
VILLAGE OF SUGAR GROVE BOARD REPORT

TO: VILLAGE PRESIDENT & BOARD OF TRUSTEES
FROM: PATRICK J. ROLLINS, CHIEF OF POLICE
SUBJECT: ORDINANCE: AMMENDING THE VILLAGE CODE FOR VEHICLE IMPOUNDMENT, TITLE 1, CHAPTER 14, SECTION 7, B, REPLACING THE LANGUAGE TO BEST MIRROR THE STATE STATUTE
AGENDA: MARCH 4, 2025, BOARD MEETING
DATE: FEBRUARY 26, 2025

ISSUE

Should the Village amend Title 1 Chapter 14 Vehicle Impoundment offenses (1-14-7-B) to best align/mirror with State Statute, as Sugar Grove is a non-home rule community.

DISCUSSION

Follow up from the February 18, Village Board Meeting: Staff was given direction to prepare a board report to amend the existing Code for the specific offenses listed for Vehicle Impoundment under Title 1, Chapter 14 Vehicle Impoundment, Section 7 B to align closer to the State Statute as the Village is a non-home rule community.

Current language under 1-14-7-B: to be removed in its entirety.

~~B. Criminal Violations Authorizing Seizure/Impoundment: A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative penalty of five hundred dollars (\$500. 00), in addition to costs of prosecution and any towing and storage fees as hereinafter provided:~~

- ~~1. Operation or use of a motor vehicle in the commission or attempted commission of any offense for which a motor vehicle may be seized and forfeited pursuant to 720 Illinois Compiled Statutes 5/36-1.~~
- ~~2. Driving under the influence of alcohol, other drug or drugs, intoxicating compounds, 625 Illinois Compiled Statutes 5/11-501.~~
- ~~3. Operation or use of a motor vehicle in connection with the commission or attempted commission of any felony offense or in violation of the provisions of the Illinois cannabis control act, 720 Illinois Compiled Statutes 550/1.~~
- ~~4. Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the Illinois controlled substances act, 720 Illinois Compiled Statutes 570/100.~~
- ~~5. Unlawful use of a weapon in violation of 720 Illinois Compiled Statutes 5/24-1; aggravated discharge of a firearm in violation of 720 Illinois Compiled Statutes 5/24-1.5;~~

~~unlawful possession of a firearm and firearm ammunition in violation of 720 Illinois Compiled Statutes 5/24-3.1.~~

~~6. Driving while license, permit or privilege to operate a motor vehicle is suspended or revoked, 625 Illinois Compiled Statutes 5/6-303; vehicles shall not be subject to seizure/impoundment if the suspension is for unpaid citations, due to failure to comply with emission testing.~~

~~7. Operating a motor vehicle without a valid driver's license, 625 Illinois Compiled Statutes 5/6-101 in combination with operation of motor vehicle with no insurance 625 Illinois Compiled Statutes 5/3-707.~~

~~a. Except a person that had a valid driver's license that is expired for less than six (6) months.~~

~~b. Except a person who is less than seventeen (17) years of age operating a motor vehicle on any street or highway when in violation of the child curfew act.~~

New language to replace under 1-14-7-B:

B. Criminal Violations Authorizing Seizure/Impoundment: A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative penalty of five hundred dollars (\$500. 00), in addition to costs of prosecution and any towing and storage fees as hereinafter provided:

1. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Illinois Criminal Code (720 ILCS 5/35-1) of 2012; or
2. Driving under the influence of alcohol, another drug or drugs, an intoxication compound or compounds, or any combination thereof, in violation of Section 11-501 of the Illinois Vehicle Code (625/5/11-501); or
3. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Illinois Cannabis Control Act (720 ILCS 550/); or
4. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act (720 ILCS 570/); or
5. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section (720 ILCS 5/) 24-1, 24-1.5, or 24-3.1 of the Illinois Criminal Code of 1961 or the Criminal Code of 2012; or
6. Driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of the Illinois Vehicle Code (625 ILCS 5/6-303); except that vehicles shall not be subject to seizure or impoundment if the suspension is for unpaid citation (parking or moving) or due to failure to comply with emission testing; or
7. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Illinois Cannabis Control Act (720 ILCS 550/) or the Illinois Controlled Substances Act (720 ILCS 570/); or
8. Operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of the Illinois Vehicle Code (625 ILCS 5/6-101) if the period of expiration is greater than one year; or
9. Operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of the Illinois Vehicle Code (625 ILCS 5/6-

