

CHAPTER 93: ABANDONED VEHICLES

Section

- 93.01 Abandonment of vehicles prohibited
- 93.02 Inoperable vehicle a nuisance

- 93.99 Penalty

Huntley – General Regulations

§ 93.01 ABANDONMENT OF VEHICLES PROHIBITED

The Village hereby adopts by reference, as fully as if set forth herein, the provisions of the Illinois Vehicle Code regulating abandoned vehicles, ILCS Ch. 625, Act 5, §§ 4-201 et seq., as applicable within the corporate limits of the Village.

Penalty, see § 93.99

§ 93.02 INOPERABLE VEHICLE A NUISANCE

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED PLACE FOR STORAGE. Any garage or building that a motor vehicle is kept in when not in use, a place of business engaged in the wrecking or junking of motor vehicles, or a place of business of a state licensed automobile dealer.

INOPERABLE MOTOR VEHICLE. Any motor vehicle from which, for a period of at least seven 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. There is a rebuttable presumption under this section that any motor vehicle not validly licensed or title is inoperable. ***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. However, nothing in this section shall apply to any motor vehicle that is kept within a building when not in use, to operable historic vehicles over 25 years of age, or to a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

MOTOR VEHICLE. Any automobile, bus, truck, motorcycle, motorbike, motorscooter, go-cart, or any home-made or custom-made vehicle capable of being driven under its own motor power upon streets, roads, or highways.

(B) *Declaration of nuisance.* All inoperable motor vehicles on public or private property are hereby declared to be a nuisance.

(C) *Prohibition.* It shall be unlawful to maintain or permit the existence of inoperable motor vehicles whether on public or private property within the Village limits.

Abandoned Vehicles

(D) *Notice; removal.*

(1) Whenever the Building and Zoning Administrator, the Chief of Police, or any Police Officer shall, in accordance with this section, determine that any motor vehicle is an inoperable motor vehicle, they shall serve notice on the last known owner of the motor vehicle. In the event that the owner of the motor vehicle is unknown or cannot be ascertained, they shall serve notice on the owner or occupant of the real estate where the motor vehicle is located. The notice shall inform the owner and operator of the motor vehicle or the owner or occupant of the real estate that they shall remove the motor vehicle from the Village or to an authorized place of storage within ten days after receipt thereof, and the terms of the notice shall be substantially as follows:

“To (owner of motor vehicle or of real estate motor vehicle is located upon). You are hereby notified that (description of motor vehicle) is located on the following premises: (legal description or street address) within the limits of the Village of Huntley. Said motor vehicle is deemed to be an inoperable motor vehicle under the terms of the “Huntley Village Code,” and you have ten (10) days from the receipt of this notice to remove said motor vehicle from the Village of Huntley or to an authorized place of storage, or you will be in violation of the “Huntley City Code.”

(2) For the purposes of this section, a person who last paid real estate taxes on the real estate on which the motor vehicle is located shall be deemed to be the owner of the real estate, and the person to whom the vehicle was last licensed shall be deemed to be an owner of the vehicle. Nothing in this section shall require the Village to serve notice on both the owner of the motor vehicle and the property owner in the event that the Village is unable to determine who owns the motor vehicle by examination of license plates.

(Ord. 96-05-30-01, passed 5-30-96) Penalty, see § 93.99

§ 93.99 PENALTY

Any person who violates or aids and abets in the violation of §§ 93.01 or 93.02 shall be fined not less than \$50 nor more than \$500 and shall be required by the court to make a disposition on the abandoned, unclaimed, or inoperable vehicle.