

**VILLAGE OF ELWOOD**

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**ORDINANCE 1070**

**AN ORDINANCE AMENDING ORDINANCE 1004 AND ESTABLISHING  
WHEEL AND AXEL LOAD PROHIBITIONS FOR THE  
VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS**

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**ADOPTED BY  
THE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF ELWOOD**

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**PASSED AND APPROVED BY  
THE PRESIDENT AND BOARD OF TRUSTEES  
THE 17th DAY OF MAY, 2017**

Published in pamphlet form by  
authority of the President and  
Board of Trustees on the  
18<sup>th</sup> day of May, 2017

## ORDINANCE 1070

### **AN ORDINANCE AMENDING ORDINANCE 1004 AND ESTABLISHING WHEEL AND AXEL LOAD PROHIBITIONS FOR THE VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS**

**WHEREAS**, the Village of Elwood (hereinafter 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 President and Board of Trustees of the Village of Elwood (hereinafter "Corporate Authorities") have previously adopted Ordinance 1004, 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 interests of the Village to amend Ordinance No. 1004 to promote the health, safety and general welfare of the residents within Elwood; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Elwood, Illinois:

**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.*, as amended from time to time (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. WHEEL AND AXEL LOAD PROHIBITIONS.** That the language contained in Section 3 of Ordinance 1004 shall be amended in its entirety to hereinafter read as follows:

It shall be unlawful for any person(s) to operate or cause to be operated a motor vehicle having a gross weight (including vehicle and maximum load) in excess of 80,000 pounds, or motorized equipment having a gross weight in excess of 80,000 pounds (collectively "Over Load Vehicle") on any street, road or highway located within the jurisdiction of Elwood, unless one of the exceptions listed in Section 4 hereunder are applicable to said vehicle(s), or as otherwise permitted pursuant to the language contained in Sections 5 or 6.

It shall also be unlawful for any person(s) to operate or cause to be operated a motor vehicle in violation of Section 15-111 of the Illinois Vehicle Code (625 ILCS 5/15-111)—including, but not limited to, those provisions concerning wheel and axle load violations—on any street, road, or highway located within the jurisdiction of Elwood, unless one of the exceptions listed in Section 4 hereunder are applicable to said vehicle(s), or as otherwise permitted pursuant to the language contained in Sections 5 or 6.

**SECTION 3. TRUCK ROUTES.** That Exhibit “A” of Ordinance No. 1004 shall be amended in its entirety to hereinafter read as follows:

**TRUCK ROUTES**

| <b>ROADWAY NAME</b>                                     | <b>BEGINNING AT:</b>           | <b>EXTENDING TO:</b>    | <b>DISTANCE</b> |
|---|--------------------------------|-------------------------|-----------------|
| Elwood International Port Road (formerly Baseline Road) | Arsenal Road                   | Walter Strawn Drive     | 1.57 miles      |
| Elwood International Port Road/South Industrial Drive   | Walter Strawn Drive            | 7,970 linear feet south | 1.51 miles      |
| Walter Strawn Drive                                     | Elwood International Port Road | Illinois Route 53       | 1.74 miles      |
| Walton Drive (formerly Center Point Drive)              | Mississippi Avenue             | Walter Strawn Drive     | 0.56 miles      |
| Mississippi Avenue                                      | Elwood International Port Road | Diagonal Road           | 1.14 miles      |
| Diagonal Road   | Mississippi Avenue             | 1,850 linear feet north | 0.35 miles      |

- \* All streets not specifically designated as truck routes shall be designated hereunder as residential streets.
- \* Other streets may be designated as truck routes by resolution of the Corporate Authorities, in its sole discretion. The Village may amend this exhibit by administrative action, without a public hearing or resolution. In such event, any new truck route not stated herein shall have properly posted signs to provide sufficient notice to the general public.

**SECTION 4. REPEALER.** That 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.** That, 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. EFFECTIVE DATE.** That this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

**PASSED** by the Board of Trustees of the Village of Elwood, Will County, Illinois, this 17th day of May, 2017, by the following roll call vote:

| NAME                  | AYE           | NAY           | ABSENT        | ABSTAIN       |
|-----------------------|---------------|---------------|---------------|---------------|
| Trustee Don LaPaglia  | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> |
| Trustee Jasen Melahn  | <u>      </u> | <u>      </u> | <u>✓</u>      | <u>      </u> |
| Trustee Doug Jenco    | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> |
| Trustee Mary Matichak | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> |
| Trustee Dean Lowrance | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> |
| Trustee Darryl P. Lab | <u>✓</u>      | <u>      </u> | <u>      </u> | <u>      </u> |

**APPROVED** by Todd Matichak, as Village President of the Board of Trustees of the Village of Elwood, Will County, Illinois on this 17th day of May, 2017.



*Todd C Matichak*

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Todd Matichak  
Village President  
Village of Elwood, Will County, Illinois

ATTEST:

*Julie Friebele*  
\_\_\_\_\_  
Julie Friebele  
Village Clerk  
Village of Elwood, Will County, Illinois

STATE OF ILLINOIS        )  
                                  )  
COUNTY OF WILL         )

SS

**CLERK'S CERTIFICATE**

I, Julie Friebele, the duly qualified and acting Village Clerk of the Village of Elwood, Will County, Illinois, do hereby certify that attached hereto is a true and correct copy of an ordinance entitled:

**ORDINANCE 1070**

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which ordinance was duly adopted by said Board of Trustees at a regular meeting held on this 17th day of May, 2017.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all the requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of May, 2017.

(SEAL)



  
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Julie Friebele, Village Clerk