

**42-O-22**

**AN ORDINANCE**

**Amending Portions of Title 10, Chapter 8, "Wheel Tax" of the City Code**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** City Code Title 10, Chapter 8, "Wheel Tax" of the Evanston  
City Code of 2012, as amended, is hereby amended to read as follows:

**CHAPTER 8 WHEEL TAX**

**10-8-1. LICENSE REQUIRED.**

(A) It shall be unlawful for any person to use, maintain, store for purposes other than sale, park or operate within the City any motor vehicle registered or required to be registered with the Illinois Secretary of State, to an address within the corporate limits of the City, unless such vehicle pays an annual fee outlined in Section 10-8-3 by September 30 for the following calendar year and therefore licensed with the City of Evanston as provided in this Chapter. In addition, vehicles not registered or required to be registered with the Secretary of State, as provided in the previous sentence, must be licensed as provided in this Chapter if the vehicle operator lives in an "Evanston resident only parking district" as described in Section 10-4-5-2(C) of this Title. All new residents of the City of Evanston must obtain a license pursuant to this Chapter within thirty (30) days of change of address.

A violation of the provisions of this Section shall take place when a motor vehicle registered or required to be registered with the Illinois Secretary of State to an Evanston address is not licensed within thirty (30) days the motor vehicle is required to be licensed under this Chapter, whether or not said vehicle is actually in operation on the streets or public ways of the City. Citations for a violation of this Section shall be sixty dollars (\$60.00) and considered in connection with the City's authority to immobilize motor vehicles per City Code Section 11-2-1. If a ticket issued under this Section is not paid within twenty-one (21) days following issuance of final determination of liability, the City shall impose an additional penalty of twenty-five dollars (\$25.00). If the vehicle operator purchases the Wheel Tax within seven (7) days of receiving the citation, the fine will be waived. Only one citation per license plate will be waived per renewal year.

- (B) The deadline for annual license renewal will be due no later than September 30 of the renewal year. Citations may be issued for violations of Subsection (A) thirty-one (31) days after September 30 of the renewal year.
- (C) The annual license is nonrefundable. If any portion of a license is unused, that portion will not be refunded to the purchaser.

### **10-8-2. APPLICATION FOR LICENSE; ISSUANCE.**

Any person desiring a license for any motor vehicle shall file his/her application with the City Manager or his/her designee upon a form provided therefor, which shall set forth the name and address of the applicant and a description of the vehicle for which the license is desired.

The application required by this Section shall be transmitted to the City Manager or his/her designee and upon the payment by the applicant of the license fee provided for in this Chapter, the City Manager or his/her designee shall issue, or cause to be issued, a license authorizing the use of such motor vehicle within the City until the expiration date of such license.

### **10-8-3. SCHEDULE OF LICENSE FEES.**

- (A) *Fees Enumerated.* The license fees to be paid annually to the City shall be as follows:

Motor vehicles used in the transportation of passengers not for hire	<del>\$85.00</del> <u>\$90.00</u>
Antique motor vehicles more than twenty-five (25) years of age and which are driven on the highways only in going to and returning from an antique auto show or exhibition and registered as an antique vehicle by the Secretary of State, State of Illinois	<del>\$30.00</del> <u>\$35.00</u>
Automobile "dealer plates," each	<del>\$85.00</del> <u>\$90.00</u>
Vehicles or buses used in the transportation of persons for hire in the City in regular scheduled service, or using any loading or unloading zone or space provided for the loading or unloading of passengers within the City pursuant to a certificate of convenience and necessity granted by the State Commerce Commission	No charge
Buses:	
School	<del>\$85.00</del> <u>\$90.00</u>
Other	<del>\$105.00</del> <u>\$110.00</u>
Recreational vehicles:	
All recreational vehicles	<del>\$95.00</del> <u>\$100.00</u>
Motorcycles	<del>\$60.00</del> <u>\$65.00</u>

Taxicabs or livery cabs for hire	<del>\$85.00</del> <del>\$90.00</del>
Trailers designed to be towed by passenger vehicles	<del>\$40.00</del> <del>\$45.00</del>

The owner of such trailers whether same are utilized for their own personal use or rented to other persons shall be responsible for the payment of said fees. All trailers shall have affixed thereupon a vehicle inspection emblem as provided under this Chapter provided that only one (1) annual inspection be required.

Duplicate \$10.00

Motor trucks and tractor trailers:

Motor trucks and tractor trailers, designed for the carrying of loads, shall be classified as to gross, tare and net weights. Such classification shall be identified by the prefix letter on the plate which shall correspond to the classification of the vehicles as provided by the Secretary of State, and the license fee for such motor vehicle shall be as follows:

Gross Weight Not To Exceed	Classification	Fee *
8,000 pounds or less	B	<del>\$115.00</del> <u>\$120.00</u>
8,001—12,000 pounds	D	<del>\$150.00</del> <u>\$155.00</u>
12,001—16,000 pounds	F	<del>\$175.00</del> <u>\$180.00</u>
16,001—24,000 pounds	H	<del>\$205.00</del> <u>\$210.00</u>
24,001—28,000 pounds	J	<del>\$210.00</del> <u>\$215.00</u>
28,001—32,000 pounds	K	<del>\$215.00</del> <u>\$220.00</u>
32,001—41,000 pounds	N	<del>\$235.00</del> <u>\$240.00</u>
41,001—45,000 pounds	P	<del>\$250.00</del> <u>\$255.00</u>
45,001—50,000 pounds	R	<del>\$265.00</del> <u>\$270.00</u>
50,001—59,000 pounds	S	<del>\$280.00</del> <u>\$285.00</u>
59,001—64,000 pounds	T	<del>\$290.00</del> <u>\$295.00</u>
64,001—73,280 pounds	V	<del>\$305.00</del> <u>\$310.00</u>
73,281—77,000 pounds	X	<del>\$320.00</del> <u>\$325.00</u>
77,001—80,000 pounds	Z	<del>\$330.00</del> <u>\$335.00</u>

- (B) *Disabled Vets.* Any disabled veteran who makes application for a wheel tax license for a motor vehicle he/she owns shall not be required to pay the usual fee for one (1) such wheel tax license.
- (C) *Senior Citizens.* Any person of the age of sixty five (65) years or older who shall apply for a motor vehicle, used in the transportation of passengers and not for hire, shall be entitled to pay a license fee equal to fifty percent (50%) of the fee then applicable to such vehicle upon presentation of proof that said applicant has qualified for the State of Illinois circuit breaker program or has met the requirements for the City of Evanston senior citizen vehicle sticker discount program.

~~(D) *Fee Increases.* The annual license fee for all motor vehicles, antique motor vehicles, automobile dealer plates, buses, recreational vehicles, motorcycles, taxicabs or livery cabs, trailers, motor trucks and tractor trailers shall be increased in accordance with the following schedule when obtained after September 30 of the license calendar year by persons whose motor vehicles were registered or required to be registered in Evanston on or before September 30 of said year. Said fee is to be in addition to the fee set forth in Subsection (A) of this Section:~~

Motor vehicles used in the transportation of passengers and not for hire	\$25.00
Antique motor vehicles as defined in Subsection (A) of this Section	25.00
Automobile "dealer plates," each	25.00
Buses:	
— School	25.00
— Other	25.00
Recreational vehicles:	
— All recreational vehicles	25.00
Motorcycles	25.00
Taxicabs or livery cabs for hire	25.00
Trailers designed to be towed by passenger vehicles and as further defined in Subsection (A) of this Section	25.00

Motor trucks and tractor trailers as defined in Subsection (A) of this Section:

Gross Weight Not To Exceed	Classification	Fee
8,000 pounds or less	B	\$25.00
8,001 — 12,000 pounds	D	25.00
12,001 — 16,000 pounds	F	25.00
16,001 — 24,000 pounds	H	25.00
24,001 — 28,000 pounds	J	25.00
28,001 — 32,000 pounds	K	25.00
32,001 — 41,000 pounds	N	25.00
41,001 — 45,000 pounds	P	25.00
45,001 — 50,000 pounds	R	25.00
50,001 — 59,000 pounds	S	25.00
59,001 — 64,000 pounds	T	25.00
64,001 — 73,280 pounds	V	25.00
73,281 — 77,000 pounds	X	25.00
77,001 — 80,000 pounds	Z	25.00

~~(E)~~(D) *Active-Duty Military Personnel.* Any active-duty service member of the U.S. armed forces who makes application for a wheel tax license for a motor vehicle he/she owns shall not be required to pay the usual fee for one (1) such license.

#### **~~10-8-4. AFFIXING LICENSE.~~**

~~The license issued by the City under this Chapter shall be in the form of a decal or other form of sticker and shall be displayed, affixed and attached on the left side of the windshield of the vehicle that will not obstruct the vision of the driver.~~

#### **10-8-5. TRANSFER OF LICENSE.**

Whenever the owner of any vehicle licensed under this Chapter shall, before the expiration of such license, make application to the City collector for the transfer of such license to any other vehicle under his/her ownership, he/she shall pay a fee of eight dollars (\$8.00) for such transfer, plus any additional fee for any change of the classification of the vehicle. In the event of a change of vehicle to be licensed, the licensee shall be required to make the transfer of the license within forty-eight (48) hours after such change. It shall be unlawful to transfer any license from one (1) person to another.

Any person who is the owner of a motor vehicle on October 1 shall be required to have a wheel tax license for that year. All such licenses shall expire on September 30 following the date of issuance. In the event of new ownership, the new owner shall make application for a wheel tax license within twenty-four (24) hours after acquiring a vehicle.

