

..Title

AN ORDINANCE AMENDING TITLE 9 (TRAFFIC) CHAPTER 1 (VEHICLE LICENSES) SECTION 9-1-1 THROUGH 9-1-10.

..Body

WHEREAS, the Illinois Compiled Statutes, including the Illinois Municipal Code, regulate purchases and contracts entered into by the Village of Orland Park, a home-rule municipality; and

WHEREAS, the Village has recently undertaken a comprehensive review of its fine and penalty structure to ensure the existing ordinance provisions are still applicable to the Village operations and regulatory needs; and

WHEREAS, the portion of the ordinance proposed for removal has become obsolete due to changes in law, policy, or practice, and retaining such language would no longer serve a valid public purpose; and

WHEREAS, the Village finds that eliminating this outdated section will improve clarity, accuracy, and effectiveness of the Village's Municipal Code; and

WHEREAS, it is in the best interests of the Village and its residents to amend the existing ordinance to ensure the Code accurately reflects its current standards and requirements.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1: Title 9 (Traffic) Chapter 1 (Vehicle Licenses) Section 9-1-1 through 9-1-10 shall hereby be amended in part (additional language marked by underlining and deletions marked with strikethrough) as reflected and attached hereto as EXHIBIT "A".

SECTION 2: This Ordinance shall be in full force and effect from and after its passage and approval as required by law.

SECTION 3: The Village Clerk be and herby is authorized and directed to publish this Ordinance in pamphlet form.

EXHIBIT A

CHAPTER 1 VEHICLE LICENSES

The Corporate Authorities find and declare this Chapter is obsolete, serves no continuing public purpose, is no longer relevant to current Village operations, and is hereby repealed in its entirety.

SECTION:

~~9-1-1: Definitions~~

~~9-1-2: License Required~~

~~9-1-3: Application for Vehicle License~~

~~9-1-4: Annual License Fees (Deleted by Ord. 5813, 6-5-23)~~

~~9-1-5: Term of License~~

~~9-1-6: Exceptions~~

~~9-1-7: Tag or Insignia~~

~~9-1-8: Prima Facie Proof~~

~~9-1-9: Transfer Fee~~

~~9-1-10: Application for License at Certain Other Agencies~~

~~9-1-1: DEFINITIONS:~~

~~—The following words and phrases, when used in this Chapter, shall for the purpose herein have the meanings respectively ascribed to them in this Chapter except when the context otherwise requires:~~

~~—MOTOR VEHICLES: Every vehicle which is, or is intended to be, or is capable of being propelled otherwise than by muscular power, including but not limited to automobiles, antique vehicles, motorcycles, motor bicycles, motor trucks, truck tractors and all vehicles propelled by gasoline, battery, mechanical, electrical or other non-muscle power except cars or equipment designed to be used on rail or tracks, and snowmobiles as defined in the Snowmobile Registration and Safety Act. (Ord. 3543, 9-27-01)~~

~~—MOTOR BICYCLE or MOTORCYCLE: A motor vehicle having a seat or saddle for the use of a rider and designed to travel on not more than three (3) wheels in contact with the ground.~~

~~—RECREATIONAL VEHICLE: A motor vehicle originally or permanently converted and primarily used for living quarters or for human habitation and not used as a commercial vehicle.~~

~~—AUTOMOBILE DEALER: Any person engaging in the sale of motor vehicles where motor vehicles are used principally for testing or demonstration purposes.~~

~~—PERSON: Any person, firm, partnership, association, corporation or association of any kind.~~

~~—STREET: Any public highway, street or alley within the Village.~~

~~—SCHOOL BUS: School Bus shall mean a motor vehicle as defined in 625 ILCS 5/1-182 (1994).~~

9-1-2: LICENSE REQUIRED:

~~—No person being the owner of a motor vehicle who resides in the Village and no person being the owner of a motor vehicle, the situs or base of which is in the Village shall use or cause or permit the use of such motor vehicle upon the streets of the Village without first obtaining a license for such vehicle as hereinafter set forth. A separate license shall be so obtained for each vehicle so owned and so used by said person.~~

9-1-3: APPLICATION FOR VEHICLE LICENSE:

~~—Any person desiring to license a motor vehicle shall file an application with the Village Treasurer on a form or forms provided by the Village Treasurer for such purpose. The applicant shall submit name, bona fide residence and mailing address of the owner, or business address of the owner if a firm, partnership, association or corporation, a telephone number and a description of the vehicle, including the Illinois license plate number, truck class (if applicable), make, model, color and year. An automobile dealer shall not apply for more vehicle licenses than dealer plates issued by the Secretary of State of Illinois. Upon payment of the fee herein provided, the Village President shall issue or cause to be issued a vehicle license authorizing the use of such vehicle within the Village until its expiration date. (Ord. 3335, 2-22-00)~~

9-1-4: BIENNIAL LICENSE FEES:

~~(Deleted by Ord. 5813, 6-5-23)~~

9-1-5: TERM OF LICENSE:

