

Date: _____

NOTICE OF VIOLATION

Dear _____

This letter shall serve as Notice that you are currently in violation of Village of Hammond Ordinance #2023-24 “An Ordinance Regulating Motor Vehicles.” Specifically, upon information and belief, you own or otherwise maintain on your property an abandoned, derelict, or inoperable motor vehicle as defined in the Ordinance. The vehicle(s) in violation is (see attached pictures) currently parked at _____.

Pursuant to Ordinance #2023-24, you must abate the violation by returning the vehicle to an operable condition, by storing the vehicle in an enclosed building, by removing the vehicle and all parts thereof from the property and disposing of them in a lawful manner, or by showing current registration.

IF YOU FAIL TO ABATE THE VIOLATION TO THE SATISFACTION OF THE VILLAGE BY _____, THE VILLAGE SHALL BE AUTHORIZED TO TOW AND IMPOUND THE VEHICLE AT YOUR SOLE COST AND ISSUE A FINE AGAINST YOU IN ACCORDANCE WITH VILLAGE ORDINANCE #2023-24.

It is imperative that you contact the Village with proof that the vehicle(s) in violation are restored to an operable condition and/or displays a current license plate by the date above.

The Village has retained Arcola Auto Tech as its towing company. If your vehicle is towed by the Village, it can be recovered at Arcola Auto Tech, 126 S. Chestnut Street, Arcola, IL 61910. Arcola Auto Tech can also be reached by phone at 217/268-3161.

If you have any questions or concerns regarding this matter, please contact the Village at 217/262-3431. Thank you for your attention to this urgent matter.

Sincerely,
The Hammond Village Board of Trustees

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS

ORDINANCE #2023-24

“An Ordinance Regulating Motor Vehicles”

ADOPTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMMOND THIS
13th DAY OF December, 2023

Published in pamphlet form by authority of the Village Board of the Village of Hammond, Piatt
County, Illinois

VILLAGE OF HAMMOND
PIATT COUNTY, ILLINOIS
ORDINANCE #2023-24

Be it ordained by the President and the Board of Trustees of the Village of Hammond, Piatt County, Illinois, as follows:

Definitions - The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned vehicle means all vehicles in a state of disrepair rendering the vehicle incapable of being driven in its condition; or any vehicle that has not been moved or used for seven consecutive days or more and is apparently deserted.

Derelict vehicle means any inoperable, unregistered, discarded motor vehicle, regardless of title, having lost its character as a substantial property and left unattended without justification on the owner's land.

Inoperable motor vehicle means any motor vehicle from which, for a period of at least seven days or any greater period fixed by ordinance, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. The term "inoperable motor vehicle" does 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.

Person means any person, firm, partnership, association, corporation, company or organization of any kind.

Property means any real property within the Village which is not a street or highway.

Street or highway means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Vehicle means a machine propelled by power other than human power designated to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and includes, without limitation, automobiles, trucks, trailers, motorcycles, dirt bikes, tractors, buggies, wagons, boats, personal watercraft, lawn mowers, campers, snowmobiles, four-wheelers, golf cars, and motorized scooters.

The Village of Hammond finds that abandoned, derelict, or inoperable motor 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 Village of Hammond, represent a resource out of place and an energy loss to the Illinois economy, and require state and local governmental attention, in order to ensure the expeditious removal and recycling of these abandoned and derelict vehicles.

The Village of Hammond declares, therefore, that it is the policy of the Village of Hammond, to:

1. Prohibit the abandonment of vehicles and the retention of derelict or inoperable motor vehicles, and to enforce such prohibition by law while reminding vehicle owners of their own individual responsibility to dispose of such vehicles.
2. Encourage the development of procedures and techniques to facilitate the expeditious removal of abandoned, derelict, or inoperable motor vehicles from public or private premises.

Abandonment of Vehicles.

1. No person shall abandon any vehicle within the Village of Hammond and no person shall leave any derelict vehicle at any place within the Village of Hammond for such time and under such circumstance as to cause such vehicle reasonably to appear to have been abandoned.
2. The abandonment of a vehicle or any part thereof on any street or highway in the Village of Hammond is unlawful.
3. The abandonment of a vehicle or any part thereof on private or public property, other than a highway, in view of the general public anywhere in the Village of Hammond, is hereby determined to be a nuisance pursuant to Section 2 of this Ordinance. A vehicle or any part thereof so abandoned on private property shall be authorized for removal by a law enforcement agency having jurisdiction after a waiting period of seven (7) days or more.
4. Leaving of Wrecked, Inoperable Vehicle on Street. No person shall leave any partially dismantled, inoperable, wrecked, derelict, or junked vehicle on any street or highway within the Village of Hammond.

Disposition of Vehicles in Violation.

1. No person in charge or control of any property within the Village of Hammond, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled, inoperable, wrecked, junked, abandoned, derelict, or discarded vehicle to remain on such property longer than seven (7) days; except that this Ordinance shall not apply with regard to a vehicle in an enclosed building.
2. When an abandoned, unattended, wrecked, derelict, burned, inoperable, or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate

removal from the highway or private property adjacent to the highway by a towing service is hereby authorized by a law enforcement agency having jurisdiction.

