

Chapter 41  
**TRAFFIC**

- 41.01 Traffic Regulations
- 41.02 Parking on Main Street
- 41.03 All Night Parking
- 41.04 Parking of Boat Trailers
- 41.05 Parking in Municipal Parking Lots
- 41.06 Parking Violations
- 41.07 Parking Limitations
- 41.08 School Parking Areas
- 41.09 Turning Restrictions
- 41.10 Parking After a Snowfall
- 41.11 Parking Commercial Vehicles, Trailers or Truck Tractors
- 41.12 Vehicle Seizure and Impoundment
- 41.13 Reclaimed Vehicles, Expenses
- 41.14 Careless Driving
- 41.15 Traffic Enforcement on Certain Property
- 41.16 Automated Traffic Law Enforcement System
- 41.17 Traffic Control Signals
- 41.18 Stop and Yield Intersections
- 41.19 Speed Limits

41.01 **TRAFFIC REGULATIONS** *Amended, 10-O-41, 93-O-11*

A. Adoption and Incorporation by Reference of Specific Chapters of the Illinois Vehicle Code: 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 41 of its Municipal Code (Algonquin Municipal Code, Chapter 41 §§1-100 *et seq.*). The section numbers used in the Illinois Vehicle Code shall be identical to those section numbers in this Code.

B. Penalty: All penalty provisions contained or referred to or incorporated in this Section 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.*) as Chapter 41.907-01 of the Algonquin Municipal Code, Chapter 41 pars. 1-100 *et seq.*; 11-100 *et seq.*; 12-100 *et seq.*; 15-100 *et seq.*; 16-101 *et seq.*; and 20.101 *et seq.*, with the exception of the fine penalties listed for persons found guilty of violating Chapter 41, pars. 11-501(a)(1); 11-501(a)(2); 11-501(a)(3); and 11-501(a)(4). Any person found guilty of violating Chapter 41, pars. 11-501(a)(1); 11-501(a)(2); 11-501(a)(3); and 11-501(a)(4) shall be fined in accordance with Appendix B. 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 reenacted in the amendatory ordinance.

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

**41.02 PARKING ON MAIN STREET** *Amended, 15-O-42, 10-O-41*

No person shall park any vehicle or permit any vehicle to stand upon or to be parked upon Main Street unless the vehicle is parked in the manner following:

1. All such vehicles shall be parked within the lines designating respective parking areas.
2. No vehicles shall be parked in any area designated as a “No Parking” area nor within 15 feet of a fire hydrant, nor shall any vehicle be parked across any driveway entrance or crosswalk or parked in such a way so as to block such driveway entrance or crosswalk.
3. All such vehicles parked parallel along Main Street shall be parked with their right wheels against the curb line of the street and shall be facing in the same direction as the direction of the traffic movement in the traveled portion of the right-of-way adjacent to the designated parking area.
4. No vehicle shall be parked in such a manner as to permit the left wheels thereof to be adjacent to the curb of the street.
5. All vehicles so parked or so standing shall be subject to a parking limitation of 2 hours between the hours of 8 a.m. and 6 p.m., Sundays and holidays excepted.

**41.03 ALL NIGHT PARKING** *Amended, 15-O-42, 10-O-41, 08-O-38, 01-O-1*

A. Street Defined: For the purposes of this Section, “street” shall mean the paved surface if said surface is paved and the driving surface if the road is unpaved, but, in any case, street shall mean at least 12 feet on either side of the center of the driving surface. The purpose of this Section is to facilitate street sweeping and the removal of snow by the Village.

B. All Night Parking Prohibitions: No person shall park any vehicle on Main Street between the hours of 2 a.m. and 5 a.m. on any day, except physicians on emergency calls. Except as provided in Section 41.03-C, no person shall park any vehicle on any other street within the Village for a period of time longer than 15 minutes within the hours of 2 a.m. and 5 a.m. on any day from October 31 of each and every year until April 15 of each and every succeeding year, except physicians on emergency.

C. Stratford Lane: All-night parking shall be permitted on the southeast side of Stratford Lane except as prohibited in Section 41.10 relating to parking after snowfall.