~~—All vehicle licenses with a June 30, 2002 expiration date are hereby extended to June 30, 2003. From and after July 1, 2003, vehicle licenses shall have a two-year term. A two-year license fee for all vehicles shall be due and payable in advance of July 1 of each odd-numbered year and said license shall expire on June 30 two years later.~~

~~—One half of the license fee as above set forth shall be the license fee when the vehicle to be licensed was not used upon the streets of the Village nor was a previous unlicensed vehicle of the applicant so used during the first year of the two-year license period or any portion thereof. In no event shall the license fee be less than one-half of the two-year fee.~~

~~—On and after July 1 of any license payment year, the license fees set forth above, or in 9-1-6 below, shall be doubled. Each said doubled license fee shall be paid before an applicant shall be entitled to a license, provided however that no doubling of the fee shall occur when the vehicle to be licensed was acquired by the applicant, or the applicant first became a resident of the Village, or the situs or base of said vehicle was established, within thirty (30) days preceding the date of the application, and provided that no other unlicensed vehicle was previously operated in this Village in that two-year license period by the applicant. The doubling of license fees shall not be construed as in lieu of any other penalties provided for herein.~~

~~(Ord. 3975, 1-17-05)~~

9-1-6: EXCEPTIONS:

~~—The official vehicles of the Orland Fire Protection District shall be issued vehicle licenses without payment of a license fee each year and the Village Treasurer is hereby authorized to so issue such licenses.~~

~~—Any natural person required under this Chapter to pay a two-year license fee for a motor vehicle described in Section 9-1-4 subsections (1), (2) and (3), who has attained or will attain the age of sixty-five (65) years at any time before or during the two-year license period shall be issued one vehicle license for a vehicle described in Section 9-1-4 subsections (1), (2) or (3) upon the payment of a license fee of ten dollars (\$10.00) only, and the Village Treasurer is hereby authorized to issue one such vehicle license upon presentation of satisfactory evidence of the age of such person. Two (2) vehicles of the type aforesaid may be licensed per household where there are two (2) drivers of the age aforesaid.~~

~~—A license is not required for a Class 1, Class 2 or Class 3 low-speed electric bicycle as defined and described in Section 1-140.10 of the Illinois Vehicle Code (625 IL CS 5/1-140.10)~~

~~(Ord. 3543, 9-27-01; Amd. Ord. 3975, 1-17-05; Ord. 4623, 2-21-11; Amd. Ord. 5430, 9-3-19)~~

9-1-7: TAG OR INSIGNIA:

~~—Upon the issuance of a vehicle license, the Village Treasurer shall deliver to the licensee an appropriate insignia or tag bearing a number, the type of vehicle and the period for which the license is issued. A nonmetallic insignia shall be promptly affixed by the licensee on the motor bicycle, motorcycle, or automobile dealer vehicle licensed in the lower right-hand corner of the windshield as viewed from the inside of the vehicle. A metallic tag shall be promptly affixed on the license plate of the vehicle licensed so as to be visible from the rear of said vehicle. Failure to so affix the insignia or tag shall be deemed a violation hereof.~~

~~(Ord. 3335, 2-22-00)~~

9-1-8: PRIMA FACIE PROOF:

~~—Where an offense is charged for violation of the provisions of this Chapter, the registration of a motor vehicle by the Secretary of State in the name of the alleged violator and at an address in the Village shall be considered prima facie proof of ownership in such person and of the residence of said person. (Ord. 619, 11-11-74)~~

9-1-9: TRANSFER FEE:

~~—In the event the licensee shall acquire a new vehicle of the same class and the use of a licensed vehicle of the said class shall be discontinued, the licensee may transfer the issued and outstanding license to the new vehicle upon payment of a transfer fee of one dollar (\$1.00), provided that portion of the previous vehicle tag or sticker indicating the number thereof and the receipt therefor are presented to the Village Treasurer at the time of application for transfer. (Ord. 3335, 2-22-00; Amd. Ord. 3543, 9-27-01; Amd. Ord. 3975, 1-17-05)~~

~~—In the event the licensee shall acquire a new vehicle of a class licensed pursuant to Section 9-1-4 of this Chapter, where the license fee shall be a higher amount as herein specified for the new vehicle, the amount of license fee heretofore paid shall be credited to the higher fee for said new vehicle.~~

9-1-10: APPLICATION FOR VEHICLE LICENSE AT CERTAIN OTHER AGENCIES:

~~—Notwithstanding anything to the contrary herein contained, the Village Treasurer is hereby authorized to arrange with any bank, savings and loan association or currency exchange located within the corporate limits of the Village, to process applications for, collect the license fee and issue the tag or insignia for those classes of vehicles licensed pursuant to Section 9-1-4 of this Chapter. Any said bank, savings and loan association or currency exchange so authorized shall~~

~~transmit the application and monies collected together with the records of issuance of a vehicle license to the Village Treasurer within ten (10) days after so doing. The said organization shall be authorized to charge a fee to the licensee not to exceed one dollar (\$1.00) for the service herein provided. (Ord. 3335, 2-22-00)~~