

## TITLE 7

### PUBLIC PEACE, MORALS AND WELFARE

#### Chapters:

- 7.01 Curfew
- 7.02 Firearms and Other Weapons
- 7.03 Motor Vehicle Nuisances

## Chapter 7.01

### Curfew

#### Sections:

7.01.01	Curfew Restrictions
7.01.02	Custodians' Obligations
7.01.03	Penalties for Violations

**§7.01.01 Curfew Restrictions.** It is unlawful for a person less than 18 years of age to be present at or upon any public assembly, building, place, street or highway within this Village at the following times unless accompanied and supervised by a parent, legal guardian or other responsible companion at least 21 years of age approved by a parent or legal guardian or unless engaged in a business or occupation which the laws of this State authorize a person less than 18 years of age to perform:

- A. Between 12:01 A.M. and 6:00 A.M. Saturday;
- B. Between 12:01 A.M. and 6:00 A.M. Sunday; and
- C. Between 11:00 P.M. on Sunday to Thursday, inclusive, and 6:00 A.M. on the following day.

(Ord. No. 69-7, 9-9-69)

**§7.01.02 Custodians' Obligations.** It is unlawful for a parent, legal guardian or other person to knowingly permit a person in his custody or control to violate Section 7.01.01 of this ordinance. (Ord. No. 69-7, 9-9-69)

**§7.01.03 Penalties for Violations.** A person convicted of a violation of any provision of this ordinance shall be fined not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00). (Ord. No. 69-7, 9-9-69; Ord. No. 09-3, 6-10-09 §14)

## Chapter 7.02

### Firearms and Other Weapons

#### Sections:

7.02.01	Unlawful Discharge of Firearms
7.02.02	Unlawful Discharge of Other Weapons
7.02.03	Exempt Parties
7.02.04	Penalties for Violations

**§7.02.01 Unlawful Discharge of Firearms.** It shall be unlawful for any person to fire or discharge any gun, pistol or other firearm within the Village of Dunlap. (Ord. No. 52-5, 9-8-52)

**§7.02.02 Unlawful Discharge of Other Weapons.** It shall be unlawful for any person to fire or discharge upon any public way, or upon any private ground or residence where the projectile fired or discharged will transverse any space used as a public way, any air gun, spring gun, bow or other similar device which is calculated or intended to propel or project a bullet, arrow, or similar projectile. (Ord. No. 52-5, 9-8-52)

**§7.02.03 Exempt Parties.** The provision of the foregoing sections shall not apply to sheriffs, coroners, constables, police or peace officers engaged in the discharge of their official duties or to any person summoned by any such officer to assist in making arrest or preserving the peace. (Ord. No. 52-5, 9-8-52)

**§7.02.04 Penalties for Violations.** Every person convicted of a violation of any of the provisions of this ordinance shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Seven Hundred Fifty Dollars (\$750.00) for each offense, and in addition thereto, weapons, firearms, air guns, bows and arrows, or similar devices, shall be forfeited to and confiscated by the Village of Dunlap. (Ord. No. 52-5, 9-8-52; Ord. No. 09-3, 6-10-09 §15)

## Chapter 7.03

### Motor Vehicle Nuisances

#### Sections:

7.03.01	Definitions
7.03.02	Declaration of Nuisance
7.03.03	Inoperable Motor Vehicles
7.03.04	Abandoned Motor Vehicles
7.03.05	Unregistered Motor Vehicles
7.03.06	Removal of Inoperable, Abandoned and Unregistered Motor Vehicles
7.03.07	Impounding
7.03.08	Penalties for Violations
7.03.09	Severability

**§7.03.01 Definitions.** The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. "Person" shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.
- B. "Motor Vehicles" shall mean a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, all automobiles, trucks, trailers, motorcycles, tractors, buggies and wagons.
- C. "Street or highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- D. "Property" shall mean any real property within the Village which is not a street or highway.
- E. "Inoperable Motor Vehicle" shall mean any motor vehicle from which, for a period of at least one (1) month, any part including but not limited to, the engine, wheels or frame have been removed, altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. "Inoperable Motor Vehicle" shall not include:
  - (a) Any Motor Vehicle that is kept within a building when not in use;