**41.04 PARKING OF BOAT TRAILERS** *Amended, 10-O-41*

A. No person shall park a boat trailer on the east side of Harrison Street between its intersection with Edward Street and Front Street.

B. Any person, firm, or corporation violating any provision of this Section shall be fined in accordance to Appendix B.

C. Police and community services officers shall have the authority to issue a citation to the registered owner of a boat trailer parked in violation of the provisions of this Section or the individual responsible for parking a boat trailer in violation of the provisions of this Section. A citation issued pursuant to this Section shall be subject to administrative adjudication in accordance with Chapter 42.

D. The fact that a boat trailer that is illegally parked is registered in the name of a person shall be considered prima facia proof that such person was in control of the boat trailer at the time of such parking.

E. Any person accused of a violation of an ordinance prohibiting parking a boat trailer in a designated area or restricting the length of time a boat trailer may be there parked may settle and compromise the claim against him for such illegal parking by paying to the Village the sum found in Appendix B within 48 hours of the time such alleged offense was committed. Such payment may be made at the Police Department, and a receipt shall be issued for all money so received. Such money shall be promptly turned over to the Treasurer to be used in the manner provided for the disposition of fines for traffic violations.

The Police Department is hereby authorized to refrain from instituting a prosecution for the alleged offense involved.

This Section shall not apply to persons parking a boat trailer so it obstructs the entrance or exit of any place where Police Department or Fire Department apparatus or other emergency equipment is kept or housed, or blocks an emergency entrance in a hospital. Nor shall this Section apply to any person charged with parking a boat trailer so it entirely obstructs traffic in any street or alley; or parking in such a way that reduces traffic on an arterial street to one-way traffic only; nor to any person who refuses to move a boat trailer illegally parked at the request of any member of the Police Department.

#### **41.05 PARKING IN MUNICIPAL PARKING LOTS** *Amended, 10-O-41, 92-O-50, 92-O-68*

No person shall park a vehicle in any municipal parking lot for a period longer than 4 continuous hours between 4 a.m. and 12 midnight except Sundays and legal holidays. No person shall park a vehicle in any municipal parking lot between the hours of 12 midnight and 4 a.m.

#### **41.06 PARKING VIOLATIONS** *Amended, 10-O-41, 10-O-05, 09-O-07, 92-O-50*

Any person accused of violating any parking regulations of this Chapter may settle and compromise the claim for said violation by paying to the Village the sum found in column A of Exhibit B in Section 1.13 within 10 days. If the violation is not paid, the sum shall increase to the sum found in column B of Exhibit B in Section 1.13 and shall be due in 10 days. Such payment may be made at the Police Department, and a receipt shall be issued for all money so received. Such money shall be promptly turned over to the Collector to be used in the manner provided for the disposition of fines for traffic violations. The violator also has the option of attending the Vil-

lage’s municipal court pursuant to Chapter 42 and, if found guilty, shall be responsible for the fine and court costs imposed by the Administrative Law Judge.

Members of the Police Department are authorized to refrain from instituting prosecution for the alleged violation involved and when the fine has been paid as prescribed above.

This Section shall not apply to persons parking a vehicle so that it obstructs the entrance or exit of any place where Police Department and Fire Department apparatus or other emergency equipment is kept or housed, or it blocks an emergency entrance in a hospital. Nor shall this Section apply to any person charged with parking a vehicle that entirely obstructs traffic in any street or alley, or parking in such a way that reduces traffic on an arterial street to one-way traffic only; nor to any person who refuses to move a vehicle illegally parked at the request of any member of the Police Department, Public Works Director, Assistant Public Works Director, superintendents and supervisors in the Public Works Department, Building Commissioner, building code inspectors, and property maintenance inspectors.

**41.07 PARKING LIMITATIONS** *Amended, 14-O-09, 12-O-16, 10-O-41, 09-O-07*

A. No person shall park a vehicle at a prohibited location or for a period of time longer than indicated upon signs posted pursuant to this Section. When the Village Board deems it in the best interest of the Village to limit parking upon the streets of the Village, the Village Board may direct the Chief of Police to post signs indicating said limitations. The Village Board may direct the Chief of Police to regulate parking or traffic flow as is necessary in the discretion of the Chief of Police. These regulations shall have full force and effect of the Village Board.

