

ORDINANCE 893

AN ORDINANCE TO PROTECT THE PUBLIC WAYS WITHIN THE VILLAGE OF ELWOOD,
WILL COUNTY, ILLINOIS

PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 16 DAY OF January, 2008

Published in pamphlet form by
authority of the corporate authorities
of the Village of Elwood, Illinois,
the 23 day of January, 2008.

ORDINANCE NO. 893

AN ORDINANCE TO PROTECT THE PUBLIC WAYS WITHIN THE VILLAGE OF ELWOOD,
WILL COUNTY, ILLINOIS

WHEREAS, the Village of Elwood, Will County, Illinois (hereinafter the "Village") is a duly constituted and existing municipality, and a home rule unit pursuant to Section 6 of Article VII of the Constitution of the State of Illinois; and

WHEREAS, a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Village President and Board of Trustees of the Village ("Corporate Authorities") desire to preserve the public ways in a state free from unnatural impediments, including, but not limited to snow, soil, debris and other undesirable material in order to assure the safe travel of most vehicles and pedestrians upon the streets and roadways and sidewalks of the Village; and

WHEREAS, the Corporate Authorities believe it is in the best interest of the residents to establish restrictions and regulations relative to its private citizen activities in this respect.

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 are hereby incorporated herein by this reference as if set out in full at this place.

SECTION 2. SHORT TITLE This Ordinance shall be known as the "PUBLIC WAYS PROTECTION ORDINANCE FOR THE VILLAGE OF ELWOOD."

SECTION 3. RESTRICTIONS ON DEPOSITING SNOW, SOIL, DEBRIS OR OTHER UNDESIRABLE MATERIAL ON PUBLIC WAYS It shall be unlawful for any person to deposit any snow, soil, debris or other undesirable material from any sidewalk, driveway or parking lot or other premises onto any street, alley or sidewalk. It shall also be unlawful for any person to sweep or deposit any snow, soil, debris or other undesirable material from any sidewalk or building onto any public parkway. It shall be the duty of any person violating this Section to remove the snow, soil, debris or other undesirable material within two (2) hours of receipt of notice from the Village Administrator or her designee.

SECTION 4. EXCEPTION The regulations contained in Section 3 shall not apply to any premises or areas of the Village that the Village Board has determined lacks sufficient open space, excluding areas set aside for off-street parking, upon which to accumulate snow. Schedules setting forth these premises or areas shall be on file in the Village Clerk's Office and may be adopted and amended by the corporate authorities from time to time by resolution.

SECTION 5. PENALTIES On the first violation of the provisions of this Ordinance, unless otherwise specifically set forth herein, an initial warning will be given to the person so unlawfully depositing any snow, soil, debris or other undesirable material. Upon the second violation, a fine in the sum of SEVENTY FIVE DOLLARS (\$75.00) shall be imposed upon the person violating this ordinance. Each subsequent offense shall result in a fine that increases by increments of SEVENTY FIVE DOLLARS (\$75.00) up to a maximum fine amount of ONE THOUSAND DOLLARS (\$1,000.00) per violation.

SECTION 6. REPEALER Any Ordinance(s) of the Village inconsistent herewith, to the extent of such inconsistency and no further, are hereby repealed upon the effective date hereof.

SECTION 7. 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 8. 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 9. 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: 5
 NAYS: 0
 ABSENT: 1

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

PASSED and APPROVED this 16 day of January, 2008.


 JANICE A. RUBAN,
 ACTING VILLAGE PRESIDENT

ATTEST:


 PATRICIA BUCHENAU, VILLAGE CLERK

PASSED: This 16 day of January, 2008.

APPROVED: This 16 day of January, 2008.

PUBLISHED: This 23 day of January, 2008.