

ORDINANCE NO. _____

***AN ORDINANCE AMENDING CHAPTER 19, ARTICLE II, DIVISION 6,
ILLEGALLY PARKED, ABANDONED, INOPERABLE OR STOLEN VEHICLES OF
THE CITY OF JOLIET CODE OF ORDINANCES***

WHEREAS, the City of Joliet is a home rule unit under the Illinois Constitution of 1970; and

WHEREAS, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morales and welfare; and

WHEREAS, the Mayor and City Council of the City of Joliet, Illinois (City) 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, the Mayor and City Council recognize the need to update the Code of Ordinances from time to time; and

WHEREAS, the Mayor and City Council have seen fit to regulate abandoned and inoperable vehicles on public and private property; and

WHEREAS, the Mayor and City Council have the authority to adopt ordinances to expedite the towing and disposal of abandoned or inoperable vehicles on public and private property within the City, in order to promote the safety and welfare of the citizens of the City of Joliet; and

WHEREAS, the Mayor and City Council declare abandoned and inoperable vehicles on public and private property a public nuisance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the remainder of this Ordinance are true, correct and complete and are hereby incorporated into this Ordinance by reference.

SECTION 2: That Chapter 19, Article II, Division 6, Section 19-232, shall be amended to remove the definition of Inoperable Vehicle, modify the definition of Abandoned Vehicle and Unlicensed Vehicle as follows:

Abandoned/Inoperable Vehicle means any vehicle, or part thereof, that is dilapidated, wrecked, dismantled, or in a state of disassembly or disrepair rendering the vehicle incapable of being legally or safely driven in its condition, left for such a time and under such circumstances so as to reasonably appear to have been abandoned or deserted, or a vehicle which does not have valid license plates or registration properly displayed or registration that is expired or suspended.

Unlicensed Vehicle means any vehicle which does not have valid license plates or registration property displayed on the vehicle or any vehicle with registration that is expired or suspended.

SECTION 3: That Chapter 19, Article II, Division 6, Section 19-235, paragraphs (c) and (d) be amended as follows:

(c) A vehicle, or any part thereof, that is abandoned on public property, other than a highway, in view of the public, is declared a nuisance and unlawful. An authorized official is hereby permitted to remove or have removed said vehicle, in accordance with all applicable laws; provided however that no vehicle shall be towed or impounded until seven (7) days after an authorized official gives written notice of the intent to impound the vehicle to the registered owner(s) of the vehicle, if the vehicle has not been brought into compliance with the provisions of the division at the end of such time. Such notice may be given by any of the following:

- (1) Affixing a "police tow" notice on the vehicle;
- (2) By personally serving a copy of the notice on the owner(s) of the vehicle;
- (3) Sending a notice by regular and certified mail to the registered owner(s) of the vehicle at the address on file with Secretary of State, if the owner is reasonably ascertainable.

(d) A vehicle, or any part thereof, that is abandoned, discarded, dilapidated, inoperable, junked, partially dismantled, or wrecked, on private property, and in view of the general public, is declared a nuisance and unlawful. An authorized official is hereby permitted to remove or have removed said vehicle, in accordance with all applicable laws; provided however that no vehicle shall be towed or impounded until fourteen (14) days after an authorized official gives written notice of the intent to impound the vehicle to the registered owner(s) of the vehicle, if the vehicle has not been brought into compliance with the provisions of the division at the end of such time. Such notice may be given by any of the following:

- (1) Affixing a "police tow" notice on the vehicle;
- (2) By personally serving a copy of the notice on the owner(s) of the vehicle;
- (3) Sending a notice by regular and certified mail to the registered owner(s) of the vehicle at the address on file with Secretary of State, if the owner is reasonably ascertainable; or

(4) Sending notice by regular and certified mail to the owner of such property where the vehicle is located, if the owner is reasonably ascertainable

SECTION 4: That Chapter 19, Article II, Division 6, Section 19-239, paragraph (a) be amended as follows:

(a) Except as provided otherwise in this division, a vehicle shall continue to be impounded until: (1) the administrative fee (if any) and any applicable towing and storage fees are paid, in which case the vehicle shall be released to the person who is legally entitled to possess the vehicle, or (2) the vehicle is sold or disposed of as provided by law.

SECTION 5: That Chapter 19, Article II, Division 6, Section 19-240 be amended as follows.

In addition to all other remedies, any person who violates, disobeys, neglects or refuses to comply with any provision of this section shall be subject to the penalties as provided in section 1-8 of this Code for each offense.

SECTION 6: In the event that any provision or provisions, or portion or portions of this ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions or portions of this ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions.

SECTION 7: All ordinances directly in conflict with the terms of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8: This Ordinance shall be deemed severable and the invalidity of any portion hereof shall not invalidate the remainder.

SECTION 9: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED this _____ day of _____, 2025.

MAYOR

CITY CLERK

VOTING YES:

VOTING NO:

NOT VOTING:
