

VILLAGE OF BRADLEY

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ORDINANCE NO. 0-04-25-03

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF CHAPTER 52 (TRAFFIC AND VEHICLES), OF THE VILLAGE OF BRADLEY CODE OF ORDINANCES

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ADOPTED BY THE  
BOARD OF TRUSTEES OF THE  
VILLAGE OF BRADLEY

THIS 14th DAY OF April, 2025

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Published in pamphlet form by the authority of the Board of Trustees of the Village of Bradley, Kankakee County, Illinois this 14th day of April, 2025

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**AN ORDINANCE AMENDING MULTIPLE SECTIONS OF CHAPTER 52 (TRAFFIC AND VEHICLES) OF THE VILLAGE OF BRADLEY CODE OF ORDINANCES**

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**WHEREAS**, the Corporate Authorities of the Village of Bradley, Kankakee County, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, Section 11-80-2 of the Illinois Municipal Code (65 ILCS 5/11-80-2) authorizes the Corporate Authorities of the Village to regulate the use of the streets and other municipal property under the Village's jurisdiction; and

**WHEREAS**, pursuant to Section 11-80-2 of the Illinois Municipal Code (65 ILCS 5/11-80-2) and Section 11-208 of the Illinois Vehicle Code (625 ILCS 5/11-208), the Village is authorized to regulate the parking and standing of vehicles on Village streets; and

**WHEREAS**, pursuant to Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2), the Village is authorized to define, prevent, and abate nuisances; and

**WHEREAS**, the Village previously exercised this authority by enacting the following Sections of the Village Code:

- a) Section 52-10. Toy vehicles prohibited on streets
- b) Section 52-132. Locations to stop, stand or park vehicle restricted; lawful control
- c) Section 52-166. Certain vehicles prohibited to park on village streets.
- d) Section 52-294. Public nuisance declared. ;and

**WHEREAS**, the Corporate Authorities have determined that it is necessary, expedient, and in the best interests of the Village and its citizens to amend Sections of the Village Code as forth in this Ordinance.

**NOW THEREFORE, BE IT ORDAINED BY THE CORPORATE AUTHORITIES OF THE VILLAGE OF BRADLEY, KANKAKEE COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AUTHORITY, AS FOLLOWS:**

**SECTION 1.** The Corporate Authorities hereby find that all of the recitals contained in the preamble to this Ordinance are true, correct, and complete and are hereby incorporated by reference hereto and made a part hereof.

**SECTION 2.** That Chapter 52 (Traffic and Vehicles), Article I (In General), Section 52-10 (Toy Vehicles Prohibited on Streets) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-10. – Toy vehicles prohibited on streets.**

- (a)** It shall be unlawful for any person upon skates, a coaster, sled or other toy vehicle, to go upon any roadway other than in a crosswalk.

**(b) It shall be unlawful for any person to operate a personal transportation device (boards, scooters, carts, cycles, regardless of wheel count) which is self-propelled by a motor or engine upon any roadway or sidewalk in the Village, with the exception of transportation devices that are, as defined by statute, a Low-Speed Electric Bicycle (625 ILCS 5/1-140.10) or a Low-Speed Gas Bicycle (625 ILCS 5/1-140.15) and operated pursuant to statutory standards set forth for Low-Speed Electric Bicycles or Low-Speed Gas Bicycle.**

**(c) This section shall not apply to any device recognized to be a personal mobility chair or scooter designed to transport persons with disabilities and which cannot exceed 10mph.**

**SECTION 3.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-132 (Locations to Stop, Stand or Park Vehicle Restricted; lawful control) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-132. Locations to stop, stand or park vehicle restricted; lawful control.**

...

(b) *Prohibitions; exceptions.* Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(1) Stop, stand or park a vehicle:

...

1. **Along any street or** ~~in a public parking area if the vehicle does not display a current annual registration sticker or current temporary permit pending registration~~ **valid registration.**

**SECTION 4.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-166 (Certain Vehicles Prohibited to Park on Village Streets) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-166. Certain vehicles prohibited to park on village streets.**

(a) It shall be unlawful to park on any residential street, as defined by the Illinois Vehicle Code, 625 ILCS 5/1-172, as amended, in the village any motor vehicle that is not a first division vehicle or a second division motor vehicle, both as defined by the Illinois Vehicle Code, 625 ILCS 5/1-217, as amended, except that no second division motor vehicle, the main portion of the body which, whether separately or in combination with its load, exceeds 20 feet in length or ~~seven~~ **nine** feet in height shall be parked on any street except to load or discharge passengers or cargo.

- (b) It shall be unlawful to park recreational vehicles, travel-trailers, truck campers, truck tractors, or any similar vehicle on any residential street, except to load or discharge passengers or cargo, of the following weight, width or height:
- (1) 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;
  - (2) The total width of which, whether separately or in combination with its load, exceeds ~~seven~~ **eight** feet; or
  - (3) The total height of which, whether separately or in combination with its load, exceeds ~~seven~~ **nine** feet.
- (c) At no time shall any vehicle set forth in subsection (b) of this section is parked on any residential street overnight, ~~except when prior approval for such parking is granted by the chief of police or the chief of police's designee.~~ For purposes of this section, the term "overnight" means between the hours 11:00 p.m. and 6:00 a.m. **Except that:**
- (1) **When prior approval for such temporary parking is granted by the chief of police or the chief of police's designee; or**
  - (2) **The vehicle is officially subject to public safety emergency call-outs and a temporary parking permit can be issued by the chief of police or the chief of police's designee citing duration of the time and any restrictions.**

**SECTION 5.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-294 (Public Nuisance Declared) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-294. Public nuisance declared.**

A motor vehicle shall be declared a public nuisance and subject to seizure and impoundment under this article where such motor vehicle is used in the commission of any of the violations set forth in this section. **Fines shall be accessed in order to punish and deter nuisance and criminal behavior.** It shall not be necessary for criminal charges to be filed, prosecuted, and/or proven in order to demonstrate that one of the following violations has been committed:

...

(2) A violation of the state vehicle code:

625 ILCS 5/6-303	Driving while driver's license, permit or privilege to operate a motor vehicle is suspended or revoked
625 ILCS 5/11-204	Fleeing or attempting to elude a peace officer
<b><u>625 ILCS 5/11-401</u></b>	<b><u>Leaving the Scene of a Motor vehicle crash involving death or personal injuries.</u></b>
<b><u>625 ILCS 5/11-402</u></b>	<b><u>Leaving the Scene of a Motor vehicle crash involving property damage.</u></b>

625 ILCS 5/11-501	Driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof
625 ILCS 5/11-503	Reckless driving or aggravated reckless driving
625 ILCS 5/11-504	<del>Drag racing</del>
<b><u>625 ILCS 5/11-506</u></b>	<b><u>Street racing; aggravated street racing; street sidseshows.</u></b>
625 ILCS 5/13 et seq.	A person whose driver's license, permit or privilege to operate a motor vehicle is suspended only for a violation of the emissions inspection law

...

**SECTION 6.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-296 (Posting a Bond) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-296. Posting a Bond.**

If a bond in the amount as provided in the village bond and miscellaneous amount schedule in section 18-3 is posted with the village, the impounded vehicle shall be released to the owner of record, upon the payment by the owner of record of the towing and storage costs. If a ~~fee~~ **fine** is imposed for a violation of this article, the bond will be forfeited to the village; provided, in the event that a violation of this article is not proven, the bond shall be returned to the person posting the bond. All bond money posted pursuant to this article shall be held by the village until the hearing officer issues a decision, or, if there is a judicial review, until a reviewing court issues a final decision.

**SECTION 7.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-297 (Preliminary Hearing) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-297. Preliminary Hearing.**

...

- (4) If the chief of police or the chief of police's designee determines that there is not probable cause to believe that the vehicle was used as provided in section 52-294, the motor vehicle shall be returned to the owner of record of the vehicle without any ~~fees~~ **fin**es or other costs, but the owner of record shall be responsible for any towing or storage charges.

**SECTION 8.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-298 (Final Hearing) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

## **Sec. 52-298. Final Hearing**

...

- (c) *Hearing.* For purposes of this section, the following shall apply at an owner's final hearing:

...

- (3) The violation citation shall be prima facie evidence that the violation was committed as provided in the citation, and the burden of proof shall be upon the defendant to prove that the violation was not committed. If, after the conclusion of the hearing, the hearing officer determines by a preponderance of the evidence that the vehicle was used as provided in section 52-294, the hearing officer shall order the continued impoundment of the vehicle until the owner of the vehicle pays to the village a fee **fine** in the amount as provided in the village bond and miscellaneous amount schedule in section 18-3, plus the towing and storage costs. The fee **fine** and costs shall be a debt due to the village.
- (4) If the owner of record fails to appear at the hearing, the hearing officer shall enter an order of default in favor of the village, which order shall require the payment to the village of an administrative fee **fine** an amount as provided in the village fee **fine** schedule in section 18-4~~2~~
- (5) If the hearing officer determines that the vehicle was not used as provided in section 52-294, the motor vehicle shall be returned to the owner of record of the vehicle without any fee **fine** or other costs, or if a cash bond had previously been posted, the cash bond shall be returned, but the owner of record shall be responsible for any towing or storage charges.

**SECTION 9.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-299 (Unclaimed Vehicles) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

### **Sec. 52-299. Unclaimed Vehicles.**

...

- (b) If the fee **fine** and towing and storage costs are not paid within 80 days after a fee **fine** is imposed pursuant to this article, the vehicle shall be deemed to be abandoned and may be disposed of in the manner provided by law for the disposition of abandoned or unclaimed vehicles, unless a petition for judicial review is filed with a court of proper jurisdiction. Where a petition for judicial review of the hearing officer's determination is filed and pending in a court of proper jurisdiction, the vehicle shall not be deemed to be abandoned and shall not be sold. If the petition for judicial review is resolved in favor of the village, the vehicle shall be deemed abandoned and may be disposed of by the village if the fee and towing and storage costs are not paid within 30 days after the date of the court's order.