- (b) An operable historical vehicle over 25 years of age, which is licensed pursuant to Sec. 3-804 of the Illinois Vehicle Code (625 ILCS 5/3-804);
  - (c) A Motor Vehicle on the premises of a place of business engaged in wrecking or junking of Motor Vehicles and licensed by the state;
  - (d) A Motor Vehicle which has been rendered incapable of being driven under its own power, for a period not to exceed one (1) month, in order to perform ordinary service or repair operations.
- F. "Abandoned vehicle" shall mean any Motor Vehicle which is left at any place for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.
- G. "Unregistered Motor Vehicle" shall mean any Motor Vehicle which is without proper evidence of registration in Illinois as required by and described in Sec. 3-701 of the Illinois Vehicle Code (625 ILCS 5/3-701) or corresponding provisions of future Illinois Compiled Statutes. As of the date of enactment of this Ordinance, those Motor Vehicles bearing proper evidence of registration under said Section are only as follows:
- (a) Motor Vehicles registered in Illinois, as evidenced by a current and valid Illinois registration sticker or stickers and plate or plates, or an Illinois temporary registration permit, or a driveway decal or in-transit permit, issued therefor by the Secretary of State; or
  - (b) Motor Vehicles eligible for reciprocity, as evidenced by a current and valid reciprocal foreign registration plate or plates properly issued to such Motor Vehicle or a temporary registration issued therefore, by the reciprocal State, and, in addition, when required by the Secretary, a current and valid Illinois Reciprocity Permit or Prorate Decal issued therefore by the Secretary of State; or
  - (c) Motor Vehicles otherwise expressly provided for in the Illinois Vehicle Code.

(Ord. No. 99-1, 05-12-99)

**§7.03.02 Declaration of Nuisance.** All Inoperable Motor Vehicles, Abandoned Motor Vehicles and Unregistered Motor Vehicles located upon any Village Street or Highway or upon any Property within the Village, whether publicly or privately owned, are hereby declared to be a public nuisance. (Ord. No. 99-1, 05-12-99)

**§7.03.03 Inoperable Motor Vehicles.** It shall be unlawful for any owner or other Person in control of any Property to permit or allow any Inoperable Motor Vehicle to be stored or parked in the open upon said Property within the Village. It shall also be unlawful for any owner of any Inoperable Motor Vehicle to permit or allow said Motor Vehicle to be stored or parked in the open anywhere within the Village, including upon any Village Street or Highway or in the open upon any Property within the Village. (Ord. No. 99-1, 05-12-99)

**§7.03.04 Abandoned Motor Vehicles.** It shall be unlawful for any owner or other Person to leave an Abandoned Motor Vehicle anywhere within the Village, including upon any Village Street or Highway or upon any Property within the Village. (Ord. No. 99-1, 05-12-99)

**§7.03.05 Unregistered Motor Vehicles.** It shall be unlawful for any owner or other Person to leave an Unregistered Motor Vehicle anywhere within the Village, including upon any Village street or Highway or upon any Property within the Village. (Ord. No. 99-1, 05-12-99)

**§7.03.06 Removal of Inoperable, Abandoned and Unregistered Motor Vehicles.** All persons found to be in violation of this Ordinance are required to dispose of or to register, as the case may be, any Inoperable, Abandoned or Unregistered Motor Vehicle under their control or on their Property within seven (7) days upon written notice received from the Village commanding such disposition or registration of said Motor Vehicles. (Ord. No. 99-1, 05-12-99)

**§7.03.07 Impounding.** The corporate authorities are hereby authorized to remove or have removed any Motor Vehicle left at any place within the Village which reasonably appears to be in violation of this Ordinance or which reasonably appears to be lost, stolen or unclaimed. Such Motor Vehicle shall be impounded until lawfully claimed or disposed of in accordance with applicable law. (Ord. No. 99-1,05-12-99)

**§7.03.08 Penalties for Violations.** Every person violating any of the provisions of this Ordinance shall be fined in an amount not less than One Hundred Dollars (\$100.00) and not more than Seven Hundred Fifty Dollars (\$750.00), plus attorneys' fees and court costs. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (Ord. No. 99-1, 05-12-99; Ord. No. 09-3, 6-10-09 §16)

**§7.03.09 Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof. (Ord. No. 99-1, 05-12-99)