

ORDINANCE NO. 2024-01

**AN ORDINANCE AMENDING CHAPTER 82, "TRAFFIC AND VEHICLES",
ARTICLE V, "VEHICLE EQUIPMENT AND CONDITION", TO ADD A NEW
DIVISION 3. "OVERWEIGHT AND OVER-DIMENSION PERMITS" TO THE CITY
OF SANDWICH MUNICIPAL CODE**

Passed by the City Council, February 19, 2024

Printed and Published, February 20, 2024

Printed and Published in Pamphlet Form
By Authority of the City Council

CITY OF SANDWICH
DEKALB AND KENDALL COUNTIES, ILLINOIS

I hereby certify that this document
was properly published on the date
stated above.

/s/ Denise Ii - City Clerk

ORDINANCE NO. 2024-01

BE IT ORDAINED by the Mayor and City Council of the City of Sandwich, DeKalb and Kendall Counties, Illinois, THAT:

**AN ORDINANCE AMENDING CHAPTER 82, “TRAFFIC AND VEHICLES”,
ARTICLE V, “VEHICLE EQUIPMENT AND CONDITION”, TO ADD A NEW
DIVISION 3. “OVERWEIGHT AND OVER-DIMENSION PERMITS” TO THE CITY
OF SANDWICH MUNICIPAL CODE**

shall be, and is hereby, adopted as follows:

Section 1. BACKGROUND.

The City of Sandwich (“*City*”) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret, and amend its ordinances, rules, and regulations. The City has the authority to enact ordinances for the preservation of the health, welfare, and safety of the community and the residents of the City. The City desires to issue permits for overweight and over-dimension vehicles to trucking companies requesting same in the City.

Section 2. AMENDMENT.

A. Chapter 82, “Traffic and Vehicles”, Article V, “Vehicle Equipment and Condition” of the City Code of Ordinances is hereby amended as follows:

ARTICLE V. VEHICLE EQUIPMENT AND CONDITION¹

DIVISION 1. GENERALLY

Secs. 82-206—82-233. Reserved.

DIVISION 2. WEIGHT RESTRICTIONS²

Sec. 82-234. Limited loads.

It shall be unlawful for any person to operate any vehicle on any street in the city when the gross weight on the surface of the road through any axle of such vehicle exceeds 16,000 pounds. Where lower limits are imposed by ordinance and signs indicating such limitations are posted, it shall be unlawful to operate a vehicle in excess of such weight on such street, except for the purpose of making delivery or picking up a load, in which case such vehicle may be driven on such street for not more than the minimum distance necessary for the purpose.
(Code 1983, § 11-68; Code 2002, § 74-252)

¹State law reference(s)—Equipment of vehicles, 625 ILCS 5/12-100 et seq.; lamps on parked vehicles, 625 ILCS 5/12-203; lights and lamps generally, 625 ILCS 5/12-201 et seq.

²State law reference(s)—Weight of vehicles, 625 ILCS 5/15-101 et seq.

DIVISION 3. OVERWEIGHT AND OVER-DIMENSION PERMITS

Sec. 82-235. Application for overweight and over-dimension permits.

Applications for all overweight and over-dimension permits shall be submitted in the method and form required by the Chief of Police or his designee and shall include at a minimum:

- a) The name, address, and phone number of the applicant and the applicant's business name, address and phone number;
- b) The type of vehicle(s);
- c) The weights and dimensions of the vehicle(s);
- d) The description of the load;
- e) The requested route to be taken by the vehicle(s);
- f) The destination of the vehicle within the City; and
- g) The name of the carrier, if different than the applicant.

Sec. 82-236. Issuance of overweight and over-dimension permits.

