

..Title

AN ORDINANCE AMENDING TITLE 9 (TRAFFIC) CHAPTER 13 (FINES AND PERMITS FOR OVERWEIGHT/OVERDIMENSION VEHICLES) SECTION 9-13-1 THROUGH 9-13-2.

..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WHEREAS, the Village finds that eliminating this outdated section will improve clarity, accuracy, and effectiveness of the Village's Municipal Code; and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 13 (Fines and Permits for Overweight/Overdimension Vehicles) Section 9-13-1 through 9-13-2 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 hereby is authorized and directed to publish this Ordinance in pamphlet form.

EXHIBIT A

CHAPTER 13

FINES AND PERMITS FOR OVERWEIGHT/OVERDIMENSION VEHICLES

The Corporate Authorities find and declare this Chapter is obsolete, serves no continuing public purpose, is no longer relevant to current Village operations, and is hereby repealed in its entirety.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

~~9-13-1: Overweight and/or Overdimension Vehicles~~

~~9-13-2: Permits for Overweight and/or Overdimension Vehicles~~

~~9-13-1: OVERWEIGHT AND/OR OVERDIMENSION VEHICLES:~~

~~—(a) Except as specifically allowed by statute or other ordinance, no person shall permit to remain on any public way within the Village of Orland Park any vehicle or combination of vehicles exceeding the size and weight limitations stated in Section 15-102 (width), 15-103 (height), 15-107 (length), and 15-111 (weight) of the Illinois Vehicle Code (625 ILCS 5/15-102, 15-103, 15-107, and 15-111).~~

~~—(b) Size and weights limitations while operating on Village streets shall not apply to fire apparatus or equipment for snow or ice removal operations owned or operated by or for any governmental body, or to any vehicle or combination of vehicles operating under the terms of a valid oversize and/or dimension permit issued by the Village under the authority of Section 9-13-2 hereof.~~

~~—(c) Where lower size and weight limits or other restrictions are imposed by ordinance under authority of Sections 15-111, 15-316 and 15-317 of the Illinois Vehicle Code (625 ILCS 5/15-111, 15-316, and 15-317), and signs indicating such limitations or restrictions are posted, it shall be unlawful to operate any vehicle or combination of vehicles in excess of such size or weight limitations or in violation of such restrictions. Whenever any vehicle or combination of vehicles is operated in violation of this subsection (c), the owner and/or drivers of such vehicle shall be fined \$50.00 for any weight exceeding the posted limit up to the axle or gross weight limit allowed a vehicle as provided for in subsections (a) or (b) of Section 5-111 of the Illinois Vehicle Code and \$75.00 for every 500 pounds or fractions thereof for any weight exceeding that which is provided for in subsections (a) or (b) of Section 15-111 of the Illinois Vehicle Code.~~

~~—(d) Whenever any vehicle or combination of vehicles is operated in violation of this Section, the owner and/or driver of such vehicle shall be deemed liable for such violation and either or both the owner and driver of such vehicle may be prosecuted for such violation.~~

~~—(e) Any violations cited under this Code of the weight limitations stated in the Illinois Vehicle Code Sections cited in 9-13-1(a) shall be subject to the following penalties:~~

Weight	Fine
Up to and including 2,000 pounds overweight	\$100.00
From 2,001 through 2,500 pounds overweight	\$270.00
From 2,501 through 3,000 pounds overweight	\$330.00

From 3,001 through 3,500 pounds overweight	\$520.00
From 3,501 through 4,000 pounds overweight	\$600.00
From 4,001 through 4,500 pounds overweight	\$850.00
From 4,501 through 5,000 pounds overweight	\$950.00
5,001 or more pounds overweight	See below

— For vehicles that are 5,001 or more pounds overweight, the fine shall be computed by assessing \$1,500.00 for the first 5,000 pounds overweight and \$150.00 for each additional increment of 500 pounds overweight or fraction thereof.

— (f) Any person, firm or corporation found liable of four (4) or more violations under subsection 9-13-1(a) within any twelve (12) month period shall be fined an additional amount of \$5,000.00 for the fourth and each subsequent finding of liability within the twelve (12) month period. With regard to a firm or corporation, a fourth or subsequent finding of liability shall mean a fourth or subsequent finding attributable to any one employee driver.

— (g) Any violations cited under this Code of a width, height or length violation stated in the Illinois Vehicle Code Sections cited in 9-14-1 shall be subject to a fine for the first or second violation of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense, and for the third and subsequent violations by the same person, firm or corporation within a period of one year after the date of the first offense not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00).

— (h) A person issued a notice for a violation of any weight limitations imposed by this Section, or any term or condition of a permit issued under Section 9-13-2, shall, upon issuance of the citation, deposit with the Village a bond in the form of a money order issued by a money transfer service company in an amount equal to the minimum fine established for such violation. The money order shall be made payable to the Village of Orland Park. When from all the circumstances, and for good cause shown, the Chief of Police or his/her designee is of the opinion that the alleged violator will appear for a hearing before the Administrative Adjudication Hearing Officer as required and that the alleged violator will comply with all conditions of bond, which shall include the alleged violator's address with a written admonishment to the alleged violator that he or she must comply with the provisions of Section 9-13-1 subsections (i), (j), (k) and (l), and notify the Chief of Police, or his/her designee, regarding any change of address, the alleged violator may be released on his/her own recognizance. A failure to appear at the Administrative Adjudication hearing as required by such recognizance shall constitute a violation subject to a fine twice the amount of the fine otherwise prescribed for the alleged violation.