B. As provided herein, no parking shall be allowed on private property without the consent of the owner or in municipal parks while closed, and no parking shall be allowed for a period of time longer than indicated upon signs posted or in the following locations:

<b>No Parking Areas</b>	<b>Location</b>	<b>Date/Time Restriction</b>
Arrowhead Drive	North side from Main Street (Il. Rt. 31) to 100 feet west of intersection	
Bayview Circle	Entire length	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Brookside Avenue	East and west sides between Saratoga Circle (north side) and Saratoga Circle (south side)	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Bunker Hill Drive	South side from Randall Road to Stonegate Road and north side from Randall Road to Fairway View Drive	
	South side 100 feet east and west of intersection with Brookside Avenue	
	South side 100 feet south and east and 150 feet west of intersection with Woods Creek Lane	
	South side 100 feet east and west of intersection with Saratoga Circle	

	South side 100 feet east and west of intersection with Fairway View Drive	
	South side between Stonegate Road and Brookside Avenue	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Center Street	South side from dead end 37 feet east and north side from dead end 30 feet east (including dead end)	
Compton Drive	North and south sides from Sandbloom Road to Algonquin Road	
Cumberland Parkway	South and west sides from Timberwood Lane to Chase Street	
	North and east sides from Timberwood Lane to 90 feet east of intersection	
Country Lane	West and south sides south of Huntington Drive North (excluding Country Lane north of Huntington Drive North)	
Eastgate Drive	West side from Algonquin Road to south entrance of 451 East Algonquin Road	
	East side from Algonquin Road to north property line of 115 Eastgate Drive	
	East side from north property line of 115 Eastgate Drive to 75 feet north of the south entrance to 115 Eastgate Drive	7:00 am-3:00 pm, Monday through Friday.
	West side from south entrance to 451 East Algonquin Road south 90 feet	7:00 am-3:00 pm, Monday through Friday.
Edgebrook Court	North and south sides between Stonegate Road and Waterfront Avenue	
Edward Street	Entire length	
Essex Street	North side, entire length	
Fenview Circle	Entire length	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Front Street	Entire length	
Glacier Court	East side from 2123 Glacier Court north 50 feet and from 2103 Glacier Court south for 50 feet	
Golden Eagle Drive	Entire length	
Grandview Court	South and west sides entire length north of Huntington Drive North (excluding Grandview Court south of Huntington Drive North)	
Harnish Drive	North and west sides from Huntington Drive to Eagle Ridge Lane	
	East side from Huntington Drive to 150 feet south of intersection	
	North and south sides from Golden Eagle Drive to Eineke Boulevard	7:00 am-3:00 pm (two-hour limit), Monday through Friday.

Harrison Street, North	East and west sides from Algonquin Road to Front Street	
	East side from Edward Street to LaCrosse Drive	
	West side from Edward Street to property line of 716 North Harrison Street	
Harrison Street, South	West side from Algonquin Road to property line of 126 South Harrison Street	
	West side between Washington Street and Madison Street	8:00 am-4:00 pm, Monday through Friday.
	East side from 123 South Harrison Street to Algonquin Road (designated parking places only)	12:00 am-4:00 am
	East side from 123 South Harrison Street to Algonquin Road (designated parking places only)	4:00am-Midnight (four- hour limit)
Hubbard Street	East side from Algonquin Road to Jackson Street	
Huntington Drive	North side from Huntington Drive North to 75 feet east of intersection	
	South side from Huntington Drive North to Shagbark Court	
Huntington Drive North	West side from Huntington Drive to Country Lane	
	East side from Huntington Drive to 150 feet north of intersection	
	North and South sides from Stonegate Road to Rolls Drive	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
LaFox River Drive	East side between property lines of 445 LaFox River Drive and 605 LaFox River Drive and west side between property lines of 438 LaFox River Drive and 604 LaFox River Drive (adjacent to McHenry County Conservation District bicycle path overpass)	
	North end of street at dead end with Cornish Park	
	East side of street between 205 LaFox River Drive and north dead end at Cornish Park (designated parking spaces only)	12:00 am-4:00 pm
	East side of street between 205 LaFox River Drive and north dead end at Cornish Park (designated parking spaces only)	4:00 am-Midnight (four-hour limit)
Lehman Avenue	Southwest side from North Harrison Street to 75 feet south of intersection	
Lexington Drive	South and west sides from Terrace Drive to Windy Knoll Drive	
Main Street, South	East and west sides from Algonquin Road to Washington Street (designated parking spaces only)	5:00 am-5:00 pm (two-hour limit), except Sundays and Holidays.
	East and west sides between Algonquin Road and Washington Street	2:00 am-5:00 am
	East side from Algonquin Road to 103 South Main Street	

