

Other Action Item

16-17-1008

ODT-006D-92

FOURTH AMENDMENT TO ORDINANCE  
FOR OVERWEIGHT/OVER-DIMENSION TRUCK PERMIT AND VIOLATION FEES

WHEREAS, the DuPage County Board heretofore adopted Ordinances ODT-006C-92 dated January 12, 2010, ODT-006B-92 dated April 14, 2009, ODT-006A-92 dated February 24, 2009 and ODT-006-92 dated October 13, 1992; and

WHEREAS, Illinois Public Act 96-0039 was enacted into law on July 30, 2009 and said Act increased the maximum legal gross vehicle weight to 80,000 pounds for vehicles with given axle numbers, weight and spacing on roads not posted with lower gross vehicle weights effective January 1, 2010; and

WHEREAS, the County Board of DuPage County has determined that it is appropriate to require overweight/overdimension permits for vehicles exceeding legal weights and/or dimensions per 625 ILCS 5/15-111 and 5/15-316 subject to the terms and conditions for overweight/overdimension permits noted in the following tables and on the Overweight/Overdimension Permit incorporated herein by reference; and

WHEREAS, the County Board of DuPage County has determined that it is appropriate to impose violations against any person or company performing non-permitted overweight/overdimension truck movements on or within DuPage County Division of Transportation designated highway rights-of-way in violation of this Ordinance per 625 ILCS 5/15-316(c)(e).

NOW, THEREFORE, BE IT ORDAINED, by the County Board of DuPage County, that the fee schedule for overweight/overdimension permits issued by the Division of Transportation and violation fees shall be adopted as follows:

<u>90-Day Continuous Operation Over-Dimension Permit</u>	<u>Fee</u>
12' Maximum Width (MW) X 13.5' Maximum Height (MH) X 85' Maximum Length (ML) X ( $\leq$ 80,000 lbs. GVW)	\$300
<u>Over-Dimension Permit (<math>\leq</math> 80,000 lbs. GVW)</u>	<u>Fee (Single Trip)</u>
$\leq$ 14' MW x $\leq$ 15.5' MH x $\leq$ 100' ML	\$15
>14' MW x >15.5' MH x >100' ML	\$25
<u>Overweight Permits</u>	
<u>Range for Gross Vehicle Weight (GVW) (lbs.)</u>	<u>Fee (Single Trip)</u>
80,001 - 100,000	\$50
100,001 - 200,000	\$100
200,001 - 300,000	\$150
300,001 - 400,000	\$200
Over 400,000	\$250

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<u>Axle Weights in Excess of Legal (lbs.)</u>	<u>Single Axle</u>	<u>2-Axle Tandem</u>	<u>3-Axle Tandem</u>
1 - 6,000	\$10	\$5	\$5
6,001 - 11,000	\$20	\$10	\$5
11,001 - 17,000	Not Permitted	\$20	\$15
17,001 - 22,000	Not Permitted	Not Permitted	\$20
22,001 - 29,000	Not Permitted	Not Permitted	\$25

1. "Axle" shall be defined as 20,000 pounds for a single axle, 34,000 pounds for a 2-axle tandem and 42,500 pounds for a 3-axle tandem; and

BE IF FURTHER ORDAINED, that a "single trip" shall be defined from the point of origin to the point of destination and shall not include a return trip but the cost of a round trip permit for an overweight or overdimension vehicle shall be discounted by \$20.00 or the round-trip permit shall be charged at a minimum of \$40.00, whichever is greater; and

BE IF FURTHER ORDAINED, that a permit for a "single trip" shall be valid for 5 days and a "round trip" permit shall be valid for 10 days. If a permit load cannot be clearly identified by unique identifying number such as a serial or license plate number, the permit shall be valid for 2 days; and

BE IT FURTHER ORDAINED, that vehicles operating on the County Highway System that are both overdimension and overweight shall be required to pay the sum of the overweight and overdimension fees; and

BE IT FURTHER ORDAINED, that overweight/overdimension permits may be issued to vehicles that exceed the maximum permitted weights and/or dimensions in this Ordinance subject to the discretion of the County Engineer or the duly authorized designee at the fee determined solely by the County Engineer or the duly authorized designee; and

BE IT FURTHER ORDAINED, that the County, with respect to highways under its jurisdiction may, by ordinance or resolution, prohibit or limit commercial vehicles as to their weight with posting of appropriate signs placed on such highways per 625 ILCS 5/15-316; and

BE IT FURTHER ORDAINED, that the owner or driver of the vehicle shall be deemed guilty of a violation and either the owner or the driver of the vehicle may be prosecuted for the violation. Any person, firm, or corporation convicted of violating this Section shall be fined \$50 for any weight exceeding the posted limit up to the axle or gross weight limit allowed a vehicle as provided for in subsections (a) or (b) of 625 ILCS 5/15-111 and \$75 per every 500 pounds or fraction thereof for any weight exceeding that which is provided for in subsections (a) or (b) of 625 ILCS 5/15-111; and

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BE IT FURTHER ORDAINED, that with any payment made to the County under this ordinance and returned to the County Treasurer as “non-sufficient funds,” the applicant or permittee shall be assessed an additional fee of a minimum of thirty dollars (\$30.00) or equal to the County Treasurer’s penalty assessed to the Division of Transportation, whichever fee is greater. This fee, along with any application and/or permit fees assessed remaining outstanding, shall be paid prior to the movement of any vehicles on or within any County designated highway rights-of-way according to this Ordinance; and

BE IT FURTHER ORDAINED, that any additional costs incurred by the County for the purpose of facilitating the issuance of an overweight or overdimension permit shall be borne by the applicant. These costs may include engineering analysis necessary to determine the structural capacity of facilities on the County Highway system to accommodate the permit load, temporary relocation of traffic signal or utility facilities or processing costs related to issuance of an overweight or overdimension permit by an outside agency or contractor. These fees may be billed by the County or paid directly to a 3<sup>rd</sup> party. All fees must be paid prior to the movement of any vehicles on or within any County designated highway rights-of-way and prior to the issuance of an overweight or overdimension permit according to this ordinance; and

BE IT FURTHER ORDAINED, that the DuPage County Clerk shall cause a copy of this Amending Ordinance to be published in a newspaper of general circulation within the area, and that the DuPage County Clerk shall submit the copy of this Amending Ordinance to the codifier for publication.

Enacted and approved this 14th day of November, 2017 at Wheaton, Illinois.

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DANIEL J. CRONIN, CHAIRMAN  
DU PAGE COUNTY BOARD

Attest: \_\_\_\_\_  
PAUL HINDS, COUNTY CLERK