
THE VILLAGE OF ROBBINS
COOK COUNTY, ILLINOIS

ORDINANCE
No. 3-28-23 C

**A COMPREHENSIVE ORDINANCE UPDATING THE VARIETY OF VEHICLE USAGE ORDINANCES
FOR THE VILLAGE OF ROBBINS, ILLINOIS**

DARREN E. BRYANT, MAYOR
SHARON S. DYSON, VILLAGE CLERK

GEORGE BREWTON
DAVID R. DYSON
TIFFANY S. ROBINSON
GREGORY N. JACKSON
MICHAEL COLLIER, SR.
ERNEST MAXEY JR.
Board of Trustees

PASSED AND APPROVED BY THE MAYOR AND BOARD OF TRUSTEES

THIS 28TH DAY OF MARCH, 2023

ORDINANCE NO. 3-28-23 C

A COMPREHENSIVE ORDINANCE UPDATING THE VARIETY OF VEHICLE USAGE ORDINANCES
FOR THE VILLAGE OF ROBBINS, ILLINOIS

WHEREAS, the Village of Robbins (the "Village") is a home rule unit of government pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Mayor and Board of Trustees of the Village of Robbins (the "Village Board" and with the Mayor, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of individuals residing in and visiting the Village; and

WHEREAS, the Village has enacted a number of ordinances to regulate the usage of vehicles in the Village; and

WHEREAS, the Village has enacted a prohibition on the parking of commercial vehicles on private and public property (Section 14-84); the removal of illegally parked vehicles (Section 14-141); and fees and procedures for the impoundment of improperly used vehicles (Section 14-350); and

WHEREAS, the Village desires to update these ordinances to ensure proper compliance and enforcement to improve the public safety of the Village; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Robbins, Cook County, Illinois, by and through its Home Rule Powers, as follows:

Section 1: That the above recitals are incorporated herein and made a part hereof, as set forth in their entirety.

Section 2: The following sections of the Code of Ordinances of the Village of Robbins, Illinois are hereby amended by adding the underlined language and deleting the language stricken as follows:

Section 14-84.

It shall be unlawful to park more than one commercial vehicle on private property.

It shall be unlawful to park any truck tractor, trailer and/or semi-trailer on private or public property.

Section 14-141. – Removal of illegally parked vehicles.

...

b) Cars so towed away shall be stored ~~on village property or in a public garage~~ a duly authorized tow yard or parking lot and shall be restored to the owner or operator thereof after payment of the expense incurred by the village in removing and storing such vehicles.

...

Section 14-195. – Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned vehicle means a vehicle parked or otherwise located on the public way or public property and:

- 1) Is in such a state of disrepair that is incapable of being driven; or
- 2) That has been unmoved for a period of three (3) ~~five (5)~~ days; or

...

~~Business day means any day in which the office of the village clerk is open to the public for a minimum of seven (7) hours.~~

...

Sec. 14-198. – Post-towing options for vehicle's legal owner.

- a. The owner of a vehicle seized and/or impounded by the village has the following options:
 - 1) Pay the ~~\$500.00~~ seven hundred and fifty dollar (\$750.00) bond set forth in section 14-196, 14-195.03 and payment of all unpaid parking and traffic tickets at the Robbins Police Department and obtain a release form to claim his or her vehicle from the towing company. Payment of all unpaid towing and storage fees must also be made.
 - 2) After the ~~\$500.00~~ seven hundred and fifty dollar (\$750.00) bond is posted and after all unpaid parking and traffic tickets have been paid as well as any towing and storage costs, the owner will receive an adjudication date for the next regularly scheduled village adjudication date for the next regularly scheduled village adjudication and a release form to claim his or her vehicle from the towing

company; the adjudication date will occur within thirty (30) days of the date of the payment of the bond, all unpaid tickets, and towing and storage fees. The ~~\$500.00~~ seven hundred and fifty dollar (\$750.00) bond will be refunded if the owner is found not liable by the hearing officer. Failure to appear for a requested hearing may result in a judgment against the owner.

b. If the owner elects to receive an adjudication date, the hearing officer shall render a decision, based upon the preponderance of the evidence at the hearing.

(1) A finding that a vehicle was used in violation of this division shall result in the issuance of an administrative fine of ~~\$500.00~~ seven hundred and fifty dollar (\$750.00).

(2) A finding that a vehicle was not used in violation of this division shall result in the refunding of the ~~\$500.00~~ seven hundred and fifty dollar (\$750.00) bond.

...

Sec. 14-199. – Disposition of Impounded vehicle.

...

b. Fines and bond. A vehicle impounded pursuant to this section shall remain impounded until:

...

2)A bond in the amount of ~~\$500.00~~ seven hundred and fifty dollar (\$750.00) is posted with the police department and all applicable towing and storage fees are paid to the towing agent. Notwithstanding the foregoing, the vehicle shall not be released until the owner/operator has satisfied any and all outstanding parking and/or traffic citations for which the owner/operator has already been found liable; or

...

Section 14-200. – Posting of bond.

If a bond is posted as provided for in this division, the owner of the vehicle shall remain liable to the towing agent for any applicable towing fees and storage costs and payment of all unpaid parking and traffic citations. If, however, the hearing officer does not find a violation of this division, the ~~\$500.00~~ seven hundred and fifty dollar (\$750.00) bond will be returned to the appropriate party as well as any fines paid for any tickets for parking or traffic violations. All bond money posted pursuant to this section shall be held by the village until the decision of the hearing officer issues, or if there is a judicial review, until the court issues a decision.