**SECTION 10.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-300 (Liability for fees and costs) of the Village Code is

hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-300. Liability for fees and costs.**

- (a) The owner of record of a motor vehicle that is seized or impounded shall be liable to the village for a fee **fine** as provided in the village ~~fee~~ **fine** schedule in section 18-12 in addition to any fees for the towing and storage of the motor vehicle.

...

- (c) A vehicle impounded pursuant to this article shall remain impounded until the earlier of the following occurs:

- 1) The ~~fee~~ **fine** is paid to the village, and all towing and storage costs are paid to the towing company, in which case possession of the motor vehicle shall be given to the person who is legally entitled to possess the motor vehicle, or the motor vehicle is sold or otherwise disposed of to satisfy a judgment to enforce a lien as provided by law.

...

- 4) Except as otherwise specifically provided by law, no owner, lien holder, or any other person shall be legally entitled to take possession of a motor vehicle impounded under this article until the ~~fee~~ **fine** and all towing and storage costs applicable under this article have been paid in full.

**SECTION 11.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-301 (Applicability of Other Laws) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-301. Applicability of Other Laws**

This article is in addition to and shall not replace or otherwise abrogate any existing state or federal laws or any ordinance that relates to the seizure impoundment of motor vehicles, and any **fee fine** in this article shall be in addition to any and all penalties that may be assessed or imposed by a court for any criminal charges. This article shall not apply:

...

**SECTION 12.** That Chapter 52 (Traffic and Vehicles), Article IV (Stopping, Standing, Parking, and Compliance), Section 52-302 (Use of Fees Collected) of the Village Code is hereby amended with the removal of stricken through text and addition of bold and underlined text as follows:

**Sec. 52-302. Use of Fees Collected**

All ~~fees~~ **fin**es collected pursuant to this article, other than those collected to pay for the towing and storage costs of a motor vehicle, shall only be deposited and used for village traffic safety and enforcement expenditures.

**SECTION 13.** In the event that any provision or provisions, portion or portions, or clause or clauses of this Ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of

the remaining provisions, portions, or clauses of this Ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions, or clause or clauses.

**SECTION 14.** That all ordinances, resolutions, motions, or parts thereof, conflicting with any of the provisions of this Ordinance, are hereby repealed to the extent of the conflict.

**SECTION 15.** That the Village Clerk is hereby directed to publish this Ordinance in pamphlet form.

**SECTION 16.** That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

*[Intentionally Left Blank]*

**PASSED** by the Board of Trustees on a roll call vote on the 14th day of April, 2025.

**TRUSTEES:**

RYAN LEBRAN	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
BRIAN BILLINGSLEY	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
DARREN WESTPHAL	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
BRIAN TIERI	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
GRANT D. VANDENHOUT	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>
GENE JORDAN	Aye – <input checked="" type="checkbox"/>	Nay – <input type="checkbox"/>	Absent – <input type="checkbox"/>

**VILLAGE PRESIDENT:**

MICHAEL WATSON      Aye – ☐      Nay – ☐      Absent – ☐

**TOTALS:**      Aye – 6      Nay – 0      Absent – 0

**ATTEST:**

  
KELLI BRZA, VILLAGE CLERK

**APPROVED** this 14th day of April, 2025.

  
MICHAEL WATSON, VILLAGE PRESIDENT

**ATTEST:**

  
KELLI BRZA, VILLAGE CLERK

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*[Handwritten signature]*



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STATE OF ILLINOIS            )  
  )       §§  
COUNTY OF KANKAKEE    )

I, Kelli Brza, Village Clerk of the Village of Bradley, County of Kankakee and State of Illinois, DO HEREBY CERTIFY that the attached is a true, perfect, and complete copy of Ordinance number 0-04-2563, "AN ORDINANCE AMENDING MULTIPLE SECTIONS OF CHAPTER 52 (TRAFFIC AND VEHICLES) OF THE VILLAGE OF BRADLEY CODE OF ORDINANCES," which was adopted by the Village Corporate Authorities at a meeting held on the 14th day of April, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand in the Village of Bradley, County of Kankakee and State of Illinois, on this 14th day of April, 2025.

  
\_\_\_\_\_  
KELLI BRZA, VILLAGE CLERK

(SEAL)





## Agenda Cover Memorandum

Meeting Date: April 14th, 2025

Fiscal Year: FY2024-25

Agenda Item: Parking ordinance amendment

Item Type: ☒ Ordinance ☐ Resolution ☐ Other

Action Requested: ☒ Approval ☒ First Reading ☐ For Discussion ☐ Informational

Staff Contact:  
Name: Chief Donald Barber  
Phone: 815-936-5115  
Email: dbarber@bradleyil.org

Internal Review
Initials
Date

Brief Summary:

The Village of Bradley Police Department is in the process of updating our parking ordinance to add new heights and width restrictions, along with updating new laws on the impoundment of vehicles and vehicles operating on roadways.

Recommendation:

The recommendation is that an ordinance authorizing be drafted, reviewed and adopted.

Supporting Documents:

Financial (if applicable)

Is this a budgeted item? ☐ Yes ☒ No ☐ Requires Budget Amendment

Line Item: Title:

Amount Budgeted:

Actual Cost:

Outcome: