

CITY OF ST. CHARLES

ORDINANCE NO. 1994-M-48

AN ORDINANCE AMENDING CHAPTER 10.15,
"SIZE, WEIGHT, LOAD AND PERMITS", OF THE
ST. CHARLES MUNICIPAL CODE

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF ST. CHARLES
THIS 1ST DAY OF AUGUST, 1994

PUBLISHED IN PAMPHLET FORM BY
AUTHORITY OF THE CITY COUNCIL
OF THE CITY OF ST. CHARLES,
KANE AND DU PAGE COUNTIES,
ILLINOIS, THIS 5TH DAY OF
AUGUST, 1994


CITY CLERK

(S E A L)

DATE OF PUBLICATION 8/5/94
NEWSPAPER Pamphlet Form

REFER TO:
MINUTES 8/1/94
PAGE _____

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**AN ORDINANCE AMENDING CHAPTER 10.15,
"SIZE, WEIGHT, LOAD AND PERMITS",
OF THE ST. CHARLES MUNICIPAL CODE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES,
KANE AND DU PAGE COUNTIES, ILLINOIS, AS FOLLOWS:**

1. That Chapter 10.15, "Size, Weight, Load and Permits", of the St. Charles Municipal Code, be and is hereby amended by deleting the same and substituting the following therefor:

"10.15.400 Load Limits on Streets Under City Jurisdiction

A. It is unlawful for any person to be in control of, to drive, to park, or move on, upon, or across or for the owner to cause or knowingly permit to be parked, driven, or moved upon or across, any street or highway under the jurisdiction of the City of St. Charles, any vehicle or combination of vehicles exceeding the size and weight limitations stated in the IL. Compiled Statutes, 625 ILCS 5/15-102 (width), 625 ILCS 5/15-103 (height), 625 ILCS 5/15-107 (length), and 625 ILCS 5/15-111 (weight).

B. Size and weight limitations for operating on city streets shall not apply to fire apparatus or equipment for snow or ice removal operations owned or operated by or for any governmental body, to implements of husbandry temporarily operated or towed in a combination in the furtherance of a farm or agricultural endeavor nor to any vehicle or combination of vehicles operating under the terms of a valid oversize and/or dimension permit issued by the City of St. Charles under the authority of Section 10.15.410.

C. Where lower size and weight limits or other restrictions are imposed by ordinance under authority of the IL. Compiled Statutes, 625 ILCS 5/15-316 and 625 ILCS 5/15-317, and signs indicating such limitations or restrictions are posted, it shall be unlawful to operate any vehicle or combination of vehicles in excess of such size or weight limitations or in violation of such restrictions.

D. It shall be unlawful to operate any 'construction vehicle' as defined herein on any street in the municipality when signs are posted on that street prohibiting 'construction vehicles'. 'Construction vehicle' is defined as 'Any vehicle over 10,000 lbs (10,000) actual weight, registered gross weight or GVWR that is required to comply with IL. Compiled Statutes, 625 ILCS 5/12-712 and 625 ILCS 5/12-713 on identification required to be displayed'.

E. Whenever any vehicle or combination of vehicles is operated in violation of Section 10.15.400, the owner or driver of such vehicle shall be deemed guilty of such violation and either may be prosecuted for such violation.

10.15.410 Permits For Overweight and/or Over-dimension Vehicles

A. With respect to any street or highway under the jurisdiction of the City, the Director of Public Works, or his designee, may, upon application on forms provided by the City and good cause shown therefore, issue a special permit authorizing the applicant to operate a vehicle or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in Section 10.15.400. The applicant shall furnish the following information in the special permit application:

1. The name and address of the owner or lessee of the vehicle.
2. Applicant's name.
3. Type of permit request whether it be for a single trip, round trip or multiple routing.
4. Whether the applicant is an authorized carrier under the Illinois Commercial Transportation Law, 625 ILCS 5/18C-1101 et seq., and if so, his certificate, registration or permit number issued by the Illinois Commerce Commission (i.e., description and registration of the power unit).
5. Description of the vehicle or vehicles and load to be operated or moved (if the vehicles or vehicle combinations are registered by the Department of Transportation, as provided in 625 ILCS 5/15-319, then only the Illinois Department of Transportation's (IDOT) registration number or classification need be given).

6. The number of axles of the vehicle or combination of vehicles.
7. The axle weights of all single, tandem, or series axles.
8. Gross weight of the vehicle.
9. The width, length, and height of the vehicle and load.
10. Requested routing over city streets and to specific location, including the points of origin and destination.
11. Whether the vehicles or loads are being transported for hire.
12. Except for an application to move directly across a highway, a statement by the applicant that the load to be moved by such vehicle or combination of vehicles cannot reasonably be dismantled or disassembled.

