

ORDINANCE # 11653

AN ORDINANCE REGULATING THE PARKING AND STORAGE OF VEHICLES, FARM EQUIPMENT, AND CONSTRUCTION EQUIPMENT IN RESIDENTIAL DISTRICTS OF THE CITY OF GALVA

WHEREAS, the City Council of the City of Galva, Henry County, Illinois, has deemed it to be in the best interests of the City to establish an ordinance regulating the parking and storage of vehicles, farm equipment, and construction equipment in residential districts of the City of Galva;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GALVA, HENRY COUNTY, ILLINOIS as follows:

SECTION 1: DEFINITIONS

- A. **ABANDONED VEHICLE:** Abandoned Vehicle means any vehicle in a state of disrepair rendering the vehicle incapable of being driven, or any vehicle that has not been moved or used for fourteen (14) consecutive days or more or is apparently deserted (*Illinois Vehicle Code 625 ILCS 5/1-101.05*) contrary to the Public Policy stated in Section 2 of this Ordinance.
- B. **ADDRESSABLE LOT:** An addressable lot means a lot that has a unique Property Identification Number (PIN) assigned to it by the County Clerk and one for which a tax bill is issued by the County Treasurer's office. Addressable lots will have an exclusive address assigned by the County Assessment Office.
- C. **DERELICT VEHICLE:** A Derelict Vehicle is any inoperable, unregulated, discarded motor vehicle, regardless of title, having lost its character as a substantial property and left unattended without justification on the owner's land for fourteen (14) consecutive days or more contrary to the Public Policy stated in SECTION 2 of this Ordinance.
- D. **FARM and CONSTRUCTION EQUIPMENT:** Farm and Construction Equipment includes any self-propelled or towed equipment used for agricultural or construction purposes and shall include, but is not limited to, tractors, bulldozers, backhoes, motor graders, barge wagons, grain wagons, riding lawn mowers and lawn tractors, plows, planters, flatbed trailers, utility pole trailers, and enclosed trailers.
- E. **FRONT YARD:** A front yard will have a depth of not less than twenty-five (25) feet, provided, however, that where the average depth of the front yards of previously established homes fronting on any one side of the given street in said block exceeds or is less than twenty-five (25) feet, the depth of the front yard required under this ordinance for such lot shall be with the average depth. In no case shall a front yard of more than forty (40) feet be required.
- F. **JUNK VEHICLE:** A Junk Vehicle is a vehicle which has been or is being disassembled, crushed, compressed, flattened, destroyed or otherwise reduced to a state in which it no longer can be returned to an operable state, or has been branded or assigned as junk or a similar designation by another state or jurisdiction (*Illinois Vehicle Code 625 ILCS 5/1-134.1*).
- G. **PUBLIC VIEW:** Public View shall mean the ability for a person to observe a vehicle on private property from any public street or sidewalk adjacent to the real property.

- H. RECREATIONAL VEHICLE: A Recreational Vehicle is every camping trailer, motor home, mini motor home, passenger bus or van, travel trailer, truck camper or van camper used primarily for recreational purposes, or any vehicle designed for living or recreation and not used as a commercial vehicle, including but not limited to, mobile homes, travel trailers, recreational trailers, and shall further include, but is not limited to, boats, watercraft, snowmobiles, vans, all-terrain vehicles, racing cars, neighborhood vehicles, and trailers used to transport a recreational vehicle.
- I. Right-of-Way: The surface and space above and below the entire width of an improved or unimproved public roadway, highway, street, bicycle lane, terrace, shoulder, side slopes, and public sidewalks in which the City has an interest, including any other dedicated rights-of-way for travel purposes or utility services of any kind.
- J. TERRACE: That portion of the public right-of-way in between the curb or roadway and the adjoining lot line, whether or not the area is occupied by a sidewalk or utilities of any kind.
- K. UTILITY TRAILER: A utility trailer, or cargo trailer, is an unpowered vehicle that usually features a flat, open cargo area (the "utility" part) and is towed behind a car or truck (the "trailer" part). For the purposes of this Ordinance, a utility trailer may be enclosed, but in all cases must weigh less than six thousand (6,000) pounds.

