

ORDINANCE NO. 449

**AN ORDINANCE REGULATING INOPERABLE MOTOR VEHICLES
WITHIN THE VILLAGE LIMITS OF THE VILLAGE OF EASTON,
MASON COUNTY, ILLINOIS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Easton, Mason County, Illinois as follows:

SECTION 1 - DEFINITIONS.

As used in this Ordinance, the following words or phrases shall have these respective meanings:

"INOPERABLE MOTOR VEHICLE" means any motor vehicle from which, for a period of at least thirty (30) days, the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power, or which has not been moved or used for seven (7) consecutive days. "Inoperable Motor Vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations. Any unlicensed vehicles shall be considered inoperable.

"OPEN" means not completely enclosed or encased in a garage, shed or other structure which has, intact, four (4) complete, not partial, walls and a roof. Such walls and roof shall be adequate to prevent the viewing, from the outside of the structure, of the contents of the structure; excepting viewing through windows of paned glass. An inoperable motor vehicle covered by a tarpaulin or other similar cover shall be deemed in the "open".

SECTION 2 -PARKING AND STORING PROHIBITED.

Inoperable motor vehicles may not be parked, stored, or left in the open on private property unless it is necessary for the operation of a business enterprise lawfully conducted thereon.

SECTION 3 -MOTOR VEHICLE PARTS.

Storing, placing or allowing to remain in the open on streets, alleys, or private property of motor vehicle bodies, parts, equipment, motors, and materials for a period of more than Seven (7) days in any one (1) calendar month is hereby prohibited unless necessary for the operation of a business enterprise lawfully conducted thereon.

SECTION 4 -NUISANCE.

Parking or storing of inoperable motor vehicles, and the storing or allowing motor vehicle bodies, parts, equipment, motors, and materials to remain in the open is hereby declared to constitute a public nuisance.

SECTION 5 -NOTICE TO ABATE.

The Village, by its Board, attorney or duly sworn and authorized law enforcement officer, is hereby authorized and empowered to notify the person in control of any private property to relocate any inoperable vehicles parked or stored in violation of Section 2 of this Article to a completely enclosed location on the property or otherwise to remove the same from the premises. The Village, by its Board, attorney or duly sworn and authorized law enforcement officer, is hereby authorized and empowered to notify the person in control of any private property

to relocate any motor vehicle bodies, parts, equipment, motors, and materials stored, placed, or allowed to remain in the open in violation of Section 3 of this Article to a completely enclosed location on the property or otherwise to remove the same from the premises. Such notice shall be given by personal service, certified or registered mail addressed to the residence or usual place of business of such person, or may be posted on the premises where the violation exists.

SECTION 6 -ACTION OF NONCOMPLIANCE.

After the expiration of Ten (10) days from the service of the notice provided for in the preceding Section or the posting of said notice, if the person so notified has failed, neglected, or refused to comply with the directions of such notice, the Village is hereby authorized and empowered to pay for the removal and disposal of such vehicles, bodies, parts and the like, or to order the removal and disposal by the Village.

SECTION 7 -LIABILITY FOR EXPENSE OF DISPOSAL.

In the event the Village opts to remove and dispose of the vehicles, bodies, parts, and the like, the person in control of the premises shall be liable to the Village for the expense incurred by the Village. A statement shall be rendered to the person liable for the cost thereof and if not paid, suit shall be instituted, and in addition to the cost of removal, the Village shall be entitled to recover its attorneys' fees incurred for such action.


SECTION 8 -PENALTY.

Any person who violates the provisions of Sections 2 or 3 of this Article or who fails, neglects or refuses to comply with the notice provided in Section 5 of this Article, shall upon conviction, be fined not less than \$250.00 nor more than \$750.00 for each offense and each day any such violation shall continue shall constitute a separate offense. The penalty specified in this Section shall be in addition to the liability for expense provided for in Section 7 of this Article.

SECTION 9 -

That Ordinance Number 410 is hereby repealed in its entirety.

This Ordinance was passed by the Village Board on April 15, 2015, and shall be in full force and effect after the passage and publication as required by law.



Village President

ATTEST:



Village Clerk

It was moved by Trustee, Lisa Lynn, that the foregoing Ordinance 449 be adopted.


Said Motion, being seconded by Trustee Brian Armbrust, that the foregoing Ordinance 449 be adopted.

Those voting "Aye", Trustees Charlene Fangmeier, Brian Armbrust, Lisa Lynn, Kent Gray, Dixie Riegel, and Veronica Armbrust.

Those voting "Nay", Trustees None.

Absent, None.

The Village Board of the Village of Easton, Mason County, Illinois is composed of the President and six (6) Trustees.


Village President

Attest:


Village Clerk