Upon receipt of a completed application and proof of payment of the fee, the Chief of Police or designee may issue an overweight or over-dimension permit, subject to the following conditions:

- a) In consideration of seasonal or other time limitations, the Chief of Police or designee may restrict the number or time of daily trips authorized by each permit, as is consistent with the public safety.
- b) In establishing the routes to be traveled, the Chief of Police or designee may establish the route consistent with public safety, taking into consideration existing traffic, the character of the road or roads and the configuration of the terrain.
- c) All permits shall be nontransferable and shall be valid only for the applicant or his agent or employee and the specific vehicle listed on the application.
- d) Every permit shall be carried in the vehicle in paper or electronic form to which it refers and shall be open to inspection by any police officer, or agent of the City.
- e) No refunds of the permit fee shall be made to the applicant following the issuance of a permit.
- f) The applicant shall comply with all township, City, county and state statutes, ordinances, regulations, rules and requirements.
- g) Altering or falsifying a permit will revoke the applicant's permit privileges for twelve (12) months.
- h) The Chief of Police or his designee is authorized to create and amend reasonable provisions for permits.

Sec. 82-237. Fee schedule for permits.

Overweight permits for an overweight vehicle, including load, may be applied for and may be granted per the fee schedule as set forth in this ordinance.

- a) Limited continuous operation (LCO) overweight permits. LCO permits are issued to a single power unit and may tow or carry non-divisible, interchangeable loads for the duration of the permit. The maximum gross weight for any LCO permit is 120,000 pounds.
 1. Permits for limited continuous operation shall be based on the following fee schedule, plus the applicable fee charged by the permit processor:
 - i. Fifty dollars (\$50.00) daily - expires at 11:59pm the date of issue.
 - ii. Two hundred fifty dollars (\$250.00) weekly - valid for (7) days from the requested date and time of issuance.
 - iii. Five hundred dollars (\$500.00) monthly – valid for thirty (30) days from the requested date and time of issuance.
- b) Other Loads. Permits for non-divisible overweight (includes any over-dimension) movements shall be based on the following fee schedule, plus the applicable fee charged by the permit processor:

Overweight Permit Fee Schedule

<u>Weight (With Load)</u>	<u>Single Trip**</u>	<u>Round Trip***</u>
up to 100,000 lbs	\$ 75.00	\$150.00
100,001—120,000 lbs	\$100.00	\$200.00
120,001—150,000 lbs	\$125.00	\$250.00
Over 150,000 lbs	\$150.00	\$300.00

****Single trip.** One (1) move from the point of origin to the point of destination. Any additional stops between the point of origin and the point of destination are expressly prohibited. Single Trip permits are valid for five (5) days from the requested date and time of issuance.

*****Round trip.** Two (2) trips over the same route in opposite directions. Any additional stops between the point of origin and point of destination (and reverse) are expressly prohibited. Round trip permits shall be valid for a period of time not to exceed ten (10) days from the date and time of issuance.

- c) Over-dimension-only permits may be applied for and may be granted in the amount of \$50.00 for single trips and \$100.00 round trips.

Sec. 82-238. Liability and Indemnification.

- a) The permittee shall assume total liability for any and all damages to streets, bridges, City-owned appurtenances, and private or public property while engaged in a permit move. The measure of liability is the cost for all repairs or replacement of property damaged by the permittee, plus all costs for City personnel required as a result of or occasioned by the incident causing the damage.
- b) The permittee shall indemnify and hold harmless the City or members of the police department from any costs, judgments, or settlements, including attorney's fees arising from the physical injuries, including loss of life, or damage to or loss of property related to acts or omissions by permittee, its officers, agents, or employees pursuant to the permit.
- c) Upon application for a permit, each applicant shall provide evidence of a valid comprehensive general liability insurance policy for protection against personal injury or property damage in the amount of one million dollars (\$1,000,000.00) per occurrence. The City shall be listed as a certificate holder on the policy.

Secs. 82-239—82-261. Reserved.

Section 3. **SUPERSEDER.**

All sections, ordinances, resolutions, motions, or orders in conflict herewith shall be, and the same hereby are, repealed to the extent of such conflict.

Section 4. **EFFECTIVE DATE.**

This Ordinance shall be in full force and effect from and after passage, approval, and publication in pamphlet form as provided by law.

ADOPTED and APPROVED this 19th day of February, 2024.

Aye: Aldermen Arnett, Erickson, Fritsch, Johnson, Littlebrant & Whitecotton
Nay: None
Absent: Aldermen Kreinbrink & Robinson

/s/ Todd Latham, Mayor

ATTEST:

/s/ Denise Ii, City Clerk