## SECTION 2: PUBLIC POLICY

By substituting "The City of Galva" for "The General Assembly," the Mayor and City Council of the City of Galva hereby adopts the State Policy as stated in the Illinois Vehicle Code at 625 ILCS 5/4-301 as follows:

The City of Galva finds that abandoned and derelict vehicles constitute a safety hazard and a public nuisance; are detrimental to the health, safety and welfare of the general public by harboring disease, providing breeding places for vermin, inviting plundering, creating fire hazards, and presenting physical dangers to children and others; produce scenic blights which degrade the environment and adversely affect land values and the proper maintenance and continuing development of the City of Galva; represent a resource out of place and an energy loss to the City of Galva's economy, and require state and local government attention, in conjunction with any federal governmental attention, in order to assure the expeditious removal and recycling of these abandoned and derelict vehicles.

## SECTION 3: PARKING OF ABANDONED, DERELICT, OR JUNK VEHICLES ON PUBLIC OR PRIVATE PROPERTY PROHIBITED

The parking and/or storage of any Abandoned Vehicle, Derelict Vehicle, or Junk Vehicle as defined herein on any public property or private property when in public view is prohibited.

## SECTION 4: PARKING OF FARM EQUIPMENT, TRAILERS, MOWERS, AND CONSTRUCTION EQUIPMENT

The parking and/or storage of any Farm and/or Construction Equipment on public property, or private property when in public view, is prohibited except in the following circumstances:

- A. Nothing shall prohibit the parking and/or storage of any Farm or Construction Equipment on public or private property when owned by or contracted by the City of

Galva when said Farm or Construction Equipment is in use for the repair, maintenance, or construction of public infrastructure.

- B. Nothing shall prohibit the parking and/or storage of any Farm or Construction Equipment on private property when being used for the construction or improvement of the property where a Building Permit from the City of Galva has been issued, but said parking and/or storage may not exceed six (6) months from the issuance date of the Building Permit without express written permission of the City.
- C. Farm Equipment that is being entered into a show or parade may be parked on private property for a limit of no more than seven (7) days before nor more than seven (7) days after the event.
- D. No more than two (2) properly licensed utility trailers in good working order (i.e., in a useable condition and not in a state of disrepair), shall be parked upon a single lot within the public view.
- E. No more than two (2) mowers in good working order (i.e., in a useable condition and not in a state of disrepair), of thirty horsepower or less shall be parked upon a single lot within the public view.
- F. No more than one (1) tractor of eighty-five (85) horsepower or less shall be parked upon a single lot within the public view. Said tractor shall be in a good working order (i.e., in a useable condition and not in a state of disrepair).
- G. Notwithstanding Paragraphs "D", "E", and "F" of this Section 4 entitled "Parking of Farm Equipment, Trailers, Mowers, and Construction Equipment," and further, notwithstanding Section 5 entitled "Parking and Storage of Recreational Vehicles" as delineated in this Ordinance, there shall not be more than three items of any type within the public view on any one addressable lot, whether those items be utility trailers, mowers, a tractor, or a Recreational Vehicle. For example, any single residential lot may have visible to the public two (2) mowers, and (1) one recreational vehicle or two (2) utility trailers, and one (1) tractor.

#### SECTION 5: PARKING AND STORAGE OF RECREATIONAL VEHICLES

The parking and/or storage of any Recreational Vehicle as defined in this Ordinance on any public property is prohibited. The parking and/or storage of any Recreational Vehicle on private property when in public view, is prohibited unless the following conditions are met:

- A. Recreational vehicles must be in a useable condition and not in a state of disrepair
- B. Tires on such recreational vehicles must be fully inflated, shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle
- C. The recreational vehicle must be properly licensed, if required by the State, and registered to the property owner except that the recreational vehicle may be parked on property owned by a different party so long as an agreement between the property owner and the owner of the recreational vehicle agree that the recreational vehicle may be parked on the property owner's land, and so long as all other requirements of Section 5 of this Ordinance have been met.
- D. Recreational vehicles must be parked in an area that does not impede with traffic safety and may not be parked on any terrace. Additionally, the area around the recreational vehicle must be maintained and grass and weeds must be kept trimmed.

