

CITY OF LE ROY  
COUNTY OF McLEAN, STATE OF ILLINOIS

**ORDINANCE NO. 06-10-01-70**

**AN ORDINANCE AMENDING LE ROY CITY CODE BY DECLARING  
INOPERABLE VEHICLES A NUSIANCE AND  
PROVIDING FOR THEIR REMOVAL**

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ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS  
**2<sup>nd</sup> Day of October 2006**

PRESENTED: **October 2, 2006**

PASSED: **October 2, 2006**

APPROVED: **October 2, 2006**

RECORDED: **October 2, 2006**

PUBLISHED: **October 2, 2006**

In Pamphlet Form

Voting "Aye" 8

Voting "Nay" 0

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The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)

  
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City Clerk of City of Le Roy

Dated: October 2, 2006

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**AN ORDINANCE AMENDING LE ROY CITY CODE BY DECLARING  
INOPERABLE VEHICLES A NUISANCE AND PROVIDING FOR THEIR  
REMOVAL**

**BE IT ORDAINED:** By the City Council, City of Le Roy, McLean County, Illinois as follows:

**Section 1.** Le Roy City Code shall be and is hereby amended by adding a Chapter 8 within Title 4 to read as follows:

**Chapter 8 Inoperable Motor Vehicles on Private Property**

**4-8-1 Open Storage of Inoperable Vehicles Declared a Nuisance.**

A. The open storage of inoperable motor vehicles on private property is hereby declared to be a public nuisance

B. Except as otherwise expressly permitted in the Le Roy City Code, no person may permit an inoperable motor vehicle, as defined in Section 4-6-1 of the Le Roy City Code, which he or she owns, to be stored in the open in the City of Le Roy.

C. Except as otherwise expressly permitted in the Le Roy City Code, no person may permit an inoperable motor vehicle, as defined in Sec. 4-6-1 of the Le Roy City Code to be stored on property which he or she owns or occupies in the City of Le Roy

**4-8-2 Notice to Remove**

Whenever it appears that an inoperable motor vehicle is being stored in the open on private property, the Chief of Police or his designee may issue a Notice of Violation to the titleholder of the vehicle and/or the record owner or any adult occupant of the property on which it is located. Said notice shall state the make of the vehicle and, if known, the license number and VIN. The notice shall further state that the vehicle is inoperable and require that within 7 days the vehicle be made operable, removed from the City or enclosed so that it is not visible from public property. The notice shall either be personally delivered or sent by certified mail, return receipt requested.

Any person receiving such notice who does not make operable, remove from the city or enclose said vehicle shall be guilty of a violation of Sec. 4-8-1. The fine for said violation shall be \$25.00; a separate violation shall be deemed committed each day that the condition persists beyond the expiration of the 7-day notice. Thereafter, the City may file a complaint in McLean County Circuit Court for an ordinance violation.

### **4-8-3 Alternate Procedure**

A. Offer to Remove: Subject to the appropriation and availability of funds, in any situation involving the apparent open storage of an inoperable motor vehicle, the Police Chief or his designee, either before or after issuing the notice referred to in Sec. 4-8-2, may offer for the City of Le Roy to remove the inoperable vehicle from the property at no expense to the owner of the vehicle or owner or occupant of the property on which it is located. The terms of such offer are as follows:

1. The owner of the vehicle agrees to sign over title to the vehicle to the City of Le Roy or its designee at no charge.
2. The owner of the vehicle and owner or lessee of the property on which the vehicle is located sign an agreement waiving all rights in and to the vehicle and agree to hold the City and all its officers employees and agents harmless in connection with the removal of the vehicle.
3. The city agrees not file any complaints in Circuit Court for violation of Sec. 4-8-1 or, if a complaint has been filed, that it will dismiss such complaint.

B. Removal Procedure: Upon receipt of the releases provided for above, the Chief of Police is authorized to contact a towing service and arrange for it to take the title to, tow and legally dispose of said vehicles at not cost to the owner.

**Section 2:** This ordinance shall take effect 10 days after publication in pamphlet form as provided by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Dawn Thompson, and seconded by Shirley Chancellor by roll call vote on the 2nd day of October 2006 as follows

Aldermen elected 8

Aldermen Present 8

Voting Aye:

Shirley Chancellor, Jerry Henson, T.A. Whitsitt, Dave McClelland, Gary Koerner, John Haney, Butch Cook, and Dawn Thompson

Voting Nay:

None

Absent:

None

Abstain:

None

Other:

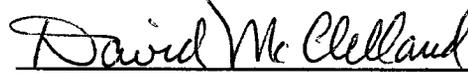
None

and deposited and filed in the office of the City Clerk in said municipality on the 2nd day of October 2006.



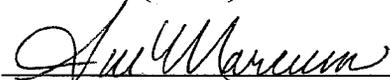
Sue Marcum, City Clerk of the City of Le Roy  
Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 2<sup>nd</sup> day of October 2006.



David McClelland, Acting Mayor of the City of  
Le Roy, Mc Lean County, Illinois

ATTEST: (SEAL)



Sue Marcum, City Clerk of the City of Le Roy  
Mc Lean County, Illinois

CERTIFICATE

I, Sue Marcum, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **October 2, 2006** the Corporate Authorities of such municipality passed and approved **Ordinance No. 06-10-01-70** entitled:

**AN ORDINANCE AMENDING LE ROY CITY CODE BY DECLARING  
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which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **06-10-01-70**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on **October 2, 2006** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 2nd day of October 2006.

(SEAL)

  
Municipal Clerk

STATE OF ILLINOIS        )  
                                  ) SS:  
COUNTY OF MCLEAN     )

I, Sue Marcum, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

**AN ORDINANCE AMENDING LE ROY CITY CODE BY DECLARING  
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I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 2nd Day of October 2006, and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

**Dated this 2nd day of October 2006**

(SEAL)

  
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City Clerk