

CITY OF WARRENVILLE
DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 2996

**ORDINANCE AMENDING TITLE 5, CHAPTER 1 OF THE
CITY CODE (HEAVY VEHICLES RESTRICTED ON CERTAIN STREETS)**

WHEREAS, the Mayor and City Council believe and hereby declare that it is in the best interests of the City to amend certain provisions of Title 5, Chapter 1 of the City Code regarding heavy vehicles restricted on certain streets, as hereinafter provided;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF WARRENVILLE, DU PAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The foregoing recitals shall be, and they are hereby, incorporated within this Section One as findings of fact as if said recitals were fully set forth herein.

SECTION TWO: Section 5-1-9 of Title 5, Chapter 1 of the City Code of the City of Warrenville shall be and is hereby amended in its entirety so that Section 5-1-9 shall hereafter be and read as follows:

5-1-9: HEAVY VEHICLES RESTRICTED ON CERTAIN STREETS:

A. GENERAL.

1. Purpose. It is the purpose of this section to forbid the unnecessary operation of overweight vehicles on those streets which, by their construction, are not suited for such use.
2. Unless the context otherwise requires, all words and phrases used herein have the same meaning as the same or similar words or phrases defined and used in state law.
3. Restrictions. No overweight vehicle shall be operated on any secondary street in the City except for the purpose of making delivery or pickup and such usage shall be limited to the minimum distance practicable for the purpose.

No overweight vehicle shall at any time be parked on any secondary street beyond the time required for the delivery or pickup to be made.

4. Posting of Signs. The City may install appropriate signs indicating the limitations imposed by this section but the absence of such a sign at any location shall not invalidate the provisions of this section except as provided in subsection A5 of this section.
5. Enforcement. This section shall be enforced by any police officer. A traffic violation ticket shall be issued for any violation of this section.

B. DEFINITIONS.

AXLE LOAD. The total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes 40 inches apart extending across the full width of the vehicle.

COMMERCIAL VEHICLE. Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, "For-Hire" or "Not-For-Hire", but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially.

CONSTRUCTION VEHICLE. Any vehicle over 10,000 pounds actual weight, registered gross weight or GVWR that is required to comply with 625 ILCS 5/12-712 and 12-713 on identification required to be displayed.

GROSS VEHICLE WEIGHT RATING (GVWR). The value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle. The GVWR of a combination of vehicles (commonly referred to as the "Gross Combination Weight Rating" or GCWR) is the GCWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified by the manufacture, GCWR is determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on the unit.

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

HIGHWAY. 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.

IMPLEMENT OF HUSBANDRY. Every vehicle designed and adopted exclusively for agricultural, horticultural, or livestock raising operations, including farm wagons, wagon trailers or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry.

MOTOR VEHICLE. Every vehicle is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. For this section, motor vehicles are divided into two divisions:

- (a) FIRST DIVISION. Those motor vehicles that are designed for the carrying of not more than ten persons.
- (b) SECOND DIVISION. Those motor vehicles that are designed for carrying more than ten persons, those motor vehicles designed or used for living quarters, those motor vehicles that are designed for pulling or carrying freight, cargo or implements of husbandry, and those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division.

PERMIT ROUTE. The route authorized by the issuing authority with proper jurisdiction over the roadway(s) for which permission has been granted to move a vehicle or combination of vehicles that is in itself indivisible or carrying an indivisible load that exceeds normal dimensions or weight or a combination thereof.

SECONDARY STREET. For purpose of this section, a "secondary street" is defined as any street or public thoroughfare not claimed by the City and not recognized by the highway department of the state of Illinois to be an arterial thoroughfare.

SEMI-TRAILER. Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

TANDEM AXLES. Any two or more single axles whose centers are more than 40 inches and not more than 96 inches apart, measured to the nearest inch between extreme axles in the series, except as provided in 625 ILCS 5/15-111 for special hauling vehicles.

