

## Chapter 15 TRAFFIC

- 15.01 Traffic Regulations
- 15.02 No License
- 15.03 Abandoned Vehicle
- 15.04 Off-Street Storage of Vehicles
- 15.05 Enforcement Procedure
- 15.06 Vehicles for Sale
- 15.07 Reclaimed Vehicles, Expenses
- 15.08 Careless Driving
- 15.09 Reserved
- 15.10 Parking Places Reserved for Persons With Disabilities
- 15.11 School Parking Areas
- 15.12 Parking Limitations/Prohibitions
- 15.13 Restricted Parking Areas
- 15.14 No Passing Zones
- 15.15 Snowmobile Routes, Local Regulations
- 15.16 Compression/Release Engine Brake Use Prohibited
- 15.17 Overweight Vehicles
- 15.18 Speed Limits
- 15.19 Stop Intersections
- 15.20 Safety Certificate Fine Allocation

### 15.01 TRAFFIC REGULATIONS

A. ADOPTION AND INCORPORATION BY REFERENCE OF SPECIFIC CHAPTERS OF THE ILLINOIS VEHICLE CODE: That pursuant to 625 ILCS 5/20-204 of the Illinois Vehicle Code, the Village hereby adopts and incorporates by reference all paragraphs and sections of the Illinois Vehicle Code and subsequent amendments (625 ILCS 5/1-100 *et seq.*) in whole, as Chapter 15 of this Code (Prairie Grove Municipal Code, Chapter 15 §§1-100 *et seq.*). The section numbers used in the Illinois Vehicle Code shall be identical to those section numbers in this Code except that the sections in this Code shall be preceded by the number "15" in accordance with a directive from the Circuit Clerk of McHenry County.

B. PENALTY: All penalty provisions contained or referred to or incorporated in Section 15.01 are also adopted and incorporated, including but not limited to those contained in the Unified Code of Corrections (730 ILCS 5/1-1-1 *et seq.*), with the exception of the fine penalties listed for persons found guilty of violating Chapter 15, pars. 11-501(a)(1), 11-501(a)(2), 11-501(a)(3), 11-501(a)(4) and 6-303(a). Any person found guilty of violating Chapter 15, pars. 11-501(a)(1), 11-501(a)(2), 11-501(a)(3) and 11-501(a)(4) shall be fined not less than \$1,250 nor more than \$2,500 for each offense. Any person found guilty of violating Chapter 15, paragraph 6-303(a) shall be fined not less than \$300, nor more than \$2,500, for each offense. All other penalties listed for violations of these offenses shall be applicable.

C. APPLICABILITY: The penalty provided by this Section applies to the amendment of any section of this Chapter adopted herein by reference whether or not such penalty is re-enacted in the amendatory ordinance.

D. REFERENCE TO SECTIONS: Reference to a section of this Chapter shall be understood to also refer to and include the penalty section relating thereto, unless otherwise expressly provided.

### **15.02 NO LICENSE**

No vehicle without a current State license shall be allowed to be parked on Village streets, and the Village police are authorized to tow away and place in storage any vehicle found to violate this Section.

### **15.03 ABANDONED VEHICLE**

Any vehicle parked on any Village street or municipal parking lot for 7 consecutive days without being moved shall be deemed abandoned and shall be towed away and placed in storage, at the owner's cost, by the Village police.

### **15.04 OFF-STREET STORAGE OF VEHICLES**

The following standards and regulations shall apply to the outdoor storage of vehicles in parking lots and parking areas on a lot in a residential zoning district:

1. STORAGE DEFINED: For purposes of this paragraph, the terms "storage" or "stored" shall mean the parking of a vehicle for a continuous period of longer than 72 hours.
2. SURFACE: No motorized vehicle or non-motorized trailers shall be stored on any lot except on a surface constructed with concrete, asphalt or patio blocks. The width and length of the improved surface shall be at least the same dimensions of the body of the vehicle or trailer. The only exception to this rule shall apply to lots within a designated flood plain wherein the owner has received written correspondence from the federal government to the effect that a hard surface such as required herein is not permitted.
3. PERMANENT LOCATION PROHIBITED: No stored vehicle shall have its wheels removed or be affixed to the ground so as to prevent its ready removal.
4. RESIDENTIAL USE PROHIBITED: No vehicle shall be used for living, sleeping or housekeeping purposes on any lot for more than 10 days in any given calendar year. Any time a vehicle is connected to any public utility, there will be a presumption that such vehicle is being used for residential purposes.
5. UNLICENCED AND INOPERABLE VEHICLES: No vehicle without a current license or any vehicle incapable of being driven or used for the purpose or use for which it was designed shall be stored in any parking lot or parking area on any lot in a residential zoning district.
6. OUTDOOR STORAGE OF RECREATIONAL VEHICLES: Outdoor storage of recreational vehicles is permitted only to the extent that such vehicles are stored in a safe and orderly manner in a compact and contiguous area behind the front building setback

