

CHAPTER 4

REGULATING SIZE AND WEIGHT OF VEHICLES

SECTION:

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- 7-4-1: **DEFINITION OF WORDS AND PHRASES:** The following words and phrases when used in this Code shall, for the purposes of this Code, have the meaning respectfully ascribed to them in this Chapter, 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.

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 (40) inches apart extending across the full width of the vehicle.

COMMERICAL 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.

CONSTRUCTION VEHICLE: Any vehicle over 10,000 pounds actual weight, registered gross weight or G.V.W.R. that is required to comply with ILCS Ch. 625, Act 5, 12-712 and 12-713 on identification required to be displayed.

**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.

GROSS WEIGHT:

The weight of a vehicle whether operated singly or in combination without load plus the weight of the load thereon.

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.

**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, provided that no farm wagon, wagon trailer or like vehicle having a gross weight of more than 36,000 pounds, shall be included hereunder.

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 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.

**NONDIVISIBLE LOAD
OR VEHICLES:**

Permit loads are deemed to be reasonably dismantled (nondivisible) if, when separated into smaller loads or vehicles, further dismantling would:

- a. Compromise the intended use of the load or vehicle; that is, make it unable to perform the function for which it was intended.
- b. Destroy the value of the load or vehicle, that is, make in unusable for its intended purpose; or
- c. Require more than eight (8) work hours to dismantle using appropriate equipment. The applicant for a nondivisible load has the burden of proof as to the number of workhours required to dismantle the load.

PERMIT ROUTE:

The route authorized by the issuing authority with proper jurisdiction over the roadway(s) 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.

- SEMITRAILER:** 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.
- TANDEM AXLES:** Any two (2) or more single axles whose centers are more than forty (40) inches and not more than ninety-six (96) inches apart, measured to the nearest inch between extreme axles in the series, except as provided in Section 15-111 [625 ILCS 5/15-111] for special hauling vehicles.
- TRAILER:** 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.
- 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:** Village of Elizabeth.

7-4-2: **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 ILCS Ch. 625, Act 5 § 15-102 (width), ILCS Ch. 625, Act 5 § 15-103 (height), ILCS Ch. 625, Act 5, § 15-107 (length), ILCS Ch. 625, Act 5 § 15-111 (weight) and ILCS Ch. 625, Act 5, § 15-316 (Local Restrictions)

- B. Size and weights limitations while operating on Village streets shall not apply to fire apparatus or equipment for snow or ice removal operations owned or operated by or for any governmental body or private snow and ice removal operations per 625 ILCS 5/15-101 or to implements of husbandry temporarily operated or towed in a combination in the furtherance of a farm or agricultural endeavor and to any vehicle or combination of vehicles operating under the terms of a valid oversize and/or dimension permit issued by the Village under the authority of 7-4-3 hereof. These exceptions do not include operation:
1. By any vehicle over a posted weight restricted elevated structure.
 2. By Implements of Husbandry (as defined in 7-4-1) or private snow and ice removal operations on:
 - a. Locust St. From: Madison (US Route 20) to Sycamore Street.
 - b. Catlin St. From: Madison (US Route 20) to Locust Street.
- C. Where lower size and weight limits or other restrictions are imposed by ordinance under authority of ILCS Ch. 625, Act 5 §§ 15-102, 15-103, 15-107 & 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 or such restrictions.
- D. Whenever any vehicle or combination of vehicles is operated in violation of this §, 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.

7-4-3: **PERMITS FOR OVERWEIGHT AND/OR OVERDIMENSION VEHICLES.**

- A. A permit shall be required for the movement of any vehicle or combination of vehicles with a non-divisible load on roadways and bridges within the jurisdiction of the Village of Elizabeth which exceeds the dimensions and weights permitted for the particular roadways to be traversed.

For a shipping container to be considered a non-divisible load and eligible to be hauled under an Oversize/Overweight permit issued by the Village of Elizabeth, it must be in a sealed shipping container for international shipment and in route for import or export to/from a foreign country. Upon request from law enforcement or Village of Elizabeth officials, the driver must present documentation, such as a bill of lading or manifest that specifically ties the sealed container being moved to the container listed in the documentation through the unique container number (consists of 4 letters and 7 numbers). The documentation must also clearly state the foreign country destination or origin of that container. Failure to produce such documentation shall result in the load being considered a divisible load and ineligible to be permitted.

