

Chapter 290
VEHICLES AND TRAFFIC

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[HISTORY: Derived from Title 7 of the 1993 Code of the Village of Port Byron. Amendments noted where applicable.]

ARTICLE I
Traffic Code Adopted

§ 290-1. Illinois Vehicle Code.

In order to control and regulate traffic within the City there is hereby adopted the Illinois Vehicle Code, being particularly Chapter 95-1/2, Illinois Revised Statutes, of which not less than three copies have been and now are filed in the office of the Clerk, and the same is hereby adopted and incorporated as fully as if set out at length herein.

ARTICLE II
Parking Regulations

§ 290-2. Parking restrictions.

- A. Parking prohibited in certain places. It shall be unlawful to permit any vehicle to stand at any time, except when necessary in an emergency or in compliance with the direction of the Police Chief or other authorized officer, in any of the following places: **[Amended 6-5-1939]**
- (1) In any intersection, or upon any crosswalk, or upon any bridge or the approach thereto.
 - (2) Within 30 feet of a through street, or a State road stop sign or the approaching side; or within 20 feet of any intersection.
 - (3) At any place where the standing of a vehicle will reduce the useable width of the roadway for moving traffic to less than 14 feet.

- (4) At any place where another vehicle has already been parked between such motor vehicle and the nearest curb, "double parking" being hereby absolutely prohibited.
 - (5) At any place where the vehicle would block the use of a driveway.
 - (6) Within 25 feet of the nearest rail of a railroad grade crossing; or within 20 feet on either side of the driveway entrance to the Fire Department station of the Village; or within 10 feet of the entrance to the post office.
 - (7) At any other place where official signs prohibit parking.
 - (8) On any sidewalk.
 - (9) Third Street commencing at its intersection with Agnes Street (also known as the Hillsdale-Port Byron Road) a distance of 375 feet North of said Agnes Street. **[Added 4-24-1995 by Ord. No. 95-24-4]**
 - (10) No parking along South Main Street on the West (river side) side of the street from Quarry Street south to South High Street (a/k/a Route 84). **[Added 4-3-2000 by Ord. No. 00-3-4]**
- B. Vehicle parking. No vehicles shall be parked with the left side of such vehicle at the curb, and it shall be unlawful to stand or park any vehicle in the street other than parallel with the curb and with the two right wheels of the vehicle within 12 inches of the regularly established curblines except upon those streets which have been marked for angle parking, in which case vehicles shall be parked on the curb at the angle indicated by such marks. **[Amended 12-6-1954 by Ord. No. 54-12]**
- C. Penalties; procedure; disposition of funds. **[Amended 6-5-1939]**
- (1) It shall be a misdemeanor for any person, owning or operating any vehicle, to cause or knowingly to permit the parking or standing of such vehicle in violation of any of the foregoing provisions of this chapter; and any such person so convicted of a violation of any provision of this chapter shall be fined as in this Code provided.
 - (2) Excepting in cases where either the complainant insists that the alleged offense was aggravated, or if the defendant is a habitual violator or if the defendant denies guilt or for any reason is unwilling to pay the minimum penalty, the defendant with the consent of the complainant may pay to the Village Clerk the minimum penalty which payment shall be a bar to any further prosecution under this chapter for the specific violation noted upon the receipt of the Village Clerk issued therefor; but in all other cases prosecutions for the recovery of the penalties above prescribed shall be instituted and maintained in the name of the Village in any court of competent jurisdiction.
 - (3) All penalties so imposed for violations of this chapter shall upon collection be turned over to the Village Treasurer and by him held in a separate fund to be used solely in the improvement of the streets and bridges of the Village.

§ 290-3. Snow parking restrictions. [Added 11-12-1979]

- A. Upon the declaration of an emergency situation by the Village President or his designated representative or a snowfall of two inches or more, there shall be no parking on all streets in the Village of Port Byron during said declared emergency and snowfall. **[Amended 3-14-1994 by Ord. No. 94-14-3-1]**
- B. Enforcement. The provisions of Subsection A shall supersede all other parking regulations in force and effect on any such street during such emergency situation and shall not require posting of the emergency situation on any street. **[Amended 3-14-1994 by Ord. No. 94-14-3-1]**
- C. Violation vehicle - nuisance. Any vehicle located or parked within the limits of any street in the Village, or parked in violation of any of the provisions of this ordinance is a nuisance and may be towed or removed by or under the direction of the Chief of Police. **[Amended 3-14-1994 by Ord. No. 94-14-3-1]**
- D. Violating vehicle - notice of removal. In the event the Chief of Police or his designated subordinate directs the towing or removal of any vehicle in accordance with this ordinance, he shall make a record thereof and shall within 24 hours thereafter give written notice to the owner at his or her last known address. If the owner is unknown, on the first business day following the day of such towing or removal, he shall publish such notice at least once in a newspaper having general circulation in the Village. Such notice shall include a statement of the time of towing or removal, the place of storage, a description of the vehicle, and the registration number, if any.
- E. Violating vehicle - cost of removal - owner responsibility. The cost of towing or removal of any vehicle in accordance with this section and the storage charges, if any, shall be paid by the owner of such vehicle, but any charges shall not be considered a fine, penalty or forfeiture.
- F. Any person violating any of the provisions of this ordinance shall be fined in a sum of not less than \$10 or more than \$50 and may be in addition to any towing or storage charges as provided in this ordinance.