line. For purposes of this Section, a boat upon a trailer shall be considered a single vehicle. No more than one vehicle of each type may be stored on any lot less than 2 acres.

#### **15.05 ENFORCEMENT PROCEDURE**

Upon determining that a vehicle has been stored in violation of this Chapter, the Police Department, by and through its personnel, shall give the person, firm or corporation owning, leasing or occupying the property notice by placing written notice on the windshield of the improperly stored vehicle that the person, firm or corporation shall have 24 hours from the date of notice to remove the vehicle from the property. Thereafter the Police Department may cause the vehicle to be towed at the owner's expense. In the event the owner fails to comply with said notice, the owner shall be liable for penalties hereinafter provided.

#### **15.06 VEHICLES FOR SALE**

It shall be unlawful to park any vehicle upon any public right of way for the purpose of displaying it for sale.

#### **15.07 RECLAIMED VEHICLES, EXPENSES** *Amended, 494*

Any vehicle impounded by the Village shall not be released to the owner, lien holder or other person until proof of ownership or right to possession of the vehicle is presented to the Village Police Department and all towing and storage charges incurred by the Village have been paid. If the Village stores the vehicle on Village property a storage charge shall be paid to the Village, effective 24 hours after the vehicle has been impounded. The charge for said storage shall be \$55 per day. The Village shall not be responsible for any vehicle damage or theft.

#### **15.08 CARELESS DRIVING**

It shall be unlawful for any person to drive carelessly within the Village. For purposes of this Section, careless driving is failure to maintain a vehicle under control, exceeding the posted speed limit by more than 10 miles per hour and operating a vehicle in any manner other than as permitted by law.

#### **15.09 RESERVED** *Ord. 464*

#### **15.10 PARKING PLACES RESERVED FOR PERSONS WITH DISABILITIES**

The parking of any motor vehicle not bearing registration plates or decals issued to a person with disabilities, as defined in the Motor Vehicle Code, is prohibited in those locations where signs have been erected pursuant to the Illinois Vehicle Code.

#### **15.11 SCHOOL PARKING AREAS**

A. Parking and traffic in parking areas of any and all schools for which there is a contract between the school district and Village for the regulation of parking and traffic shall be subject to the regulations set forth in this Section. For the purposes of this Section, the term "parking areas" shall mean the area or areas of land near or contiguous to said schools and used as a means of access to and egress from the said schools and for the parking of motor vehicles.

B. No person shall park any vehicle or cause any vehicle to stop or stand in any designated safety zone or fire lane, nor shall any person park any vehicle in any designated loading zone except as provided herein.

C. No person shall park any vehicle or cause any vehicle to stop or stand in any restricted parking area unless authorized by the School District Board of Education. Parking in said restricted areas shall be limited to vehicles registered with the school authorities, faculty or administration vehicles and non-student vehicles on official school business.

D. No person shall park or abandon any vehicle in a school parking area during a snowstorm, flood, fire or other public emergency so as to constitute an obstruction to traffic.

E. The School District Board of Education shall erect and maintain, in the school parking areas, signs posting speed limits and designating safety zones, loading zones, fire lanes and restricted parking areas. It shall be unlawful for any person to exceed said posted speed limits or to violate the restrictions or prohibitions designated by said signs.

**15.12 PARKING LIMITATIONS/PROHIBITIONS** *Amended, 600, 561, 532, 521*

Except for deliveries, parking along the following Village roads is prohibited: all corners of Barreville and Nish Roads; Rogers Road; Half Mile Trail; Ray Street; Illinois Route 176.

**15.13 RESTRICTED PARKING AREAS**

A. POLICE VEHICLES: Directly behind the Police Department.

B. TRUCK PARKING: Except for Class D vehicles equipped with only front and rear single-wheel single axles, any vehicle displaying an Illinois Class D, F, H, J, K, N, P, R, S, T, V, X or Z license registration plate, or an equivalent if registered in another state or country, shall be prohibited from parking in any residential zoning area except for the purposes of loading or unloading the vehicle.

