

Sec. 9-236. - Relocators—Prerequisites to operating within the city.

It shall be unlawful for any relocater to:

- (1) Employ as an operator or otherwise use the services of any person who has not been duly licensed by the commission and the Illinois Secretary of State pursuant to the applicable laws, rules and regulations.
- (2) Operate a business other than in conformance with the laws of the commission and the rules and regulations adopted thereunder.
- (3) Operate any towing vehicle which does not carry a copy of 625 ILCS 5/18A of the Illinois Vehicle Code, a copy of this article of the city Code and sufficient copies of the commission complaint form. All documents shall be made available to any complainant at his request in the event of a dispute regarding vehicle relocation.
- (4) Operate any vehicle which has not passed a safety test as required in 625 ILCS 5/13-101.
- (5) Operate any vehicle which does not have the proper identification, equipment and insurance for that vehicle.
- (6) Relocate any vehicle prior to obtaining and remitting payment for an online permit, using the internet. This permit must be displayed in either paper or electronic form to any police officer upon request. The city will establish the form and determine the content of the online permit.
- (7) Relocate a vehicle unless the operator has a valid operator's permit issued from the commission. Each vehicle operator under authority of a relocater's license must carry a copy of the license in its cab. The copy shall be presented to any investigator or enforcement officer of the commission on request.

(Ord. No. 18-O-0038, § 2, 7-16-2018)

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Sec. 9-237. - Relocators—Responsibilities.

A relocator must:

- (1) Notify the city prior to such removal by purchasing a permit as described in section 9-236(6). Notification shall include, but is not limited to, a complete description of the vehicle, including the year, make, model vehicle identification number (VIN) and state license plate number, the registration numbers, the locations from which and to which the vehicle is to be removed and taken and the time of removal and any other information required by state or local regulations, statute or ordinance.
- (2) Make a telephone number available to the city at which the relocator or an employer of the relocator may be contacted at any time, twenty-four (24) hours each day. This phone number shall be advertised for the purpose of effectuating the release of a towed vehicle. The relocator must have an employee available at all times on the premises owned or controlled by the relocator for the purposes of arranging for the immediate release of the vehicle.
- (3) Accept certain types of compensation:
 - a. Except as provided in subsection b. below, no relocator shall demand, collect or receive anything of value or compensation in relation to its relocation business;
 - b. From the property owner, lessee or their agents or from any person other than the owner or owner's agent of the relocated vehicle, except according to terms in the contract entered into between the property owner or lessee and the relocator;
 - c. From the vehicle owner, lessee or their agents:
 1. Greater than the amount posted on the signs on the private property from which the vehicle was relocated;
 2. Greater than or other than the rates prescribed by the commission; or
 3. Where the relocation was not performed in compliance with the law and in this article.

(4)

Release the vehicle provided payment is either in cash or through a valid major credit card, including, but not limited to, VISA, American Express, Discovery or MasterCard.

(Ord. No. 18-O-0038, § 2, 7-16-2018)

Sec. 9-238. - Relocators posting of signs; sign specifications.

- (a) *Generally.* It shall be unlawful for an owner or other person in lawful possession or control of private property to remove, or employ a relocator to remove, an unauthorized vehicle from such property unless written notice is provided pursuant to the administrative rules of the commission. Such notice shall consist of a sign posted in a conspicuous place in the affected area of a size and content as required by the commission. Such sign shall state the amount of the towing charges to which the person parking may be subject. Such signs must be posted at least twenty-four (24) hours before any vehicle is relocated from the lot.
- (b) *Application to residential property.* No express notice shall be required under this section upon residential property which, paying due regard to the circumstances in the surrounding area, is clearly reserved or intended exclusively for the use or occupation of residents or their vehicles.
- (c) *Sign specifications:*
 - (1) Those portions of the sign warning that unauthorized vehicles will be relocated must be formatted in accordance with the administrative rules of the commission.
 - (2) Each sign must contain:
 - a. A warning that unauthorized vehicles will be relocated;
 - b. The full legal name of the relocator as it appears on the relocator's license, the address and telephone number of the relocator, and the address and telephone number of the location to which the vehicle will be relocated and at which it can be reclaimed, if different from the address of the relocator;
 - c. The maximum fee which the relocator will charge the vehicle's owner or owner's agent as a condition of reclaiming the vehicle, and any restrictions on the form of payment which will be accepted by the relocator, provided that no sign shall indicate a restriction on the form of acceptable payment that is contrary to section 9-237(4);
 - d. The hours during which the owner or owner's agent can reclaim the vehicle, and when the relocator is closed to the public due to observation of holidays or otherwise. To the extent that a sign does not show limitation on hours or days when the vehicle can be reclaimed, the

sign shall constitute a representation that the vehicle can be reclaimed at any time or on any day. No sign shall include hours of doing business contrary to the restrictions contained in section 9-235(8).

(3) Such signs must be visible and readable from all entrances and exits, both during the day and at night, free of any natural or man-made interference.

(4) No more than one (1) location where the vehicle may be relocated shall be identified on any posted sign at any lot from where the vehicle was relocated.

(Ord. No. 18-O-0038, § 2, 7-16-2018)

Sec. 9-239. - Repossessors—unlawful practice.

It shall be unlawful for any reposessor:

- (1) To repossess a vehicle prior to obtaining a valid permit issued by the city.
- (2) To violate any other provision of this article, commission regulations or orders adopted under this article or pursuant to 225 ILCS 422 et seq.
- (3) No reposessor may remove a vehicle from private property where trespassing signs have been erected prohibiting a reposessor from entering and remaining on the property.

(Ord. No. 18-O-0038, § 2, 7-16-2018)

Sec. 9-240. - Permit fee.

The fee to be paid by the applicant at the time of issuance of the permit shall be as prescribed in appendix G.

(Ord. No. 18-O-0038, § 2, 7-16-2018)