#### SECTION 6: CERTAIN USES OF RECREATIONAL VEHICLES PROHIBITED

Except for temporary electrical hook-ups, Recreational Vehicles shall not be used for the following prohibited uses:

- A. At no time shall a parked or stored recreational vehicle be used for living, sleeping, or housekeeping purposes for a period exceeding fourteen (14) days in one quarter (i.e., every three months).
- B. At no time shall a Recreational Vehicle be connected to gas, water, or sanitary sewer services for more than fourteen (14) days in one quarter (i.e., every three months).
- C. At no time shall a Recreational Vehicle be converted or used for the storage of household items or any other property.

#### SECTION 7: PARKING OF RECREATIONAL VEHICLES ON PUBLIC STREETS OR BYWAYS PROHIBITED

Except as otherwise provided for herein, no recreational vehicle shall be parked permanently or temporarily on any public street in front of a residential lot by the owner or guest of the owner. In the event the owner of a residential lot does not have a driveway, said owner may temporarily park the recreational vehicle upon the street or roadway immediately in front of his house for a period not to exceed seven (7) consecutive days, provided that parking is otherwise permitted upon such street or roadway. A Recreational Vehicle parked or left standing at the same location for more than seven (7) consecutive days is prohibited to be parked or left standing at another location within a radius of five hundred (500) feet from the original location, with the intent to circumvent the seven (7) consecutive days parking limit.

#### SECTION 8: NOTICE OF VIOLATION

Upon notice from the City of Galva to the person, firm, or corporation that there is a violation of this Ordinance, the person, firm, or corporation shall have fifteen (15) calendar days to abate the violation, except that if the City deems the violation an immediate public safety issue, the City may require a more immediate remedy as determined at the City's sole discretion (e.g., restricting the flow of traffic, the harboring of vermin or other pests, an obnoxious odor, etc.).

#### SECTION 9: CITATION ISSUED

On the sixteenth (16<sup>th</sup>) day, and each subsequent day, a citation or Administrative Warning Ticket (AWT) of \$50.00 may be issued each day for a violation of any section of this Ordinance until the violation is corrected.

#### SECTION 10: FINES AND PENALTIES

- A. Each day of a violation shall constitute a separate offense, except that the total of all civil penalties assessed against any violator for all offenses relating to any single violation shall not exceed seven hundred fifty (\$750.00) dollars.
- B. In addition, any person found in violation of any section of this Ordinance shall be expected to pay all costs and expenses related to adjudicating the offense.

#### SECTION 11: EFFECTIVE DATE AND REPEALER

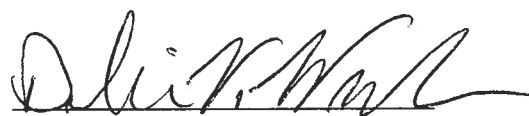
This Ordinance is effective upon its passage, approval and publication as required by law. The Clerk shall publish this Ordinance in pamphlet form. All prior ordinances of the City on the subject of parking or storage of vehicles, farm equipment, recreational vehicles or construction equipment as referenced in this Ordinance are hereby repealed.

PASSED by the City Council this 20<sup>th</sup> day of may, 2024.

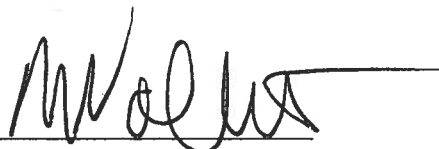
AYES: 6

NAYS: 0

PRESENT: 6



Debbie VanWassenhove, City Clerk



Rich Volkert, Mayor