

Chapter 10.12 OVERWEIGHT AND/OR OVERDIMENSION VEHICLES

[10.12.060 Definitions.](#)

[10.12.070 Overweight and/or overdimension vehicles.](#)

[10.12.080 Permits for overweight and/or overdimension vehicles.](#)

[10.12.090 Vehicles prohibited on certain streets.](#)

[10.12.100 Weight limits prescribed for Banbury Road.](#)

[10.12.110 Weight limits prescribed for Grant Street.](#)

[10.12.200 Penalty.](#)

10.12.060 Definitions.

The following definitions shall apply for the purpose of this chapter, except when the context otherwise requires.

- A. Axle load. The total load transmitted to the road by all wheels whose centers may be included between two parallel transverse vertical planes forty (40) inches apart extending across the full width of the vehicle.
- B. Commercial 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.
- C. Construction vehicle. Any vehicle over ten thousand (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.
- D. 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.
- E. Gross weight. The weight of a vehicle, whether operated singly or in combination, without its load plus the weight of the load thereon.
- F. Highway. The entire width between the boundary lines of every public way when any part thereof is open to the use of the public for purposes of vehicle travel.
- G. Implement of husbandry. Every vehicle 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.
- H. 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 designated for the carrying of not more than ten (10) persons:
Second division: Those motor vehicles which are designated for carrying more than ten (10) persons, designated or used for living quarters, designed for pulling or carrying freight, cargo or implements of husbandry, and motor vehicles of the first division remodeled for use and use as motor vehicles of the second division.
- I. 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.
- J. Person defined as any individual, firm, co-partnership, partnership, corporation, company, association, church, religious sect, religious denomination, society, organization, league, trust, or any combination of the foregoing.
- K. 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.
- L. Tandem Axles. Any two 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 625 ILCS 5/15-111 for special hauling vehicles.

M. 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.

N. 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.

O. Village shall mean the corporate boundaries of the Village of North Aurora. (Ord. 02-03-11-01 § 3)

10.12.070 Overweight and/or overdimension vehicles.

A. It shall be unlawful for any person to be in control of, to drive, 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 of North Aurora, any vehicle or combination of vehicles exceeding the size and weight limitations stated in the 625 ILCS 5/15-102 (width), 625 ILCS 5/15-103 (height), 625 ILCS 5/15-107 (length), and 625 ILCS 5/15-111 (weight).

B. Size and weight 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 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 Section 10.12.060 of this chapter.

C. Where lower size and weight limits or other restrictions are imposed by ordinance under authority of 625 ILCS 5/15-316, and 5/15-317, 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 of such restrictions.

D. 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 or driver of such vehicle may be prosecuted for such violation. (Ord. 02-03-11-01 § 4)

10.12.080 Permits for overweight and/or overdimension vehicles.

A. The village, with respect to any street or highway under its jurisdiction, may, upon application to the village police departments, 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 or load exceeding the maximum specified in Section 10.12.070 of this chapter. 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 i.e., single trip, round trip, or multiple routing;
4. The description and registration 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. The maximum gross weight of the vehicle;
9. The maximum width, length and height of the vehicle and load;
10. The origin within the state or state line if the origin is outside the jurisdiction of the village, copies of all county and/or state permits must be attached to the application prior to approval and issuance of a village special permit for permits requested. This provision does not apply to multiple routing permits;
11. Requested routing over village streets to and from a specific location.

B. 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 calendar days, round-trip routing valid for fourteen (14) calendar days, and multiple routings for a base period of three months. Permits may be issued for a maximum of four consecutive permit periods three hundred sixty-five (365) days with the permit fee calculated in the appropriate multiples of the base three-month multiple trip 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 village engineer or designee.

Permit size-weight (with load)	Fee: Single trip	Fee: Round trip	Fee: Multiple
Up to 88,000 pounds	50	75	150
88,001-100,000	75	100	175

100,001-120,000	100	125	225
120,001-150,000	125	150	300
Over 150,000	125*	150*	300*

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

Permit size-width (with load)	Fee: Single trip	Fee: Round trip	Fee: Multiple
Up to 12'	50	75	150
12'1"-13'6"	75	100	175
Over 13'6" wide	75*	100*	175*

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

Permit size-width (with load)	Fee: Single trip	Fee: Round trip	Fee: Multiple
13'6"-14'6"	50	75	150
Over 14'6"	50*	75*	150*

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

Permit size-weight (with load)	Fee: Single trip	Fee: Round trip	Fee: Multiple
Up to 75'0"	50	75	150
Up to 75'0"	50	75	150
Over 100'0"	75*	100*	175*

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

C. No substitution of vehicle, load or routing is permitted without express written permission by the chief of police or his or her designee.

