY, ILLINOIS BY REVISING ARTICLE III, DIVISION 9, "CONDUCT PROHIBITED."

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, A HOME RULE UNIT OF GOVERNMENT AS FOLLOWS:

**WHEREAS**, the Village of Stickney (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

**WHEREAS**, THE Village of Stickney seeks to maintain the safety and appearance of the streets and roadways throughout the Village; and

**WHEREAS**, the Village of Stickney maintains certain regulations of the streets and sidewalks and enforces certain regulations of the State of Illinois; and

**WHEREAS**, the President and Board of Trustees of the Village of Stickney seek to update the guidelines pertaining to violations subject to seizure and impoundment of vehicles by the Village.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEE OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

**Section 1. Recitals.** The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2. Adoption.** Chapter 14 Article III, Division 9 of the Municipal Code of the Village of Stickney shall be amended to read as follows:

**Sec. 14-196. Conduct prohibited.**

A motor vehicle used in connection with any of the following violations may be subject to seizure and/or impoundment by the village and the owner of record of said vehicle shall be liable to the village for any administrative penalty of \$500.00, plus any applicable towing fees.

- (1) Driving under the influence of alcohol, other drug or drugs, intoxicating compound(s) or any combination thereof, or possession of drugs or intoxicating compound(s) as provided by the Illinois Compiled Statutes (625 ILCS 5/11-501 (a))
- (2) Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked, ~~as a result of suspension related to conviction for drugs, alcohol, intoxicating compound or any combination thereof,~~ pursuant to the Illinois Compiled Statutes (625 ILCS 5/11(a), 625 ILCS 5/6-303) or is suspended or revoked for any other reason and the vehicle is being operated in violation of ILCS Ch. 625. Act 5/6-303.
- (3) Driving without a valid driver's license pursuant to Illinois Compiled Statutes (625 ILCS 5/6-101).
- (4) Arrest for any felony offense pursuant to the Illinois Compiled Statutes (720 ILCS 5/36-~~4~~)

- (5) The operation of any motor vehicle with open alcohol in violation of ILCS Ch. 625, Act 5/11-502.
- (6) Any vehicle being operated or having been operated while the operator or occupants of the vehicle are in the commission of or fleeing from the commission of a crime constituting a charge of a Class A misdemeanor, or any felony.

**Section 3. Home Rule.** This ordinance is enacted under the Home Rule powers of the Village as set forth in the Constitution and laws of the State of Illinois.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

**Section 5. Conflicts.** This Ordinance supersedes all ordinances or parts of ordinances directly conflicting with the terms and provisions contained herein, but only to the extent of such conflict.

**Section 6. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**Section 7. Certification and Publication.** The Village Clerk of the Village of Stickney shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

PASSED AND APPROVED at a regular meeting of the President and the Board of Trustees of the Village of Stickney, Illinois this 21 day of February, 2012

AYES: Trustees Mares, Morelli, Schimel, Walik, White and Zeedyk

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

APPROVED by me this 22nd day of February, 2012

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President Daniel A. O'Reilly of the Village  
of Stickney, Cook County, Illinois

ATTESTED, Filed in my office,  
and published in pamphlet form  
this 22nd day of February, 2012

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Audrey McAdams  
Clerk of the Village of Stickney, Cook County, Illinois