

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 16-06-04-70

**AN ORDINANCE AMENDING THE CITY CODE REGARDING DEMOLITION
DEBY VEHICLES ON PRIVATE PROPERTY**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
20th Day of June, 2016

PRESENTED: **June 20, 2016**

PASSED: **June 20, 2016**

APPROVED: **June 20, 2016**

RECORDED: **June 20, 2016**

PUBLISHED: **June 20, 2016**

In Pamphlet Form

Voting "Aye" 8

Voting "Nay" 0

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)



Vicki Moreland, City Clerk of City
of Le Roy, McLean County, Illinois

Dated: June 20, 2016

**CITY OF LE ROY
McLEAN COUNTY, ILLINOIS**

ORDINANCE NO. 16-06-04-70

**AN ORDINANCE AMENDING THE CITY CODE REGARDING
DEMOLITION DERBY VEHICLES ON PRIVATE PROPERTY**

WHEREAS, the City of Le Roy is an Illinois non-home rule municipality organized and operating under the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq.; and

WHEREAS, the City desires to amend the City Code to modify its regulations regarding demolition derby vehicles on private property, as described in this Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Le Roy, McLean County, Illinois, as follows:

Section 1. Recitals. The Council hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Amendment to Section 4-1-5. Subsection N of Section 4-1-5, entitled "Public Nuisances Affecting Peace and Safety," of Chapter 1, entitled "Public Nuisances," Title 4 of the City of Le Roy Code of Ordinances is hereby amended as follows:

- N. Junk Accumulations: No person owning, leasing, occupying or having charge of any premises within the city limits shall cause or allow the accumulation or storage on or about said premises within the city of trash, junk, any partially dismantled motor vehicle, wrecked motor vehicle, any unlicensed or unregistered motor vehicle which, under the laws of the state would be required to be licensed or registered in order to be operated on public highways within the state, discarded appliances, used machinery, nonfunctional equipment, refuse, discarded furniture, rubble or other similar items, materials, or substances, whether on public or private property, for a period in excess of fifteen (15) days unless the same shall be stored within a fully enclosed, suitable building provided for that purpose, or unless the premises are properly licensed as a junkyard or other proper repository for the items stored or accumulated on the subject premises. **This subsection N does not apply to demolition derby vehicles permitted and registered with the City pursuant to Section 4-6-3.**

Section 3. Amendment to Section 4-5-2. Subsection B, entitled "Unsheltered Storage Prohibited," of 4-5-2, entitled "Unsheltered Storage of Personal Property" of Chapter 5, entitled "Private Property Maintenance" of Title 4 of the City of Le Roy Code of Ordinances is hereby amended as follows:

B. Unsheltered Storage Prohibited:

1. **Junked, Unsafe Vehicles And Equipment:** Unsheltered storage of old, unused, stripped, junked, and other vehicles, including trailers, snowmobiles and watercraft of all sorts, not in good and safe operating condition, and of any other vehicles, used machinery, implements, and/or equipment, nonfunctional equipment and personal property of any kind

which is no longer safely usable for the purposes for which it was manufactured, which hereinafter are collectively described as "said personalty", for a period of fifteen (15) days or more (except in licensed junkyards) within the corporate limits of the city is hereby declared to be a nuisance and dangerous to the public health, safety and welfare. Any vehicle, including trailers, snowmobiles, and watercraft of all sorts, not in good and safe operating condition, and any other vehicle, machinery, implements, and/or equipment, nonfunctional equipment and personal property of any kind which is no longer safely usable for the purposes for which it was manufactured, removed from any public thoroughfare, public property, or private property, and returned to any public thoroughfare or public property within the city, or to the same private premises within one year from the date of its removal shall be deemed not to have been removed from the premises within the aforesaid fifteen (15) day period and thus shall be deemed prima facie a violation of the prohibition against the same remaining on a described premises for more than fifteen (15) days. **This paragraph 1 does not apply to demolition derby vehicles permitted and registered with the City pursuant to Section 4-6-3.**

