

**ORDINANCE NO. 08 - 02**

**AN ORDINANCE REGULATING INOPERABLE MOTOR VEHICLES  
LOCATED WITHIN HANOVER TOWNSHIP**

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**WHEREAS**, Section 30-130 of the Township Code authorizes the electors at an annual township meeting by Ordinance to declare inoperable motor vehicles, whether on public or private property, to be a nuisance and to authorize fines to be levied for the failure of any person to obey any notice from the Township stating that the person is to dispose of any inoperable motor vehicle under his or her control (60 ILCS 1/30-130) (“Section 30-130”); and

**WHEREAS**, Section 30-130 further authorizes the electors to authorize law enforcement agencies with applicable jurisdiction to remove any inoperable motor vehicle or parts of such vehicle as therein provided;

**NOW, THEREFORE, BE IT ORDAINED** by the Electors of Hanover Township (the “Electors”) at their annual meeting held on April 8, 2008, as follows:

**SECTION ONE:** Definitions: For the purpose of this Ordinance, the following words and phrases shall have the following meanings ascribed to them:

“Inoperable Motor Vehicle” means and includes any motor vehicle from which, for a period of at least 7 days, the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise treated so that the vehicle is incapable of being driven under its own motor power. “Inoperable motor vehicle” does not include a motor vehicle that has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

**SECTION TWO:** Pursuant to Section 30-130 of the Township Code, the Electors hereby declare inoperable motor vehicles located within Hanover Township, Cook County, Illinois whether on public or private property, to be a nuisance, whether conducted by the owner, tenant or other occupant of the property. It is the intent of the Electors to make all such persons and/or entities jointly and severally liable for compliance herewith.

**SECTION THREE:** Pursuant to Section 30-130 of the Township Code, the Electors hereby authorize the Township Clerk to issue a notice to the person or entity who is the vehicle owner and/or owner of record of the property on which the nuisance exists or occurs and/or to the occupant of said property to dispose of any inoperable motor vehicle that is under his, her or its control within seven (7) days of receipt of said notice; provided however, that the Township Board of Trustees has first determined that said vehicle is an inoperable motor vehicle within the meaning of this Ordinance (the "Township Notice"). The Township Notice shall be delivered by certified mail, return receipt requested and regular mail to the last known mailing address of the owner of the vehicle, the owner and/or occupant of the property, or notice shall be served personally on said vehicle owner, property owner and/or property occupant, or notice shall be posted on the premises wherein said nuisance exists or occurs or notice shall be posted in a conspicuous place on the inoperable motor vehicle.

**SECTION FOUR:** Any person and/or entity who fails to dispose of any inoperable motor vehicle under his, her or its control within seven (7) days of receipt of the Township Notice from the Township Clerk as provided in Section Three above shall be fined \$500.00.

**SECTION FIVE:** The Electors hereby authorize the Hanover Township Board of Trustees to perform all acts necessary to enforce the provisions of this Ordinance.



**SECTION SIX:** The Electors hereby authorize law enforcement agencies with applicable jurisdiction to remove, after seven (7) days from the issuance of the Township Notice provided in Section Three above, any inoperable motor vehicle or parts of such vehicle; provided however, that the owner of such vehicle is first provided an opportunity for a hearing to determine if said vehicle and/or parts should be removed based on a determination that this Ordinance has been violated and further provided that a warrant has been issued by a court having jurisdiction over the vehicle authorizing its removal.

**SECTION SEVEN:** Nothing in this Ordinance applies to any motor vehicle that is kept within a building when not in use, to an operable historic vehicle over 25 years of age, or to a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

**SECTION EIGHT: SEVERABILITY.** If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION NINE: REPEAL OF PRIOR ORDINANCES.** All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.


**SECTION TEN: EFFECTIVE DATE.** This Ordinance shall be in full force and effect.

VOTE OF ELECTORS: *Michael Kelly, Robert Goffinski, Sandra Westlund-  
Jason Hughes, Katy Dolan Bawner, Deentha*  
AYES: *5*  
NAYS: *0*

PASSED: April 8, 2008


APPROVED: April 8, 2008

  
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Michael E. Kelly, Township Supervisor

ATTEST:  
  
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Brian P. McGuire, Township Clerk

### CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 08-02 enacted on April 8, 2008 and adopted by the Electors of Hanover Township at the Annual Hanover Township meeting held on April 8, 2008, as the same appears from the official records of Hanover Township.

  
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Brian P. McGuire, Hanover Township Clerk