#### **10-8-6. ONE-HALF YEAR LICENSE FEES.**

One-half (½) year rates on all vehicle licenses shall apply to those owners who purchased or registered vehicles on or after March 1. No wheel tax license shall be issued to any owner for a one-half (½) year period until such owner has received his/her license indicating registration of such vehicle with the Secretary of State and such wheel tax license shall be issued for such period as the state license has been issued. The license fee to be paid for a period of six (6) months or less annually to the City shall be as follows:

Motor vehicles used in the transportation of passengers and not for hire	<del>\$43.00</del> <u>\$48.00</u>
Antique motor vehicles as defined in Subsection 10-8-3(A) of this Chapter	<del>\$15.00</del> <u>\$20.00</u>
Automobile "dealer plates," each	<del>\$43.00</del> <u>\$48.00</u>
Buses:	
School	<del>\$43.00</del> <u>\$48.00</u>
Other	<del>\$53.00</del> <u>\$58.00</u>
Recreation Vehicles:	
All recreational vehicles	<del>\$48.00</del> <u>\$53.00</u>
Motorcycles	<del>\$30.00</del> <u>\$35.00</u>

Taxicabs or livery cabs for hire	<del>\$43.00</del> <del>\$48.00</del>
Trailers designed to be towed by passenger vehicles and as further defined in Subsection 10-8-3(A) of this Chapter	<del>\$20.00</del> <del>\$25.00</del>

Motor trucks and tractor trailers as defined in Subsection 10-8-3(A) of this Chapter:

<u>Gross Weight Not To Exceed</u>	<u>Classification</u>	<u>Fee *</u>
8,000 pounds or less	B	<del>\$58.00</del> \$63.00
8,001 — 12,000 pounds	D	<del>75.00</del> \$80.00
12,001 — 16,000 pounds	F	<del>88.00</del> \$93.00
16,001 — 24,000 pounds	H	<del>103.00</del> \$108.00
24,001 — 28,000 pounds	J	<del>105.00</del> \$110.00
28,001 — 32,000 pounds	K	<del>108.00</del> \$113.00
32,001 — 41,000 pounds	N	<del>118.00</del> \$123.00
41,001 — 45,000 pounds	P	<del>125.00</del> \$130.00
45,001 — 50,000 pounds	R	<del>133.00</del> \$138.00
50,001 — 59,000 pounds	S	<del>140.00</del> \$145.00
59,001 — 64,000 pounds	T	<del>145.00</del> \$150.00
64,001 — 73,280 pounds	V	<del>153.00</del> \$158.00
73,281 — 77,000 pounds	X	<del>160.00</del> \$165.00
77,001 — 80,000 pounds	Z	<del>165.00</del> \$170.00

#### **10-8-7. DAMAGED LICENSES.**

Whenever any licensee shall have lost or had his/her license damaged or defaced, a duplicate license shall be issued for a fee as set forth in Section 10-8-3 of this Chapter after the licensee has made proper application and affidavit to the effect that the license has become lost, damaged or defaced, and after the City Manager or his/her designee has investigated such affidavit and approved the same.

#### **10-8-8. LOADS IN EXCESS OF CLASSIFICATION.**

If any person shall have applied for and received a wheel tax license for a motor truck or tractor trailer and shall at any time carry on such vehicle a load greater than is permitted in accordance with the classification of the license issued to such vehicle, the owner or operator of such vehicle shall be punished as provided in Section 10-8-10 of this Chapter. He/she shall further be required to make immediate application for a wheel tax license in the proper classification, and such application shall be retroactive from the date of the original issuance of the license.

#### **10-8-9. EXEMPTIONS.**

All vehicles owned or operated by entities which levy taxes shall be exempt from the provisions of this Chapter. Consulates representing foreign nations or officers of foreign delegations, shall be exempt from the provisions of this Chapter, provided, however, that each and every vehicle in this classification shall be required to have a

wheel tax license according to its proper classification and such license shall be issued to the applicant upon the proper application without fee.

#### **10-8-10. PENALTIES.**

The penalty for not obtaining and displaying the license according to the provisions of this Chapter shall be ~~fifty~~ sixty dollars (\$~~50.00~~ 60.00) ~~plus twenty dollars' (\$20.00) additional penalty if not paid after the expiration of ten (10) days from the date of issue of each violation.~~ Notwithstanding the specified fines applicable to violations herein, the maximum fine to be imposed upon a finding of guilty as to any violation of this Chapter by a court of competent jurisdiction shall not exceed two hundred dollars (\$200.00) for each offense.

**SECTION 2:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 4:** The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

**SECTION 5:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: 5/9, 2022

Approved:

Adopted: 5/9, 2022

5/17, 2022

*Daniel Biss*

Daniel Biss, Mayor

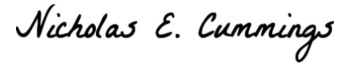
Attest:



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Stephanie Mendoza, City Clerk

Approved as to form:



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Nicholas E. Cummings, Corporation  
Counsel