D. The permit must be carried in the vehicle to which the permit applies.

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 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 single trip, round trip or multiple routing;
4. The description of the 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;
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. A copy of all permits issued will be provided to the village administrator, or his or her designee, for information.

F. It is the duty of the permittee to read and familiarize himself/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 operation require;
2. All dimension and weight limitations specified in the permit will not be exceeded;
3. All operation, registration and license requirements have been complied with;

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 of 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 to which the permit applies at all times while operating on the streets within the village and shall be exhibited upon demand to any law enforcement officer, police officer or other 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 provisions, either or both the owner or driver of such vehicle shall be deemed guilty and may be prosecuted for such violation.
 - I. The fees established in this section shall not apply to heavy equipment being mobilized directly to or from a public works or public street project site for use on a project for which the village has contracted as a party for the work to be done and which work is let or otherwise contracted by the village as a public contract. The mobilization of heavy equipment specifically includes the hauling of such equipment by trucks designed for that purpose. This subsection shall not be construed as allowing such heavy equipment to be mobilized without a required village permit.
- (Ord. 05-10-24-07 § 2; Ord. 02-03-11-01 § 5)

10.12.090 Vehicles prohibited on certain streets.

- A. As provided under the authority of 625 ILCS 5/15-316, it shall be unlawful to operate a vehicle in excess of any prescribed weight limitations set forth by village ordinance on any local road designated in such ordinance, which road is posted according to such weight limitations; except that vehicles in excess of such prescribed weight limitations may access such designated roads only for the purpose of making delivery or picking up a load on that particular designated street, and only to the extent that such vehicle is driven no more than the minimum distance necessary for that purpose.
- B. It shall be unlawful to operate any "construction vehicle" as defined herein on any street in the village when signs are posted on that street prohibiting "construction vehicles". Where the chief of police, with the approval of the village board, establishes a truck route, construction vehicles will utilize only those established routes to service areas of the village under construction.
- C. It shall be unlawful to park a commercial motor vehicle on a residential street while said truck is running between the hours of 10:00 p.m. and 6:00 a.m. (Ord. 02-03-11-01 § 6)

10.12.100 Weight limits prescribed for Banbury Road.

- A. Traffic on Banbury Road shall be limited to vehicles with a total gross weight of no more than ten thousand (10,000) pounds, except for local deliveries as limited in Section 10.12.090 above, where no viable alternative route is available.
- B. The superintendent of public works or his or her designee is authorized to obtain signs and to post signs at the intersection of Banbury Road and Butterfield Road and to enter into or to continue an intergovernmental agreement with the Batavia Township to post a sign at the intersection of Banbury Road and Route 25 posting the weight limit prescribed in subsection A above. (Ord. 02-03-11-01 § 7)

10.12.110 Weight limits prescribed for Grant Street.

- A. Traffic on Grant Street shall be limited to vehicles with a total gross weight no more than ten thousand (10,000) pounds, except for local deliveries as limited in Section 10.12.090 above, where no viable alternative route is available.
- B. The superintendent of public works or his or her designee is authorized to obtain signs and to post signs at the intersection of Grant Street and Route 25 and Grant Street and State Street posting the weight limit prescribed in subsection A above. (Ord. 02-03-11-01 § 8)

10.12.200 Penalty.

- A. Any person who violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this chapter except for Section 10.12.070, shall be fined not less than fifty dollars (\$50.00) not more than seven hundred fifty dollars (\$750.00) for each offense. A separate offense shall be deemed committed on separate incident that a violation occurs.
- B. The driver of any vehicle in violation of Section 10.12.070 or any other section of the Illinois Vehicle Code relating to overweight or overdimension vehicles shall be subject to any and all applicable fines and penalties under the Illinois Vehicle Code (625 ILCS 5/1/100 et seq.).

C. In addition to seeking applicable fines, as herein above provided, the village attorney may institute any proper action in the name of the Village of North Aurora to enjoin the violation of any provision of this chapter. (Ord. 02-03-11-01 § 9)

[<< previous](#) | [next >>](#)