— (i) Within 15 days after the issuance of any citation for a violation of any size or weight limitations imposed by this Section, or any term or condition of a permit issued under Section 9-13-2, the owner or operator may file with the Village Traffic Compliance Administrator a written request for a hearing before the Administrative Adjudication Hearing to challenge whether a violation has occurred. The hearing date must be scheduled no later than 30 days after the request for a hearing is filed.

— (j) If, at the hearing, the Hearing Officer determines that the owner or operator violated any size or weight limitations imposed by this Section, or any term or condition of a permit issued under Section 9-13-2, the Hearing Officer shall enter an order finding the owner and/or operator

liable to the Village for the amount of the administrative penalty prescribed for such violation in Sections 9-13-1(e) and 9-13-1(g). Any penalty imposed shall first be satisfied from the proceeds of the deposit required in Section 9-13-1(h).

~~—(k) If, at the hearing, the Hearing Officer determines that the owner or operator did not violate any size or weight limitations imposed by this Chapter, or any term or condition of a permit issued under Section 9-13-2, the Hearing Officer shall enter an order finding the owner and/or operator not liable to the Village and order the return of the proceeds of the deposit.~~

~~—(l) If the owner or operator fails to request a hearing in a timely manner, or requests a hearing but fails to appear at the hearing, the owner and operator shall be deemed to have waived his or her right to a hearing and, if a money order deposit bond was deposited pursuant to Section 9-13-1(h), the funds so deposited shall be forfeited to the Village.~~

~~—(m) An administrative penalty shall constitute a debt owing to the Village, which may be collected in accordance with applicable law.~~

~~—(n) Service of the citation on the operator of the vehicle for a violation of this Section or Section 9-13-2 shall constitute service of notice of the violation on the owner of the vehicle.~~

(Ord. 5646, 10-4-21)

9-13-2: PERMITS FOR OVERWEIGHT AND/OR OVERDIMENSION VEHICLES:

~~—(a) A permit shall be required for the operation of any vehicle or combination of vehicles with a non-divisible load on roadways and bridges within the jurisdiction of the Village which exceeds the dimensions and weights permitted for the particular roadways to be traversed whether they be non-designated or designated roadways.~~

~~—(b) The Village with respect to any street or highway under its jurisdiction may, upon application to the Village Police Department on forms provided by the Police Department and good cause being shown therefor, issue a special permit authorizing the applicant to operate a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in Section 9-13-1. The applicant shall furnish the following information in the special permit application and pay a permit fee to the Village as set forth below:~~

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STEP 1	-	-	-	STEP 2	-	-	STEP 3	-
Max. Height (ft)	Max. Length (ft)	Max. Width (ft)	Max. Weight (lbs)	Max. weight for any single axle (lbs)	Max. two axle tandem weight (lbs)	Max. three or four axle group weight (lbs)	Single trip (5 days)	Round trip (10 days)
STEP 1	-	-	-	STEP 2	-	-	STEP 3	-
Max. Height (ft)	Max. Length (ft)	Max. Width (ft)	Max. Weight (lbs)	Max. weight for any	Max. two axle tandem	Max. three or four axle	Single trip (5 days)	Round trip (10 days)

				single axle (lbs)	weight (lbs)	group weight (lbs)		
13 ft 6 in	45	12	88,000	20,000	36,000	N/A	\$50.00	\$90.00
13 ft 6 in	45	12	88,000	24,000	44,000	N/A	\$125.00	\$240.00
13 ft 6 in	45	12	88,000	28,000	54,000	N/A	\$150.00	\$290.00
13 ft 6 in	45	12	88,000	32,000 +	75,000+	N/A/	\$250.00	\$490.00
13 ft 6 in	45	12	100,000	20,000	36,000	54,000	\$100.00	\$190.00
14 ft 6 in	45	12	100,000	24,000	44,000	54,000	\$125.00	\$240.00
15 ft 6 in	45	12	100,000	28,000	54,000	60,000	\$150.00	\$290.00
13 ft 6 in	115	12	100,000	32,000 +	75,000+	100,000	\$250.00	\$490.00
13 ft 6 in	115	12	120,000	20,000	36,000	54,000	\$150.00	\$290.00
13 ft 6 in	115	12	120,000	24,000	44,000	54,000	\$150.00	\$290.00
13 ft 6 in	115	12	120,000	28,000	54,000	78,000	\$150.00	\$290.00
13 ft 6 in	115	12	120,000	32,000 +	75,000+	100,000	\$250.00	\$490.00
13 ft 6 in	115	12	150,000 +	20,000	54,000	54,000	\$200.00	\$390.00
13 ft 6 in	115	12	150,000 +	24,000	54,000	54,000	\$200.00	\$390.00
13 ft 6 in	115	12	150,000 +	28,000	78,000	78,000	\$200.00	\$390.00
13 ft 6 in	115	12	150,000 +	32,000 +	100,000	100,000	\$250.00	\$490.00
13 ft 6 in	115	10	N/A	N/A	N/A	N/A	\$50.00	\$90.00
13 ft 6 in	115	12	N/A	N/A	N/A	N/A	\$75.00	\$135.00
13 ft 6 in	115	14	N/A	N/A	N/A	N/A	\$100.00	\$190.00
16 ft	135	18	N/A	N/A	N/A	N/A	\$100.00	\$190.00
>16 ft	>135	>18	N/A	N/A	N/A	N/A	\$100.00	\$190.00