2. Trailers And Wagons: Unsheltered parking of any truck trailer, flatbed trailer, semitrailer, or any other kind of wheeled vehicle, wagon, flatbed wagon, and any other type of vehicle customarily used to haul commodities, goods, or personal property, and customarily pulled by a motor driven vehicle, for a period of fifteen (15) days or more (except in licensed junkyards) on any public way, public property, or private property, within the corporate limits of the city, unless the same is used as temporary storage for a construction project on the premises, in which event, unsheltered parking of the aforesaid vehicle on private property shall be allowed for not more than one hundred twenty (120) days total in one calendar year, is hereby declared to be a nuisance and dangerous to the public health, safety and welfare. Any such vehicle removed from any public thoroughfare, public property, or private property, and returned to the same premises within one year from the date of its removal shall be deemed not to have been removed from the premises within the aforesaid fifteen (15) day (or 120 day temporary construction period) period and thus shall be deemed prima facie a violation of the prohibition against the same remaining on a described premises for more than fifteen (15) days. This subsection B2 shall not be construed to permit the parking of any vehicle on public property for up to fifteen (15) days if such parking is in violation of any other state statute or provision of this code requiring removal of such vehicle in a shorter time period. Major recreational equipment and utility trailers of not more than twenty feet (20') in length from the furthest point of the rear of the trailer to the furthest point forward on the hitch of the trailer are exempted from the requirements of this subsection B2. "Major recreational equipment" is hereby defined to mean travel trailers (a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational or vacation uses, or one permanently identified as a "travel trailer" by the manufacturer of the trailer); pickup coach (a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation use); motor home (a portable, temporary dwelling

to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle); camping trailer (a canvas, material or metal folding structure, mounted on wheels, and designed for travel, recreation and vacation use); boats, boat trailers, snowmobiles and snowmobile trailers. "Utility trailer" is defined for purposes of this subsection B2 to be any trailer having not more than two (2) axles, and weighing, with a load, not more than two thousand (2,000) pounds and being not longer than twenty feet (20') from the rear most portion of the trailer to the front most tip of the hitch of said trailer. No more than one travel trailer, one boat and boat trailer combination, one snowmobile trailer and one utility trailer may be located on a residential premises (house and lots) at any given time, and any such trailers must be licensed if required to be licensed under the motor vehicle code of the state.

Section 4. Amendment to Title 4, Chapter 6. Chapter 6, entitled "Abandoned, Inoperable, Junked Vehicles," of Title 4 of the City of Le Roy Code of Ordinances is hereby amended to add a new Section 4-6-3, entitled "Demolition Derby Vehicles on Private Property," as follows:

4-6-3: DEMOLITION DERBY VEHICLES ON PRIVATE PROPERTY:

A person will be allowed to keep a demolition derby vehicle on his or her private property, subject to compliance with all of the following regulations:

- A. **Any person desiring to temporarily keep a demolition derby vehicle must register the vehicle and file an application for a permit with the City. The application must include a list of events in which the vehicle is expected to participate, and must include payment of the permit fee in the amount of twenty-five dollars (\$25.00) per vehicle. All demolition derby vehicle permits will be issued no sooner than May 1 of each year, and will expire no later than September 1 of the same year. All demolition derby vehicles must be removed from the public view on or before September 1 of each year. The City Administrator has the discretion to grant up to a two month extension, upon request.**
- B. **All demolition derby vehicles must be kept entirely on private property.**
- C. **No more than two demolition derby vehicles are permitted to be kept on a property at any time.**
- D. **All demolition vehicles must be entirely covered either by (1) an appropriate vehicle cover (not to include tarps), (2) in an enclosed building, or (3) otherwise sheltered from public view except during the period of time that the owner is actively performing services or repairs on a temporarily disabled vehicle.**
- E. **The property must otherwise be kept in an orderly manner, in compliance with all other regulations of this code. No tires or other automobile parts may be stored or accumulated on the property.**

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Greg Steffen, and seconded by Hilary Neal by roll call vote on the 20th day of June, 2016 as follows

Aldermen Elected 8

Aldermen Present 8

Voting Aye:

Dawn Hanafin, Greg Steffen, Judy Marshall, Anne Anderson, Brad Poindexter, Glenn Reinhart, Ron Legner, Hilary Neal.

Voting Nay:

None

Absent:

None

Abstain:

None

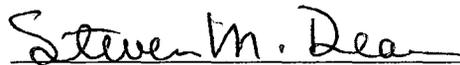
Other:

And deposited and filed in the office of the City Clerk in said municipality on the 20th day of June, 2016.



Vicki Moreland, City Clerk of the City of Le Roy, Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 20th day of June, 2016



Steve Dean Mayor of the City of Le Roy, Mc Lean County, Illinois

ATTEST: (SEAL)



Vicki Moreland, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, 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 June 20, 2016 the Corporate Authorities of such municipality passed and approved **Ordinance No. 16-06-04-70** entitled:

**AN ORDINANCE AMENDING THE CITY CODE REGARDING DEMOLITION
DERBY VEHICLES ON PRIVATE PROPERTY**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 16-06-04-70, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on June 20, 2016 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 20th day of June, 2016.

(SEAL)


Vicki Moreland, City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

I, Vicki Moreland, 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 THE CITY CODE REGARDING DEMOLITION
DERBY VEHICLES ON PRIVATE PROPERTY**

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 20th day of June 2016 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 20th day of June, 2016.

(SEAL)


Vicki Moreland, City Clerk
of the City of Le Roy,
McLean County, Illinois