- 101), or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or
10. Operation or use of a motor vehicle by a person whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of the Illinois Vehicle Code (625 ILCS 5/); or
 11. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/ Article 16); or
 12. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Illinois Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/), when so provided by local ordinance; or
 13. Operation or use of a motor vehicle in violation of Section 11-503 of the Illinois Vehicle Code (625 ILCS 5/11-503):
 - a. While the vehicle is part of a funeral procession; or
 - b. In a manner that interferes with a funeral procession.

COST

Anticipated costs for attorney review of the ordinance is approximately \$250 which can be accommodated in the General Fund Police account #01-51-6301 Legal Services.

RECOMMENDATION

Staff recommends that the Village Board approve an Ordinance amending the Vehicle Impoundment section 1-14-7-B, Ordinance # 25-0304PD



**VILLAGE OF SUGAR GROVE
KANE COUNTY, ILLINOIS**

Ordinance No. 2025-0304PD

**An Ordinance Regulating
the Seizure and Impoundment of Vehicles
in compliance with 625 ILCS 5/11-208.7
for the Village of Sugar Grove,
Kane County, Illinois**

Adopted by the
Board of Trustees and President
of the Village of Sugar Grove
this 4th day of March 2025.

Published in Pamphlet Form
by authority of the Board of Trustees
of the Village of Sugar Grove, Kane County,
Illinois, this 4th day of March 2025.

ORDINANCE NO. 2025-0304PD

**An Ordinance Regulating the Seizure and Impoundment of Vehicles in compliance with
625 ILCS 5/11-208.7
for the Village of Sugar Grove,
Kane County, Illinois**

BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

WHEREAS, the Village of Sugar Grove is not a home rule municipality within Article VII, Section 6A of the Illinois Constitution and, pursuant to the powers granted to it under 65 ILCS 5/1-1 *et seq.*; and,

WHEREAS, the Village wishes to amend Section 1-14-7-B of the Village of Sugar Grove Code of Ordinances to regulate the seizure and- impoundment of vehicles in compliance with 625 ILCS 5/11-208.7;

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, as follows;

SECTION ONE: Amendment to Section 1-14-7-B

The Village Code of Ordinances Section 1-14-7-B is hereby amended to remove as follows:

~~B.—Criminal Violations Authorizing Seizure/Impoundment: A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative penalty of five hundred dollars (\$500. 00), in addition to costs of prosecution and any towing and storage fees as hereinafter provided:~~

~~1.—Operation or use of a motor vehicle in the commission or attempted commission of any offense for which a motor vehicle may be seized and forfeited pursuant to 720 Illinois Compiled Statutes 5/36-1.~~

~~2.—Driving under the influence of alcohol, other drug or drugs, intoxicating compounds, 625 Illinois Compiled Statutes 5/11-501.~~

~~3.—Operation or use of a motor vehicle in connection with the commission or attempted commission of any felony offense or in violation of the provisions of the Illinois cannabis control act, 720 Illinois Compiled Statutes 550/1.~~

~~4.—Operation or use of a motor vehicle in connection with the commission or attempted commission of any offense in violation of the Illinois controlled substances act, 720 Illinois Compiled Statutes 570/100.~~

~~5.—Unlawful use of a weapon in violation of 720 Illinois Compiled Statutes 5/24-1; aggravated discharge of a firearm in violation of 720 Illinois Compiled Statutes 5/24-1.5; unlawful possession of a firearm and firearm ammunition in violation of 720 Illinois Compiled Statutes 5/24-3.1.~~

~~6. Driving while license, permit or privilege to operate a motor vehicle is suspended or revoked, 625 Illinois Compiled Statutes 5/6-303; vehicles shall not be subject to seizure/impoundment if the suspension is for unpaid citations, due to failure to comply with emission testing.~~

~~7. Operating a motor vehicle without a valid driver's license, 625 Illinois Compiled Statutes 5/6-101 in combination with operation of motor vehicle with no insurance 625 Illinois Compiled Statutes 5/3-707.~~

