CHAPTER 5

VEHICLE STICKERS

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5-5-1: DEFINITIONS: The following words and phrases, when used in this Chapter shall for the purpose of this Chapter, have the meanings ascribed to them below and all other words and phrases shall have the meanings ascribed to them in the Illinois Motor Vehicle Code, as amended from time to time, except to the extent inconsistent with the express terms hereof:

MOTOR VEHICLE	Every vehicle which is self-propelled, but nothing in this Chapter shall be construed to apply to or affect motorized wheelchairs, non-motorized bicycles or tricycles, or such other vehicles as are propelled exclusively by human power. This term "motor vehicle" includes golf carts (as defined in 625 ILCS 5/1-123.9) and neighborhood vehicles (as defined in 625 ILCS 5/1-148.3m), when used on Village streets, but use on Village streets shall only be permitted to the extent expressly authorized by and in compliance with the Illinois Vehicle Code (625 ILCS 5) and by Chapter 6 of Title 5 of this Village Code.
OPERATE	To ride in or on, other than as a passenger, use or control in any manner the operation of any device or vehicle whether motorized or propelled by human power.
OPERATOR	Every person who operates or is in actual physical control of any device or vehicle whether motorized or propelled by human power.
OWNER	A person who, or entity that, holds legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of such vehicle is

entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Chapter.

RESIDENT

1. Every natural person who physically resides in, or maintains a residence within, this Village shall be deemed a resident of the Village; and
2. Every "commercial resident". If the principal place of business or subsidiary office or business facility of any firm, partnership, association, LLC, or corporation ("entity") is located within the corporate limits of the Village of Holiday Hills, Illinois, then such entity shall be deemed a "commercial resident" of the Village of Holiday Hills, Illinois. However, a commercial resident shall not be considered a "resident" for any other provisions of this Village Code, unless expressly provided by this Village Code.

REGULARLY KEPT For purposes of this Chapter, the phrase "regularly kept, stored, garaged, maintained, and/or used", or any phrase similar thereto, shall mean and refer to any vehicle maintained within the corporate limits of the Village for portions of two (2) or more days during any one week period.

VILLAGE The Village of Holiday Hills, McHenry County, Illinois.

5-5-2: VEHICLE LICENSE AND/OR VILLAGE STICKER REQUIRED:

A. License.

1. Every owner, operator, lessee, and/or registered agent of a motor vehicle who is or becomes a resident of the Village, and every owner, operator, lessee, and/or registered agent of a motor vehicle regularly kept, stored, garaged, maintained, and/or used in the Village's corporate limits on a regular basis shall be and is required to obtain each year from the Village a vehicle license (hereinafter sometimes referred to as "vehicle sticker") and shall be required to pay each year to the Village a tax or vehicle license fee for each such vehicle and display said vehicle sticker on each such vehicle, as set forth in Section 5-5-3 of this Chapter.

2. Any individual or entity which has one or more vehicles registered to an address within the corporate limits of the Village; or vehicles registered in other municipalities or areas, but which are regularly kept, stored, garaged or maintained within the Village corporate limits shall be considered a

resident or a commercial resident for the purposes of this Chapter and shall be required to obtain and display a Village vehicle sticker as required by this Chapter and shall pay each year to the Village a tax or vehicle license fee for each such motor vehicle as set forth in Section 5-5-3 of this Chapter for the use of each motor vehicle on the streets of the Village.

3. A Village vehicle sticker shall not be required to be obtained for or displayed on any inoperable motor vehicle which is continuously stored within a fully-enclosed garage and not stored, placed, or parked outside and not capable of being driven on the streets of the Village.

4. EXCEPTIONS:

a. Vehicles entirely powered by human power, which are not motorized in any way.
b. Motorized wheelchairs.

B. Operation.

1. No person shall operate a motor vehicle in the Village if the owner, operator, lessee, and/or registered agent of such vehicle resides within the Village, or if the vehicle requires a Village vehicle sticker to be displayed pursuant to this Chapter, unless a valid and current vehicle license as required by this Chapter has been obtained from the Village and is displayed on said vehicle in accordance with Section 5-5-5 hereof.

2. It shall be presumed for the purposes of this Chapter that any motor vehicle, the owner, operator, lessee, and/or registered agent of which resides within the Village, has been operated within the Village on Village streets within the current license year if the vehicle is parked or garaged or otherwise kept and/or stored anywhere within the Village, but such presumption shall be rebuttable by competent evidence presented by or on behalf of any such owner, operator, lessee, and/or registered agent of a motor vehicle who resides within the Village.