	West side from Washington Street to 30 feet south of intersection	
	West side from Washington Street to 214 South Main Street (no truck or van parking)	
Parkside Court	Entire length	7:00 am-3:00 pm (two-hour limit) Monday through Friday.
Partridge Court	West side north of Huntington Drive North, entire length (excluding Partridge Court south of Huntington Drive North)	
Persimmon Drive	East side from Lakeview Drive to Fox Glove Drive	
Pine Grove Court	Entire length	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Railroad Street	South side from Main Street (Il. Rt. 31) to Jefferson Street	
River Road, North	East and West sides from Algonquin Road to northern Village limits	
River Road, South	West side from Algonquin Road to 200 feet south of Jackson Street	
	East side from Algonquin Road to Jackson Street	
Riverdale Court	Entire length	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Riverview Avenue	East and west sides of street from Main Street (Il. Rt. 31) to Park Street	
Rolls Drive	Entire length	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Shagbark Court	East and west sides from Huntington Drive North to 50 feet south of intersection	
Sherman Drive	Entire length	
Sleepy Hollow Road	West side from Wynnfield Drive to Stone Ridge Lane	
Stonegate Road	South and west sides between Randall Road and Cardiff Court	
	North side between Randall Road and Salford Drive	
	North and west sides from Randall Road to Bunker Hill Drive	
	South and east sides from Randall Road to Bunker Hill Drive	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Stone Ridge Lane	North and south sides from Sleepy Hollow Road 150 feet east.	2:00 pm-4:00 pm, Monday through Friday.
Terrace Drive	East side from Lexington Drive to Victoria Court	

Timberwood Lane	North side from Cumberland Parkway to 55 feet west of intersection	
	South side from Cumberland Parkway to Countryside Drive	
Washington Street	North side from Jefferson Street west to dead end	
Woods Creek Court	Entire length	7:00 am-3:00 pm (two-hour limit), Monday through Friday.
Woods Creek Lane	Entire length	7:00a m-3:00 pm (two-hour limit), Monday through Friday.
Wynnfield Drive	North side from Stonegate Road to Dorchester Avenue	
	South side at intersection of Haverford Drive, 10 feet east and west of terminus to the bicycle path	

C. No person shall park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or persons on public streets, in areas designated as Loading Zones by official signs.

**41.08 SCHOOL PARKING AREAS** *Amended, 10-O-41*

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.

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.

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 that owns or operates the subject property. 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.

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.

The appropriate school district shall be responsible for erecting and maintaining, 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.



Any person who violates any provision of this Section may be punished by a fine not to exceed the sum in Appendix B. In addition to said fine, any vehicle parked or abandoned in violation of this Section may be removed and stored by the Village authorities, and the owner or operator of any vehicle parked or abandoned in violation of this Section shall be liable for the payment of reasonable charges for the removal and storage of said vehicle.

**41.09 TURNING RESTRICTIONS** *Amended, 10-O-41, 92-O-3*

- A. The following left turns shall be prohibited from southbound Illinois Route 31:
  - 1. No left turn onto Riverview Road for all southbound traffic at any time of the day or night.
  - 2. No left turn onto Edwards Street between the hours of 7 a.m. and 9 a.m. and between the hours of 4 p.m. and 6 p.m. on weekdays.
  - 3. No left turn onto Front Street between the hours of 7 a.m. and 9 a.m. and between the hours of 4 p.m. and 6 p.m. on weekdays.
- B. The following turns shall be prohibited from northbound Illinois Route 31:
  - 1. No right turn onto Division Street for all northbound traffic between 3 p.m. and 6 p.m. Monday through Friday.
  - 2. No right turn onto LaFox River Drive for all northbound traffic between 3 p.m. and 6 p.m. Monday through Friday.
- C. Any person, firm, or corporation who violates any provision of this Section shall be fined the sum found in Appendix B for each offense.

