

Ordinance #O.20.01

An Ordinance **AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF GALENA.**

Adopted by the City Council of the City of Galena this 13<sup>th</sup> Day of January 2020.

Published in pamphlet form by authority of the City Council of the City of Galena, Jo Daviess County, Illinois, this 13<sup>th</sup> Day of January 2020.

STATE OF ILLINOIS            )  
  )  
COUNTY OF JO DAVIESS    )

  City of Galena

CERTIFICATE

I, Mary Beth Hyde, certify that I am the duly elected municipal clerk of the City of Galena, JoDaviess County, Illinois.

I further certify that on the 13<sup>th</sup> Day of January 2020, the Corporate Authorities of said municipality passed and approved Ordinance No. O.20.01 entitled **AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF GALENA**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. O.20.01 including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing the 13<sup>th</sup> Day of January 2020 and commencing for at least ten (10) days thereafter.

Dated at Galena, Illinois, this 14<sup>th</sup> January 2020.



Mary Beth Hyde  
City Clerk

(Seal)

**AN ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES  
OF THE CITY OF GALENA**

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**WHEREAS**, Chapter 90 of the Galena Code of Ordinances defines inoperable vehicles, sets forth rules for the possession of inoperable vehicles on property in the City of Galena, and includes remedies for the City to order the removal inoperable vehicles that are in violation of the rules, and

**WHEREAS**, the Galena Code of Ordinances exempts “historic vehicles over 25 years of age” that are stored outside of a building from being declared inoperable, and

**WHEREAS**, State of Illinois Statute, 65 ILCS 5/11-40-3, provides the statutory authority for the City of Galena ordinance pertaining to inoperable vehicles, and

**WHEREAS**, the state statute exempts “operable” historic vehicles over 25 years of age from being declared inoperable, even when stored outside, and

**WHEREAS**, the City of Galena seeks to align its inoperable vehicle ordinance with the state statute as it pertains to historic vehicles, and

**WHEREAS**, this ordinance amendment is aimed at strengthening the controls over public nuisances to improve the health, safety, and well-being of the community and to further protect the citizens and visitors of the community.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Galena, Jo Daviess County, Illinois, as follows:

**SECTION I:** CHAPTER 90.02, “AUTHORITY TO DECLARE INOPERABLE VEHICLE A NUISANCE,” shall be amended as follows:

- (A) *Definition.* For the purpose of this section the following definition shall apply unless the context clearly indicates or requires a different meaning.

90.02 (A) INOPERABLE MOTOR VEHICLE.

- (3) Shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations nor to any motor vehicle that is kept within a building when not in use, to operable historic vehicles over 25 years of age, or to a motor vehicle on the premises of a place of business engaged in wrecking or junking of motor vehicles.

**SECTION II:** All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

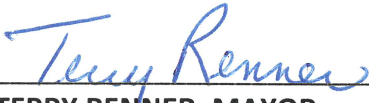
**SECTION III:** Passed on this 13<sup>th</sup> day of January, A.D., 2020, in open session.

**AYES:**

Allendorf, Bernstein, Hahn,  
Kieffer, McCoy, Westemeier,  
Renner

**NAYS:**

None



TERRY RENNER, MAYOR

**ATTEST:**



MARY BETH HYDE, CITY CLERK