

ORDINANCE NO. 2021-O-101221B

VILLAGE OF CAMARGO

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ORDINANCE NO. 2021-O-101221B

AN ORDINANCE AMENDING ARTICLE 2 OF CHAPTER 6 OF THE  
"MUNICIPAL CODE OF THE VILLAGE OF CAMARGO OF 1984," AS  
AMENDED.

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ADOPTED BY THE  
BOARD OF TRUSTEES  
OF THE  
VILLAGE OF CAMARGO

THIS 12<sup>th</sup> DAY OF OCTOBER, 2021

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Published in pamphlet form by authority of the Board of Trustees of  
the Village of Camargo, Douglas County, Illinois, this 12<sup>th</sup> Day of  
October, 2021.

## Article 2. INOPERABLE AND ABANDONED MOTOR VEHICLES

### 6.201 DEFINITIONS

- A. "Person" shall mean any person, firm, partnership, association, company, or organization of any kind regardless of ownership of property.
- B. "Motor Vehicles" shall mean every vehicle which is self-propelled except for vehicles moved solely by human power and motorized wheel chair.
- C. "Street or highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- D. "Property" shall mean any real property within the Village which is not a street or highway.
- E. "Inoperable Motor Vehicle" shall mean any motor vehicle from which, 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. Partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicles, trailers, campers, boats or other mobile equipment (licensed or unlicensed) or parts thereof. "Inoperable Motor Vehicle" shall not include any 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.
- F. "Unlicensed Motor Vehicle" shall mean a motor vehicle for which a period of at least 30 consecutive days does not have displayed thereon a current registration or "applied for" sticker.
- G. "Abandoned Vehicle" shall mean any vehicle which is left at any place for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.
- H. "Historic Vehicle" shall mean a motor vehicle manufactured more than 25 years prior to the current calendar year, which is owned and operated as an exhibition piece or

collector's item and is used for participation in club activities, exhibits, tours, parades, occasional transportation and similar uses, but not for general daily transportation.

#### 6.202 ABANDONMENT OF VEHICLES

No person shall abandon any vehicle within the Village and no person shall leave any vehicle at any place within the Village for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

#### 6.203 INOPERABLE VEHICLES DECLARED TO BE A NUISANCE

All inoperable motor vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance.

#### 6.204 EXTERIOR STORAGE OF INOPERABLE MOTOR VEHICLES PROHIBITED

No person shall allow an inoperable motor vehicle under his control to remain on public or private property and in view of the general public for more than 10 days after receiving a municipal notice from the Village of Camargo directing the person to dispose of the inoperable motor vehicle or vehicles under their control. Said notice shall include a copy of this Article. 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.

#### 6.205 REMOVAL OF INOPERABLE VEHICLE

The Village of Camargo may remove or cause to be removed any inoperable motor vehicle or parts thereof after 10 days from the issuance of the municipal notice provided for in Section 6.208 of this Article. The person who has control of the inoperable motor vehicle or parts thereof which are removed pursuant to this section shall be liable for reasonable towing and storage charges for the inoperable motor vehicle or parts thereof which charges shall be paid before the inoperable motor vehicle or parts thereof are released and said charges may be recovered in a suit of law. When an inoperable motor vehicle has been removed and placed in storage by the Village, as provided for herein, said inoperable motor vehicle may be sold by the Village after the

lapse of such time as is provided by state law in Article 2 of Chapter 4 of the Illinois Vehicle Code (665 ILCS 5/4/201 et.seq.). If the proceeds of such sale are insufficient to pay the costs of towing and storage and processing charges, the owner and/or the person in control of the inoperable motor vehicle shall be liable to the Village of the balance of the costs to be recovered in a suit of law. If the proceeds are in excess of costs the balance shall be paid to the registered owner of the inoperable motor vehicle or if unclaimed then it shall be deposited into the village treasury.

#### 6.206 RIGHT TO A HEARING

Any person who receives a 10-day municipal notice directing him to dispose of an inoperable motor vehicle may request a hearing before the Village Board at the next regularly scheduled meeting designated by the Village Board by filing his written request with the Village Clerk no later than ten days after notification.

#### 6.207 REMOVAL NOTICE

It shall be the duty of the Village Ordinance Official to serve or cause to be served a notice in writing upon the occupant or owner of the premises which are in violation and to demand the removal of the vehicle within the ten (10) days. Such notice to be served either by:

1. Depositing the notice in the U.S. Mail, prepaid first-class postage regardless of whether the addresses accepts or refuses delivery; or
2. Personal service; or
3. Posting of notice upon the property.

#### 6.208 ABATEMENT

If the person so served does not abate the vehicle within then (10) days, the Village authorities may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged and paid by such owner or occupant. Charges will be calculated as:

1. Written Warning for the initial notification per vehicle in violation.

2. \$250 for each vehicle remaining in violation for the first 10 days AFTER delivery of the Written Notice.
3. \$500 for each vehicle remaining in violation for the second 10 days AFTER delivery of the Written Notice.
4. Last and final notification will be a mandatory court date that will also include the fees mentioned above, all court costs, removal and storage fees, and potentially a lien against the property.

All fees are due no later than ten (10) days after the time of violation.

PRESENTED, PASSED APPROVED, AND ADOPTED by the President and Trustees of the Village of Camargo, Illinois, at a duly conducted meeting thereof this 12<sup>th</sup> Day of October, 2021.

APPROVED:

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Bart Dann  
Village of Camargo President

ATTEST:

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Salisa A. Dann  
Village of Camargo Clerk

VOTING ON SAID ORDINANCE NO: 2021-O-101221B

Trustee	Aye	Nay
Nancy George	_____	_____
Jim Hardway	_____	_____
Jim Lansford	_____	_____
Jeane Breiland	_____	_____
Laura Miller	_____	_____
Gary Gilpin	_____	_____

**STATE OF ILLINOIS     )**  
**) SS**  
**COUNTY OF DOUGLAS )**

**CERTIFICATE**

I, Salisa A. Dann, certify that I am the duly elected and acting municipal clerk of the Village of Camargo, Douglas County, Illinois.

I further certify that on, October 12, 2021, the Corporate Authorities of such Municipality passed and approved Ordinance No. 2021-O-101221B entitled:

**Article 2: Inoperable and Abandoned Motor Vehicles**

I further certify that the attached copy of said ordinance is a true and correct copy of said ordinances, as appears from the records of the Village of Camargo, Illinois.

The pamphlet from of Ordinance 2021-O-101221B, including the Ordinance and a cover sheet thereof was prepared, a copy of such ordinance was posted in the municipal building, commencing on October 12, 2021, and continuing for at least ten (10) days thereafter. Copies of such ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Camargo, Illinois this 12<sup>th</sup> Day of October, 2021.

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Salisa A. Dann  
Village of Camargo Clerk

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