

ORDINANCE
AN ORDINANCE AMENDING CHAPTER 15 (“MOTOR VEHICLES AND TRAFFIC”),
ARTICLE 10 (“TOWING, IMMOBILIZATION AND IMPOUNDMENT OF MOTOR VEHICLES OR
MOTOR VEHICLES CONTAINING UNLAWFUL FIREARMS”) OF THE OAK PARK VILLAGE CODE
TO STREAMLINE VEHICLE IMMOBILIZATION AND TOWING AUTHORITY

WHEREAS, the Village of Oak Park (“*Village*”) as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the Village is expressly empowered to perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Village President and Board of Trustees have determined to amend Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”) of the Village Code to streamline and align vehicle immobilization and towing authority with current administrative adjudication practices and enforcement procedures, in order to improve consistency, support compliance, and promote efficient enforcement of Village parking regulations pursuant to the Village’s home rule authority;

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-1 (“Authorization”) of the Oak Park Village Code is hereby amended by deleting the overstricken language and adding the underlined language to read as follows:

Article 10
TOWING, IMMOBILIZATION AND IMPOUNDMENT OF MOTOR VEHICLES OR MOTOR
VEHICLES ~~CONTAINING UNLAWFUL FIREARMS~~

15-10-1: AUTHORIZATION:

The towing of motor vehicles by the Village of Oak Park or its contractor shall be authorized only by the Village of Oak Park Police Department or the Development Services Parking and Mobility Services Division, as applicable, under the circumstances provided in this article or in the Illinois Vehicle Code, 625 Illinois Compiled Statutes ~~relating to the impoundment of a motor vehicle containing an~~

~~unlawful weapon; except that the Village Manager and the Chief of the Fire Department or their designees are hereby authorized to enforce the provisions of this article in emergency situations which, for purposes of this article, shall be defined as any situation which adversely affects or threatens the health, safety, welfare or property of the residents of the Village.~~

- A. The Police Department has exclusive authority to authorize towing, relocation, seizure, or impoundment of motor vehicles relateding to traffic, health or safety hazards, emergency snow regulations, the impoundment of a motor vehicle containing an unlawful weapon, and other public safety or criminal matters as provided in this article or applicable Stale Law.
- B. The Development Services Parking and Mobility Services Division or its designee is authorized to direct the immobilization of vehicles for parking violations and subsequent towing of such immobilized vehicles, and to authorize towing actions arising solely from parking violations or administrative adjudications matters, in accordance with this article and chapter 29, article 2 of this Code.

Except that the Village Manager and the Chief of the Fire Department or their designees are hereby authorized to enforce the provisions of this article in emergency situations which, for purposes of this article, means any situation which adversely affects or threatens the health, safety, welfare or property of the residents of the Village.

Section 3. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-2 (“Towing Without Notice”) of the Oak Park Village Code is hereby amended by adding the underlined language to read as follows:

15-10-2: TOWING WITHOUT NOTICE:

Motor vehicles may be towed without prior notice under the following circumstances, provided that such towing is authorized in accordance with Section 15-10-1 of this article:

- A. Where a motor vehicle creates a traffic, health or safety hazard on a public street.
- B. Where a motor vehicle is parked in violation of the emergency snow parking regulations of section 15-1-22 of this chapter, as amended.
- C. Where a motor vehicle is parked in a public parking lot or in a private parking lot which is posted with proper signage in accordance with 625 Illinois Compiled Statutes 5/4-203(fe)(5) without the consent of the lot owner, proprietor or agent of the property, which person has requested that the

vehicle be towed.

- D. Within twenty four (24) hours after towing a motor vehicle pursuant to these provisions, a notice shall be sent to the owner of the vehicle as provided in section 15-10-5 of this article, as amended.
- E. Where a motor vehicle is found to contain an unlawful weapon, pursuant to section 27-4-1 of this Code, as amended, or a police officer has probable cause to believe a vehicle contains an unlawful weapon, pursuant to section 27-2-1 of this Code, as amended.
- F. Where a motor vehicle is parked in violation of section 15-1-27 of this chapter, as amended.

Tows under subsections A, B, and D above may only be authorized by the Police Department. Tows under subsections C and E above, when based solely on parking violations and not involving public safety or criminal enforcement, may be authorized by the Development Services Department Parking and Mobility Services Division.

Section 4. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-3 (“Immobilization of Vehicles for Parking Violations Directed by Administrative Adjudication”) of the Oak Park Village Code is hereby amended by deleting the overstricken language and adding the underlined language to read as follows:

15-10-3: IMMOBILIZATION OF VEHICLES FOR PARKING VIOLATIONS DIRECTED BY ADMINISTRATIVE ADJUDICATION:

~~The immobilization of vehicles for which the registered owner has accumulated five (5) or more final determinations of parking violation liability, for which the fines and applicable penalties have not been paid in full, and the subsequent towing of such immobilized vehicles shall be governed by chapter 29, article 2, "Administrative Adjudication Of Parking Violations", of this Code.~~ The Development Services Parking & Mobility Services Division or its designee is authorized to immobilize motor vehicles for parking violations when the registered owner of such vehicle has accumulated five (5) or more final determinations of parking violation liability, for which the fines, penalties, and applicable fees have not been paid in full.

Immobilization pursuant to this Section may occur only after liability has been finally determined in accordance with Chapter 29, Article 2, “Administrative Adjudication of Parking Violations,” of this Code.

The subsequent towing of an immobilized vehicle may be authorized by the Parking & Mobility Services Division if the conditions for release established under Chapter 29, Article 2 of this Code are not satisfied within the time prescribed therein, or if the vehicle is otherwise eligible for towing under this article.

