

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 52, ARTICLE II, SEC. 52-25 OF THE WASHINGTON MUNICIPAL CODE TO ESTABLISH MAXIMUM SPEED LIMITS ALONG NEW PORTIONS OF FREEDOM PARKWAY AND DALLAS ROAD AND ADJUST MAXIMUM SPEED LIMITS ON N. CUMMINGS LANE AND PORTIONS OF DALLAS ROAD AND W. CRUGER ROAD

WHEREAS, the City of Washington, Tazewell County, Illinois (the “City”) is an Illinois home rule municipal corporation;

WHEREAS, pursuant to the Illinois Vehicle Code (the “Vehicle Code”), a “city, village, or incorporated town may establish absolute maximum speed limits on all streets which are within its corporate limits and which are not under the jurisdiction of the Department [of Transportation of the State of Illinois] or of such Authority, and for which the county or a highway commissioner of such county does not have maintenance responsibility.” 625 ILCS 5/11-604(a);

WHEREAS, Freedom Parkway, Dallas Road, N. Cummings Lane, and certain portions of W. Cruger Road are streets within the corporate limits of the City;

WHEREAS, it has been determined that the absolute maximum speed limits on Freedom Parkway, Dallas Road, N. Cummings Lane, and certain portions of W. Cruger Road are as follows:

<i>Street</i>	<i>Maximum Speed</i>
Freedom Parkway from McClugage to 1,200 feet east of McClugage	30 mph
Freedom Parkway from 1,200 feet east of McClugage to N. Cummings Lane	40 mph
Dallas Road from Newcastle Road to W. Cruger Rd.	30 mph
Dallas Road from W. Cruger Rd. to Route 24 Bypass	35 mph
N. Cummings Lane from the intersection of Washington Road and N. Cummings Lane to its terminus on the north	35 mph
W. Cruger Road (except where lower speed limits shall be posted)	40 mph

WHEREAS, the City Council does declare and determine that the above-referenced maximum absolute speed limits are reasonable and safe; and

WHEREAS, the City Council has determined it is in the best interests of the City that the City’s Municipal Code be amended to codify the reasonable and safe absolute maximum speed limits identified herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Washington, Illinois as follows:

Section 1: The recitals; as set forth above, are incorporated herein as though fully set forth and shall be considered the express findings of the City Council.

Section 2: That the City Council of the City of Washington does declare and determine that the speed limits identified in the recitals are reasonable and safe absolute maximum speed limits.

Section 3: That Chapter 52, Article II, Sec. 52-25(d) of the City Code of the City of Washington, Tazewell County, Illinois, be, and the same hereby is deleted in its entirety and the following is substituted therein as follows:

“(d) On the following streets and highways, the following maximum speed limit shall apply:

<i>Street</i>	<i>Maximum Speed</i>
1. North Main Street (except that portion lying between the square and E911 Drive on the north)	30 mph
2. North Wilmor Road between Newcastle Road and Peoria Street	25 mph
3. N. Cummings Lane from the intersection of Washington Road and N. Cummings Lane to its terminus on the north	35 mph
4. West Cruger Road (except where lower speed limits shall be posted)	40 mph
5. Dallas Road from Newcastle Road to W. Cruger Rd.	30 mph
6. Dallas Road from W. Cruger Rd. to the Route 24 Bypass	35 mph
7. Lincoln Street between Madison and Wilshire	20 mph
8. Centennial Dr. from the intersection with U.S. 24 (McClugage) to the westerly city limits	40 mph
9. South Main Street between Holland Street on the north and the corporate limits of the city on the south	30 mph
10. Nofsinger Road from W. Cruger Road on the south to the Route 24 Bypass on	35 mph

the north

- | | |
|---|--------|
| 11. Nofsinger Road from the Route 24 Bypass on the south to its terminus on the north | 35 mph |
| 12. South Main Street between Holland Street on the south and Oakland Avenue on the north | 35 mph |
| 13. South Main Street between Oakland Avenue on the south and the corporate limits on the north | 45 mph |
| 14. North Wilmor Road between Newcastle Road and Peoria Street | 25 mph |
| 15. South Main Street between the 800 and 1100 blocks | 35 mph |
| 16. Freedom Parkway from McClugage to 1,200 feet east of McClugage | 30 mph |
| 17. Freedom Parkway from 1,200 feet east of McClugage to N. Cummings Lane” | 40 mph |

Section 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

Section 5: If any provision of this ordinance is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

Section 6: This ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this _____ day of _____ 2024.