**15.14 NO PASSING ZONES**

The following roadways are designated as no passing zones:

1. Barreville Road from the northern Village limits to Illinois Route 176.
2. Nish Road from the eastern Village boundary to its intersection with Barreville Road.
3. Valley View Road from Nish Road to Illinois Route 176.

**15.15 SNOWMOBILE ROUTES, LOCAL REGULATIONS**

A. LOCAL REGULATIONS: It shall be unlawful for any person to operate a snowmobile in the Village under the following circumstances:

1. Upon any walkway in the Village, except where the tree bank, shoulder or unpaved right-of-way has a natural or hazardous obstruction to the extent of blocking the passage of any snowmobile.
2. At speeds in excess of 10 miles per hour.
3. Upon any street, except to cross the right-of-way thereof, except where the tree bank, shoulder or unpaved right-of-way has a natural or hazardous obstruction to the extent of blocking the passage of any snowmobile.
4. On public school grounds, park property, playgrounds, recreational areas and golf courses, whether public or private, without express written permission to do so by the property owner or property authority.
5. In a manner that creates loud, unnecessary or unusual noise so as to disturb or interfere with the peace and quiet of other persons.

B. **PARKING:** It shall be unlawful to park any snowmobile on any sidewalk or street within the Village, or on the private property of any person, without the express permission of the owner or occupant of any such private property.

C. **UNATTENDED VEHICLES:** It shall be unlawful for the owner or operator to leave or allow a snowmobile to be or remain unattended on public property while the motor is running or with the keys for starting the vehicle left in the ignition.

#### **15.16 COMPRESSION/RELEASE ENGINE BRAKE USE PROHIBITED**

No person shall operate or cause to be used or operated within the Village any compression/release engine brake on any vehicle for any reason. For purposes of this Section, compression/release engine brake is defined as any mechanical exhaust device designed to aid in the braking or deceleration of any vehicle by converting engine power to compressed air which results in excessive, loud, unusual or explosive noise from such vehicle, or otherwise known as jake-braking.

#### **15.17 OVERWEIGHT VEHICLES** *Amended, 494*

A. **DEFINITIONS:** In addition to those terms defined in Appendix A of this Code, the following terms used within this Section are defined as follows:

**Commercial vehicle:** As defined in 625 ILCS 5/1-111.8.

**Implement of husbandry:** As defined in 625 ILCS 5/1-130.

**Public utility:** As defined in 625 ILCS 5/1-164.7.

B. **REGULATIONS:** The following weight loads and weight regulations are hereby established for the Village:

1. GENERAL: To promote the safety of the general public and to preserve the streets under the jurisdiction of the Village for the use of the general public, it is hereby declared that the following rules and regulations for maximum weight and load shall apply to all vehicles using the public streets under the jurisdiction of the Village.
2. MAXIMUM WEIGHT PER VEHICLE: Except on Illinois Route 176 and Illinois Route 31 and as otherwise provided herein, it shall be unlawful to operate any vehicle on any street within the Village when the gross weight of such vehicle, including the tractor, trailer and load, exceeds 5 tons.

C. EXCEPTIONS: The following vehicles and uses are hereby excepted from the provisions of Section 15.17-B herein:

1. Firefighting apparatus and equipment for snow and ice removal operations, or any other vehicle being operated for immediate public emergency purposes.
2. Delivery/pick-up vehicles when the vehicle being used is for the sole purpose of making a delivery to, picking up a load from, or otherwise serving a location on a weight-restricted road within the corporate limits of the Village, provided and on the condition that such vehicle enters at the intersection nearest its destination and exits the Village by the same route.
3. Implements of husbandry as defined herein.
4. Public utility vehicles which are engaged in the repair, maintenance, construction or installation of utility service to persons or properties within the Village.
5. Garbage, refuse and septic vehicles operated to service properties within the Village.
6. Vehicles owned or operated by the Village or operated by other persons under contract with the Village for Village purposes.
7. Vehicles owned or operated by a unit of government.
8. School buses being operated to pick up or return children to residences within the Village.
9. Vehicles operating under a permit issued pursuant to Section 15.17-D herein.
10. Feed trucks, trucks hauling livestock, milk trucks, fertilizer trucks, emergency service vehicles used in emergency maintenance repair of farm buildings and farm equipment.