Furthermore, Intermodal Oversea Container Permits must comply with the same axle spacing requirement of the Illinois Department of Transportation.

Axle Spacing Requirements:

The spacing requirements for all overweight loaded routine and LCO permits, as well as all towed routine permits, are as follows:

1. The spacing between the steer axle and the first axle on the trailer may not be less than eight (8) feet one (1) inch;
2. The spacing between the last axle on the tractor and the first axle of the trailer may not be less than eighteen (18) feet and six (6) inches; and
3. The sum of all axle spacing's must be at least forty-three (43) feet six (6) inches.

As a result, failure to comply with these requirements for the load may be considered to be operating without a permit and subject to be fined back to legal weight.

B. The Village with respect to any street or highway under its jurisdiction may upon application to the Elizabeth Police Department on forms provided by the police department and good cause being shown therefore issue a special permit 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 specified in 7-4-2. The applicant shall furnish the following information in the special permit application:

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 Permit (LCO);
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; and
10. Requested routing over Village streets to and from a specific location.

C. For purposes of this Section, the following definitions apply:

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 Elizabeth Police Department.
2. Round trip movement means two trips over the same route in opposite directions with the same vehicle and load. 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 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 upon presentation of a valid copy of the IDOT, Jo Daviess County, Elizabeth Township issued LCO permit, (should any of these be necessary for access to/from Village of Elizabeth maintained highways) and payment of the appropriate fees established in the accompanying fee schedule.
- D. The owner or his or her agent shall submit an application fee based on the below chart for a single routing which will be valid for seven (7) calendar days (single issue), round trip routing valid for fourteen (14) days (single issue) and multiple and LCO routings (valid for a base period of one week, one calendar month or quarter (three (3) months). Multiple and LCO Permits may be issued for a maximum of four (4) consecutive permit periods with the permit fee calculated in the appropriate multiples of the base week, month or quarter permit. Permits are valid only for the date periods specified on the permit and for the specific vehicle, load and routing as established by the Elizabeth Chief of Police or designee. No substitution of vehicle, load or routing is permitted without expressed written permission by the Chief of Police or his/her designee and the permit must be carried physically or electronically in the power unit to which the permit applies.

Fee Schedule-Regular Permits

(Does not include Limited Continuous Operation International Intermodal shipments)

Permit Size-weight (with load)	Fee			
	Single Trip	Round Trip	Multiple (per qtr)	LCO (per qtr) (Non-Intermodal)
Up to 100,000 pounds	50	75	150	150
100, 001-120,000	75	100	200	200
120,001-150,000	100*	125*		
Over 150,000	100*	125*		

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

Permit Size-width (with load)	Fee			
	Single Trip	Round Trip	Multiple (per qtr)	LCO (per qtr)
Up to 12'	25	40	75	75
12'1"-13'6"	50	75	100	100
Over 13'6" wide	50*	75*		

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

Permit Size-height (with load)	Fee			
	Single Trip	Round Trip	Multiple (per qtr)	LCO (per qtr)
13'6"-14'6"	25	40	75	75
Over 14'6"	50*	75*		

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

Permit Size-length (with load)	Fee			
	Single Trip	Round Trip	Multiple (per qtr)	LCO (per qtr)
Up to 100'	25	40	75	75
Over 100'0"	50*	75*		

* 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.

Fee schedule- Limited Continuous Operation International Intermodal shipments

Permit Size-weight (with load) (with Intermodal container)	Fee		
	Week Monday- Sunday	Calendar Month	Quarter January 1- March 31 April 1-June 30 July 1-September 30 October 1-December 31
Up to 100,000 pounds	100.00	300.00	750
100, 001-120,000	150.00	450.00	1,000
Spotter Semi-Tractors (Within the permitted route. No axle spacing requirements or international paperwork required to be carried in vehicle)			750

Fee schedule- Limited Continuous Operation Raw Milk Permit

Permit Size-weight (with load)	Fee		
	Week Monday- Sunday	Calendar Month	Quarter January 1- March 31 April 1-June 30 July 1-September 30 October 1-December 31
Up to 80,000 pounds gross weight on 5 axles	25	50	100

