

**ORDINANCE NO. 2025-14**

**AN ORDINANCE AMENDING CHAPTER 14, DIVISION 9 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING VEHICLE TOWING AND IMPOUNDMENT.**

**WHEREAS**, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its governmental affairs, and to review, interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

**WHEREAS**, the Code of Ordinances of the Village of Stickney, Illinois (the "Village Code") currently sets forth certain regulations for the towing and impounding of vehicles for unpaid tickets (the "Existing Regulations"); and

**WHEREAS**, the Corporate Authorities recognize the need to amend, update and clarify the Existing Regulations from time to time; and

**WHEREAS**, based upon the foregoing, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to amend Chapter 14, Division 9 of the Village Code as set forth below;

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**ARTICLE I.  
IN GENERAL**

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to amend Chapter 14, Division 9 of the Village Code to update, amend, and clarify the Village's Existing Regulations and to authorize the President or his designee to take all actions necessary to carry out the intent of this Ordinance.

**ARTICLE II.**  
**AMENDMENT OF CHAPTER 14, DIVISION 9 OF THE MUNICIPAL CODE,**  
**VILLAGE OF STICKNEY, ILLINOIS**

**SECTION 3.0 AMENDMENT OF CHAPTER 14, DIVISION 9**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 14, Division 9 in relevant part, as follows:

***DIVISION 9. VEHICLE TOWING, SEIZURE AND IMPOUNDMENT***

**Sec. 14-195.02. Claiming vehicles after tow and impoundment for unpaid parking tickets.**

- (a) Before the owner shall be permitted to claim the vehicle and have the vehicle released and returned from the impound lot, the owner shall furnish to the police department evidence of his or her identity and ownership of the vehicle and right of possession thereto; shall pay the costs of towing and storing the impounded vehicle; and shall satisfy all unpaid parking and traffic citations for which the motor vehicle was towed and impounded and present proof of such satisfaction.
- (b) Alternatively, the owner may post a ~~\$750.00~~ \$950.00 bond, in addition to satisfying and discharging all parking and traffic tickets for which the motor vehicle was towed and impounded, and request a hearing be held on the next regularly scheduled hearing date. Requests for a post-towing and impoundment hearing may be made by telephone, in person or by mail within 15 days of the mailing date of notification of the towing and impoundment or release of the vehicle, whichever occurs first. Requests are to be made to the village police department.
- (c) The hearing shall be conducted in conformity with section 14-195.04 and shall determine the validity of the towing and impoundment of the vehicle and any charges.

**Sec. 14-195.03. Notice of right to post-towing and impoundment hearing for unpaid parking tickets and vehicles towed pursuant to subsection 50-33(3).**

- (a) *Vehicles registered in Illinois.* The police department shall send a notice to the owner within 24 hours after towing and impoundment of a motor vehicle. Said notice shall be sent 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 motor vehicles in this state.
- (b) *Out of state vehicles.* If an out-of-state motor vehicle has been towed and impounded, written inquiry shall be made to the secretary of state of the relevant jurisdiction for the most current registered name and address of the owner of the motor vehicle, and notice shall be mailed to said address, though in no case will the village be required

to delay towing and impoundment more than three days after the inquiry mailing date or be required to retain possession of an unclaimed motor vehicle more than 30 days after the inquiry mailing date before disposing of the motor vehicle.

- (c) The notice in all cases shall specify that the vehicle has been towed and impounded, the reason that the vehicle has been towed and impounded, the location where the impounded vehicle is being stored, any and all fines and fees that may be charged for towing and storing the impounded vehicles, and that the owner is entitled to recovery of the vehicle or a hearing if so requested by the owner. The notice shall set forth the payment from the owner to satisfy outstanding and unpaid parking and/or traffic tickets, and shall include any and all fees and costs for towing and storing the impounded vehicle and a statement that all outstanding and unpaid parking and/or traffic tickets and fees and costs for towing and storing the impounded vehicle must be paid prior to the vehicle being released to the owner.

