

ORDINANCE NO. 569

AN ORDINANCE CONCERNING INOPERABLE MOTOR VEHICLES, DEFINING CERTAIN NUISANCES AND PROVIDING FOR THE ABATEMENT OF SUCH NUISANCES.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF TEUTOPOLIS, EFFINGHAM COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Title. This ordinance shall be known and may be cited as the "Teutopolis Inoperable Motor Vehicles Ordinance."

Section 2: Definition. As used in this ordinance, the term "inoperable motor vehicle" means any motor vehicle from which, for a period of at least seven (7) 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 motor power. "Inoperable motor vehicle" shall not include a 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, nor shall the term apply to any motor vehicle that is kept within a building when not in use, to operable historic vehicles over twenty-five (25) years of age, or to a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

Section 3: Nuisance. It shall be unlawful for any person to possess an inoperable motor vehicle, whether on public or private property. Inoperable motor vehicles are hereby declared to be a nuisance.

Section 4: Notice. It shall be the duty of the Village Clerk to serve or cause to be served a notice upon the owner or occupant of any such premises on which an inoperable motor vehicle is permitted to remain in violation of the provisions of this ordinance, or upon any person having control over an inoperable motor vehicle, and to demand the abatement of the nuisance within seven (7) days thereof.

Section 5: Removal. The Village Clerk may authorize a law enforcement agency, with applicable jurisdiction, to remove any inoperable motor vehicle or parts thereof after seven (7) days from the issuance of the notice referred to in the preceding section.

Section 6: Penalty. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00) for each offense; and, a separate offense shall be deemed committed on each day during or on which violation occurs or continues.

Section 7: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 8: Repeal. All ordinances or portions of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 9: Effective Date. This ordinance shall be in full force and effect from and after its passage, approval and publication

as provided by law.

Passed and approved this 7th day of September, 1988.

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| AYES | <u>6</u> |
| NAYS | <u>0</u> |
| ABSENT | <u>0</u> |
| ABSTAIN | <u>0</u> |

Clarence J. Brunler
Village President

ATTEST:

Sharon Will
Village Clerk

(SEAL)