

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE VII, CHAPTER 75,
OF THE VILLAGE OF LOMBARD VILLAGE CODE IN REGARD TO
SEIZURE AND IMPOUNDMENT OF MOTOR VEHICLES**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That the subsections in Section 75.02, entitled “Public Nuisance Declared,” are deleted and the following subsections inserted to include numerical references to the specific violations, to be and read as follows:

- (A) A violation of
 1. Section 130.30 (Firearms) of this Code, as amended, or
 2. Section 10-5-2 (Driving Under the Influence) of the Lombard Traffic Code (Ordinance No. 1186), as amended;
- (B) A violation of 625 ILCS 5/6-303 (Driving While Driver’s License, Permit or Privilege to Operate a Motor Vehicle is Suspended or Revoked), as amended, except where said violation is in regard to a person whose driver’s license, permit or privilege to operate a motor vehicle is suspended only for a violation of the emissions inspection laws as set forth in 625 ILCS 5/13C-1, *et seq.*, as amended;
- (C) A violation of
 1. 625 ILCS 5/11-204 (Fleeing or Attempting to Elude a Peace Officer), as amended;
 2. 625 ILCS 5/11-401 (Motor Vehicle Accidents Involving Death or Personal Injuries), as amended;
 3. 625 ILCS 5/11-402 (Motor Vehicle Accident Involving Damage to Vehicle), as amended;
 4. 625 ILCS 5/11-403 (Duty to Give Information and Render Aid), as amended;
 5. 625 ILCS 5/11-404 (Duty Upon Damaging Unattended Vehicle or Other Property), as amended;
 6. 625 ILCS 5/11-501 (Driving Under the Influence of Alcohol, Other Drug or Drugs, Intoxicating Compound or Compounds or any Combination Thereof), as amended;
 7. 625 ILCS 5/11-503 (Reckless Driving or Aggravated Reckless Driving), as amended;
or

8. 625 ILCS 5/11-506 (Street Racing), as amended, or
 9. The stopping of a person against whom a warrant has been issued by a circuit court for failing to appear to answer charges that the person was
 - (a) operating a motor vehicle while that person's license was suspended or revoked in violation of 625 ILCS 5/6-303), as amended; or
 - (b) operating a motor vehicle while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof in violation of 625 ILCS 5/11-501, as amended;
- (D) A violation of
1. 720 ILCS 5/11-6 (Indecent Solicitation of a Child), as amended;
 2. 720 ILCS 5/12-2 (Aggravated Assault), as amended;
 3. 720 ILCS 5/12-4 (Aggravated Battery), as amended;
 4. 720 ILCS 5/12-4.2 (Aggravated Battery with a Firearm), as amended;
 5. 720 ILCS 5/12-4.3 (Aggravated Battery of a Child), as amended;
 6. 720 ILCS 5/12-4.6 (Aggravated Battery of a Senior Citizen), as amended;
 7. 720 ILCS 5/16A-3 (Retail Theft), as amended, when the value of the merchandise exceeds one hundred and fifty and no/100 dollars (\$150.00);
 8. 720 ILCS 5/18-1 (Robbery);
 9. 720 ILCS 5/18-2 (Armed Robbery), as amended;
 10. 720 ILCS 5/19-1 (Burglary), as amended;
 11. 720 ILCS 5/19-3 (Residential Burglary), as amended;
 12. 720 ILCS 5/20-1 (Arson), as amended;
 13. 720 ILCS 5/20-1.1 (Aggravated Arson), as amended;
 14. 720 ILCS 5/20-2 (Possession of Explosives or Explosive or Incendiary Devices), as amended;
 15. 720 ILCS 5/21-1 (Criminal Damage to Property), as amended; or
 16. 720 ILCS 5/25-1 (Mob Action), as amended;
- (E) A violation of

1. 720 ILCS 570/401 (Manufacture or Delivery of a Controlled Substance), as amended;
 2. 720 ILCS 570/401.1 (Controlled Substance Trafficking), as amended; or
 3. 720 ILCS 570/402 (Possession of a Controlled Substance), as amended;
- (F) A violation of
1. 720 ILCS 550/4(d) (Possession of More than 30 Grams of Any Substance Containing Cannabis), as amended;
 2. 720 ILCS 550/5 (Manufacture or Delivery of Cannabis), as amended;
 3. 720 ILCS 550/5.1 (Cannabis Trafficking), as amended;
 4. 720 ILCS 550/5.2 (Delivery of Cannabis on School Grounds), as amended; or
 5. 720 ILCS 550/8 (Unauthorized Production or Possession of Cannabis Sativa Plant), as amended;
- (G) A violation of
1. 720 ILCS 5/24-1 (Unlawful Use of Weapons), as amended;
 2. 720 ILCS 5/24-3.1 (Unlawful Possession of Firearms and Firearm Ammunition), as amended; or
 3. 720 ILCS 5/24-3.3 (Unlawful Sale or Delivery of Firearms on the Premises of any School), as amended;
 4. This subsection shall not apply when any of the exemptions set forth in 720 ILCS 5/24-2, as amended, are met;
- (H) A violation of
1. 720 ILCS 5/11-14 (Prostitution), as amended;
 2. 720 ILCS 5/11-14.1 (Solicitation of a Sexual Act), as amended;
 3. 720 ILCS 5/11-15 (Soliciting for a Prostitute), as amended;
 4. 720 ILCS 5/11-15.1 (Soliciting for a Juvenile Prostitute), as amended;
 5. 720 ILCS 5/11-18 (Patronizing a Prostitute), as amended; or
 6. 720 ILCS 5/11-18.1 (Patronizing a Juvenile Prostitute), as amended;
- (I) The motor vehicle is otherwise subject to seizure and impoundment pursuant to 720 ILCS 5/36-1 (Seizure), as amended; or

(J) A violation of 625 ILCS 5/6-101 (Drivers Must Have Licenses or Permits), as amended, except where the violation is for a license which has been expired for less than twelve (12) months or for a license which is invalid because of curfew (as in the case of a graduated license).

SECTION 2: 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.

Passed on first reading this ___ day of _____, 2009.

First reading waived by action of the Board of Trustees this ___ day of _____, 2009.

Passed on second reading this ___ day of _____, 2009, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____, 2009.

ATTEST: _____
William J. Mueller, Village President

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this ____ day of _____, 2009.

Brigitte O'Brien, Village Clerk