AYES: _____

NAYS: _____

ATTEST: _____
MAYOR

CITY CLERK

ARTICLE I. IN GENERAL**Sec. 52-1. State vehicle code adopted.**

The city has adopted by reference, as a part of this chapter, the Illinois Vehicle Code, 625 ILCS 5/1-100 et seq., except those administrative and regulatory provisions, which by their nature, cannot apply to the city. The references in that code to its provisions generally shall apply to this chapter.

Secs. 52-2—52-20. Reserved.

ARTICLE II. ADDITIONAL LOCAL REGULATIONS**Sec. 52-21. Zones of quiet.**

When authorized signs are erected indicating a zone of quiet, no person operating a motor vehicle within the zone shall sound the horn or other warning device except in an emergency.

(Code 2000, § 70.39)

Sec. 52-22. Use of roller skates, coasters, or similar devices.

No person upon roller skates or riding in or by means of any coaster, toy vehicle, or similar device shall go upon any roadway except while crossing a street on a crosswalk and except upon streets set aside as play streets when authorized by the traffic authority.

(Code 2000, § 71.102)

Sec. 52-23. Skateboarding prohibited in certain areas; penalties.

(a) No person shall operate or ride on a skateboard:

- (1) On any roadway in the city, except when crossing a crosswalk.
- (2) On any sidewalk, parking lot, or public area within the area known as Washington Square, and bounded by High Street on the east, Burton Street on the south, Market Street on the west, and Zinser Place on the north.
- (3) On any public or private property where signs have been posted at the entrance or displayed prominently on the property prohibiting the use of skateboards.
- (4) Any place in the city in such a manner as to be dangerous to persons or property.

(b) Any person, including a minor child, violating any provision of this section shall be fined not less than \$10.00 nor more than \$100.00 for each offense.

(c) Any person accused for the first time of a violation of this section may settle and compromise the claim against the same for such impermissible skateboarding by paying in person, or by mail, to the city \$10.00 within seven days of the violation or \$20.00 after seven days of the violation. Such payment may be made at the police station or at the office of the city clerk; a receipt shall be issued for all money so received, and the money shall be promptly turned over to the treasurer.

(d) Members of the police department are authorized to refrain from instituting prosecution for the alleged defenses involved where the person accused of the violation referred to in this section has settled and compromised a claim against the same in accordance with this section.

(Code 2000, §§ 73.30, 73.99; Ord. No. 1636, 8-6-1990)

Sec. 52-24. No-tag signs and turning markers.

When authorized signs are erected indicating that no right or left or U-turn is permitted no driver of a vehicle shall disobey the directions of the sign. When authorized marks, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles, no driver of a vehicle shall disobey the directions of the indications.

(Code 2000, § 70.40)

Sec. 52-25. Speed limits.

(a) No vehicle may be driven upon any highway of this municipality at a speed which is greater than is reasonable and proper with regard to traffic conditions and the use of the highway, or which endangers the safety of any person or property. The fact that the speed of a vehicle does not exceed the applicable maximum speed limit does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, or when a special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions. Speed must be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

(b) No person may drive a vehicle upon any street at a speed which is greater than the applicable statutory maximum speed limit established in this article or by a regulation made under this article.

(c) Unless some other speed restriction is established and posted under this article, the maximum speed limit in an urban district for all vehicles is 25 miles per hour except in alleys where the speed limit is ten miles per hour.

(d) On the following streets and highways, the following maximum speed limit shall apply:

	<i>Street</i>	<i>Maximum Speed</i>
1.	North Main Street (except that portion lying between the square and E911 Drive on the north)	30 mph
2.	North Wilmor Road between Newcastle Road and Peoria Street	25 mph
3.	North Cummings Lane from a point 1,200 feet north of the center of the intersection of Washington Road and N. Cummings Lane on the South to West Cruger Road on the north	45 mph
4.	West Cruger Road (except where lower speed limits shall be posted)	45 mph
5.	Dallas Road between Newcastle Road on the south and the corporate limits of the city on the north	30 mph
6.	Lincoln Street between Madison and Wilshire	20 mph
7.	Centennial Dr. from the intersection with U.S. 24 (McClugage) to the westerly city limits	40 mph
8.	South Main Street between Holland Street on the north and the corporate limits of the city on the south	30 mph