- (d) The notice shall substantially be in the following form:

ATTENTION: Owners or other persons lawfully entitled to possession of towed and impounded vehicles have the following options:

- (1) You may pay the cost for claiming your vehicle from the village, or its towing contractor, [insert the name of the towing contractor] and satisfy all unpaid parking and traffic tickets for which your motor vehicle was towed and impounded at the village police department; or
- (2) You may request a hearing for the next regularly scheduled hearing date, satisfying all parking and traffic tickets for which your motor vehicle was towed and impounded and satisfy any and all fees and costs incurred related to the towing and storage of the impounded vehicle, and post a ~~\$750.00~~ \$950.00 bond. At the hearing, you may assert any defenses against the relevant citations.

In the event that these citations are dismissed, you will receive a refund of the appearance bond and for any citations for which you are found not liable. You should appear to request the hearing at the village police department or call 708-788-2131.

- (3) A failure to request a hearing within 30 days of this notice may result in the village disposing of the vehicle in any manner authorized by law.

- (e) *Notice for vehicles towed pursuant to subsection 50-33(3).*

- (1) When a motor vehicle on a public roadway with a sound device, equipment or defective vehicle generating sound that can be heard clearly by a person with normal hearing from more than 75 feet away is towed, the police officer shall notify the person who is found to be in control of the vehicle at the time of the alleged violation, if there is a person, of the fact of the tow and the owner's right to request a hearing to be conducted pursuant to the procedures as set forth in section 14-195.03.
- (2) The owner of a vehicle towed pursuant to paragraph (1) of this subsection (e) may request a hearing for the next regularly scheduled hearing date. All interested persons shall be given a reasonable opportunity to be heard at the hearing. The formal rules of evidence shall not apply at this hearing, and hearsay evidence shall be admissible.

- (3) If the owner of the vehicle does not request a hearing, within ten days after a vehicle is towed and impounded pursuant to this section, the village shall notify by certified mail, return receipt requested, the owner of record of the date, time and location of a hearing that will be conducted pursuant to the procedures set forth in section 14-195.03. The hearing shall be scheduled and held, unless continued by order of the hearing officer, no later than 30 days after the vehicle was towed. All interested persons shall be given a reasonable opportunity to be heard at the hearing.
- (4) If, after the hearing, the hearing officer determines by a preponderance of the evidence that a violation as described in subsection 50-33(3) occurred, the hearing officer shall enter an order requiring the vehicle to continue to be impounded unless the owner pays a penalty of ~~\$750.00~~ \$950.00 plus fees for towing and storage of the vehicle. The penalty and fees shall be a debt due and owing to the village. However, if a cash bond has been posted, the bond shall be applied to the penalty. If the hearing officer determines that the vehicle was not used in a violation, he or she shall order the return of the vehicle or cash bond.
- (5) As used in this section, the *owner of record* of a vehicle means the record title holder.

...

**Sec. 14-197. Post-towing options for vehicle's legal owner.**

- (a) The owner of a vehicle seized and/or impounded by the village has the following options:
  - (1) Pay the ~~\$750.00~~ \$950.00 bond set forth in section 14-195.02 and payment of all unpaid parking and traffic tickets at the village police department and obtain a release form to claim his or her vehicle from the towing company. Payment of all unpaid towing and storage fees must also be made. If a bond is posted as provided for in this division, the owner of the vehicle shall remain liable to the towing agent for any applicable towing fees and storage costs and all bond money posted shall be held by the village until the decision of the hearing officer issues, or if there is a judicial review, until the court issues a decision.
  - (2) After the ~~\$750.00~~ \$950.00 bond is posted and after all unpaid parking and traffic tickets have been paid as well as any towing and storage costs, the owner will receive an adjudication date for the next regularly scheduled village adjudication and a release form to claim his or her vehicle from the towing company; the adjudication date will occur within 30 days of the date of the payment of the bond, all unpaid tickets, and towing and storage fees. The ~~\$750.00~~ \$950.00 bond will be refunded if the owner is found not liable by the hearing officer. Failure to appear for a requested hearing may result in a judgment against the owner.