3. When a vehicle removal from either public or private property is authorized by a law enforcement agency, the owner of the vehicle will be responsible for all towing costs.
4. Seven (7) days prior to removing a vehicle described herein, the Village of Hammond authorities shall issue a notice advising the last registered owner, lienholder, or other legally entitled person of its intent to remove the vehicle.

Towing from Private Property.

When a vehicle on private property is alleged to be in violation of this Ordinance, the Village President or anyone designated by him/her shall notify the owner or landowner that the vehicle is in violation and that the recipient of the notice must, within seven (7) days of the issuance of the notice, remove any inoperable motor vehicle or parts thereof, or other vehicles in violation of this Ordinance. Failure to comply with the notice shall be a violation of this Ordinance and subject the recipient to the penalties defined herein.

Impounding.

The Village President and the Board of Trustees, or anyone designated by them, is hereby authorized to remove or have removed any vehicle left at any place within the Village of Hammond which reasonably appears to be in violation of this Ordinance, or lost, stolen, or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with Chapter 4, article II of the Illinois Vehicle Code (625 ILCS 5/4-201 et seq.).

Abatement.

Exhibit A) Abandoned vehicle means all vehicles in a state of disrepair rendering the vehicle incapable of being driven in its condition; or any vehicle that has not been moved or used for seven consecutive days or more and is apparently deserted.

Exhibit B) Derelict vehicle means any inoperable, unregistered, discarded motor vehicle, regardless of title, having lost its character as a substantial property and left unattended without justification on the owner's land.

Exhibit C) Inoperable motor vehicle means any motor vehicle from which, for a period of at least seven days or any greater period fixed by ordinance, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. The term "inoperable motor vehicle" does 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. Any motor vehicle that does not have a current license plate or current license tags attached to it shall also be considered an inoperable vehicle. Inoperable motor vehicle does 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.

That each person who receives a notice requiring nuisance abatement of either Exhibit A, B, or C, shall abate said nuisance within seven (7) days of receipt of said notice by returning the vehicle(s) to an operable condition, by storing the vehicle(s) in an enclosed building, or by removing the vehicle(s) and the parts thereof from the property upon which they are located and disposing of them in a lawful manner, which disposition shall not include depositing the vehicle and/or parts within the Village of Hammond in view of the general public, other than at a premise properly licensed and zoned for the wrecking or junking of motor vehicles. If the person or persons in control of said vehicle notify the Board of Trustees of the vehicle being rendered temporarily inoperable to perform service or repairs on said vehicle, then such person or persons shall abate the nuisance within 30 (thirty) days of receipt of said notice, by taking action as described in this paragraph.

Penalties.

Any person, firm, or corporation violating any provisions of this Ordinance shall be notified as follows:

1. Place phone call to homeowner notifying them of the violation on their property and giving them 10 days in which to fix the violation.
2. If compliance is not met in the 10 days, a non-certified letter will be sent reiterating the violation that needs to be corrected. Allow another 10 days.
3. If compliance is still not met, a certified violation letter is mailed to the homeowner. The first fine will be charged at this time for non-compliance and due within 10 days. The fine structure is as follows:

- 1st Offense: \$180.00
- 2nd Offense-committed within 12 months of any prior offense: \$330.00
- 3rd Offense-committed within 12 months of any prior offense: \$580.00

Notice:

Notice shall be deemed to be properly served by:

- Depositing the notice in U.S. mail, prepaid first-class postage regardless of whether the addressee accepts or refuses delivery; or
- Personal service; or
- Posting of notice upon property

Severability:

Should any section or provision of this Ordinance be declared invalid or unenforceable by a court of competent jurisdiction, such decision or order shall not affect the remaining sections and portions of this Ordinance, which shall remain in full force and effect.

Effective Date:

That this Ordinance shall be in full force and effect forthwith upon its adoption as required by law. All Ordinances of the Village of Hammond in conflict herewith, are hereby revoked.

This Ordinance shall take effect and be in full force from and after its passage and approval, and publication in pamphlet form as required by law. Any and all prior Ordinances not in conformity herewith are hereby revoked and declared null and void.

Passed by the Board of Trustees of the Village of Hammond, Piatt County, Illinois, this 13th day of December 2023, by the following roll call vote:

AYES: 4

NAYS: 0

ABSENT: 2

Brenda Sebens
Village Clerk
Village of Hammond

Marsha Burgener
President, Board of Trustees
Village of Hammond

State of Illinois)
) ss.
 County of Piatt)
 Certificate of Publication)

I, Brenda Sebens, certify that I am the duly appointed and acting Municipal Clerk of the Village of Hammond, Piatt County, Illinois.

I further certify that on December 13, 2023, the Corporate Authorities of such municipality passed and approved Ordinance #2023-24, entitled "An Ordinance Regulating Motor Vehicles", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance #2023-24, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building commencing on December 14, 2023 and continuing for at least 10 (ten) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Hammond, Illinois, this 13th day of December, 2023.

(SEAL)

Brenda Sebens
 Municipal Clerk