Notice, release procedures, hearing rights, exemptions, and enforcement following immobilization or towing under this section are governed by Chapter 29, Article 2 of this Code and the applicable provisions of this article.

Nothing in this Section limits or supersedes the authority of the Police Department to tow, seize, or impound vehicles pursuant to other provisions of this article, the Illinois Vehicle Code, or applicable law.

Section 5. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-4 (“Towing of Vehicles; Prior Notice Situations”) of the Oak Park Village Code is hereby amended by adding the underlined language to read as follows:

15-10-4: TOWING OF VEHICLES; PRIOR NOTICE SITUATIONS:

Motor vehicles may be towed after notice and the affording of an opportunity for a posttow hearing under the following circumstances, provided that such towing is authorized by the Police Department or the Development Services Parking and Mobility Division in accordance with Section 15-10-1 of this article:

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Section 6. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-5 (“General Notice Provisions”) of the Oak Park Village Code is hereby amended by deleting the overstricken language and adding the underlined language to read as follows:

15-10-5: GENERAL NOTICE PROVISIONS:

Notice as required pursuant to this article shall be forwarded by the authorizing department by certified mail and regular mail to the address of the owner of the motor vehicle as indicated in the most current registration list of Illinois Motor Vehicles. In the event that an out of state motor vehicle has been or will be towed, written inquiry shall be made of the Secretary of State of the particular jurisdiction for the furnishing of the most current registered name and address of the owner of the motor vehicle and notice shall be mailed as provided herein to the address furnished. In no case, however, will the Village be required to delay towing more than seven (7) days after the inquiry mailing date or be required to delay proceedings for the disposal of an unclaimed motor vehicle, pursuant to section 15-10-14 of this article, more than thirty (30) days after the inquiry mailing date. The notice in all cases shall specify that the vehicle has either been or will be towed, the reason or reasons for same, that the owner is entitled to recovery of the vehicle and/or a hearing as the case may be and the procedure

for obtaining the vehicle and/or a hearing. Where notice of an intention to tow a motor vehicle is required prior to towing, a notice of intent to tow sticker shall be affixed to the vehicle windshield, specifying the date and time such notice of intent to tow is affixed, which affixture shall commence the running of any time period required under section 15-10-4 of this article prior to towing. The sticker shall also specify the reason for the tow, and when the vehicle will be towed. The general notice provisions set forth herein above shall not apply in the following situations:

* * * *

B. Where a vehicle is apparently inoperable and abandoned on a public street or alley within the Village, or is continuously unlawfully parked for twenty four (24) hours or more, and either displays a current State registration or Municipal vehicle license, the only notice required shall be the affixture of the notice of intent to tow sticker to the vehicle for a minimum of twenty four (24) hours and an attempt to contact the owner by telephone prior to the tow, if the owner's listed phone number is available, or by a visit to the last known resident address of the owner, if such address is within the Village. The ~~Police Department~~ authorizing department shall perform a search of the State vehicle registration or Municipal vehicle license files to obtain the name and current address of the vehicle owner. The ~~Police Department~~ authorizing department shall record the date and time of the record search and phone call or other attempted contact and the results thereof and shall maintain that information as a part of the Department's permanent records.

Section 7. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-6 (“Notice Procedures Prior to Towing of Motor Vehicles”) of the Oak Park Village Code is hereby amended by adding the underlined language to read as follows:

15-10-6: NOTICE PROCEDURES PRIOR TO TOWING OF MOTOR VEHICLES:

Where a motor vehicle is to be towed pursuant to section 15-10-4 of this article, notice prior to towing shall be furnished by the Police Department or the Development Services Parking and Mobility Services Division, as applicable, in accordance with the provisions of section 15-10-5 of this article.

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Section 8. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-11 (“Procedures for Posttow Hearing”) of the Oak Park Village Code is hereby amended by adding the underlined language to read as follows:

15-10-11: PROCEDURES FOR POSTTOW HEARING:

Designated personnel shall, upon receipt of a hearing request, fully and accurately complete the request for a vehicle tow hearing form and deliver copies of those records specified in this section to the Office of Adjudication. The records include, but are not limited to, police reports when applicable, Development Services Parking and Mobility Services immobilization and towing records, a motor vehicle inventory report, any cash receipts for towing and storage fees, towing and other cash reports, copies of outstanding parking and traffic citations and warrants, adjudication determinations as well as registration information. In the case of impoundment for a violation of section 27-2-1 of this code, any and all records in the possession of the Village relating to such alleged violation shall be delivered to the hearing officer in a timely manner.

Section 9. Village Code Amended. Chapter 15 (“Motor Vehicles and Traffic”), Article 10 (“Towing, Immobilization and Impoundment of Motor Vehicles or Motor Vehicles Containing Unlawful Firearms”), Section 15-10-16 (“Maintenance of Records”) of the Oak Park Village Code is hereby amended by deleting the overstricken language and by adding the underlined language to read as follows:

15-10-16: MAINTENANCE OF RECORDS:

All vehicle tow and immobilization hearing decisions, towing reports, final disposition reports and any associated Village enforcement records, including police reports ~~or~~ and Development Services Parking and Mobility Services documents shall be retained for a period of at least two (2) years after each hearing, or after each tow if no hearing was requested or held.

Section 10. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 11. Effective Date. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law.

ADOPTED this 21st day of April, 2026, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman				
Trustee Eder				
Trustee Enyia				
Trustee Leving Jacobson				
Trustee Straw				
Trustee Taglia				
Trustee Wesley				

APPROVED this 21st day of April, 2026.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk