

ORDINANCE NO. 762

VILLAGE OF BELLEVUE, ILLINOIS

ORDINANCE PROHIBITING THE USE OF CERTAIN VEHICLES

WHEREAS, the Village of Bellevue Board of Trustees has determined that the use on residentially zoned property of the vehicles described in this ordinance constitutes a nuisance; and

WHEREAS, the Village is authorized under Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) to define, prevent and abate nuisances; and

WHEREAS, the Village Board believes that prohibiting the use of such vehicles as set forth herein will promote the health, safety and welfare of the citizens of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: Findings. The Village Board hereby finds as fact the Whereas clauses set forth above.

Section 2: Definitions. The following words shall have the following meanings for purposes of the ordinance:

“ATV” means an all terrain vehicle as defined in Section 5/1-101.8 of the Illinois Vehicle Code.

“Motorcycle” means a motor vehicle defined in Section 5/1-147 of the Illinois Vehicle Code.

“Moped” as defined in Section 5/1-148.2 of the Illinois Vehicle Code.

“Motor Driven Cycle” as defined in Section 5/1-145.001 of the Illinois Vehicle Code.

“Off-Highway Motorcycles” as defined in Section 5/1-153.1 of the Illinois Vehicle Code.

“Residentially zoned area” means any parcel of land, or portion thereof, zoned R-1, General Residential, or R-2, Mobile Home Park, under the Village’s zoning ordinance (Ordinance No. 553).

“Vehicles” for purposes of this chapter means Motorcycles, ATVs, Mopeds, Motor Driven Cycles and Off-Highway Motorcycles.

Section 3: Operation of Vehicles. No person shall operate any vehicle, as defined in Section 2 above, upon private property in a residentially zoned area within the Village at any time, excluding a driveway, a garage, or paved private streets, regardless of whether such vehicle is licensed or unlicensed.

Section 4: Use of Property for Operation of Vehicles Prohibited. No owner or resident of private property in a residentially zoned area within the Village shall use their property, or permit their property to be used by any other person, for operation of any vehicle. This shall not preclude the use of a garage, a driveway, or paved private streets.

Section 5: Exemptions. The following uses of vehicles are exempt from the provisions of this chapter:

1. The operation of publicly-owned or emergency vehicles or motorcycles by public officers or emergency personnel in the course and scope of their employment.
2. The operation of any vehicles associated with the maintenance of real property of lawful uses thereon.
3. The operation of any vehicle associated with construction, repair, remodeling, or grading of any real property.
4. The operation of any vehicle associated with normal and customary yard maintenance.

Section 6: Effective Date. This ordinance shall be effective from and after the date of its passage and publication as provided by law.

PASSED AND APPROVED THIS 24TH DAY OF July, 2018.

Ayes: 5
Nays: 0
Absent: 1

VILLAGE OF BELLEVUE, ILLINOIS

By: Terry Johnson
Terry Johnson, President

Attest: Jennifer Wilson
Jennifer Wilson, Village Clerk