11. Notwithstanding any of the exceptions herein, no vehicle shall be operated on any Village street which is not allowed to be operated on State highways and streets, and any vehicle prohibited from operation on State highways or streets for any reason, including but not limited to weight and size, shall be prohibited from operation on Village streets without a Village permit.
12. Personal licensed vehicles and trailers of Village residents or property owners exceeding 10,000 pounds such as boats, recreational vehicles and trailers, not used for business or commercial applications.
13. Deliveries to and from the Colby Point Area Subdivision.
14. Eastern Village entrance to Crystal Way.

D. PERMITS:

1. Permits to allow the operation of a vehicle or combination of vehicles exceeding the maximum weight established in Section 15.17-B herein, on streets under the Village's jurisdiction, other than Illinois Route 31 and Illinois Route 176 and when there is no other route available, may be issued by the Village.
2. Permits applications are available at the Village Hall, shall require the following information:
  - (a) Name, address and telephone number of applicant;
  - (b) A specific description of the vehicle (s) and load (s) to be operated or moved pursuant to the permit;
  - (c) The point of origin and destination of the overweight vehicle(s) and loads;
  - (d) A statement that there is no other route available on public streets except for a route including Village streets;
  - (e) The date(s) or period of time for which the permit is requested; and
  - (f) A diagram of the proposed route of operation through the Village.
3. The application shall be verified under oath and accompanied by a certified check or cash for the application fee of \$25 per single, one time use load.
4. The permit shall continue in full force and effect for 24 hours from the date of issuance unless there is a change of circumstances by which routes become available on public streets outside of the corporate limits of the Village. Upon showing that such other route is available, the applicant

shall be notified by the Village, in writing, of the termination of the permit, which shall terminate 5 days from the date of mailing said notice to the applicant's last known address or upon receipt of the notice by the applicant, whichever shall first occur.

5. The Village shall designate the route to be used within the corporate limits in the permit.
6. Permits shall not be required for the following Village streets:
  - (a) That part of Edgewood Road located in the Village limits lying west of Illinois Route 31.
  - (b) That part of Valley View Road located within the Village limits lying south of Illinois Route 176.

E. TEMPORARY PROHIBITION OF CERTAIN CLASSES OF VEHICLES:

1. Whenever any highway or street, or parts thereof, under the jurisdiction of the Village, by reason of deterioration, rain, snow or other climatic conditions, will be seriously damaged or destroyed by the use of trucks or other commercial vehicles, the operation of said vehicles thereon shall be prohibited.
2. The Superintendent of Public Works is hereby authorized to determine and designate the time and the highways, streets, or parts thereof, which shall be so seriously damaged or destroyed, and shall so advise the Village Board. By resolution the Village Board may prohibit the operation of trucks or other commercial vehicles over and upon such streets or highways, or parts thereof, so designated, provided that said prohibition shall not exceed 90 days in any calendar year.
3. Upon enacting such resolution, the Village Board shall cause to be erected and maintained signs designating the provision of the resolution at each end of that portion of any highway or street, or parts thereof, affected thereby; and the resolution shall not be effective unless and until such signs are erected and maintained.
4. If the Superintendent of Public Works determines that any streets or highways, or parts thereof, might suffer serious damage prior to the time in which the Village Board can meet for the purpose of taking remedial action as provided herein, then in such emergency the Superintendent of Public Works may act alone in prohibiting the operation of trucks or other commercial vehicles over and upon such streets or highways, or parts thereof, and may direct the erection of signs at each end of such street or highway, or parts thereof, affected thereby. The Village Board, at its next regular meeting called after action taken by the President, as provided herein, shall either confirm said action by resolution and extend said pro-



hibition for a period not to exceed 90 days; or, by resolution, direct that the signs be removed and declare that no emergency exists.