~~a. Except a person that had a valid driver's license that is expired for less than six (6) months.~~

~~b. Except a person who is less than seventeen (17) years of age operating a motor vehicle on any street or highway when in violation of the child curfew act.~~

The Village Code of Ordinances Section 1-14- 7-B is hereby amended to be replaced as follows:

B. Criminal Violations Authorizing Seizure/Impoundment: A motor vehicle, operated with the permission, express or implied, of the owner of record, that is used in connection with the following violations, shall be subject to seizure and impoundment by the Village, and the owner of record of said vehicle shall be liable to the Village for an administrative penalty of five hundred dollars (\$500. 00), in addition to costs of prosecution and any towing and storage fees as hereinafter provided:

1. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense for which a motor vehicle may be seized and forfeited pursuant to Section 36-1 of the Illinois Criminal Code (720 ILCS 5/35-1) of 2012; or
2. Driving under the influence of alcohol, another drug or drugs, an intoxication compound or compounds, or any combination thereof, in violation of Section 11-501 of the Illinois Vehicle Code (625/5/11-501); or
3. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, a felony or in violation of the Illinois Cannabis Control Act (720 ILCS 550/); or
4. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of the Illinois Controlled Substances Act (720 ILCS 570/); or
5. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Section (720 ILCS 5/) 24-1, 24-1.5, or 24-3.1 of the Illinois Criminal Code of 1961 or the Criminal Code of 2012; or
6. Driving while a driver's license, permit, or privilege to operate a motor vehicle is suspended or revoked pursuant to Section 6-303 of the Illinois Vehicle Code (625 ILCS 5/6-303); except that vehicles shall not be subject to seizure or impoundment if the suspension is for unpaid citation (parking or moving) or due to failure to comply with emission testing; or
7. Operation or use of a motor vehicle while soliciting, possessing, or attempting to solicit or possess cannabis or a controlled substance, as defined by the Illinois Cannabis Control Act (720 ILCS 550/) or the Illinois Controlled Substances Act (720 ILCS 570/); or
8. Operation or use of a motor vehicle with an expired driver's license, in violation of Section 6-101 of the Illinois Vehicle Code (625 ILCS 5/6-101) if the period of expiration is greater than one year; or
9. Operation or use of a motor vehicle without ever having been issued a driver's license or permit, in violation of Section 6-101 of the Illinois Vehicle Code (625 ILCS 5/6-

- 101), or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age; or
10. Operation or use of a motor vehicle by a person whom a warrant has been issued by a circuit clerk in Illinois for failing to answer charges that the driver violated Section 6-101, 6-303, or 11-501 of the Illinois Vehicle Code (625 ILCS 5/); or
 11. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, an offense in violation of Article 16 or 16A of the Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/ Article 16); or
 12. Operation or use of a motor vehicle in the commission of, or in the attempt to commit, any other misdemeanor or felony offense in violation of the Illinois Criminal Code of 1961 or the Criminal Code of 2012 (720 ILCS 5/), when so provided by local ordinance; or
 13. Operation or use of a motor vehicle in violation of Section 11-503 of the Illinois Vehicle Code (625 ILCS 5/11-503):
 - a. While the vehicle is part of a funeral procession; or
 - b. In a manner that interferes with a funeral procession.

SECTION TWO: GENERAL PROVISIONS

REPEALER: All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

SEVERABILITY: Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and effect the same as if the invalid provision had not been a part of this Ordinance.

EFFECTIVE DATE: This Ordinance shall be in full force and effect on and after its approval, passage and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Sugar Grove, Kane County, Illinois, this 4th day of March 2025.

Jennifer Konen,
President of the Board of
Trustees of the Village of Sugar
Grove, Kane County, Illinois

	Aye	Nay	Absent	Abstain
Trustee Matthew Bonnie	_____	_____	_____	_____
Trustee Sean Herron	_____	_____	_____	_____
Trustee Heidi Lendi	_____	_____	_____	_____
Trustee Michael Schomas	_____	_____	_____	_____
Trustee Sean Michels	_____	_____	_____	_____
Trustee James F. White	_____	_____	_____	_____

ATTEST: _____
Tracey Conti
Clerk, Village of Sugar Grove