



INTER-OFFICE COMMUNICATION

DEPARTMENT OF BUILDING AND ZONING

TO: Members of the Land Use and Development Committee

FROM: Philip Dick, AICP, Director

DATE : February 29, 2008

RE: Lake County Legislative Initiative & Regulating Inoperable Motor Vehicles under 55 ILCS 5/5 – 1092

The McLean County Zoning Ordinance addresses inoperable vehicles as a violation under authority given to counties under the zoning section of the state statutes under 55 ILCS 5/5 – 12004. The following is a quote from Article 2 Section 208 of the McLean County Zoning Ordinance:

“Inoperable Motor Vehicles: Parking or storage of inoperable or unlicensed motor vehicles or parts thereof shall not be permitted unless in a lawfully established junk yard or salvage yard. Nothing in this section shall apply to any motor vehicle that is kept within a building when not in use or to historic vehicles over 25 years of age.”

The state statutes also give authority to counties to regulate inoperable vehicles under 55 ILCS 5/5 – 1092 which is the section of the ILCS that is proposed to be amended by Senator Terry Link of Lake County in the proposed Senate Bill SB2005. Mclean County could amend the Zoning Ordinance under authority of Section 55 ILCS 5/5 – 1092 that would be an additional tool that would allow the county to remove inoperable motor vehicles or parts thereof after 7 days from the issuance of a county notice.

There are not a significant number of violations of improper storage of inoperable vehicles in the unincorporated area of McLean County. I do not think that we would need to have more than a few vehicles towed per year under this authority.

We would need to clarify that the Sheriff would help with the removal of inoperable vehicles. We would need to make sure that there are towing companies that would be interested in taking possession of such vehicles. We could notify towing companies that we anticipate establishing towing agreements. From their responses, we would determine a fair way of selection.

I have attached a memo from John Zeunik that includes the Lake County Legislative Initiative in SB2005. Mr. Zeunik will present up to date information about this bill at the Committee meeting.