B. An applicant or his agent shall submit an application fee of \$50.00 for a single routing permit, \$80.00 for a round trip routing permit and \$150.00 for a multiple routing permit. The single routing permit shall be valid for seven (7) calendar days; the round trip routing permit shall be valid for fourteen (14) calendar days; and the multiple routing permit shall be valid for a period of time not to exceed one hundred twenty (120) calendar days. Permits are valid only for the date(s) specified on the permit and for the specific vehicle, load, and routing as established by the Director of Public Works, or his designee. No substitution of vehicles, load, or routing is permitted without expressed written consent of the Director of Public Works, or his designee, and carried in the vehicle to which the permit applies.

C. The Director of Public Works, or his designee, is authorized to approve the permit applications. Upon approval and payment of all required fees, the Director of Public Works, or his designee, shall issue a permit allowing passage of the oversize and/or overweight vehicle(s) over city streets. The permit shall be specific and contain:

1. Permit number.
2. Date(s) permit is valid.
3. Whether permit is for a single trip, round trip or multiple routing.

4. Description of vehicle or object to be moved.
5. Authorized gross and axle weight, length, and weight and height.
6. The authorized routing over city streets including the origin and termination point within the city.
7. The fee paid.
8. Date and signature of the Director of Public Works, or his designee. In addition, the permit will specify general conditions with which the permittee must comply that are consistent and reasonable for the protection of the general public and city streets. A copy of all permits issued will be sent to the Records Section of the St. Charles Police Department for information and enforcement purposes.

D. It is the duty of the permittee to read and familiarize himself with the permit provisions upon receipts. Undertaking of the permit move is deemed prima facie evidence of acceptance of the permit and that:

1. The permittee is in compliance with all operational requirements.
2. All dimension and weight limitations specified in the permit will not be exceeded.
3. All operation, registration, and license requirements have been complied with.
4. All financial responsibilities, obligations, and other legal requirements have been met; and
5. The permittee assumes all responsibility for injury, or damage to persons or to public or private property, including his own, or to the object being transported, caused directly or indirectly by the transportation or movement of vehicles and objects authorized under the permit. He agrees to hold the city of St. Charles harmless from all suits, claims, damages, or proceedings of any kind and to indemnify the city of St. Charles for any claim it may be required to pay arising from the movement.

E. The permit shall be carried in the vehicle to which the permit applies at all times while operating on the streets within the city and shall be exhibited upon demand to any enforcement officer, police officer, or other authorized official of the City of St. Charles.

F. Whenever any vehicle is operated in violation of the provision of a City permit, whether it be by size, weight, or general provisions, the person to whom such permit was granted, or the driver of such vehicle may be prosecuted for such violation.

10.15.420 Vehicles Prohibited on Certain Streets

As provided under the authority of IL. Compiled Statutes, 625 ILCS 5/15-316, it shall be unlawful to operate any vehicle in excess of 10,000 lbs. on any street in the city except state highways and county roads, and where such prohibitions are posted.

10.15.430 Posting

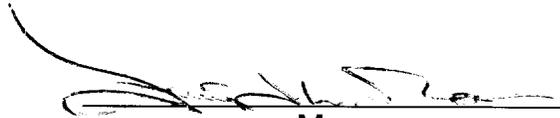
The Director of Public Works is authorized and directed to post or cause to be posted at location of entrances to streets restricted pursuant to 10.15.420."

2. That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

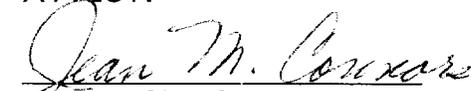
PRESENTED to the City Council of the City of St. Charles, Illinois, this 1st day of August, 1994.

PASSED by the City Council of the City of St. Charles, Illinois, this 1st day of August, 1994.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 1st day of August, 1994.


Mayor

ATTEST:


City Clerk

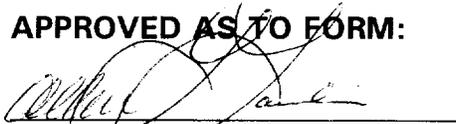
COUNCIL VOTE:

Ayes: 14

Nays: 0

Absent: 0

APPROVED AS TO FORM:


City Attorney

DATE: 6/17/94

STATE OF ILLINOIS)
) SS.
COUNTIES OF KANE AND DUPAGE)

C E R T I F I C A T E

I, JEAN M. CONNORS, certify that I am the duly elected and acting municipal clerk of the city of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on August 1, 1994, the Corporate Authorities of such municipality passed and approved Ordinance No. 1994-M-48, entitled

"AN ORDINANCE AMENDING CHAPTER 10.15, 'SIZE, WEIGHT, LOAD AND PERMITS', OF THE ST. CHARLES MUNICIPAL CODE",

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 1994-M-48, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on August 5, 1994, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 3rd day of August, 1994.


Municipal Clerk

(S E A L)