

ORDINANCE 938

AN ORDINANCE AMENDING ORDINANCE 920 AND ESTABLISHING AN AMENDED ADMINISTRATIVE FEE FOR OVERWEIGHT VEHICLE PERMITS FOR THE VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS

PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 21 DAY OF January, 2009

Published in pamphlet form by
authority of the corporate authorities
of the Village of Elwood, Illinois
the 23 day of January, 2009.

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AN ORDINANCE AMENDING ORDINANCE 920 AND ESTABLISHING AN AMENDED ADMINISTRATIVE FEE FOR OVERWEIGHT VEHICLE PERMITS FOR THE VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS

WHEREAS, the Village of Elwood (sometimes hereinafter "Elwood" or the "Village") is a home rule municipal corporation pursuant to Section 6 of Article VII of the Constitution of the State of Illinois; and

WHEREAS, the Village is empowered through the Illinois Vehicle Code, 625 ILCS 5/15-316 *et seq.* and its police powers to impose weight limitations and prohibit the operation of trucks or other commercial vehicles on designated roads within its boundaries to protect the lives, public health, morals and general welfare of its residents, including but not limited to preserving the roadway integrity and otherwise mitigate losses caused by road deterioration and to minimize traffic hazards; and

WHEREAS, the Acting President and the Board of Trustees of the Village of Elwood (hereinafter "Corporate Authorities") have previously adopted Ordinance 920, wherein certain vehicle weight limits, dimensions, truck routes and permit requirements were established; and

WHEREAS, the Corporate Authorities deem it necessary, proper and in the best interest of the Village to amend the previously established regulations in order to adjust the administrative fee assessed to process each special permit application.

NOW THEREFORE, BE IT ORDAINED BY THE ACTING VILLAGE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1. INCORPORATION That the preambles to this Ordinance be, and the same hereby are, incorporated herein by this reference as if set out in full at this place. The provisions of the Illinois Vehicle Code, 625 ILCS 5/15-100 *et seq.* (hereinafter referred to as the "Vehicle Code") are also hereby incorporated herein by reference and are made a part hereof. To the extent that any of the provisions of the Vehicle Code conflict, contradict or are inconsistent with any of the provisions contained in this Ordinance, the respective provisions in this Ordinance shall control.

SECTION 2. ADMINISTRATIVE FEE AMENDMENT The language contained in section 5.07 of Ordinance 920 shall be amended such that an administrative fee shall be paid by each applicant at the time of filing a permit application to cover the cost of processing the application in accordance with Exhibit "A" attached hereto and incorporated herewith. All filing fees shall be paid to the Village Finance Department or Village Clerk.

SECTION 3. AMENDMENT The Village Administrator is hereby granted authority to amend the Administrative Fee as deemed necessary, expedient and in the best interest of the Village without further action by the Corporate Authorities. Any such amendment shall be made in writing and published by the Village Clerk as the Official Administrative Fee for Special Weight Permits for the Village of Elwood.

SECTION 4. REPEALER All other Ordinances of the Village inconsistent herewith, to the extent of such inconsistency and no further, are hereby repealed upon the effective date hereof.

SECTION 5. SEVERABILITY Should any section, subsection or other provision of this Ordinance for any reason be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not effect the validity of the Ordinance as a whole or any part not declared invalid.

SECTION 6. PUBLICATION The Village Clerk is hereby authorized and directed to publish this Ordinance, by publication in pamphlet form for general distribution in the manner provided by law.

SECTION 7. EFFECTIVE DATE 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.

AYES: 6
 NAYS: 0
 ABSENT: 0

Trustee	Aye	Nay	Absent	Trustee	Aye	Nay	Absent
Charles Bernhard	X			Donald LaPaglia	X		
Francis "Bud" Jones	X			Mary Matichak	X		
Jason Kucera	X			Robert Wagner	X		

PASSED and APPROVED this 21 day of January, 2009.


 WALTER STRAWN,
 ACTING VILLAGE PRESIDENT

ATTEST:


 PATRICIA BUCHENAU,
 VILLAGE CLERK

PASSED: This 21 day of January, 2009.
 APPROVED: This 21 day of January, 2009.
 PUBLISHED: This 23 day of January, 2009.

EXHIBIT "A"

ADMINISTRATIVE FEE FOR SPECIAL WEIGHT PERMITS

In addition to all permit fees required pursuant to the Vehicle Weight Limit Ordinance (Ordinance 920), an administrative fee in the sum of TWELVE AND NO HUNDREDTHS DOLLARS (\$12.00) shall be assessed for processing each special weight permit application.