

VILLAGE OF LILY LAKE

---

ORDINANCE NO. 2024-01

AN ORDINANCE AMENDING THE VILLAGE CODE

(Chapter 7—Public Safety, Subchapter 1—Traffic)

---

ADOPTED BY THE  
PRESIDENT AND BOARD OF TRUSTEES  
OF THE  
VILLAGE OF LILY LAKE

January 22, 2024

---

Published in pamphlet form by authority of the President and Board of Trustees of  
the Village of Lily Lake, Kane County, Illinois

January 22, 2024

---

## ORDINANCE NO. 2024-01

## AN ORDINANCE AMENDING VILLAGE CODE

(Chapter 7—Public Safety, Subchapter 1—Traffic)

## § 1. Recitals

(a) Pursuant to the Illinois Municipal Code, (65 ILCS 5/1-1-1 *et seq.*), generally, the corporate authorities of each municipality are charged with the responsibility of protecting the health, safety and welfare of their residents and to that end may exercise powers and perform functions for the protection of the public health, safety, morals and welfare. Pursuant to 65 ILCS 5/1-2-1, the corporate authorities of the Village of Lily Lake (the "*Village*") may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities, with such fines or penalties as are allowed by statute.

(b) In December of 2023 a number of intercity buses made unscheduled stops in several suburban municipalities to unload passengers.

(c) There are no bus lines that regularly serve the Village and no established schedule of bus stops within the Village. Moreover, there are no designated and established locations within the Village designed for a bus to safely stop and unload its passengers. The unloading of passengers from an unscheduled intercity bus or at varied unscheduled hours, days, or locations in the Village, and especially in inclement or severe weather conditions, without a coordinated plan poses a significant threat to the health, welfare, and safety of the passengers being unloaded and the residents of the Village and members of the general public using Village streets.

(d) The corporate authorities of the Village further find that time is of the essence due to the incoming inclement weather within the Chicagoland area and the immediate increase in demands on limited Village resources resulting from the unloading of passengers from an unscheduled intercity bus within the Village. A crisis would exist within the Village if it experienced the haphazard unloading of passengers with no specific destination from unscheduled intercity buses.

(e) Accordingly, the corporate authorities of the village find that it is in the best interests of the Village, its employees, its residents, and visitors to establish regulations for the safe and orderly stopping, standing, and parking of unscheduled buses and the discharge of passengers within the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Lily Lake, Kane County, Illinois, that the Village Code, as amended, be further amended as follows:

§ 2. Amending Village Code

Chapter 7—Public Safety, Subchapter 1—Traffic, is amended by inserting the following as the § 710 and renumbering the following sections accordingly:

§ 710. Unscheduled bus stops within the Village

(a) The above recitals and legislative findings are found to be true and correct by the corporate authorities of the Village and are hereby incorporated and made a part of this section as if fully set forth in their entirety.

(b) The corporate authorities of the Village find and declare that the requirements established in this section are adopted to protect and ensure the health, safety, and welfare of the Village, its employees, its residents, and visitors to the Village and are further undertaken in accordance with and pursuant to the exercise of the Village's police powers and general powers over the health, safety and welfare of the residents of the Village.

(c) The president is authorized to take to take any action reasonably necessary to effectuate and carry out the provisions of this section.

(d) Definitions. In this section—

(1) "Application" means a form approved by the president and available from the clerk for permission to conduct proposed intercity bus operations within the Village.

(2) "Approval" means written notice that the president has received, reviewed, and determined that an Application satisfies the requirements of this section.

(3) "Intercity Bus "or "Intercity Coach " (also called a long-distance, express, over-the-road, commercial, long-haul, or highway bus or coach service) is a public or chartered transport service using coaches to carry passengers significant distances between different cities, towns, or other populated areas. Unlike a transit bus service, which has frequent stops throughout a city or town, an intercity bus service generally has a single stop at one location in or near a city, and travels long distances without stopping at all. Intercity bus services may be operated by government agencies or private industry, for profit and not-for-profit.

(4) "Regularly Scheduled Intercity Bus" means—

(A) an Intercity Bus that operates on a predictable and recurring basis between two or more designated and authorized locations or established routes and, within the Village, stops only designated and approved bus stops, following a fixed schedule that is published in advance and available to the general public, and provides transportation service in exchange for payment of a fare; and

(B) has received Approval of its Application.

(5) "Unscheduled Intercity Bus" means any intercity bus that does not meet the definition of a Regularly Scheduled Intercity Bus.

(e) Applicability. The application, review, and approval process established under this section applies to all operators seeking to operate an intercity bus service that stops within the Village.

(f) Application required. The operator of any intercity bus must make an Application to arrive and load or unload passengers within the Village. All Applications for intercity bus service must be filed with the clerk a minimum of five business days before the requested date identified in the Application for operations to commence. Applications for one-time or irregular service must include a proposed passenger list and background checks on each passenger over the age of 18. Applications for one-time or irregular service must include an order authorizing such service executed by the head of the public body originating the transfer or loading and unloading of passengers.

(g) Processing and Approval of Application. Applications will be reviewed on first-come, first-served basis. No more than one application, regardless of operator, will be approved by the president for one-time or irregular operations and then only for a specific date and location.

(h) Passenger loading and unloading—restrictions. Approved one-time or irregular operations must load or unload passengers within the Village at the location designated in the Approval and only between the hours of 10:00 a.m. and 4:00 p.m., Monday through Friday. No passengers may be loaded or unloaded at any time on a Saturday, Sunday, or designated federal, state or Village legal holiday.

(i) Punctuality of passenger loading and unloading. Approved one-time or irregular operations must arrive at the designated location no earlier than 15 minutes before, and no later than 30 minutes after, the approved arrival time or the Approval is rendered invalid. Any loading or unloading of passengers outside of the approved schedule window is a violation of this section.

(j) Proof of Approved Application. Every operator of an intercity bus within the Village must carry a physical or electronic copy of the Approved Application and present it for inspection at the location of loading or unloading passengers at the request of any employee or officer of the Village.

(k) Penalty. Any operator of an intercity bus that (a) operates within the Village without an Approval of its Application, or (b) fails to comply with all of the terms and restrictions of the Approval of its Application, commits a violation of this section and may be fined up to \$750 per violation. If the violation is loading or unloading passengers without an Approval the operator and the driver of the bus may be fined up to \$750 per passenger. Each day that a violation is permitted to continue or remains in effect constitutes a separate violation.

### § 3. Savings clause

If any section, subdivision, or sentence of this ordinance is for any reason held invalid or unconstitutional, such decision will not affect the validity of the remaining portion of this ordinance.

§ 4. Repealer

Any ordinance or any provision of any ordinance in conflict with the provisions of this ordinance is, to the extent of the conflict, repealed.

§ 5. Effective Date

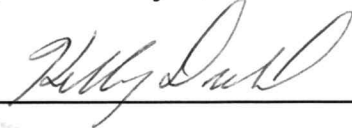
This ordinance is effective when it is passed, approved and published as provided by law.

Adopted by roll call vote on January 22, 2024:

[Signature page follows.]

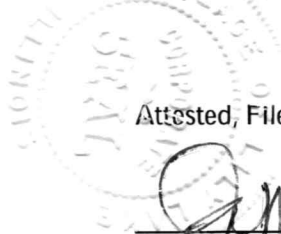
Trustee	Yes	No	Absent	Abstain
Anderson		X		
Butler	X			
Conn				
Dell	X			
Ormond		X		
Parry	X			
Diehl				
Totals	3	2	1	0

Approved January 22, 2024.

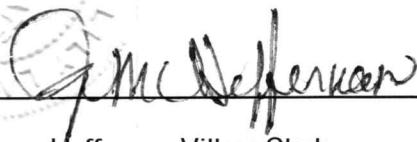


---

Kelly Diehl, Village President



Attested, Filed in my office, and published in pamphlet form on January 22, 2024.



---

Jesse Heffernan, Village Clerk