**41.10 PARKING AFTER A SNOWFALL** *Amended, 10-O-41, 10-O-05*

- A. It shall be unlawful for any person, firm, or corporation to park or cause to be parked any vehicle on any public street within the corporate limits of the Village at any time after a snowfall of 2 inches or more has occurred, unless said public street has been cleared of snow and snow removal operations have been completed.
- B. Members of the Police Department and those Village employees designated by the Manager are authorized to remove and tow away, or have removed and towed away, any car or other vehicle illegally parked that prevents or obstructs snow removal from public streets.
- C. Cars or vehicles so towed away for illegal parking shall be stored in a pound designated by the Police Department and shall be restored to the owner or operator of such vehicle upon the payment of all towing and storage fees.

**41.11 PARKING COMMERCIAL VEHICLES, TRAILERS OR TRUCK TRACTORS**  
*Amended, 10-O-41*

No commercial vehicle in excess of 1 ton, trailer or truck tractor, loaded or unloaded, shall be permitted to park on any public street in a residential district for a period longer than 2 hours, except as authorized by the Chief of Police or Superintendent of Streets. A commercial vehicle is defined as a vehicle designed, maintained, or used primarily for the transportation of property or persons in the furtherance of any commercial or industrial enterprise, whether for hire or not for hire, but not including a commuter van, a vehicle used in a ride-sharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially.

**41.12 VEHICLE SEIZURE AND IMPOUNDMENT** *07-O-39; Amended, 12-O-06, 10-O-41, 10-O-01, 09-O-07*

A. Violations Authorizing Seizure: A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative penalty found in Appendix B, in addition to costs of prosecution and any towing and storage fees as hereinafter provided:

1. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to 720 ILCS 5/36-1 (Criminal Code of 1961); or
2. Driving under the influence of alcohol, another drug or drugs, an intoxicating compound or compounds, or any combination thereof, in violation of 625 ILCS 5/11-501(a); or
3. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Cannabis Control Act (720 ILCS 550/4(d), (e), (f) and (g)); or
4. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act (720 ILCS 570/402); or
5. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of 720 ILCS 5/24-1, Unlawful Use of Weapons, 720 ILCS 5/24-1.5, Reckless Discharge of a Firearm, or 720 ILCS 5/24-3.1, Unlawful Possession of Firearms and Firearm Ammunition (Criminal Code of 1961); or
6. Driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to 625 ILCS 5/6-303; except that vehicles shall not be subjected to seizure or impoundment if the suspension is for an unpaid citation (parking or moving) or due to failure to comply with emission testing; or
7. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the 720 ILCS 550/3 (Cannabis Control Act) or 720 ILCS 570/102

(Illinois Controlled Substances Act); or

8. Operation or use of a motor vehicle with an expired driver's license, in violation of 625 ILCS 5/6-101, if the period of expiration is greater than one year; or
9. Operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of 625 ILCS 5/6-101, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or
10. Operation or use of a motor vehicle by a person against whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated 625 ILCS 5/6-101, 6-303, or 11-501; or
11. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of 720 ILCS 5/16, *et seq.*, or 720 ILCS 5/16A, *et seq.*; or
12. Fleeing or attempting to elude in violation of 625 ILCS 5/11-204; or
13. Drag racing in violation of 625 ILCS 5/11-504; or
14. Illegal transportation of alcohol/driver in violation of 625 ILCS 5/11-502(a); or
15. Any other circumstances under which the vehicle may be towed pursuant to this Code, the Algonquin Police Department Operations Procedures, or the Algonquin Police Department Administrative Procedures.

B. General Regulations:

1. This Section shall not replace or otherwise abrogate any existing State or federal laws or Village ordinance pertaining to vehicle seizure and impoundment, and these penalties shall be in addition to any penalties that may be assessed by a court for any criminal charges.
2. The administrative penalty under this Section shall be waived if the vehicle used in the violation was stolen at that time and the Village is provided with verifiable proof that the vehicle was stolen.
3. Fees for towing and storage of a vehicle under this Section shall be those approved by the Chief of Police for all towers authorized to tow for the Police Department.

C. Notice: Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this Section, the police officer shall provide for the towing of the vehicle to a facility authorized by the Village. At the time the vehicle is towed,

the Village shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself of herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure, and of the vehicle owner's or lessee's right to an administrative hearing. The Village shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle or a lienholder posts with the Village a bond equal to the administrative fee as provided by ordinance and pays for all towing and storage charges.

D. Preliminary Hearing: If the owner of record of a vehicle seized pursuant to this Section desires to appeal the seizure, said owner must make a request for said hearing within 24 hours of the seizure. Said request shall be in writing and filed with the Chief of Police or designee who shall conduct such preliminary hearing within 24 hours after receipt of the request excluding Saturdays, Sundays, or Village holidays. All interested persons shall be given a reasonable opportunity to be heard at the preliminary vehicle impoundment hearing. The formal rules of evidence will not apply at the hearing and hearsay evidence shall be admissible only if it is the type commonly relied upon by reasonably prudent persons in the conduct of their affairs. If, after the hearing, the Chief of Police or the designee determines there is probable cause to believe that the vehicle is subject to seizure and impoundment pursuant to this Section, the Chief or the designee shall order the continued impoundment of the vehicle as provided in this Section, unless the owner of the vehicle posts with the Village a cash bond in the amount set forth in Appendix B plus costs of prosecution and pays the tower any applicable towing and storage fees. If the Chief of Police or the designee determines that there is no such probable cause, the vehicle will be returned without penalty or other fees.

E. Administrative Hearing:

1. All owners of record of seized and impounded vehicles shall be provided with a notice of hearing within five business days after a vehicle is seized and impounded pursuant to this Section. The Village shall notify, the owner of record at the owner's address as registered by the Secretary of State or any other applicable governmental agency, by first class mail, of the date, time, and location of a plea hearing that will be conducted in accordance with Chapter 42, Administrative Adjudication. Unless waived by the owner of record, a hearing shall be scheduled within 45 days of the mailing of the notice of hearing.
2. The owner will appear at a hearing and enter a plea of guilty or not guilty. If, after the hearing, the Administrative Law Judge determines by a preponderance of evidence that the vehicle was used in connection with a violation set forth in this Section, the Administrative Judge shall enter a written order finding the owner of record of the vehicle civilly liable to the Village for an administrative penalty pursuant to Appendix B and requiring the vehicle to continue to be impounded until the owner pays the administrative penalty plus costs of prosecution to the Village plus fees to the tower for the towing and storage of the vehicle. If the owner of record fails to appear at the hearing, the Administrative Law Judge shall enter a default order in favor of the Village.

3. If, after the hearing, the Administrative Law Judge does not determine a preponderance of the evidence that the vehicle was used in such violation, the Administrative Law Judge shall enter a written order finding for the owner and for the immediate return of the owner's vehicle or cash bond without fees.
4. The final decisions of the Administrative Law Judge shall be subject to judicial review under the provisions of administrative review law.

F. Administrative Penalty: If an administrative penalty is imposed pursuant to this Section, such penalty shall constitute a debt due and owing to the Village unless stayed by a court of competent jurisdiction. If a cash bond has been posted pursuant to this Section, the bond shall be applied to the penalty. The Village may seek to obtain a judgment on the debt and enforce such judgment against the vehicle after the deadline for seeking review under administrative review law has passed. Except as provided otherwise in this Section, a vehicle shall continue to be impounded until the penalty plus costs of prosecution are paid to the Village and any applicable towing and storage fees are paid to the tower, in which case possession of the vehicle shall be given to the person who is legally entitled to possess the vehicle, or the vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law. If the administrative penalty, costs, and applicable fees are not paid within 35 days after the Administrative Law Judge issues a written decision the vehicle shall be deemed abandoned and shall be disposed of in the manner provided by law for the disposition of abandoned vehicles.

