

## **CHAPTER 11 ROAD WEIGHT RESTRICTIONS**

(Amendment 16-05-04)

**Section 11-101 Definitions.** The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the following meanings, except when the context otherwise requires and except where another definition set forth in another chapter of this code and applicable to that chapter or a designated part thereof is applicable:

**Section 11-101(a) Axle Load.** The total load transmitted to the road by all wheels whose centers may be included between two (2) parallel transverse vertical planes forty inches (40") apart extending across the full width of the vehicle.

**Section 11-101(b) 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.

**Section 11-101(c) Construction Vehicle.** Any vehicle over ten thousand (10,000) pounds actual weight, registered gross weight or GVWR that is required to comply with 625 Illinois Compiled Statutes 5/12-712 and 12-713 on identification required to be displayed.

**Section 11-101(d) Gross Vehicle Weight Rating (GVWR).** The value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle. The GVWR of a combination of vehicles (commonly referred to as the "gross combination weight rating" or GCWR) is the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified by the manufacturer, GCWR is determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on the unit.

**Section 11-101(e) Gross Weight.** The weight of a vehicle whether operated singly or in combination without load plus the weight of the load thereon.

**Section 11-101(f) Highway.** 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.

**Section 11-101(g) Implement of Husbandry.** Every vehicle as defined in the Illinois vehicle code and designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, including farm wagons, wagon trailers or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry.

**Section 11-101(h) Motor Vehicle.** Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. For this act, motor vehicles are divided into two (2) divisions:

**(First Division).** Those motor vehicles, which are designed for the carrying of not more than ten (10) persons.

**(Second Division).** Those motor vehicles which are designed for carrying more than ten (10) persons, those motor vehicles designed or used for living quarters, those motor vehicles which are designed for pulling or carrying freight, cargo or implements of husbandry, and those motor vehicles of the first division remodeled for use and used as motor vehicles of the second division.

**Section 11-101(i) Permit Route.** The route authorized by the Village (and by any other issuing authority with proper jurisdiction over pertinent highways) for which permission has been granted to move a vehicle or combination of vehicles that is in itself indivisible or carrying an indivisible load that exceeds normal dimensions or weight or a combination thereof.

**Section 11-101(j) Semi Trailer.** Every vehicle without motive power, other than a pole trailer, 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 rests upon or is carried by another vehicle.

**Section 11-101(k) Tandem Axles.** Any two (2) or more single axles whose centers are more than forty inches (40") and not more than ninety six inches (96") apart, measured to the nearest inch between extreme axles in the series, except as provided in 625 Illinois Compiled Statutes 5/15-111 for special hauling vehicles.

**Section 11-101(l).** Every vehicle without motive power in operation, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

**Section 11-101(m) 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.

VILLAGE: The Village of Oakwood Hills, Illinois

### **Section 11-102 Overweight and/or Overdimension Vehicles.**

A. It shall be unlawful for any person to be in control of, to drive, to park, or move on, upon or across, or for the owner to cause or knowingly permit to be parked, driven, or moved upon or across, any street or highway under the jurisdiction of the Village, any vehicle or combination of vehicles exceeding the size and weight limitations stated in the 625 Illinois Compiled Statutes 5/15-102 (width), 5/15-103 (height), 5/15-107 (length), 5/15-111 (weight) and 5/15-316 (local restrictions).

B. Except for any posted weight restriction for any elevated structure (if any), the size and weight limitations of this chapter shall not apply to the following:

1. Any fire apparatus owned or operated by or for any governmental entity;

2. Equipment for snow or ice removal operations owned or operated by or for any governmental entity;
3. Implements of husbandry temporarily operated or towed in a combination in the furtherance of a farm or agricultural endeavor; and
4. Any vehicle or combination of vehicles operating under the terms of a valid oversize and/or overdimension permit issued by the Village under the authority of section 11-103 of this chapter.

C. Where lower size and weight limits or other restrictions are imposed by ordinance under authority of 625 Illinois Compiled Statutes 5/15-111, 15-316 and 15-317, and signs indicating such limitations or restrictions are posted, it shall be unlawful to operate any vehicle or combination of vehicles in excess of such size or weight limitations or in violation of such restrictions.

### **Section 11-103 Permits For Overweight and/or Overdimension Vehicles.**

A. **Unlawful Operation on Village Streets:** No vehicle which exceeds the weight, width, and length limitations, or some or all of them, as set forth in this chapter, shall be operated on any Village highway or street except upon issuance of a special permit therefor.

B. **Permit Required:** A permit from the Village shall be required for the movement of any vehicle or combination of vehicles with a nondivisible load on roadways and bridges within the jurisdiction of the Village which exceeds the dimensions and weights permitted for the particular roadways to be traversed.

C. **Permit Issuance:** A permit may be issued by the Village for good cause being shown therefor authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum limits specified in section 11-102 of this chapter.

D. **Permit Application:** Application for such permit shall be filed with the police department, on forms provided therefor, and including at least the following information:

1. The name and address of the owner or lessee of the vehicle.
2. Applicant's name.
3. Type of permit request whether it be for a single trip, round trip, multiple routing or limited continuous operation (LCO) permit.
4. The description and registration number of the power unit.
5. Description of the object or vehicle to be moved.

6. The number of axles of the vehicle or combination of vehicles.
7. The maximum axle weights of all single, tandem or series axles.
8. Maximum gross weight of the vehicle.
9. The maximum width, length and height of the vehicle and load.
10. Requested routing over Village streets to and from a specific location.
11. A statement that no other route is reasonably available on public roads except for a route which includes Village streets or highways.

E. **Restrictions:** The following restrictions shall apply to any such permit:

1. A "one-way or single trip movement" means one 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 effective for seven (7) consecutive days from the date of issuance unless otherwise directed by the police department.
2. "Round trip movement" means two (2) trips over the same route in opposite directions. Round trip permits are effective for fourteen (14) consecutive days from the date of issuance.
3. Multiple moves are those in such close proximity to each other in distance or in time that the police department would consider incorporating two (2) or more permit moves within one permit application. Multiple move permits when granted by the police department, shall be for a period of time not to exceed ninety (90) days from issuance.
4. Limited continuous operation (LCO) permits may be issued to a vehicle and load in a like manner as the Illinois department of transportation (IDOT) upon presentation of a valid copy of an LCO permit issued by IDOT, and payment of the appropriate fee established in the fee schedule set forth in subsection G of this section.

F. **Payment of Fee:** The owner or his or her agent shall with any application for permit submit payment of a fee in accordance with the fee schedule set forth in subsection G of this section, and subject to the following:

1. The fee shall cover a permit period as follows:
  - a. The fee for a single routing permit shall be valid for seven (7) calendar days,
  - b. The fee for a round trip routing permit shall be valid for fourteen (14) calendar days,

c. The fee for a multiple or for an LCO routing permit shall be valid for a base period of three (3) months.

2. Multiple and LCO permits may be issued for a maximum of four (4) consecutive permit periods (365 days) with the permit fee calculated in the appropriate multiples of the base three (3) month multiple trip permit.

3. Permits are valid only for the date periods specified on the permit and for the specific vehicle, load and routing as established by the chief of police or designee.

4. No substitution of vehicle, load or routing is permitted without expressed written permission by the chief of police or his or her designee and the permit must be carried in the vehicle to which the permit applies.

**G. Fee Schedule:**

Permit Size	Fee			
	Single Trip	Round Trip	Multiple (Per Qtr.)	LCO (Per Qtr.)
Weight (with load):				
Up to 100,000 pounds	\$ 50 .00	\$ 75 .00	\$150 .00	\$150 .00
100,001 - 120,000	75 .00	100 .00	200 .00	200 .00
120,001 - 150,000	100 .00	125 .00		
Over 150,000	100 .00 <sup>1</sup>	125 .00 <sup>1</sup>		
Width (with load):				
Up to 12'	25 .00	40 .00	75 .00	75 .00
12'1" - 13'6"	50 .00	75 .00	100 .00	100 .00
Over 13'6" wide	50 .00 <sup>1</sup>	75 .00 <sup>1</sup>		
Height (with load):				
13'6" - 14'6"	25 .00	40 .00	75 .00	75 .00
Over 14'6"	50 .00 <sup>1</sup>	75 .00 <sup>1</sup>		
Length (with load):				
Up to 100'	25 .00	40 .00	75 .00	75 .00

Over 100'0"	50 .00 <sup>1</sup>	75 .00 <sup>1</sup>		
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Note:

1. Plus necessary and appropriate administrative, engineering and road damage fees.

Note: If a vehicle requires a permit due to multiple weight and/or dimension issues, the total fee will be based on the largest individual weight or dimension factor only.

**H. Permit Information:** The chief of police or his or her designee is authorized to approve the application for permit, and to designate the approved route in the Village for any such permitted vehicle. Upon approval of the application for permit, and payment of the required fee, the police department shall issue a permit allowing passage of the oversize and/or overweight vehicle over Village streets. The permit shall be specific and shall contain the following information:

1. Permit number.
2. The date(s) the permit is valid.
3. Whether the permit is for single, round, multiple or LCO trip routing.
4. The description of the object or vehicle to be transported.
5. Authorized gross weight, axle weights, width, length and height of the permitted vehicle.
6. The authorized routing over Village streets, including the origin and termination points within the Village.
7. The fee paid.
8. The date and signature of the chief of police or his or her designee.
9. In addition, the permit will specify any general conditions with which the permittee shall comply that are deemed necessary or advisable by the chief of police or his designee for the protection of the general public and the Village streets.

**I. Copy of Permit shall be made available for townships associated with servicing roads covered in the permit:** A copy of all permits issued shall be made available for townships associated with servicing the roads covered in the permit for informational purposes, provided, however, failure to provide such copy shall not affect the validity or enforceability of the permit and its conditions.

**J. Familiarity With Contents; Acceptance:** It shall be the duty of the permittee to read and familiarize himself with the permit provisions upon receipt. Undertaking of the permit move shall be deemed prima facie evidence of acceptance of the permit and its conditions, including, but not limited to, the following:

1. The permittee is in compliance with all operation requirements;
2. All dimension and weight limitations specified in the permit will not be exceeded;
3. All operation, registration and license requirements have been complied with;
4. All financial responsibilities, obligations and other legal requirements have been met;
5. The permittee assumes all responsibility for injury or damage to persons or to public or private property, including to himself, his vehicle and equipment, and/or the object being transported, caused directly or indirectly by the transportation or movement of vehicles and objects authorized under the permit; and
6. The permittee shall hold the Village harmless from all suits, claims, demands, damages, proceedings, and judgments of any kind and to indemnify the Village for any such suit, claim, demand, damage, proceeding, or judgment, arising out of or resulting from any act or omission of the permittee, and specifically including any attorney fees or court costs incurred by the Village in responding to any of the same.

**K. Permit To Be Kept In Vehicle:** The permit shall be carried in the vehicle to which the permit applies at all times while operating on streets within the Village and shall be exhibited upon demand to any law enforcement officer, police officer or authorized official of the Village.

**L. Violation:** Whenever any vehicle is operated in violation of the provisions of a Village permit whether by size, weight or general provisions, either or both the owner and/or the driver of such vehicle may be prosecuted for such violation.

#### **Section 11-104 Vehicles Prohibited On Certain Streets.**

A. It shall be unlawful to operate any vehicle upon any street where the operation of that vehicle is prohibited by ordinance and where appropriate signs designating such prohibition are posted, as provided under the authority of 625 Illinois Compiled Statutes 5/15-111 and 15-316.

1. Any vehicle being operated in the Village under the authority of 625 Illinois Compiled Statutes 5/15-111 or 15-316 shall be considered in violation of this chapter if not utilizing the most direct route to and from the points of loading and unloading, respectively.

2. Any vehicle being operated on any Village street designated as a "pleasure driveway" shall be operated in compliance with the regulations set forth in section of this code.

B. The Building Director or Chief of Police is authorized and directed to post or cause to be posted appropriate signs on all streets restricted as to weight and/or dimension as specified by subsection A of this section.

### **Section 11-105 Oversize Vehicles Permitted On Certain Streets.**

A. As provided under the authority of 625 Illinois Compiled Statutes 5/15-111, the Village has designated the following streets and/or highways as class II designated streets. Vehicles utilizing such streets or highways may be of a length consistent with and not exceeding the length described in 625 Illinois Compiled Statutes 5/15-107.

Class II designated highways designated by the Village: None.

B. The superintendent of the associated township is authorized and directed to post or cause to be posted appropriate signs as to any streets or highways so designated by the Village as class II truck routes.

C. The Village may enforce any applicable regulations pertaining to the use of class II streets or highways as to any such class II route designated by the state or county and located within the boundaries of the Village.

### **Section 11-106 Temporary Prohibition of Vehicles and/or Reduction of The Maximum Allowable Weight of Vehicles.**

A. **Traffic Prohibited/Weights Reduced:** Pursuant to authority granted by the Illinois vehicle code, the Village may by ordinance or resolution prohibit the operation of vehicles or impose restrictions as to the weight of vehicles to be operated upon any highway, road or street, or any part or parts thereof, which are under the jurisdiction of the Village, whenever, in the judgment of the corporate authorities any such highway, road or street will be seriously damaged or destroyed by reason of deterioration, rain, snow, or other climatic conditions, unless the use of vehicles thereon is prohibited or the permissible weights allowed thereon are reduced.

B. **Ninety Day Period:** Any such prohibition or reduction of weight may be imposed for a total period of not to exceed ninety (90) days in any one calendar year, or such other time as may be allowed by law.

C. **Posting Signs:** Upon enacting such ordinance or resolution, the corporate authorities shall erect and maintain, or cause to be erected and maintained, signs designating the provisions of the ordinance or resolution at each end of that portion of any highway, road or street, or parts thereof, affected thereby, and any such ordinance or resolution shall not be effective unless and until such signs are erected and maintained.



#### **D. Emergency Prohibition:**

1. If the Village President, or in his/her absence the President Pro-Tem, determines that any highway, road or street, or a part or parts thereof, under the jurisdiction of the Village might suffer irreparable damage prior to the time within which the corporate authorities could meet for the purpose of taking action as provided in subsections A through C of this section, then in that event, the Village President, or in his/her absence the President Pro-Tem, may act on an emergency basis to prohibit the operation of all vehicles, or may reduce the maximum allowable weight of vehicles to be operated on such highways, road, or street, or a part or parts thereof, and shall direct the erection of signs at each end of such highway, road, or street, or part or parts affected thereby as otherwise required under this section.
2. The corporate authorities at the next meeting after any such action taken by the Village President or President Pro-Tem as provided in subsection D.1. of this section, shall then act, by ordinance or resolution either to affirm said action and/or to extend said prohibition or reduction for a period not to exceed the balance of the ninety (90) day period, or to declare that the prohibition or reduction in maximum allowable weight of vehicles be terminated and direct that any signs erected be removed.

**E. Trucks And Commercial Vehicles:** The corporate authorities also have authority to prohibit the operation of trucks or other commercial vehicles, or to impose or modify limitations as to the weights thereof, on designated highways, roads or streets in the Village, as allowed by the Illinois vehicle code and this section, which prohibitions and limitations shall be designated by appropriate signs placed on such highways, roads or streets.

#### **Section 11-107 Penalty.**

A. Except for any violation of section 11-106 of this chapter, and except for any violation of the weight limitations set forth in this chapter, any person, firm or corporation who or which violates, disobeys, neglects, fails to comply with, or resists enforcement of, the provisions of this chapter shall be fined not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense. A separate offense shall be deemed committed on each calendar day a violation occurs.

B. For any violation of section 11-106 of this chapter, any person firm or corporation convicted of such violation shall be fined an amount as provided in 625 Illinois Compiled Statutes 5/15-316 as now in effect or as hereafter amended and in effect as of the date of such violation.

C. For any violation of the weight limitations set forth in this chapter, any person, firm or corporation convicted of such violation shall be fined an amount as provided in 625 Illinois Compiled Statutes 5/15-113 as now in effect or as hereafter amended and in effect as of the date of such violation.

D. In addition to seeking a fine, as hereinabove provided, the Village Attorney may institute any proper action in the name of the Village of Oakwood Hills to enjoin the violation of any provision of this chapter or to collect any damages allowed by law, including, but not limited to, liability for damages as provided in 625 Illinois Compiled Statutes 5/15-318 as now in effect or as hereafter amended and in effect as of the date of the underlying violation.

E. Whenever any vehicle or combination of vehicles is operated in violation of this section, the owner and/or driver of such vehicle shall be deemed guilty of such violation and either or both the owner and driver of such vehicle may be prosecuted for such violation.