F. ADMINISTRATIVE FEE: In addition to the applicable fine, any person, firm or corporation in violation of this Section shall pay to the Village an administrative fee of \$75. The fee shall be credited to the Police Department Administrative Fees line item, the funds of which will be dedicated to the Police Department truck enforcement equipment repair

**15.18 SPEED LIMITS** *Amended, 532, 403*

The following speed limits shall be observed on the designated roadways and portions of designated roadways within the Village:

**25 miles per hour**

Arbor Lane  
Barreville Road, from Justen Road  
south to Illinois Route 176  
Braberry Lane  
Carlisle Drive  
Cobblestone Drive  
Conestoga Road  
Crystal Way  
Erin Court  
Fawn Trail  
Fawn Trail Court  
Fox Court  
Granite Court  
Harry Court  
Heritage Court  
Heritage Hills Road  
Hillview Drive  
Homestead Trail  
Kame Drive  
Lakewood Drive  
Meadowlark Lane  
Niblick Court  
Nish Road  
North Oak Knoll Road  
South Oak Knoll Road  
Oakleaf Lane  
Park Meadow Road  
Pebble Lane  
Prairie View Road  
Ray Street  
Rita Avenue  
Red Bud Court  
Sutton Woods Court  
Sutton Woods Drive

Tamarack Circle  
Tamarack Court  
North Tamarack Trail  
South Tamarack Trail  
Tanager Trail  
Thunderbird Lane  
Timber Trail Drive  
Valley View Road, from Illinois Route 176  
north to Nish Road  
White Oak Court  
Willow Creek Road  
Wirth Trail  
Woodland Hollow Trail

**35 miles per hour**

Ames Road  
Barreville Road, from 500 feet north of  
Justen Road south to Justen Road  
Bay Road  
Behan Road  
Buhl Road  
Gracy Road  
Justen Road  
Wright Road  
Half Mile Trail  
Pleasant Hill Road  
Valley View Road, from 1,000 feet  
south of Illinois Route 176 and north  
to Illinois Route 176

**40 miles per hour**

Smith Road within the Village limits

**45 miles per hour**

Barreville Road, from the northern Village  
limit south to 500 feet north of  
Justen Road  
Edgewood Road  
Illinois Route 176  
Valley View Road, from the southern

Village limit north to 1,000 feet  
south of Illinois Route 176

**50 miles per hour**

Terra Cotta Avenue within the Village limits

**55 miles per hour**

Illinois Route 31 within the Village limits

**15.19 STOP INTERSECTIONS** *Amended, 461*

Pursuant to 625 ILCS 5/11-302, stop signs are designated at the following Village intersections:

<b><u>Traffic On</u></b>	<b><u>Direction</u></b>	<b><u>Stops At</u></b>
Ames Road	eastbound	Barreville Road
Arbor Lane	eastbound	Carlisle Drive
Arbor Lane	westbound	Carlisle
Barreville Road	northbound	Ames Road
Barreville Road	southbound	Ames Road
Barreville Road	northbound	Fox Court
Barreville Road (cutoff)	eastbound	Illinois Route 176
Barreville Road (cutoff)	westbound	Illinois Route 176
Barreville Road	northbound	Nish Road
Barreville Road	southbound	Nish Road
Behan Road	eastbound	Buhl Road
Behan Road	westbound	Illinois Route 176
Carlisle	northbound	Arbor Lane
Carlisle	southbound	Arbor Lane
Fawn Trail	northbound	Nish Road
Fox Court	westbound	Valley View Road
Gracy Road	eastbound	Barreville Road
Half Mile Trail	eastbound	Illinois Route 31
Hillview Road	southbound	Nish Road
Justen Road (west)	westbound	Barreville Road
Justen Road (south)	southbound	Wright Road
Lakewood Drive	southbound	Oakleaf Lane, southernmost leg
Nish Road	westbound	Barreville Road
Oak Knoll Road	eastbound	Barreville Road
Oak Road	eastbound	Barreville Road
Tamarack Trail (north)	eastbound	Barreville Road
Tamarack Trail (south)	eastbound	Barreville Road
Thunderbird Lane	northbound	Braberry Lane
Thunderbird Lane	southbound	Braberry Lane
Thunderbird Lane	southbound	Lakewood Drive

Valley View Road	northbound	Illinois Route 176
Valley View Road	southbound	Illinois Route 176
Valley View Road	northbound	Nish Road
Woodland Hollow Trail	northbound	Arbor Lane
Woodland Hollow Trail	southbound	Arbor Lane
Wright Road	westbound	Barreville Road

**15.20 SAFETY CERTIFICATE FINE ALLOCATION** *Ord. 512*

With regard to fines assessed pursuant to Section 1.12-A of this Code, relating to a section 15.01 code violation of “Operation Without Certificate of Safety Attached” (625 ILCS 5/13-111), \$50 of the fine received shall be credited to the Village general fund and be dedicated to police vehicle replacement.

*H:\Prairie Grove Folders\Code\Chapter.015.May12.doc*