

## CHAPTER 1

### GENERAL PROVISIONS

#### SECTION:

- 9-1-1: Definitions
- 9-1-2: Traffic Division
- 9-1-3: Annual Traffic Report
- 9-1-4: Authority of Police and Fire Departments
- 9-1-5: Obedience to Traffic Regulations
- 9-1-6: Emergency Vehicles
- 9-1-7: Operation of Vehicles on Approach of Emergency Vehicles

**9-1-1: DEFINITIONS:** Terms used in this Title have the following meanings:

**ALLEY:** A highway of less than twenty four feet (24') total width used primarily for delivery service. ( 1963 Code, \* 36. 01 )

**AUTHORIZED EMERGENCY VEHICLE:** Police vehicles, vehicles of the Fire Department and ambulances and emergency vehicles of municipal departments or public service corporations as are designed or authorized by proper local authorities. (Ord. 706; 11-15-66)

**BICYCLE:** Every device used and propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is more than twenty inches (20") in diameter.

**BUSINESS DISTRICT:** The closely built up business portion of the Village.

**COMMERCIAL VEHICLE:** Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for hire, or not-for-hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially.

**CONTROLLED-ACCESS HIGHWAY:** Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

**CROSSWALK:** That portion of the roadway included within the prolongation of the sidewalk lines at street intersections.

**DRIVER:** Any person who is in actual physical control of a vehicle.

**EMERGENCY VEHICLE:** Vehicles of the Police or Fire Department; ambulances; any vehicle conveying a State, County or Municipal official or employee in response to an emergency call.

**EXPLOSIVES:** Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion percussion, or detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

**FARM TRACTOR:** Every motor vehicle designed and used primarily as a farm implement for drawing plows, moving machines, and other implements of husbandry.

**FLAMMABLE LIQUID:** Any liquid which has a flash point of seventy degrees (70) F. or less, as determined by a tagliabue or equivalent closed cup test device.

**IMPROVED HIGHWAY:** A roadway of concrete, brick, asphalt, macadam or gravel.

**INTERSECTION:** The area embraced within the prolongation of the property lines of two (2) or more streets which join at an angle, whether or not such streets cross.

**LANED HIGHWAY:** A street, the roadway of which is divided into three (3) or more clearly marked lanes for vehicular traffic.

**LOADING ZONE :** The space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

**METAL TIRE:** Every tire the surface of which in contact with the roadway is wholly or partly of metal or other hard, non-resilient materials.

**MOTORCYCLE:** Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

**MOTOR VEHICLE:** Ever vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead wires, but not operated upon rails.

**OFFICIAL TIME STANDARD:** Whenever certain hours axe named herein they shall mean standard time or daylight saving time as may be in current use in the Village.

**OFFICIAL TRAFFIC CONTROL DEVICES:** All signs, signals, markings and devices not inconsistent with this Title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

**PEDESTRIAN:** Any person afoot.

**PNEUMATIC TIRE:** Every tire in which compressed air is designed to support the load.

**POLICE OFFICER:** Every officer of the Police Department or any officer authorized to direct or

regulate traffic or to make arrest for violation of traffic regulations.

**PRIVATE ROAD OR DRIVEWAY:** Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

**PROPERTY LINE:** The line marking the boundary between any street and the lots or property abutting thereon.

**PUBLIC BUILDING:** A building used by the Village, the County, any park district, school district, the State of Illinois, the United States government.

**RAILROAD:** A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

**RAILROAD TRAIN:** A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails except streetcars.

**RIGHT OF WAY:** The privilege of the immediate use of the roadway.

**ROAD TRACTOR:** Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

**ROADWAY:** That portion of a street designed or ordinarily used for vehicular traffic.

**SAFETY ZONE:** That portion of a roadway reserved for the exclusive use of pedestrians, suitably marked or elevated.

**SCHOOL BUS:** Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school, or any school activity.

**SEMI-TRAILER:** Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rest upon or is carried by another vehicle.

**SIDEWALK:** That portion of a street between the curb line or roadway and adjacent property line designated for pedestrian use.

**SOLID TIRE:** Every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

**STAND OR STANDING:** The halting of a vehicle, whether occupied or not, otherwise than for the purpose of and while actually engaged in receiving or discharging passengers.

**STOP:** When required means complete cessation from movement.

**STOP OR STOPPING:** When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic control sign or signal.

**STREET:** Every way set aside for public travel except foot paths.

**THROUGH HIGHWAY:** Every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right of way to vehicles on such through highway in obedience to either a stop sign or yield sign, when such signs are erected as provided in this Title.

**TRAFFIC:** Vehicles, streetcars, pedestrians and draft or herded animals using any street for travel.

**TRAFFIC CONTROL SIGNAL:** Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and proceed.

**TRAFFIC DIVISION:** The traffic division of the Police Department of this Village, or in the event a traffic division is not established then said term whenever used herein shall be deemed to refer to the Police Department of this Village.