G. Vehicle Possession:

1. Except as otherwise specifically provided by law, no owner, lien holder, or other person shall be legally entitled to take possession of a vehicle impounded under this Section until the administrative penalty, costs, and fees applicable under this Section have been paid. However, whenever a person with a lien of record against an impounded vehicle has commenced foreclosure proceedings, possession of the vehicle shall be given to that person if such person agrees in writing to refund to the Village the amount of the net proceeds of any foreclosure sale, less any amounts required to pay lien holders of record, not to exceed the administrative penalty, plus the applicable costs and fees.
2. For purposes of this Section, the "owner of record" of a vehicle is the record title holder as registered with the Illinois Secretary of State.

H. Bail Bond Fee:

1. The Police Department shall charge the administrative processing fee, found in Appendix B, for posting bail or bond in any legal process, civil or criminal, or on any bookable arrest, including a warrant, to be levied and paid at the time of posting said bail or bond.
2. In order for the fee to be assessed, the subject must be processed in the Po-

lice Department's booking room and post bond at the Police Department.

3. Exception: The processing fee shall not be charged to a subject if the individual is incurring the administrative vehicle impoundment penalty.
4. If the administrative processing fee is imposed pursuant to this Section, such penalty shall constitute a debt due and owing to the Village, and the Village may seek to obtain a judgment on the debt and enforce such judgment as provided by law.

**41.13 RECLAIMED VEHICLES, EXPENSES** *95-O-2, Amended, 10-O-41*

Pursuant to 625 ILCS 5/4-207 (Illinois Vehicle Code), any vehicle impounded by the Village shall not be released to the owner, lien holder, or other person until all towing and storage charges incurred by the Village have been paid. If the Village stores the vehicle on Village property, a storage charge, listed in Appendix B, shall be paid to the Village.

**41.14 CARELESS DRIVING** *96-O-34; Amended, 13-O-03, 10-O-41, 01-O-44*

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 less than 10 miles per hour or operating a vehicle in any manner other than as permitted by law. Any person who violates any provision of this Section may be punished by a fine not to exceed the sum in Appendix B and may have conditions imposed by the court, including but not limited to victim impact panel, traffic safety school, drug and alcohol substance abuse counseling, and payment of applicable fines.

**41.15 TRAFFIC ENFORCEMENT ON CERTAIN PROPERTY** *03-O-27, Amended, 15-O-08, 10-O-41*

A. Contracts: The Village may contract with school boards, hospitals, churches, shopping centers, apartment complex owners, and other private property owners for the regulation of traffic, pursuant to the Police Power vested in it by the constitutions of the United States and the State of Illinois. The Village hereby utilizes provisions as provided in 625 ILCS 5/11-209, but pursuant to 625 ILCS 5/11-208.2, 5/11-209 shall not limit or pre-empt the Village's Home Rule authority, and specifically, but not limited to, the provisions of 5/11-209(c) shall not be applicable to the Village. If a request is made for copies of said contracts, it shall be made to the Police Department.

B. Private Streets and Roads: If the Village is requested in writing, pursuant to 625 ILCS 5/11-209.1, by any person(s) or board of directors owning, operating, or representing a residential subdivision, development, apartment house, or apartment project containing a minimum of 10 apartments or single-family residences to enforce the provisions of the Illinois Vehicle Code on private streets or roads open to or used by the tenants, owners, employees, or the public for the purposes of vehicular traffic by permission, and not as a matter of public right, then the provisions contained in this Chapter and 625 ILCS 5/11-209.1 shall be applicable to the property that is subject to such written request, and the Village shall have the authority to enforce said regulations as provided herein.

**41.16 AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEM** *07-O-39; Amended, 10-O-41, 09-O-07, 08-O-41*

A. Automated Traffic Law Enforcement Systems Established: Pursuant to 625 ILCS 11/208.6, an automated traffic law enforcement system is hereby established at intersections within the corporate limits of the Village, and such intersections shall be posted with a sign visible to approaching traffic indicating that the intersections are being monitored by an automated traffic law enforcement system.

B. Penalty: Unless the driver of the motor vehicle cited for an automated traffic law violation receives a Uniform Traffic Citation from a police officer at the time of the violation, the motor vehicle owner shall be subject to the penalty found in Appendix B for each violation. In the event such penalty is not paid within 30 days after service of a violation notice, the penalty shall increase pursuant to Appendix B.

C. Resident Violations: Residents of the Village cited for an automated traffic law enforcement violation may elect to pay the fine or challenge the charge by administrative hearing pursuant to Section 42.15.