- (b) If the owner elects to receive an adjudication date, the hearing officer shall render a decision, based upon a preponderance of the evidence, at the hearing. Said findings shall include:
  - (1) A finding that a vehicle was used in violation of this division shall result in the issuance of an administrative fine of ~~\$750.00~~ \$950.00.
  - (2) A finding that a vehicle was not used in violation of this division shall result in the refunding of the ~~\$750.00~~ \$950.00 bond.
- (c) The failure of the owner of record to appear at the hearing or to request a continuance in a timely manner shall be deemed to a waiver of the right to a hearing and a default order in favor of the village shall be entered.
- (d) If the owner of record chooses to pay the fine at the village police department and immediately reclaim his vehicle, the owner waives the right to a hearing and accepts an order of liability to the village. In the event of such waiver, the owner of record shall pay the appropriate administrative fine as well as any unpaid parking and traffic tickets and any towing and storage fees. Such payment shall constitute an admission of liability and a waiver of a right to a hearing and will entitle the owner to immediately reclaim his or her vehicle.
- (e) If the owner of record does not appear at the village police department to claim his or her vehicle or pay the bond provided for in this section within ten calendar days of the towing, the village police department will mail a notice to the owner of record providing the date, time, and location of an adjudication hearing on the purported violation of this division 9.
- (f) An administrative penalty, plus towing and storage fees, imposed pursuant to this division shall constitute a debt due and owing to the village, which may be enforced in any manner provided by law. Any cash bond posted pursuant to this section shall be applied to the penalty.

**Sec. 14-198. Disposition of impounded vehicle.**

- (a) *In general.* Except as provided otherwise in this division, a vehicle shall continue to be impounded until the administrative penalty, or the cash bond is paid to the village. Upon payment of all fines, unpaid tickets, and towing and storage fees, or a cash bond to the village, and payment of all fees and storage and unpaid tickets to the towing company, possession of the vehicle shall be granted to the party legally entitled to possess the vehicle.
- (b) *Fines and bond.* A vehicle impounded pursuant to this section shall remain impounded until:
  - (1) Payment in full of any and all outstanding parking and/or traffic citations for which the owner or operator has been found liable is paid to the village and all applicable towing and storage fees are paid to the towing service; or
  - (2) A bond in the amount of ~~\$750.00~~ \$950.00 is posted with the police department and all applicable towing and storage fees are paid to the towing agent. Notwithstanding the foregoing, the vehicle shall not be released until the owner/operator has satisfied any and all outstanding parking and/or traffic citations for which the owner/operator has already been found liable; or

- (3) The vehicle is deemed abandoned, in which case the vehicle shall be disposed of in the manner provided by law for the disposition of abandoned vehicles; or
  - (4) The vehicle is sold or otherwise disposed of to satisfy a judgment or enforce a lien as provided by law.
- (c) *Time limits.* Any vehicle not reclaimed within 30 days following the expiration of the time during which the owner of record may seek judicial review of the village's action or within 30 days following a final judgment in favor of the village may be disposed of as an unclaimed vehicle as provided by law provided, however, that where proceedings have been instituted under state or federal or asset forfeiture laws, the subject vehicle may not be disposed of by the village except as consistent with those proceedings.

### **SECTION 3.1. OTHER ACTIONS AUTHORIZED.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith, including, but not limited to, the installation of any street or parking signs as contemplated herein. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

## **ARTICLE III. HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE**

### **SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

### **SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

### **SECTION 6. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

### **SECTION 7. PUBLICATION.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall be effective and in full force ten (10) days after its passage, approval and publication in accordance with Illinois law.

(REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

PASSED this 18TH day of November, 2025.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this 18th day of November, 2025.

---

Jeff Walik, President

ATTESTED AND FILED in my  
office this 18th day of November, 2025.

---

Mitch Milenkovic, Village Clerk