STATE OF ILLINOIS)	
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COUNTY OF DEKALB)	

ORDINANCE 2008-06

AN ORDINANCE OF THE COUNTY OF DEKALB PROVIDING THAT THE CODE OF ORDINANCES, COUNTY OF DEKALB, BE AMENDED BY REVISING SECTION 70-2; PROVIDING PERMITS FOR OVERWEIGHT VEHICLES ON COUNTY HIGHWAYS

BE IT ORDAINED BY THE COUNTY BOARD OF DEKALB COUNTY, ILLINOIS:

- **Section 1**. That Section 70-2, of the Code of Ordinances, County of DeKalb, be amended so that such paragraph shall read as follows:
- Sec. 70-2. Permits for overwidth, overlength and overweight vehicles.
- (a) The State of Illinois has set maximum legal height, width, and weight limitations on all classes of highways in the State of Illinois as published in the Illinois Vehicle Code 625 ILCS Chapter 15.
- (b) The County of DeKalb, Illinois Highways are classified as Class II, III and Local Road and Streets and so designated and are under the jurisdiction and authority of the County Board of DeKalb.
- (c) The Illinois Vehicle Code 625 ILCS Section 5/11-208 authorizes the County Board of DeKalb to enact restrictions as to the use of their highways concerning size, weight, and local regulations. As such vehicles weighing over 54,000 pounds gross weight, are prohibited from using the following roads when appropriate signage is posted at both ends of the following roads:
 - (1) Perry Road from Shabbona Road to South First Street
 - (2) Suydam Road from 701 feet west of Rollo Road proceeding on to West Suydam Road to South County Line.

Such prohibition does not extend to police, fire or other emergency vehicles or school buses or those vehicles which are making service calls, pickups or deliveries to residences, farms and construction sites on or adjacent to the roadways.

(d) Article III Section 5/15-301 of the Illinois Vehicle Code grants the discretion and authority to the County Board of DeKalb to issue special permits, upon application and good cause being shown therefore, authorizing the operation or movement of a vehicle or a combination of vehicles or a size (height or width) or weight of a vehicle or nondivisible loads exceeding the maximum specified in the applicable provisions of the

Illinois Vehicle Code and subsection (c) above upon highways under the jurisdiction and authority of the County Board of DeKalb.

- (e) The County Board of DeKalb has determined that it is necessary and proper to charge a fee to compensate for the cost of maintaining and administering a special permit system to include the cost of the extra wear and tear on the mileage of highways over which the nondivisible load is to be moved, for overwidth, overlength and overweight vehicles using the DeKalb County Roadway System.
- (f) That the County Board of DeKalb by separate resolution hereby establishes a fee schedule for the issuance of each permit to legally operate or move a vehicle over or across any highway on the DeKalb County Roadway System, Illinois, of a size (height or width) or weight of vehicle or nondivisible load that exceeds maximum size (height or width) or weight specified in the Illinois Vehicle Code for designated DeKalb County Roads.
- (g) The County Board of DeKalb authorizes and directs the County Engineer to issue appropriate overweight (for nondivisible loads only), overheight, or overwidth vehicle load permits upon good cause being shown in the application and payment of the appropriate fee.
- (h) Application for a permit can be made by fax, phone, or in person to the DeKalb County Highway Department using the DeKalb County permit application. Permits can be issued by fax or in person and billing and payment will be accomplished every 30 days on a monthly basis.
- (i) All permits issued to such vehicles shall be kept on the vehicle whenever such vehicle is operated on the roadways. In issuing such permits the county engineer shall be permitted to direct and prescribe the route over such roadways upon which any such vehicle shall be permitted to travel.
- (j) An appeal to the county board's highway committee may be made by any person aggrieved by a decision of the county engineer under this section in accordance with the Illinois Compiled Statutes and the following:
 - (1) An application for an appeal shall be filed with the county clerk within 20 days of the date of the action from which the appeal is being filed, thereafter the county clerk shall forward to the county engineer a notice of appeal specifying the grounds thereof, and he shall forthwith transmit to the committee all the papers constituting the record upon which the action appealed from was taken.
 - (2) The committee shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney. The

committee by a majority vote of those present may affirm or may reverse wholly or partly, or may modify the decision, and to that end shall have all the powers of the office from whom the appeal was taken.

- (k) The County Engineer shall cause appropriate signs identifying the prohibition to be installed on county roads listed in subsection (c).
- (l) As used in this section, the term "adjacent to" shall mean a property either directly abutting a county road listed in subsection (c), or a property abutting a side road when the most direct access to the said property is from a so listed roadway.
- **Section 2**. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.
- **Section 3**. That this Ordinance shall be in full force and effect after its passage and approval as provided by law.

ADOPTED BY THE COUNTY BOARD THIS 16TH DAY OF APRIL, 2008 A.D.

ATTEST:	Chairperson, DeKalb County Board
County Clerk	