

**VILLAGE OF BOURBONNAIS**

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**ORDINANCE NO. 23 - 2407**

**AN ORDINANCE AMENDING CHAPTER 19, ARTICLE III OF THE MUNICIPAL CODE  
OF THE VILLAGE OF BOURBONNAIS, ILLINOIS REGARDING PARKING FINES.**

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**ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BOURBONNAIS  
THIS 21 DAY OF AUGUST, 2023.**

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Published in pamphlet form by authority of the Board of Trustees of the Village of Bourbonnais,  
Kankakee County, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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**AN ORDINANCE AMENDING CHAPTER 19, ARTICLE III OF THE MUNICIPAL CODE OF THE VILLAGE OF BOURBONNAIS, ILLINOIS REGARDING PARKING FINES.**

**WHEREAS**, The President and Board of Trustees (the "Corporate Authorities") of the Village of Bourbonnais, Kankakee County, Illinois, an Illinois municipal corporation, (the "Village"), desire to provide minimum standards to safeguard life, health, property, property values, and public welfare by regulating parking of vehicles within the Village; and

**WHEREAS**, The Corporate Authorities hereby find that vehicles are often times parked in violation of the Code of Ordinances of the Village of Bourbonnais; and

**WHEREAS**, The Corporate Authorities find that many drivers will only comply with the Village's Code of Ordinances if a sufficient fine is charged for violations; and

**WHEREAS**, The Corporate Authorities hereby find that parking of motor vehicles in violation of the Code of Ordinances within the Village of Bourbonnais is a public nuisance; and

**WHEREAS**, The Illinois Municipal Code generally and more specifically in 65 ILCS 5/11-60-2 authorizes the Village to define, prevent, and abate nuisances; and

**WHEREAS**, The Corporate Authorities determine that Chapter 19, Article III Section 19-75, Section 19-76 and Section 19-82 of the Code of Ordinances of the Village should be amended by inserting the following underlined language and deleting the following stricken language:

Sec. 19-75. Penalty for violation.

Unless otherwise provided for herein, any violation of any provision of this article shall be punishable by a fine of ~~\$25.00~~ 50.00. In the event that the fine is not paid within 72 hours of the date and time of issue, the fine shall increase to ~~\$50.00~~ 100.00. In the event that the fine is not paid within 240 hours of the date and time of issue, the ticket will be administratively adjudicated, and the fine shall be not less than \$75.00 nor more than \$500.00.

(Ord. No. 02-1313, § 1, 6-3-02; Ord. No. Ord. No. 02-1323, § 1, 7-1-02; Ord. No. 02-1327, § 1, 8-19-02)

Sec. 19-76. - Residential parking restrictions.

(a) *Definitions.* For the purpose of this section, certain terms shall be defined as follows:

*First division.* Those motor vehicles which are designed for carrying not more than ten persons.

*Gross weight.* The weight of a vehicle whether operated singly or in combination without load plus the weight of the load thereon.

*Motor vehicle.* Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

*Registration class B.* Any vehicle of the second division, the gross weight of which is not less than 3,001 pounds nor more than 8,000 pounds.

*Residential street.* Any street passing through any particular block in Bourbonnais upon which any lot has been given a residential zoning designation.

*Second division.* Those motor vehicles which are designed for carrying more than ten persons, those designed or used for living quarters and those motor vehicles which are designed for pulling or carrying freight or cargo, and those motor vehicles of the first division remodeled for use and used as motor vehicles of the second division.

(b) *Parking restrictions.*

(1) It shall be unlawful to park on any residential street in the Village of Bourbonnais, any motor vehicle that is not a first division vehicle or a second division motor vehicle through registration class B of second division except that no second division motor vehicle, the main portion of the body of which, whether separately or in combination with its load, exceeds 20 feet in length, seven feet in width or seven feet in height shall be parked on any residential street except to load or discharge passengers or cargo.