	<i>Street</i>	<i>Maximum Speed</i>
9.	N. Cummings Lane from West Cruger Road on the south to its terminus on the north	35 mph
10.	N. Cummings Lane from the intersection of Washington Road and N. Cummings Lane on the south to a point 1,200 feet north of the center of the intersection of Washington Road and N. Cummings Lane on the north	35 mph
11.	Nofsinger Road from West Cruger Road on the south to the Route 24 Bypass on the north	35 mph
12.	Nofsinger Road from the Route 24 Bypass on the south to its terminus on the north	35 mph
13.	South Main Street between Holland Street on the south and Oakland Avenue on the north	35 mph
14.	South Main Street between Oakland Avenue on the south and the corporate limits on the north	45 mph
15.	North Wilmor Road between Newcastle Road and Peoria Street	25 mph
16.	South Main Street between the 800 and 1100 blocks	35 mph

(e) However, if the mayor and city council set other maximum speed limits as provided by state statute, then such limits shall apply and govern the maximum rate of speed on the streets indicated in such ordinances. Appropriate signs shall be posted showing such speed limits.

(Code 2000, § 71.001; Ord. No. 1742, 7-20-1992; Ord. No. 2083, 9-2-1997; Ord. No. 2084, 9-2-1997; Ord. No. 2086, 9-2-1997; Ord. No. 2628, 7-18-2005; Ord. No. 2805, 12-1-2008; Ord. No. 3139, 7-6-2015)

Sec. 52-26. Duty to report accident; accident reports.

In accordance with 625 ILCS 5/11-415, the driver or owner of a vehicle involved in a traffic accident in the city shall file with the city police department a copy of the written report of the accident required by 625 ILCS 5/11-403 et seq.

(Code 2000, § 76.11)

Sec. 52-27. Obstruction of rear view by load.

It is unlawful to operate any vehicle which is so loaded or in such a condition that the operator does not have a clear vision of all parts of the roadway essential to the safe operation of the vehicle. Any vehicles with the view of the roadway to the rear obstructed, shall be equipped with a mirror so attached as to give the same a view of the roadway behind the same.

(Code 2000, § 75.02)

Sec. 52-28. Gas and smoke emissions.

It is unlawful to operate any vehicle which emits dense smoke or such an amount of smoke or fumes as to be dangerous to the health of persons or as to endanger the drivers of other vehicles.

(Code 2000, § 75.03)

Sec. 52-29. Unnecessary noise.

It is unlawful to operate a motor vehicle which makes unusually loud or unnecessary noises due to mechanical defects or alterations or due to the manner in which such vehicle is being operated.

(Code 2000, § 75.04)

Sec. 52-30. Duty of occupant of vehicle to report accident when driver cannot.

When the driver of a vehicle is physically incapable of making a required written accident report and if there was another occupant in the vehicle at the time of the

motor vehicle accident capable of making a written report, the occupant shall make or cause the written report to be made. If the driver fails for any reason to make the report, the owner of the vehicle involved in the motor vehicle accident shall, as soon as practicable, make the report to the police department.

(Code 2000, § 76.13)

Sec. 52-31. Prohibition of excessive engine braking noise; excessive engine braking noise signs.

(a) *Engine braking.*

- (1) *Prohibition of excessive engine braking noises.* It shall be unlawful for the driver of a commercial vehicle, as defined in 625 ILCS 5/1-111.8, to operate or actuate any engine braking system that emits excessive noise, which shall include the use of engine compression brakes (commonly referred to as "jake brakes"), on any street, highway, or road within the city limits.
- (2) *Applicability.* This section shall not apply to the use of an engine braking system that has an adequate sound-muffling system in proper working order that prevents excessive noise. Furthermore, this section shall not apply if the driver used an engine braking system that emits excessive noise in an emergency to avoid a collision with a person or another vehicle on the highway.
- (3) *Excessive engine braking noise signs.* In accordance with 625 ILCS 5/12-602.1, the city engineer or designee shall cause signs to be erected and maintained that prohibit the driver of a commercial vehicle, as defined in 625 ILCS 5/1-111.8, from operating or actuating any engine braking system that emits excessive noise. The sign shall state, "excessive engine braking noise prohibited."
- (4) *Penalty.* A violation of this section is an equipment violation punishable by a fine of \$75.00.

(b) *Signage and placement.* The city engineer or designee is hereby authorized to erect and maintain signs in the locations set forth on exhibit A, attached to the ordinance from which this section is derived, and made a part hereof, that prohibit excessive engine braking noise on such designated streets within the city's limits, in compliance with the signage provisions of 625 ILCS 5/12-602.1 and the related rules and regulations promulgated by the Illinois Department of Transportation (IDOT) thereunder. The location of the signs set forth on exhibit A, attached to the ordinance from which this section is derived, are further subject to IDOT's express approval.

(Ord. No. 3523, §§ 2, 3, 3-4-2024)