

**EXECUTIVE ORDER NO. 23-0001**

**DECLARING RULES AND REGULATIONS REGARDING**

**UNSCHEDULED INTERCITY BUSES**

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**WHEREAS**, the Village of Channahon (a Home Rule Municipality), Illinois (the “Village”) is committed to protecting the health, safety, and welfare of individuals residing in and visiting the Village; and

**WHEREAS**, it is in the best interest of the Village, it’s employees, and it’s residents to establish a policy for the stopping, standing, and parking of intercity buses and the discharge of passengers with the Village (the Village); and

**WHEREAS**, the unloading of passengers in inclement or severe weather conditions without a coordinated plan poses a significant threat to the health, safety, and welfare of said passenger; and

**WHEREAS**, time is of the essence due to incoming inclement weather within the Chicagoland area and the immediate increase in demands on Village resources resulting from the discharge of said passengers within the Village; and

**WHEREAS**; bus operators have been attempting to avoid compliance with the policies of neighboring municipalities regarding permitting requirements for unscheduled intercity buses; and

**WHEREAS**; it is in the best interests of the Village, its employees, residents, and visitors that the Village implement additional rules and regulations (the “Rules and Regulations”) regarding unscheduled intercity buses and hold non-compliant bus operators accountable for endangering the safety and welfare of their passengers; and

**NOW, THEREFORE**, by the powers vested in me as the Village President of the Village of Channahon, Illinois, I hereby authorize the Village, its Police Department, and its employees to implement the Rules and regulations as set forth in Exhibit A, attached hereto and incorporated herein.

**SECTION 1:** Effective immediately, I, the Village President of Channahon, Illinois, delegate to the Chief of Police the authority to take any and all lawful action necessary to protect the health, safety and welfare of the residents and corporate citizens of the Village, including, but not limited to, the enforcement of Rules and regulations, and the authority to cite and take other appropriate measures against the persons who disobey this Order or the Rules and regulations after due notice, either oral or written has been given.

**SECTION 2:** This order is declared effective immediately and shall remain in effect unless otherwise lawfully modified, amended, rescinded, or suspended.

**SECTION 3:** This Executive Order shall be distributed in accordance with applicable law.

: This Executive Order is not intended to, and does not, except as specifically set forth herein, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Village, its departments, agencies, or entities, its officers, employees, or agents or any other persons. This Executive Order shall be deposited and kept immediately available on file for inspection in the office of the Village Clerk.

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Missey Moorman Schumacher, Village President

Received and Filed December 23, 2023

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Kristin Hall, Village Clerk

## **EXHIBIT A**

### **RULES AND REGULATIONS OF THE VILLAGE OF CHANNAHON REGARDING UNSCHEDULED INTERCITY BUSES**

#### **I. Definition**

For the purposes of these Rules and Regulations, these definitions shall apply.

- a. "Application" means a form that the Channahon Chief of Police makes available for receiving and reviewing proposed intercity bus operations.
- b. "Approval" means written notice that the Chief of Police has received, reviewed, and determined that an application satisfies the requirements of the Village and the Policy.
- c. "Chief of Police" means the Channahon Chief of Police.
- d. "Regularly scheduled service" means intercity bus service that operates trips on a predictable and recurring basis, following a schedule that is published in advance and available to the general public, and provides service in exchange for paying a fare.
- f. "Unscheduled intercity bus" means any bus used for the transportation of persons between the Village of Channahon and locations outside of the Chicago-Naperville-Joliet area that is not operating pursuant to authorization of the Chief of Police authorization via: (i) an approved letter of permission or (ii) an approved schedule and/or approved pick-up/drop-off zone, as of the effective date of the Policy.
- g. "Village" shall mean the Village of Channahon, Illinois.

#### **II. Applicability**

The Chief of Police's preexisting application, review and approval process for intercity buses, as may be amended from time to time shall apply to: (i) applicants for regularly scheduled service and (ii) operators with an approved letter of permission schedule and/or approved pick up/drop off zone as of the effective date of this Policy.

#### **III. Notice and Application Required**

The operator of any unscheduled intercity bus must make application for an approval to arrive and load/unload passengers in the Village on the appropriate form made available by the Chief of Police. All applications for unscheduled intercity bus service must be received by the Chief of Police a minimum of five (5) full business days prior to the requested date of arrival in the application.

All applications shall include the proposed passenger list, and the operator shall be required to perform background checks on each passenger over the age of eighteen, and shall provide copies of the same to the Chief of Police as part of the application.

Each application for an unscheduled intercity bus drop off must include an order authorizing the drop off executed by the head of the public body originating the transfer of such passengers.

#### **IV. Processing and Approval of Applications**

Applications for unscheduled intercity buses will be reviewed on a first-come, first-serve basis. No more than one (1) application, regardless of operator, shall be approved by the Chief of Police for a given date, time, and location.

#### **V. Days and Hours of Operation**

Unscheduled intercity buses shall load/unload passengers within the Village only between the hours of 10:00 a.m. and 4:00 p.m. Monday through Friday, and not at any time on Saturdays, Sundays, or designated Village Holidays.