Section 14-351 ADMINISTRATIVE FEES AND PROCEDURES FOR IMPOUNDING VEHICLES FOR SPECIFIED VIOLATIONS

...

3. Vehicles Subject to Seizure and Impoundment

A motor vehicle that is used in connection with any of the following violations listed herein below may be subject to seizure and impoundment by the Village. Regardless of whether the Registered Owner was driving the vehicle at the time of seizure and impoundment, the Registered Owner of said motor vehicle at the time of seizure and impoundment, the Registered Owner said motor vehicle shall be liable to the Village of an administrative fee of ~~Three Hundred Fifty Dollars (\$350.00)~~ or Seven Hundred and Fifty Dollars (\$750.00) related to the Village's administrative processing costs associated with the investigation, arrest and detention of an offender, or the removal, impoundment, storage and release of a vehicle, in addition to any and all applicable fines, costs and towing and storage fee. Eligible offenses are any Class A misdemeanor or felony listed in the following categories:

...

(g) Operation or uses of a motor vehicle with an expired driver's license, or in violation of 625 ILCS 5/6-101, as amended from time to time, if the period of expiration is greater than one year; or
Fee: ~~\$350.00~~ 750.00

(h) Operation or use of motor vehicle without ever having been issued a driver's license or permit, in violation of Section 5/6-101 of the Illinois Motor Vehicle Code, or operating a vehicle without ever having been issued a driver's license or permit due to a person's age; or
Fee: ~~\$350.00~~ 750.00

...

(m) Abandonment of a motor vehicle on public property in violation of Section 14-242, or abandonment of a motor vehicle on private property in violation of Section 14-272, or abandonment of a vehicle in a manner that causes a threat to public safety and/or interferes with traffic in any manner. *Fee: \$750.00*

...

6. Release from Impound

Moto Vehicles seized and impounded under this ordinance shall remain impounded until the occurrence of one (1) of the following events:

- (a) The Registered Owner, or Registered Owner's agent, appears before the Village Clerk of the Village of Robbins, or the Chief of Police, or duly authorized officer of the Village of Robbins Police Department, admits liability and stipulates to the same in writing, and remits full payment of the ~~\$350.00~~ or \$750.00 administrative fee payable only by cash, cashier's check or other certified fund; or

- (b) The Registered Owner, Registered Owner's agent, lessee, or lienholder of record appears before the Chief of Police or duly authorized officer of the Village of Robbins Police Department and remits bond in the amount of ~~\$350.00~~ or \$750.00, and requests and administrative hearing to contest the validity of the impound; or

...

7. Notice Required

- (a) If the driver of the vehicle is the Registered Owner of the vehicle at the time of the incident, he/she will be personally served with written notice that his/her impounded vehicle is subject to a ~~\$350.00~~ or \$750.00 administrative fee under this section in addition to any costs imposed by the private towing company. This notice shall inform the Owner of the seizure and impound, that the vehicle shall remain subject to administrative hold pending administrative hearing or payment of the administrative fee or bond pursuant to Paragraph 6 (a) or (b) and payment of towing and storage fees, of his/her right to contest this fee at an administrative hearing and will set forth the procedures for requesting such a hearing. The Registered Owner shall receive this notice before being released from police custody.
- (b) If the Registered Owner is found to be one of the passengers in the vehicle at the time of the incident, he/she will be personally served with written notice that his/her impounded vehicle is subject to a ~~\$350.00~~ or \$750.00 administrative fee under this Section, in addition to any costs imposed by the private towing company. This notice shall conform to the notice requirements of Paragraph 7(a) and the Registered Owner shall receive this notice at the scene of the incident.

...

8. Administrative Review of Seizure and Impoundment

- (a) Registered Owners or lessees of Motor Vehicles seized and impounded under this ordinance who wish to contest the imposition of the ~~\$350.00~~ or \$750.00 administrative fee may do so by appearing in person within five (5) calendar days of the seizure and impoundment to file a written request for an administrative hearing to the Village Clerk of the Village of Robbins at the following address:

...

- (h) ...

2. If the Administrative Hearing Officer determines the Motor Vehicle was not used in violation of one of the offenses enumerated in Paragraph 3 of this ordinance, and the ~~\$350.00~~ or \$750.00 bond has been posted; he shall order the Village to issue a full

refund. This refund shall be remitted to the Registered Owner or lessee of the vehicle within thirty (30 calendar days of the order.

...

Section 3: The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

Section 4: The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

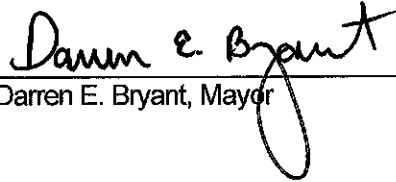
Section 5: All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

Section 6. This ordinance shall be in full force and effect on March 28, 2023, after its publication in pamphlet form.

ADOPTED this 28TH day of MARCH, 2023, pursuant to a roll call vote as follows:

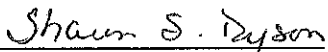
	AYES	NAYS	ABSENT	ABSTAIN
George Brewton			X	
David R. Dyson	X			
Tiffany S. Robinson	X			
Gregory N. Jackson	X			
Michael Collier Sr.	X			
Ernest Maxey Jr.	X			
Mayor Darren E. Bryant				
Total	5	0	1	

PASSED AND APPROVED on this 28th day of March, 2023



Darren E. Bryant, Mayor

ATTEST:



Sharon S. Dyson, Village Clerk