§ 290-4. Recreational vehicles; trailers. [Added 10-9-1995 by Ord. No. 95-9-10]

- A. Parking prohibited in certain places. It shall be unlawful to park or permit any recreational vehicle, any vehicle licensed as a recreational vehicle, any motor home, camper, boat, boat and trailer, or any trailer, all herein referred to as "Vehicle" to stand at any time except when necessary in an emergency or in compliance with the direction of the Police Chief or other authorized officer, in any of the following places:
- (1) On any Village Street;
 - (2) On any Village right-of-way;
 - (3) On property owned by the Village;
 - (4) On property leased by the Village;

- (5) On property maintained by the Village;
 - (6) On private property not owned by the vehicle owner without the consent of the property owner;
 - (7) On private property when the parked vehicle blocks the view of a motorist at any intersection, driveway, or sidewalk;
 - (8) On any sidewalk;
 - (9) At any place where official signs prohibit parking;
 - (10) On private property where the vehicle provides a potential of fire hazard to adjoining properties, buildings, or structures.
- B. Vehicle violation - nuisance. Any vehicle located or parked in violation of Subsection A of this section is hereby declared a nuisance and may be towed or removed by or under the direction of the Chief of Police.
- C. Violating vehicle - notice of removal. In the event the Chief of Police or his designated subordinate directs the towing or removal of any vehicle in accordance with this ordinance, he or she shall make a record thereof and shall within 36 hours thereafter give written notice to the owner at his or her last known address, or the address registered by the owner and lienholder with the Secretary of State of the State the vehicle is registered in.
- D. Violating vehicle - cost of removal - owner responsibility. The cost of towing or removal of any vehicle in accordance with this section and the storage charges, if any, shall be paid by the owner of such vehicle, but any charges shall not be considered a fine, penalty, or forfeiture.
- E. Non-violations. The following are not violations of this ordinance:
- (1) When the vehicle is legally parked in a designated trailer parking area in the Village or in a Village trailer park in the Village.
 - (2) When the vehicle with an empty boat trailer is legally parked on a Village street while the owner is boating in the river.
 - (3) When legally parked in a business or residential area, for 24 hours or less, when the driver is delivering, picking up, performing a service, conducting business, or visiting a resident of the Village.
- F. Penalties. Any person violating the provisions of this ordinance shall be fined in a sum not less than \$25 or more than \$500 and may be in addition to any towing or storage charges as provided in this ordinance.

ARTICLE III
Moving Vehicle Regulations

§ 290-5. Speed restrictions. [Amended 1-3-1955 by Ord. No. 54-10; 1-4-1960 by Ord. No. 60-2; 11-1-1999 by Ord. No. 99-1-11C]

No person shall drive a vehicle upon any public highway in the Village at a speed greater than is reasonable and having proper regard to the traffic and the use of the way, or so as to endanger the life or limb, or injure the property of any person. Speed restrictions on the various streets of the Village shall be complied with as follows:

- A. Not in the excess of 20 m.p.h. on Main Street.
- B. Not in excess of 10 m.p.h. on Cherry Street Court.
- C. The speed limit signs as posted by the State on High Street shall be the speed limits for said High Street.
- D. All other streets, not in excess of 20 m.p.h. or as posted by order of the Board of Trustees.
- E. The speed limit signs as posted by the County Highway Department on Agnes Street, shall be the speed limits for said Agnes Street.

§ 290-6. Load and weight restrictions. [Added 5-8-1985 by Ord. No. 89-8-5]

- A. Maximum weight limit. No vehicle, truck, semi-trailer or combination truck-tractor, or semi-trailer, having a maximum gross weight of over 10 tons shall be permitted on the streets, avenues or alleys of the Village where same is prohibited. Such prohibition shall be designated by a "maximum weight limit" sign.
- B. Penalty. It shall be a petty offense for any person, firm or corporation, owing or operating any vehicle, to cause or permit the operations of such vehicle in violation of the provisions of this Ordinance. Any such person so convicted of a violation of any provisions of this Ordinance shall be punished by a fine of not less than \$25 nor more than \$500.
- C. Exceptions. This Ordinance shall not apply to the following:
 - (1) Fire trucks or emergency vehicles.
 - (2) Vehicles making delivery of goods within Village limits.
 - (3) Garbage and refuse vehicles under contract to the Village.
 - (4) Vehicles loading goods or services for delivery from businesses within the Village limits.

§ 290-7. Snowmobile restrictions.

- A. Snowmobiles prohibited.

- (1) Snowmobiles are prohibited on any roadway or sidewalk in this Village.
 - (2) Snowmobiles are prohibited in or on any public or private parking lot in this Village or in or upon any public or private property in this Village unless the snowmobile operator shall have first secured from the property owners, or authorized agent of the property owners, a written consent to do so.
- B. Penalty. Any person or persons violating this Ordinance shall be fined not less that \$50 or more than \$500 for each offense.

§ 290-8. Stop, through, one-way streets.

- A. Main street. Main Street is hereby declared to be a "through" street and all persons driving vehicles shall come to a complete stop before proceeding onto Main Street in the Village. [Amended 4-11-1955 by Ord. No. 54-11]
- B. Hickory street. From North High to Main Street is designated a "one-way" street, west. [Amended 5-8-2006]