#### **VI. Passenger Pick-up/Drop-Off Locations**

Unscheduled intercity buses shall only load/unload passengers at locations designated by the Chief of Police, which shall be listed on the approved application.

#### **VII. Punctuality**

For any given approval, unscheduled intercity buses must arrive no sooner than, and no later than 30 minutes after, the approved arrival time, otherwise the application shall be considered invalidated. Any loading/unloading of passengers outside of this scheduled window shall result in a \$750.00 fine per passenger to the operator.

#### **VIII. Proof of Application and Approval**

Operators of unscheduled intercity buses must carry a physical or electronic copy of an approved application and present it for inspection at the place of loading/unloading upon request by any employee or designee of the Village.

#### **IX. Penalty.**

Any operator of an unscheduled intercity bus that attempts to or does in fact load/unload passengers without an approved application shall be subject to a \$750.00 fine per passenger upon the intercity bus operator.

## **X. Criminal Charges**

The Chief of Police is hereby authorized to pursue criminal charges against any (i) unscheduled intercity bus operator, (ii) unscheduled intercity bus driver, or (iii) third-party employees who are charged with the oversight of the passengers, when such individual attempts to or does discharge passengers where such actions endanger the health, safety or welfare of passengers.

The Chief of Police shall consider the following when determining whether to pursue criminal charges:

- (a) The location of the discharge or attempted discharge of passenger;
- (b) Extreme weather conditions, including temperatures below freezing, snowfall, severe rain, or other inclement weather which poses a risk to passengers;
- (c) Whether any of the passenger are minors; and
- (d) The time of day and access to shelter or transportation for passenger.

## **XI. Civil Remedies**

The Village's attorneys are hereby authorized and directed to pursue any and all civil remedies against intercity bus operators that fail to or refuse to comply with the Policy or these Rules and Regulations. Such civil remedies include, but are not limited to, injunctive relief, declaratory judgements, and debt collection actions.

**VILLAGE OF CHANNAHON, ILLINOIS  
APPLICATION FOR UNSCHEDULED INTERCITY BUS**

All unscheduled intercity buses must use this application form and receive approval from the Village of Channahon, Illinois prior to loading/unloading any passengers within the Village limits.

**APPLICANT INFORMATION**

Bus Company Name: \_\_\_\_\_

Bus Company Address: \_\_\_\_\_

Bus Company State of Incorporation: \_\_\_\_\_

Primary Contact Name: \_\_\_\_\_

Title/Position of Primary Contact: \_\_\_\_\_

Primary Contact Phone: \_\_\_\_\_

Primary Contact Email: \_\_\_\_\_

Bus Driver Full Name (including middle): \_\_\_\_\_

Bus Driver's Date of Birth: \_\_\_\_\_

Bus Driver Phone: \_\_\_\_\_

Bus Driver Operator's License # \_\_\_\_\_

State of Issuance: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Other employees (Bus Company or 3<sup>rd</sup> party contractors or individuals assisting with the transportation of passengers: (attach a separate page if needed)

Full Name of any 3<sup>rd</sup> Parties: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

### **PASSENGER INFORMATION**

- (A) The Applicant **must** attach a proposed passenger list of all proposed passengers (including any employees of a 3<sup>rd</sup> party involved in the transportation of passengers) to this Application.
  
- (B) The Applicant **must** provide background check information for all proposed passengers (including 3<sup>rd</sup> party contractors or individuals assisting in the transportation of passengers) over the age of eighteen (18) years. Attach background check information to this Application- failure to attach background information will result in the Application being denied with no further processing.
  
- (C) Any passenger or 3<sup>rd</sup> party employee/individual not listed on the Application who exits the bus will be considered in violation of Village Policy (failure to submit a background check with the application) and will result in a \$750.00 fine, per person, assessed to the bus operator.

### ARRIVAL INFORMATION

Proposed Arrival Date\*: \_\_\_\_\_  
(\**Must be at least 5 business days from the date of application submission*)

Proposed arrival time: (check only one time period)  
Morning: ☐ 10-11 am ☐ 11am-12pm  
Afternoon ☐ 12-1 pm ☐ 1-2 pm ☐ 2-3 pm ☐ 3-4 pm

USDOT of bus: \_\_\_\_\_

Bus license plate and State: \_\_\_\_\_

Any unscheduled intercity bus that allows passengers to disembark outside these days and hours will be considered in violation of Village Policy and will result in a fine, per person, assessed to the bus operator.

### AUTHORIZATION FROM HEAD OF PUBLIC BODY INITIATING TRANSFER

The Applicant **must** provide an order authorizing the transfer of the proposed passengers which is executed by the head of the public body which has initiated the transfer via unscheduled intercity bus. **No application shall be processed without a copy of the authorizing order.**

\_\_\_\_\_  
Applicant Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Applicant's Name- Typed or Printed

***(Required)***

**Notary Seal:**

\_\_\_\_\_  
***Village Use only:***

*Date Received:*

*Time Received:*

*How received:*

*Signature of Village Official:* \_\_\_\_\_ *Approved or Denied*  
*(Circle)*

*Name of Village Official:* \_\_\_\_\_