**TRAILER:** Every vehicle without motive power designed for carrying passengers or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

**TRUCK TRACTOR:** Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

**URBAN DISTRICT:** The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred (100') for distance of a quarter a mile or more.

**VEHICLE:** Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including bicycles but not including perambulators or toy vehicles. (1963 Code, \* 36.01)

**9-1-2: TRAFFIC DIVISION:**

A. There is hereby established in the Police Department a traffic division to be under the control of a police officer appointed by and directly responsible to the Chief of Police.

B. It shall be the duty of the traffic division with such aid as may be rendered by other members of the Police Department, to enforce the street traffic regulations of this Village and the State vehicle laws applicable to the street traffic in this Village, to make arrest for traffic violations, to

investigate accidents and cooperate with the Village Street Commissioner and other officers of the Village in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry out those duties specially imposed upon said division by this Title. (1963 Code, \* 36.02)

**9-1-3: ANNUAL TRAFFIC REPORT:** The traffic division shall annually prepare a traffic report which shall be filed with the President. Such report shall contain information on traffic matters in this Village as follows:

A. The number of traffic accidents, the number of persons killed, the number of persons injured and other pertinent traffic accident data,

B. The number of traffic accidents investigated and other pertinent data on the safety activities of the police,

C. The plans and recommendations of the division for future traffic safety activities. (1963 Code, \* 36.06)

**9-1-4: AUTHORITY OF POLICE AND FIRE DEPARTMENTS:**

A. It shall be the duty of the officers of the Police Department or such officers as are assigned by the Chief of Police to enforce all street traffic regulations of this Village and the State vehicle laws applicable to street traffic in this Village.

B. Officers of the Police Department or such officers as assigned by the Chief of Police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws, provided that, in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers to the Police Department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws.

C. Officers of the Fire Department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity. (1963 Code \* 36.08)

**9-1-5: OBEDIENCE TO TRAFFIC REGULATIONS:**

A. Misdemeanor: It is a misdemeanor for any person to do any act forbidden or fail to perform any act required in this Title.

B. Obedience to Police and Fire Department Officials: No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer or fire department official.

C. Persons Propelling Push Carts or Riding Animals: Every person propelling any push cart or riding animal upon a roadway, and every person driving any animal-drawn vehicle, shall be subject to the provisions of this Title applicable to the driver of any vehicle except those provisions of this Title which by their very nature can have no application.

D. Coaster, Roller Skates and Similar Devices: No person upon roller skates, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street on a crosswalk and when so crossing, such person shall be granted all the rights and shall be the subject to all of the duties applicable to pedestrians. This subsection shall not apply upon any street which is set aside as a play street.

E. Public Employees: The provisions of this Title shall apply to the drivers of any vehicle owned by or used in the service of the United States government, this State, County or Village, and it shall be unlawful for any such driver to violate any of the provisions of this Title, except as otherwise permitted in this Title or by the State Statute. (1963 Code \* 36.09)

F. Fleeing or Attempting to Elude Police Officers: Any driver or operator of a motor vehicle who, having been given a visual or audible signal by a peace officer directing such driver or operator to bring his vehicle to a stop, willfully fails or refuses to obey such directions, increases his speed, extinguishes his lights, or otherwise flees or attempts to elude the officer, is guilty of a misdemeanor and shall be fined. The signal given by the peace officer may be by hand, voice, siren, red or blue light provided the officer giving such signal shall be in police uniform, and, if driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle. (Ord. 706; 11-15-66)

**9-1-6: EMERGENCY VEHICLES:** The speed limits established by this Title do not apply to an authorized emergency vehicle in motion when responding to an emergency call and when the driver thereof sounds an audible signal by bell, siren, or exhaust whistle, as may be reasonably necessary, provided that the vehicle is equipped and has in operation at least one lighted lamp displaying an oscillating, rotating or flashing red beam visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle. An authorized emergency Fire Department vehicle may be equipped and have in operation a triple eight moving white beam light visible under normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle. An authorized emergency Fire Department vehicle may be equipped and have in operation a triple eight moving white beam light visible under normal atmospheric conditions from a distance of ( 500' ) to the front of such vehicle, in lieu of, or in addition to a rotating or flashing red beam in order to be exempt from the speed limits established. No other authorized emergency vehicle shall use any oscillating triple eight moving white beam light other than the Fire Department vehicle. However this provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor does it protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others. (1963 Code, 36.10) \*

**9-1-7: OPERATION OF VEHICLES ON APPROACH OF EMERGENCY VEHICLES:**

A. Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right of way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the highway, clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

B. This Section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. (1963 Code, \* 31.11)