

ORDINANCE

O2001 ZN 026

CHRISTIAN COUNTY INOPERABLE MOTOR VEHICLE ORDINANCE

Whereas, the Christian County Board finds inoperable motor vehicles to be a nuisance; and whereas Illinois Compiled Statutes Chapter 55, Section 5/5-1092, enables the County Board by ordinance to declare inoperable motor vehicles whether on public or private property to be a nuisance, and authorizes the levying of fines for the failure of any person to obey a notice from the County which states that such person is to dispose of any inoperable motor vehicles under his or her control,

BE IT ORDAINED that the following regulations shall apply to inoperable motor vehicles:

1. DEFINITIONS

As used in this ordinance, the singular shall also include the plural and the masculine tense shall also include the feminine.

As used in this ordinance, the following definitions apply:

A. HISTORIC VEHICLE

A motor vehicle that is over 25 years of age, which is maintained for the purposes of display in antique auto shows, display in exhibitions, or for exhibition of demonstration.

B. INOPERABLE MOTOR VEHICLE

Any motor vehicle from which, for a period of at least 30 days, 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 power.

C. MOTOR VEHICLE

Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wire, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs.

D. MOTOR VEHICLE OWNER

Any person who holds legal title of a motor vehicle.

2. APPLICATION

This ordinance applies to any motor vehicle within the limits of Christian County, Illinois, whether on public or private property, which is an inoperable motor vehicle as defined by this ordinance. Such inoperable motor vehicles are declared a nuisance pursuant to authority conferred by Illinois Compiled Statutes Chapter 55, Section 5/5-1092.

3. ENFORCEMENT

A. It is the duty of the Christian County Zoning Consultant or his agent to inspect motor vehicles which may constitute inoperable motor vehicles as defined in this ordinance.

B. The Christian County Zoning Consultant or his agent shall, by certified mail, notify the person to dispose of any inoperable motor vehicle under his or her control or repair said vehicle to operable condition and to do so within 20 days of the date of mailing of the notice to dispose.

C. An inoperable motor vehicle is under the control of a person if that person:

- (1) Is the motor vehicle owner as defined by this ordinance, or
- (2) Is in custody or possession of the inoperable motor vehicle, or
- (3) Is the owner of real property upon which the inoperable motor vehicle is located, or
- (4) Has any possessory interest in the real property upon which the inoperable motor vehicle is located, or
- (5) Has any possessory interest in the inoperable motor vehicle.

D. Any person receiving a notice to dispose of an inoperable motor vehicle shall, within 20 days of the date of mailing of the notice to dispose:

- (1) Repair all inoperable motor vehicles identified in the notice to operable condition, or
- (2) Dispose of all inoperable motor vehicles identified in the notice. Said disposal to be made in accordance with all applicable statutes of the State of Illinois and all applicable ordinances of Christian County, Illinois.

E. The Christian County Zoning Consultant and the Christian County Sheriff or his officers are hereby authorized to issue citations to the offender for a violation of this ordinance.

4. EXCLUSIONS

This ordinance shall not apply to the following:

- A. Historic vehicles as defined in this ordinance.
- B. Any motor vehicle that is kept within a building when not in use.
- C. Any motor vehicle on the premises of a place of business that is licensed by the Illinois Secretary of State to engage in wrecking or junking of motor vehicles.
- D. 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.

5. PENALTY

- A. A violation of this ordinance by any person shall be punishable by a fine not exceeding \$200.00 for each offense.
- B. Each day a violation continues to exist shall constitute a separate offense.

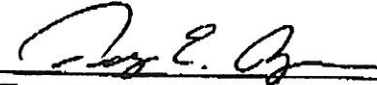
6. REPEALER

All Christian County Inoperable Motor Vehicle Ordinances passed prior to the date of the passing and approval of this ordinance are hereby repealed.

PASSED AND APPROVED this 11 day of September, 2001.



John Curtin, Chairman, Christian County Board

ATTEST: 

Terry Ryan, Christian County Clerk