5-5-3: FEES:

A. The annual fee to be paid to the Village for each such vehicle license shall be payable on or before August 1st of each and every year and such fee shall be as follows:

Passenger Vehicles (including non-highway vehicles, of which golf carts are the only non-highway vehicle authorized to be used on Village streets) and snowmobiles when used on Village streets)		$20.00 each
Motorcycles		$ 7.00 each
Trucks and Other Vehicles – shall be classified according to weight, and the weights and fees for each such vehicle shall be as follows:		
Gross Weight in Lbs., Including Vehicle and Maximum Load	Truck Class	Annual Vehicle License Fee
8,000 lbs. and less	B	$ 20.00
8,001 lbs. to 12,000 lbs.	D	$ 24.00
12,001 lbs. to 16,000 lbs.	F	$ 36.00
16,001 lbs. to 26,000 lbs.	H	$ 56.00
In excess of 26,000 lbs.	J, K, L, N, P, Q, R, S, T, V, X, Z	$ 66.00

B. The weight of trucks and other vehicles shall be determined in the manner prescribed by statute for determining these factors for the purpose of fixing State license fees. All such vehicle licenses shall be effective for one (1) license year, which shall be from August 1 to and through the following July 31, inclusive, or the remainder thereof, if for a partial license year.

C. Beginning on September 1st of each year, the fee for each such vehicle license shall be increased by 50% when such license is issued on or after September 1st, but on or before October 31st of such year, and the amount of such vehicle license fee shall be increased by 100% when such license is issued after October 31st of said year.

D. Notwithstanding anything contained in this Chapter to the contrary, any Village resident, or any person or entity who becomes a Village resident, that acquires a motor vehicle and becomes an owner, lessee, and/or registered agent of a motor vehicle subject to this Chapter after September 1st of any such year, but before January 31st, shall pay the vehicle license fee set forth in Paragraph A of this Section provided such license is obtained within 30 days after any of such events. If the vehicle license is obtained more than 30 days but less than 60 days after any of such events, the vehicle license fee set forth in Paragraph A of this Section shall be increased by an additional 50%. If the vehicle license is obtained 60 or more days after any of such events, the vehicle license fee set forth in Paragraph A of this Section shall be increased by an additional 100%.

E. Notwithstanding anything contained in this Chapter to the contrary, any Village resident, or any person or entity who becomes a Village resident, that acquires a

motor vehicle and becomes an owner, lessee, and/or registered agent of a motor vehicle subject to this Chapter after February 1st of any such year shall pay a vehicle license fee equal to 50% of the fee set forth in Paragraph A of this Section provided that such license is obtained within 30 days after any of such events. If the vehicle license is obtained more than 30 days but less than 60 days after any of such events, the said 50% license fee shall be increased by an additional 50% thereof. If the vehicle license is obtained 60 or more days after any of such events, the said 50% license fee shall be increased by an additional 100% thereof.

F. The purchase of a new vehicle license shall not be required for any vehicle which is acquired as a replacement for a vehicle currently licensed by the Village. Village vehicle licenses are not transferrable to subsequent owners.

G. Notwithstanding anything contained in this Chapter to the contrary, any person required to obtain a vehicle license pursuant to this Chapter shall pay only fifty percent (50%) of the vehicle license fee specified in Paragraph A above if such person obtaining such license fee is a senior citizen, i.e., a resident who is 62 years of age or older. However, such senior citizen reduced rate shall only apply to two (2) vehicles per household, and other vehicles registered to the same address or to persons residing in that same household shall be licensed at the full rate according to the weight and class of the vehicle as specified in Paragraph A above.

5-5-4: DEALER'S LICENSE:

The vehicle license sticker issued to dealers in motor vehicles held for sale and used only for demonstrations may be transferred to any other vehicle so held and used by the same dealer in the Village, provided that such dealer shall procure one vehicle license from the Village for each motor vehicle so held by said dealer at any one time during the year.

5-5-5: VEHICLE STICKER:

Every motor vehicle licensee shall be given a receipt and a serially numbered motor vehicle license sticker upon payment of the aforesaid fee. Such sticker shall bear a designation showing the year for which it is issued. It shall be permanently affixed and publicly legible on the inside front window or windshield of the licensed motor vehicle within thirty (30) days after issuance, except that in the case of motor vehicles which do not have a front window or windshield, the sticker shall be permanently affixed to some publicly visible part of the vehicle.

5-5-6: REPLACEMENT VEHICLE STICKERS:

Upon the loss, destruction or mutilation of such vehicle sticker, or upon the sale and replacement of a vehicle licensed by the Village, the licensee shall obtain a replacement sticker for a fee of $5.00 and shall affix it in the manner heretofore described.

5-5-7: RECORDS AND USE OF VEHICLE LICENSE FEES.

The Village Clerk shall keep a duplicate of all receipts issued for vehicle license fees and shall report the amount that is collected each month to the Board of Trustees and Village Treasurer.

5-5-8: GOLF CARTS SHALL REQUIRE PROOF OF INSURANCE.

Prior to issuance of a Village vehicle sticker to the owner(s) of a golf cart, the owner(s) of such golf cart shall provide proof of insurance consistent with the mandatory requirements of the Illinois Motor Vehicle Code (625 ILCS 5) to a designated representative of the Village.

5-5-9: PENALTY.

Any person, firm or corporation violating any provision of this Chapter shall be fined not less than One Hundred Dollars ($100.00) nor more than Seven Hundred Fifty Dollars ($750.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Ord. 309-10, Passed 08/16/10)