TRAILER. Every vehicle without motive power in operation, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

TRUCK TRACTOR. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

C. OVERWEIGHT AND/OR OVER-DIMENSION VEHICLE.

1. It shall be unlawful for any person to be in control of, to drive, to park, or move on, upon or across, or for the owner to cause or knowingly permit to be parked, driven, or moved upon or across, any street or highway under the jurisdiction of the village, any vehicle or combination of vehicles exceeding the size and weight limitations stated in the 625 ILCS 5/15-102 (width), 625 ILCS 5/15-103 (height), 625 ILCS 5/15-107 (length), and 625 ILCS 5/15-111 (weight).
2. Size and weight limitations while operating on City streets shall not apply to fire apparatus or equipment for snow or ice removal operations owned or operated by or for any governmental body or to implements of husbandry temporarily operated or towed in a combination in the furtherance of a farm or agricultural endeavor and to any vehicle or combination of vehicles operating under the terms of a valid oversize and/or dimension permit issued by the City under the authority of Paragraph D hereof.
3. Where lower size and weight limits or other restrictions are imposed by ordinance under authority of 625 ILCS 5/15-111, 15-316 and 15-317, and signs indicating such limitations or restrictions are posted, it shall be unlawful to operate any vehicle or combination of vehicles in excess of such size or weight limitations or in violation of such restrictions.
4. Whenever any vehicle or combination of vehicles is operated in violation of this section, the owner and/or driver of such vehicle shall be deemed guilty of such violation and either or both the owner and driver of such vehicle may be prosecuted for such violation.

D. PERMITS FOR OVERWEIGHT AND/OR OVER-DIMENSION VEHICLES.

1. A permit shall be required for the movement of any vehicle or combination of vehicles with a non-divisible load on roadways and bridges within the jurisdiction of the City that exceeds the dimensions and weights permitted for the particular roadways to be traversed whether they be non-designated or designated roadways.

2. The City with respect to any street or highway under its jurisdiction may, upon application to the City Police Department on forms provided by the Police Department, and good cause being shown therefore issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in Paragraph B above. The applicant shall furnish the following information in the special permit application:
 - (a) The name and address of the owner or lessee of the vehicle;
 - (b) Applicant's name;
 - (c) Type of permit requested, whether it be for a single trip, round trip, or multiple routing.
 - (d) The description of registration (or the Illinois Department of Transportation (IDOT) registration number or classification) of the power unit;
 - (e) Description of the object or vehicle to be moved;
 - (f) The number of axles of the vehicle or combination of vehicles;
 - (g) The maximum axle weights of all single, tandem or series axles;
 - (h) The maximum gross weight of the vehicle;
 - (i) The maximum width, length and height of the vehicle and load, and,
 - (j) The requested routing over City streets to and from a specific location.

3. For purposes of this section, the following definitions apply:
 - (a) A one-way or single movement means one move from the point of origin to the point of destination. Any additional stops between the point of origin and the point of destination are expressly prohibited. Single trip permits are effective for seven consecutive days from the date of issuance unless otherwise directed by the Police Department.
 - (b) Round trip movement means two trips over the same route in opposite directions. Round trip permits are effective for 14 consecutive days from the date of issuance.
 - (c) Multiple moves are those in such close proximity to each other in distance or in time that the Police Department would consider incorporating two or more permit moves within one permit application. Multiple move permits when granted by the Police Department shall be for a period of time not to exceed 90 days from the date of issuance.

4. The owner or his or her agent shall submit an application fee based on the charts contained herein for a single routing which will be valid for seven calendar days, round trip routing valid for 14 calendar days and multiple routings valid for a base period of three months. Permits may be issued for a maximum of four consecutive permit periods (365 days) with the permit for calculated in the

appropriate multiples of the base three month multiple trip permit. Permits are valid only for the date periods specified on the permit and for the specific vehicle, load and routing as established by the Chief of Police or designee. No substitution of vehicle, load or routing is permitted without express written permission by the Chief of Police or his or her designee, and the permit must be carried in the vehicle to which the permit applies at all times.

Permit size – weight (with load)	Fee		
	Single Trip	Round Trip	Multiple
Up to 100,000 pounds	50	75	150
100,001 – 120,000	75	100	200
120,001 – 150,000	100	125	200
Over 150,000	100*	200*	200

*Plus necessary and appropriate administrative, engineering and road damage fees.

Permit size – width (with load)	Fee		
	Single Trip	Round Trip	Multiple
Up to 12'	25	40	75
12'1" to 13'6"	50	75	100
Over 13'6" wide	50*	75*	100

*Plus necessary and appropriate administrative, engineering and road damage fees.

Permit size – height (with load)	Fee		
	Single Trip	Round Trip	Multiple
13'6" to 14'6"	25	40	75
Over 14'6"	50*	75	75

*Plus necessary and appropriate administrative, engineering and road damage fees.

