

CHAPTER 75: EQUIPMENT; LOADS

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§ 75.01 AUTHORITY OF COMMISSIONER OF STREETS AND PUBLIC IMPROVEMENTS TO RESTRICT RIGHT TO USE STREETS.

The Commissioner of Streets and Public Improvements, with respect to all streets or highways within the municipality except federal and state routes, may prohibit the operation of vehicles on any such street or highway or impose restrictions as to the weight of vehicles to be operated on any such street or highway for a total period of not to exceed 90 days in any one calendar year whenever any such street or highway, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. The Commissioner shall erect or cause to be erected and maintained signs designating such prohibition or restriction at each end of that portion of the street or highway affected thereby. The Commissioner, with respect to all streets or highways within the municipality except federal and state routes, may also prohibit the operation of trucks or other commercial vehicles, or may impose limitations as to the weight thereof on designated streets or highways, which prohibitions and limitations shall be designated by appropriate signs placed on such streets or highways.

(ILCS Ch. 625, Act 5, § 15-316) ('79 Code, § 78.01) (Ord. 817, passed 3-5-73)

§ 75.02 SIZE AND WEIGHT OF VEHICLES GENERALLY.

It shall be unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any street in the municipality any vehicle or vehicles of a size and weight exceeding the limitations provided by state law, or otherwise in violation of state law, unless under the terms of a special permit issued pursuant to this chapter.

('79 Code, § 78.02) (Ord. 817, passed 3-5-73) Penalty, see § 75.99

§ 75.03 LIMITED WEIGHT ON STREETS.

Whenever the weight of vehicles permitted on a street is limited by ordinance and signs indicating such limitations are posted, it shall be unlawful to operate a vehicle in excess of such weight on such street, except for the purpose of making delivery or picking up a load, in which case such vehicle may be driven on such street for not more than the minimum distance necessary for the purpose.

('79 Code, § 78.03) (Ord. 817, passed 3-5-73) Penalty, see § 75.99

§ 75.04 OFFICERS TO WEIGH VEHICLES AND REQUIRE REMOVAL OF EXCESS LOADS.

(A) Any police officer having reason to believe that the weight of a vehicle and load is unlawful shall require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales. If such scales are not available at the place where such vehicle is stopped, the police officer shall require that such vehicle be driven to the nearest public scales.

(B) Whenever an officer, on weighing a vehicle and load, determines that the weight is unlawful, the officer shall require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this chapter, and shall arrest the driver. All material so unloaded shall be cared for by the owner or operator of such vehicle at the risk of such owner or operator.

(C) Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses when directed by an officer on weighing of the vehicle to stop the vehicle and otherwise comply with the provisions of this section, shall be guilty of a misdemeanor.

('79 Code, § 78.04) (Ord. 817, passed 3-5-73) Penalty, see § 75.99

§ 75.05 PERMITS FOR EXCESSIVE SIZE AND WEIGHT.

(A) The Commissioner of Public Health and Safety may, within his/her discretion, on

application in writing, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size and weight of vehicle or load exceeding the maximum specified by

state law, or otherwise not in conformity with the provisions of state law, on any street within the municipality. Where a permit is sought for overweight, the application shall show that the load to be moved by such vehicle or combination of vehicles cannot reasonably be dismantled or disassembled.

(B) The application for any such permit shall specifically describe the vehicle or vehicles and load to be operated or moved, and the particular streets for which a permit to operate is requested.

(C) The Commissioner of Public Health and Safety is authorized to issue or withhold such permit at his/her discretion; or, if such permit is issued, to limit the number of trips; or to establish seasonal or other time limitations within which the vehicles described may be operated on the streets indicated; or otherwise to limit or prescribe conditions or operation of such vehicle or vehicles when necessary to assure against undue damage to the road foundations, surfaces, or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(D) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers, and shall be open to inspection by any police officer or authorized agent of the Commissioner of Public Health and Safety, and no person shall violate any of the terms or conditions of such special permit.

(E) Whenever any vehicle is operated or movement made in violation of a permit issued in accordance with the provisions of this section, the person to whom such permit was granted, in addition to the driver of such vehicle, shall be deemed guilty of such violation, and either or both such persons may be prosecuted for such violation.

(F) The Commissioner of Public Health and Safety shall not issue permits to any person convicted of three offenses during a period of one year after the date of conviction for such third offense.

('79 Code, § 78.05) (Ord. 817, passed 3-5-73) Penalty, see § 75.99

§ 75.06 PROJECTING LOADS ON PASSENGER VEHICLES.

No passenger-type vehicle shall be operated on any street within the municipality with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle, nor extending more than six inches beyond the line of the fenders on the right side thereof.

(ILCS Ch. 625, Act 5, § 15-105) ('79 Code, § 78.06) (Ord. 817, passed 3-5-73) Penalty, see § 75.99

§ 75.07 SPILLING LOADS ON STREETS PROHIBITED.

(A) No vehicle shall be driven or moved on any street within the municipality unless such

vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.

(B) No person shall operate on any street any vehicle with any load unless such load and any covering thereon are securely fastened so as to prevent such covering or load from becoming loose, detached, or in any manner a hazard to other users of the street.

(C) The State Department of Transportation shall adopt such rules and regulations it deems appropriate which require the securing of steel rolls and other objects on flatbed trucks so as to prevent injury to users of highways and damage to property. Any person who operates a flatbed truck on any highway in violation of the rules and regulations promulgated by the Department under this section shall be guilty of a class C misdemeanor.

(ILCS Ch. 625, Act 5, § 15-109) ('79 Code, § 78.07) (Ord. 817, passed 3-5-73) Penalty, see § 75.99

§ 75.08 TRAILERS AND TOWED VEHICLES.

(A) No trailer shall be operated on the streets of the municipality while attached to a self-propelled motor vehicle or to a loading trailer or semitrailer, unless, in addition to the regular coupling device, it shall have suitable and adequate safety chains or devices attached to the corners of the trailer frame of sufficient strength to pull the trailer and its maximum load.

(B) It shall be unlawful to drive, push, pull, or operate any combination of vehicles coupled together consisting of more than two vehicles on any street or highway within the municipality. ('79 Code, § 78.08) (Ord. 817, passed 3-5-73) Penalty, see § 75.99

§ 75.09 WEIGHT LIMITS FOR TRUCKS; EXCEPTIONS.

No truck exceeding the gross weight, including the operator and cargo, of 10,000 pounds shall be driven on any street in the municipality with the following exceptions:

(A) Streets and roads constituting part of the state highway system and the Cook County highway system;

(B) Maple Street between 216th Street and the Elgin, Joliet, and Eastern Railroad Company right-of-way;

(C) 216th Place - Main Street to Oak Street;

(D) Oak Street between the Elgin, Joliet, and Eastern Railroad Company right-of-way and 216th Street.

('79 Code, § 78.09) (Ord. 754, passed 1-18-71) Penalty, see § 75.99

§ 75.10 TRUCKS EXCEEDING WEIGHT LIMIT PERMITTED TO MAKE PICKUPS AND DELIVERIES.

Section 75.09 shall not prohibit any truck from making pickups and deliveries to houses on streets on which trucks having a gross weight, including the operator and cargo, of 10,000 pounds are otherwise prohibited to be driven pursuant to the provisions of § 75.09. ('79 Code, § 78.10) (Ord. 754, passed 1-18-71) Penalty, see § 75.99

§ 75.11 ADDITIONAL EXCEPTIONS.

Section 75.09 shall not prohibit:

(A) The operation of emergency or governmental vehicles on any street;

(B) The operation of any truck on any officially established detour in any case where such truck could lawfully have been on the street for which such detour was established. ('79 Code, § 78.11) (Ord. 754, passed 1-18-71)

§ 75.12 POLICE TO POST SIGNS.

The Police Department shall post signs at the entrance of each street as to which the prohibitions provided in § 75.09 shall apply. ('79 Code, § 78.12) (Ord. 754, passed 1-18-71)

§ 75.13 REQUIRING THE USE OF SEAT SAFETY BELTS.

(A) No person shall operate any 1965 or later model motor vehicle of the first provision that is titled or licensed by the Secretary of State unless the front seat of such motor vehicle is equipped with two sets of seat safety belts.

(B) All occupants of a motor vehicle of the First Division, a motor vehicle of the Second Division with a gross vehicle weight rating of 9,000 pounds or less, a recreational vehicle or the driver or front seat passenger of a Second Division motor vehicle with a gross vehicle weight exceeding 9,000 pounds, operated on a street or highway in this village shall wear a properly adjusted and fastened seat safety belt; except that, a child less than six years of age shall be protected as required pursuant to the Illinois Child Passenger Protection Act (ILCS Ch. 625, Act 25, §§ 1 *et seq.*). Each driver of a motor vehicle transporting a child six years of age or more, but less than 18 years of age, shall secure the child in a properly adjusted and fastened seat safety belt.

(C) The provisions of this section shall not apply to any of the following:

- (1) The driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed the vehicle between stops does not exceed 15 miles per hour.
- (2) A driver or passenger possession a written statement from a physician that such person is unable, for medical or physical reasons to wear a seat safety belt.
- (3) A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical or other valid reasons to wear a seat safety belt.
- (4) A driver operating a motor vehicle in reverse.
- (5) A motor vehicle with a model year prior to 1965.
- (6) A motorcycle.
- (7) A motor vehicle which is not required to be equipped with safety seat belts under Federal Law.

(D) A violation of this section shall be a petty offense and subject to a fine not to exceed \$100.

(E) Any Village Police Officer may stop any motor vehicle, or driver or passenger of such vehicle solely on the basis of a violation or suspected violation of this section while such motor vehicle is being operated on any roadway within this jurisdiction.
(Ord. 1717, passed 12-7-98)

§ 75.99 PENALTY.

Any person, firm, or corporation violating any of the provisions of this chapter shall, upon conviction, be fined not less than \$5 nor more than \$250 for each offense.
(‘79 Code, § 78.99) (Ord. 754, passed 1-18-71)