

ORDINANCE NO. _____

AN ORDINANCE AMENDING Chapter 19, Article II, CREATING SECTION 19-152 and AMENDING CHAPTER 19, ARTICLE IV, Section 19-266 ORDINANCE OF THE CITY OF JOLIET CODE OF ORDINANCES

(Adding ordinance establishing regulations for unscheduled intercity buses, the discharge of passengers, and the impoundment of vehicles)

WHEREAS, the Mayor and City Council of the City of Joliet, Illinois (City) has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Mayor and City Council have seen fit to establish regulations for the safe and orderly stopping, standing, and parking of unscheduled intercity buses and the discharging of passengers within the City of Joliet; and

WHEREAS, the Mayor and City Council recognize that, from time to time, conditions arise which necessitate action on the part of city officials in order to protect the welfare of the community; and

WHEREAS, the Mayor and City Council recognize that the unloading of passengers from an unscheduled intercity bus in inclement or severe weather or at varied unscheduled hours or locations in the City without a coordinated plan poses a significant threat to the health, welfare and safety of passengers; and

WHEREAS, the City of Joliet is a home rule unit of local government pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs including but not limited to, the power to regulate for the protection of the public health, safety, morals, and welfare.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF JOLIET, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1: The Mayor and City Council hereby find that the recitals contained in the remainder of this Ordinance are true, correct and complete and are hereby incorporated into this Ordinance by reference.

SECTION 2: That Section 19-152 be created and shall read as follows; and Section 19-266 shall have the following language added:

Sec. 19-152. Restriction on unscheduled intercity buses and the discharge of passengers.

(a) *Definitions.* The following terms shall have the following meanings, as applied to this Section.

Application shall mean a form issued and made available by the Chief of Police for receiving and reviewing proposed intercity bus drop-offs.

Approval shall mean written notice that the Chief of Police has received, reviewed, and determined that an application satisfies the requirements of the City of Joliet and this Section.

Regularly Scheduled Intercity Bus shall mean any intercity bus that operates trips on a predictable and recurring basis between two or more designated and authorized locations or established routes, following a fixed schedule that is published in advance and available to the general public, and provides transportation service in exchange for the payment of a fare.

Unscheduled Intercity Bus shall mean any intercity bus used for transportation of passengers originating from a location outside of the City of Joliet that is not a regularly scheduled intercity bus and operating pursuant to written authorization of the Chief of Police approving a specific schedule to drop off passengers at an approved location in the City.

(b) *Applicability.*

The application, review, and approval process pursuant to this Section shall apply to all operators seeking an unscheduled intercity bus service for a specified date, time, and location for the unloading of passengers in accordance with approved written authorization as herein required.

This Section shall not apply to bus transports operated in conjunction with school sponsored educational activities such as field trips, buses transporting student athletes and chaperones to and from sporting events or tournaments, buses transporting professional athletes to and from sporting venues, or tour buses providing round trip service to tourist destinations.

(c) *Notice and Application Required.*

The operator of any unscheduled intercity bus must make an application for approval to arrive and unload passengers in the City on the appropriate application 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

identified in the application. All applications shall include a 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 with the application. All applications must include an order authorizing such unscheduled intercity bus for the unloading of passengers executed by the head of the public body originating the transfer or the loading of passengers.

(d) Processing and Approval of Application.

Applications will be reviewed on a first come first served basis. No more than one (1) application, regardless of operator, shall be approved for a specific date or location.

(e) Passenger Unloading Restrictions.

Unscheduled intercity buses shall unload passengers within the City of Joliet only between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday, and not at any time on a Saturday, Sunday, or designated federal or state holiday.

Unscheduled intercity buses shall only unload passengers at a location authorized by the Chief of Police.

For any given written approval, unscheduled intercity buses shall arrive no sooner than 15 minutes before, and no later than 30 minutes after the approved arrival time, otherwise the application shall be considered invalid.

(f) Proof of Approved Application.

Every operator of unscheduled intercity buses must carry a physical or electronic copy of the approved application and present it for inspection at the location of the approved loading or unloading and must present it for inspection upon the request of any representative of the City of Joliet.

(g) Penalty.

Any operator of an unscheduled intercity bus that attempts to or does in fact unload passengers in any manner inconsistent with this Section shall be liable for a fine of \$750.00 per passenger.

The vehicle used in violation of this Section shall be subject to impoundment under Section 19-266.

19-266. Offenses subjecting a vehicle to impoundment.

(a)(8) Operation of an unscheduled intercity bus in violation of Section 19-152.

SECTION 3: In the event that any provision or provisions, or portion or portions of this ordinance shall be declared to be invalid or unenforceable by a Court of competent jurisdiction, such adjudication shall in no way affect or impair the validity or enforceability of any of the remaining provisions or portions of this ordinance that may be given effect without such invalid or unenforceable provision or provisions, portion or portions.

SECTION 4: All ordinances directly in conflict with the terms of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be deemed severable and the invalidity of any portion hereof shall not invalidate the remainder.

SECTION 6: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED this _____ day of _____, 2024.

MAYOR

CITY CLERK

VOTING YES: _____

VOTING NO: _____

NOT VOTING: _____