D. Non-Resident Violations: Within 30 days of receiving a violation notice, a non-resident of the Village may elect to challenge an automated traffic law enforcement pursuant to Section 42.15-L.

**41.17 TRAFFIC CONTROL SIGNALS** *93-O-70; Amended, 10-O-41, 02-O-17*

Pursuant to 625 ILCS 5/11-304, traffic control signals are hereby designated at the following intersections in the Village. Stop signs may be employed at such times when said traffic control signals are not in working order.

Algonquin Road and Square Barn Road  
Bunker Hill/Huntington Drive North and Randall Road  
County Line Road and Randall Road  
Commons Drive and Randall Road  
Corporate Parkway and Randall Road  
County Line Road and the 2500 block of County Line Road  
Harnish Drive and Randall Road  
Illinois Route 31 and Edgewood Drive  
Illinois Route 31 and Huntington Drive  
Illinois Route 31 and Klasen Road  
Illinois Route 62 and Illinois Route 31  
Illinois Route 62 and Eastgate Drive  
Illinois Route 62 and Sandbloom Road/Countryside Drive  
Illinois Route 62 and Harrison Street  
Illinois Route 62 and the 1400 block of East Algonquin Road  
Hanson Road and Algonquin Road  
Randall Road and Algonquin Road

#### 41.18 **STOP AND YIELD INTERSECTIONS** *13-O-04*

Pursuant to 625 ILCS 5/11-302, designated stop and yield intersections in the Village are limited on a master list maintained in the office of the Village Clerk. Each stop and yield intersection shall be posted with the appropriate stop or yield sign that conforms to the State Manual and Specifications and shall be located as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is not crosswalk, then as close as practicable to the nearest line of the intersecting road.

#### 41.19 **SPEED LIMITS** *92-O-48, Amended, 17-O-06, 15-O-42, 14-O-25, 12-O-02, 11-O-41, 10-O-41*

A. Speed Limits: No person shall drive a motor vehicle at a speed greater than 25 miles per hour on any street or road under the local jurisdiction of the Village except as provided below.

##### **20 miles per hour (School Zone Only)**

Bunker Hill Drive from Sherman Road west to Stonegate Road

Compton Drive from Diamondback Way to Compton Court

Eastgate Drive from Algonquin Road (Illinois Route 62) to Ridge Street

Harnish Drive from Huntington Drive to Terrace Drive

Huntington Drive from Holly Lane to Harnish Drive and from Harnish Drive to Stoney Brook Court

Longwood Drive from Algonquin Road (Illinois Route 62) to Algonquin Middle School

Sleepy Hollow Road from County Line Road to 100 feet south of Community Unit School District 300 property commonly referred to as Westfield Community School

South Hubbard Street from East Algonquin Road (Illinois Route 62) to Ridge Street

South Main Street (Illinois Route 31) from 400 feet north of Washington Street to Madison Street

##### **30 miles per hour**

Becky Lynn Lane

Cardinal Drive from Edgewood Drive to South Drive

Compton Drive from Sandbloom Road to East Algonquin Road (Illinois Route 62)

Fairway View Drive



Harnish Drive

Highland Avenue, its entire length within the Village

Huntington Drive

Huntington Drive North

Longmeadow Parkway

Reserve Drive

Sherman Road

Souwanas Trail

Stonegate Road from Huntington Drive North to County Line Road

Stonegate Road from Huntington Drive North to the southern Village limits

Stonegate Road from Longmeadow Parkway to southern Village limits

Stonegate Road from Randall Road west to Bunker Hill Drive

**35 miles per hour**

Corporate Drive

Edgewood Drive, from Illinois Route 31 to Hanson Road

Sandbloom Road from East Algonquin Road (Illinois Route 62) to 200 feet north of Compton Drive

Sandbloom Road from Algonquin Road (Illinois Route 62) to the south Village limits.

Sleepy Hollow Road

**40 miles per hour**

Boyer Road from County Line Road to Village limits

County Line Road, from Hanson Road to Randall Road

Hanson Road

Square Barn Road

**45 miles per hour**

Klasen Road

B. Penalty: The penalty for any violation of this Section shall be in accordance with Section 41.01.