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AN ORDINANCE AMENDING TITLE 9, CHAPTER 11, SECTION 6 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO THE SEIZURE AND IMPOUNDMENT OF MOTOR VEHICLES

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WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the “Village”) have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to 65 ILCS 5/11-60-2 (2012), the President and Board of Trustees of the Village may define, prevent, and abate nuisances; and

WHEREAS, the Village desires to reduce, eliminate and curb the public nuisances created by lost, stolen, abandoned, or unclaimed motor vehicles or which motor vehicles appear to be in violation of Village traffic regulations; and

WHEREAS, the Village declares that a public nuisance is created by motor vehicles upon private property, Village property or appear to be lost, stolen, abandoned, or unclaimed or which appear to be in violation of Village traffic regulations.

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

The above recitals are incorporated herein by reference as though fully set forth herein.

SECTION 2

That Title 9, Section 9-11-6 of the Orland Park Village Code is amended in its entirety to provide as follows:

“9-11-6: IMPOUNDING:

The Chief of Police is hereby authorized to remove or have removed any vehicle left at any place within the Village or on any Village property within or without the corporate limits of the Village which reasonably appears to be in violation of this Chapter or abandoned, lost, stolen or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with 625 ILCS 5/4-201, *et seq.* and provisions of this Chapter; provided, however, that any vehicle left at any place, other than on Village property, shall not be removed and impounded as provided herein until the Chief of Police shall have given written notice to either the owner of such vehicle or the person owning or controlling the property on which such vehicle is located to remove said vehicle after a waiting period of seven (7) days or more (in accordance with 625 ILCS 5/4-201(b)) after the mailing or giving of such notice and of the intention of the Chief of

Police to remove and impound such vehicle if it has not been removed by the end of such waiting period. Such notice shall be given by at least two (2) of the four (4) following described notification methods:

1. Affixing notice on such vehicle.
2. Sending notice by mail to the owner of such vehicle at his/her last known address if the owner is reasonably ascertainable.
3. By sending notice by mail to the person owning or controlling the property on which such vehicle is located.
4. By making reasonable attempts to contact the owner of such vehicle, if the owner is reasonably ascertainable, by telephone or other electronic means.

The Chief of Police or his/her designee may enter upon private property at all reasonable hours for the purpose of inspecting such vehicle, posting notice thereon and removing and impounding such vehicle, and it shall be unlawful for any person to prevent the Chief of Police or his/her designee from entering on private property for purposes of carrying out his/her duties under the provisions of this Chapter. The Chief of Police may tow, or cause to be towed, any vehicle abandoned, parked or otherwise kept in violation of the provisions of this Chapter, to a suitable storage area.”

SECTION 3

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4

This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.