- E. The Chief of Police or his or her designee is authorized to approve the application for approved routes. Upon approval and payment of all required fees, the Elizabeth Police Department shall issue a permit allowing passage of the oversize and/or overweight vehicles over Village streets. The permit shall be specific and contain:
1. Permit number;
 2. The dates the permit is valid;
 3. Whether the permit is for a single, round, multiple or LCO trip routing;
 4. The description of object or vehicle to be moved;
 5. Authorized gross weight, axle weights, width, length and height;
 6. The authorized routing over Village streets including the origin and termination point within the Village;
 7. The fee paid;
 8. The date and signature of the Chief of Police or his or her designee; and
 9. In addition, the permit will specify general conditions that the permittee must comply with that are consistent and reasonable for the protection of the general public and Village streets.
- F. It is the duty of the permittee to read and familiarize himself or herself with the permit provisions upon receipt. Undertaking of the permit move is deemed prima facie evidence of acceptance of the permit and that:
1. The permittee is in compliance with all operational and provision requirements; and

2. All dimension, axle spacing and weight limitations specified in the permit will not be exceeded; and
 - a. The spacing between the steer axle and the first axle on the tractor tandem may not be less than eight (8) feet and six (6) inches;
 - b. The spacing between the last axle on the tractor and the first axle of the trailer may not be less than eighteen (18) feet and six (6) inches; and
 - c. The sum of all axle spacing's must be at least forty-three (43) feet and six (6) inches.
 3. All operation, registration and license requirements have been complied with; and
 4. All financial responsibilities, obligations and other legal requirements have been met; and
 5. The permittee assumes all responsibility for injury or damage to persons or to public or private property, including his or her own, or to the object being transported, caused directly or indirectly by the transportation or movement of vehicles and objects authorized under the permit. He or she agrees to hold the Village harmless from all suits, claims, damages, or proceedings of any kind and to indemnify the Village for any claim it may be required to pay arising from the movement.
- G. The permit shall be carried in the vehicle (either physically or electronically) 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.
- H. Whenever any vehicle is operated in violation of the provisions of a Village permit whether it be by size, weight or general/special provisions, and either or both the owner or driver of such vehicle shall be deemed guilty and either or both the owner or the driver of such vehicle may be prosecuted for such violation.

7-4-4: **VEHICLES PROHIBITED ON CERTAIN STREETS.**

- A. As provided under the authority of ILCS Ch. 625, Act 5, § 15-101, 15-111 & 15-316, it shall be unlawful to operate any vehicle upon any street where the operation of that vehicle is prohibited by ordinance and where signs of such prohibition are posted. Vehicles operating under the authority of ILCS Ch. 625, Act 5, § 15-101, 15-111 or 15-316 while utilizing Village streets under “reasonable access” rules will be considered in violation of this section if they are not utilizing the most direct route to points of loading and unloading.
- B. The following streets are restricted to a six (6) Ton (12,000 pounds) weight limit as determined by Registered Weight, Gross Vehicle Weight Rating (GVWR), Gross Combination Vehicle Weight Rating (GCWR) or actual weight:
1. Locust Street From: Madison Street (State Rt. #20) to Ash Street
 2. Hickory Street From: Madison Street (State Rt. #20) to Locust Street
 3. Ash Street From: Madison Street (State Rt. #20) to Myrtle Street
 4. South Madison Street From: Madison Street (State Rt. #20) to Myrtle Street
 5. Vine Street From: Madison Street (State Rt. #20) to Myrtle Street
 6. Catlin Street From: Madison Street (State Rt. #20) to South Main Street
(State Rt. #20)
 7. South Madison Street From: Sycamore Street to South Village Limits
(approximately 2/10th mile South of East Street)
 8. Popular Street From: South Madison to South Main Street (State Rt. #20)
 9. Pleasant Street From: South Madison Street to South Main Street
(State Rt. #20)
 10. East Street From: South Madison Street to South Main Street
(State Rt. #20)
- C. The Superintendent of Public Works is authorized and directed to post or cause to be posted, streets designated as restricted weight and/or dimension routes as governed by § 7-4-4(B).

For any violation of the dimension and weight limitations set forth in 625 ILCS 5/15-102,103,107 & 111, any person, firm or corporation convicted of such violation shall be additionally fined an amount as provided in ILCS Ch. 625, Act 5, § 15-318 as now in effect or as hereafter amended and in effect as of the date of the underlying violation.

- d. In addition to seeking a fine, as herein above provided, the Village Attorney may institute any proper action in the name of the Village of Elizabeth 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 ILCS Ch. 625, Act 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.