

**ORDINANCE NO. 020-35**

**AN ORDINANCE AMENDING THE DEFINITION OF INOPERABLE MOTOR  
VEHICLE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRALIA, ILLINOIS, THAT:

WHEREAS, the City of Centralia (“City”), Illinois is a duly created, organized and validly existing municipality of the State of Illinois under the 1970 Illinois Constitution and the laws of the State of Illinois, including particularly the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto; and

WHEREAS, the legislature granted non-home rule municipalities the broad authority to “define, prevent, and abate nuisances” (66 ILCS 5/11-60-2); and

WHEREAS, the corporate authorities of the City of Centralia find and determine that inoperable motor vehicles are a public nuisance to the residents of the City of Centralia and have previously passed Chapter 14, Article II of the Centralia Municipal Code; and

WHEREAS, the corporate authorities of the City of Centralia find and determine that, in order to prevent and abate the above-described public nuisance, it is necessary to amend Section 14-10 to more clearly define inoperable vehicle.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRALIA,  
ILLINOIS, as follows:**

1. That the preceding recitations in the upper part of this Ordinance are realleged, restated, and adopted as paragraph one (“1”) of this Ordinance.
2. Section 14-10 of the City Municipal Code shall be amended to read as follows:

**“Sec. 14-10. - Definitions.**

The following definitions shall apply in the interpretation and enforcement of this article:

(A) *Inoperable motor vehicle* means any motor vehicle which:

- (1) Has been stripped, junked, wrecked, or in a state of disrepair for a period of at least fifteen (15) days; or
- (2) Cannot be legally driven upon the streets, including but not limited to registration that has been expired for more than thirty (30) days; or
- (3) Has not been moved or used for seven (7) days or more and is apparently deserted.

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 so long as completed within fifteen (15) days, any motor vehicles kept within a fully-enclosed building when not in use, or to a motor vehicle on the premises of a place of business engaged in wrecking or junking of motor vehicles.

- (B) *Property* means any real property within the city which is not a street or highway.
- (C) *Street* or *highway* means the entire width between the boundary lines of every way publicly maintained when any part thereof is open for the use of the public for purposes of vehicular travel.
- (D) *Vehicle* means a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, utility trailer, travel trailer, recreational vehicle, motorcycle, tractor, buggy or wagon.”
3. This Ordinance shall take full force and effect immediately upon passage by the City Council.

**PASSED THIS 14th DAY OF September, 2020.**

**Herb Williams**  
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**Mayor**

**Attest:**

**Kim Enke**  
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**City Clerk**

<u>aye</u>	<b>Jones</b>
<u>aye</u>	<b>Smith</b>
<u>aye</u>	<b>Sauer</b>
<u>aye</u>	<b>Marshall</b>
<u>aye</u>	<b>Williams</b>