Permit size – length (with load)	Fee		
	Single Trip	Round Trip	Multiple
Up to 100'	25	40	75
Over 100'	50*	75*	75

*Plus necessary and appropriate administrative, engineering and road damage fees.

NOTE:

If a vehicle requires a permit due to multiple weight and/or dimension issues, the total fee will be based on the largest individual weight or dimension factor only.

5. The Chief of Police or his or her designee is authorized to approve the application for approved routes. Upon approval and payment of all required fees, the Police Department shall issue a permit allowing passage of the oversize and/or overweight vehicles over City streets. The permit shall be specific and contain:
 - (a) Permit number;
 - (b) The dates for which the permit is valid;
 - (c) Whether the permit is for single, round or multiple trip routing;
 - (d) The description of object or vehicle to be moved;
 - (e) Authorized gross weight, axle weight, length and height;
 - (f) The authorized routing over City streets, including the origin and termination point within the village;
 - (g) The fee paid;
 - (h) The date and signature of the Chief of Police or his or her designee; and
 - (i) In addition, the permit will specify general conditions that the permittee must comply with that are consistent and reasonable for the protection of the general public and City streets. A copy of all permits issued will be provided by the City Administrator for information purposes.

6. It is the duty of the permittee to read and familiarize himself or herself with the permit provisions upon receipt. Undertaking of the permit move is deemed prima facie evidence of acceptance of the permit and that:
 - (a) The permittee is in compliance with all operation requirements;
 - (b) All dimension and weight limitations specified in the permit will not be exceeded;
 - (c) All operation, registration and license requirements have been complied with;
 - (d) All financial responsibilities, obligations and other legal requirements have been met; and
 - (e) The permittee assumes all responsibility for injury or damage to persons or to public or private property, including his or her own, or to the object being transported, caused directly or indirectly by the transportation or movement of vehicles and objects authorized under the permit. The permittee agrees to hold the City harmless from all suits, claims, damages, or proceedings of any kind and to indemnify the City from any claim it may be required to pay arising from the movement.

7. The permit shall be carried in the vehicle to which the permit applies at all times while operating on streets within the City and shall be exhibited upon demand to any law enforcement officer, police officer or authorized official of the City.
8. Whenever any vehicle is operated in violation of the provisions of a City permit, whether it be by size, weight or general provisions, then, either or both the owner and driver of such vehicle shall be deemed in violation of this section, and either or both the owner and the driver of such vehicle may be prosecuted for such violation.

E. VEHICLES PROHIBITED ON CERTAIN STREETS.

As provided under the authority of 625 ILCS 5/15-111 and 15-316, it shall be unlawful to operate any vehicle upon any street where the operation of that vehicle is prohibited by ordinance or statute and where signs of such prohibition are posted. Vehicles operating under the authority of 625 ILCS 5/15-111 and 15-316 while utilizing the City streets under “reasonable access” rules will be considered in violation of this section if they are not utilizing the most direct route to points of loading and unloading.

1. Roads Closed to Use: The following roads within the corporate boundaries of the City are hereby closed to use by trucks, whether single unit or tractor-trailer combination, in excess of twelve thousand (12,000) pounds gross vehicle weight except as may be required for purposes of delivery, pickup, or work accessible only by those routes:
 - (a) Batavia Road from its intersection with Warrenville Road to the boundary of Fermi Research Laboratories.
 - (b) Warrenville Road from its intersection with Batavia Road to Warrenville Road’s westerly termination.
 - (c) County Ridge Drive.
 - (d) Barkley Avenue north Youghall.
 - (e) Mark Road from Route 59 to the west branch of the DuPage River.
2. Posting of Signs and Giving of Notice: Signs stating this restriction shall be installed in accordance with state established standards.

F. PENALTY.

1. Any person, firm or corporation who or which violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this section shall be fined not less than \$50 nor more than \$500 for each offense. A separate offense shall be deemed committed on each calendar day(s) on which a violation occurs.
2. In addition to seeking a fine, as herein above provided, the City Attorney may institute any proper action in the name of the City to enjoin the violation of any provision of this section.

SECTION THREE: The remaining provisions of Title 5, Chapter 1 that are not expressly amended herein are hereby ratified and affirmed and shall remain in full force and effect.

SECTION FOUR: Any policy, resolution or ordinance that conflicts with the provisions of this Ordinance shall be and is hereby repealed and shall be of no further force and effect.

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

PASSED THIS ____ day of _____, 2016.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ day of _____, 2016.

ATTEST:

MAYOR

CITY CLERK

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