(2) It shall be unlawful to park any recreational vehicle, travel-trailer, truck camper, truck tractor, or any similar vehicle, the gross weight of which exceeds 8,000 pounds or the total length of which, whether separately or in combination with its load, exceeds 20 feet; or the total width of which, whether separately or in combination with its load, exceeds seven feet; or the total height of which, whether separately or in combination with its load, exceeds seven feet, on any residential street except to load or discharge passengers or cargo.

(c) *Penalty.* Any motor vehicle parked in violation of the provisions of this section shall be considered a hazard to traffic and a public nuisance and may be removed by an authorized towing service designated by the Bourbonnais Police Department. The owner of any motor vehicle parked in violation of the provisions of this section shall be subject to a fine of ~~\$25.00~~ 50.00. Each day of violation shall be considered a separate offense.

(Ord. No. 82-484, §§ 1—4, 3-1-82; Ord. No. 20-2211, § 2, 3-2-20)

Sec. 19-82. - Parking after snowfall.

(a) *Parking prohibited for snow removal.* It shall be unlawful for any person to park a motor vehicle on any public street or to permit a motor vehicle which has been parked to remain on any public street in the village at any time within 24 hours after a snow fall of three inches or more has occurred or where snow drifts in excess of 12 inches in depth have accumulated unless the snow has been plowed off or otherwise removed from the street.

(b) *Towing of illegally parked vehicles.* Any motor vehicle found by the chief of police or his authorized representatives to be in violation of this section shall be subject to towing by any authorized towing service in order to remove it from the public street on which it is parked.

(c) *Notice of towing.* Upon towing of the vehicle in question, the chief of police or his authorized representative shall make all reasonable efforts to locate the owner or owners of the towed motor vehicle and advise them as to the place such motor vehicle is being held.

(d) *Responsibility for towing costs.* When a vehicle is removed from a public street by order of the chief of police or his authorized representatives, the owner or owners of the motor vehicle will be responsible for all towing and storage costs.

(e) *Penalty for violation.* A violation of this section shall be punishable by a fine of ~~\$25.00~~ 50.00 for each offense. Each day of violation shall be considered a separate offense.

(Code 1973, § 16-87; Ord. No. 79-400, 12-17-79; Ord. No. 20-2211, § 2, 3-2-20)

**WHEREAS**, the Corporate Authorities of the Village find that it is necessary, appropriate and in the best interests of the Village and its citizens to amend the above section by repealing the language marked with a strike through and inserting the underlined language as written above.

**NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BOURBONNAIS, KANKAKEE, COUNTY, ILLINOIS AS FOLLOWS:**

**SECTION ONE** (Incorporation of recitals): The foregoing recitals are hereby found to be true and correct and shall be and are hereby incorporated into and made part of this Section One as though they were fully set forth in this Section One.

**SECTION TWO** (Amendment): Chapter 19, Article III, Section 19-75, Section 19-76 and Section 19-82 shall hereafter written as follows:

Sec. 19-75. Penalty for violation.

Unless otherwise provided for herein, any violation of any provision of this article shall be punishable by a fine of \$50.00. In the event that the fine is not paid within 72 hours of the date and time of issue, the fine shall increase to \$100.00. In the event that the fine is not paid within 240 hours of the date and time of issue, the ticket will be administratively adjudicated, and the fine shall be not less than \$75.00 nor more than \$500.00.

(Ord. No. 02-1313, § 1, 6-3-02; Ord. No. Ord. No. 02-1323, § 1, 7-1-02; Ord. No. 02-1327, § 1, 8-19-02)

Sec. 19-76. - Residential parking restrictions.

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*Registration class B.* Any vehicle of the second division, the gross weight of which is not less than 3,001 pounds nor more than 8,000 pounds.

*Residential street.* Any street passing through any particular block in Bourbonnais upon which any lot has been given a residential zoning designation.

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(b) *Parking restrictions.*

(1) It shall be unlawful to park on any residential street in the Village of Bourbonnais, any motor vehicle that is not a first division vehicle or a second division motor vehicle through registration class B of second division except that no second division motor vehicle, the main portion of the

body of which, whether separately or in combination with its load, exceeds 20 feet in length, seven feet in width or seven feet in height shall be parked on any residential street except to load or discharge passengers or cargo.

- (2) It shall be unlawful to park any recreational vehicle, travel-trailer, truck camper, truck tractor, or any similar vehicle, the gross weight of which exceeds 8,000 pounds or the total length of which, whether separately or in combination with its load, exceeds 20 feet; or the total width of which, whether separately or in combination with its load, exceeds seven feet; or the total height of which, whether separately or in combination with its load, exceeds seven feet, on any residential street except to load or discharge passengers or cargo.
- (c) *Penalty.* Any motor vehicle parked in violation of the provisions of this section shall be considered a hazard to traffic and a public nuisance and may be removed by an authorized towing service designated by the Bourbonnais Police Department. The owner of any motor vehicle parked in violation of the provisions of this section shall be subject to a fine of \$50.00. Each day of violation shall be considered a separate offense.

(Ord. No. 82-484, §§ 1—4, 3-1-82; Ord. No. 20-2211, § 2, 3-2-20)

Sec. 19-82. - Parking after snowfall.

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- (b) *Towing of illegally parked vehicles.* Any motor vehicle found by the chief of police or his authorized representatives to be in violation of this section shall be subject to towing by any authorized towing service in order to remove it from the public street on which it is parked.
- (c) *Notice of towing.* Upon towing of the vehicle in question, the chief of police or his authorized representative shall make all reasonable efforts to locate the owner or owners of the towed motor vehicle and advise them as to the place such motor vehicle is being held.
- (d) *Responsibility for towing costs.* When a vehicle is removed from a public street by order of the chief of police or his authorized representatives, the owner or owners of the motor vehicle will be responsible for all towing and storage costs.
- (e) *Penalty for violation.* A violation of this section shall be punishable by a fine of \$50.00 for each offense. Each day of violation shall be considered a separate offense.

(Code 1973, § 16-87; Ord. No. 79-400, 12-17-79; Ord. No. 20-2211, § 2, 3-2-20)

**SECTION THREE:** Should any provision or section of this Ordinance be declared invalid by any Court of competent jurisdiction, such declaration shall not affect the validity of this Ordinance as a whole or any part hereof other than the part so declared to be invalid.

**SECTION FOUR** This Ordinance shall be in full force and effect from and after its passage and publication in pamphlet form as required by law.

[The remainder of this page is intentionally left blank, voting record and signature page to immediately follow.]

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Bourbonnais, Kankakee County, Illinois this 21 day of August, 2023 by the following vote:

TRUSTEE	AYE	NAY	ABSENT	RECUSE	ABSTAIN
Greenlee	X				
Fischer	X				
King	X				
Keast	X				
Littrell	X				
Serafini	X				
TOTALS	6	0	0	0	0

Paul Schore  
PAUL SCHORE  
Village President

ATTEST:  
B. F. Simeur  
BRIAN SIMEUR  
Village Clerk

STATE OF ILLINOIS       )  
                                      )  
COUNTY OF KANKAKEE   )       SS.

**CERTIFICATION OF ORDINANCE**

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk for the Village of Bourbonnais, Kankakee County, Illinois (the "Municipality"), and that as such official I am the keeper of the records and files of the Municipality and its President and Board of Trustees (the "Corporate Authorities").

I do further certify that the foregoing is a full, true and complete excerpt from the proceedings of the meeting of the Corporate Authorities held on the 21 day of August, 2023, insofar as the same relates to the adoption of an ordinance numbered and entitled:

**ORDINANCE NO. 23-2407**

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a true, correct and complete copy of which ordinance as adopted at such meeting appears in the proceedings of such meeting.

I do hereby further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly and was preceded by a public recital of the matter being considered and such other information as would inform the public of the business being conducted, that such meeting was held at a specified time and place, convenient to the public, that notice of such meeting was duly given to all news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the open meetings laws of the State of Illinois, as amended, and that the Corporate Authorities have complied with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature, and the Municipality's seal, this 23 day of August, 2023.

(SEAL)



  
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Village Clerk