LA EST. 1892 GRANGE PARK

Village Board Agenda Memo

Date: November 24, 2026
To: Village President & Board of Trustees
From: Tim Contois – Chief of Police
Julia Cedillo – Village Manager
RE: **Ordinance Amending Section 38.07 – Vehicle Impoundment Ordinance**

PURPOSE:

Staff seeks Village Board approval of an ordinance amending Section 38.07 (Vehicle Impoundment) of the La Grange Park Municipal Code to update and expand the circumstances under which the Police Department may seize and impound motor vehicles involved in certain criminal and traffic-related offenses.

GENERAL BACKGROUND:

The Village's existing vehicle impoundment ordinance authorizes the Police Department to seize and impound vehicles involved in certain criminal and traffic violations. Following a review of the ordinance, amendments have been proposed to expand qualifying offenses, clarify existing provisions, and strengthen enforcement capabilities while remaining consistent with applicable Illinois law.

The proposed amendments include:

- **Expanded Criminal Offenses:** Adds qualifying misdemeanor and felony offenses, including theft, retail theft, burglary, robbery, aggravated battery, and weapons violations.
- **Traffic Safety Violations:** Expands qualifying offenses involving leaving the scene of an injury or fatal crash, aggravated fleeing and eluding, aggravated reckless driving, and street racing.
- **Driver's License Violations:** Removes the requirement that driving without a valid license must also involve operating an uninsured vehicle to qualify for impoundment.
- **Expired Driver's Licenses:** Extends the exemption for previously valid licenses from six months to one year after expiration.
- **Statutory Updates:** Clarifies and consolidates provisions to align with the Illinois Criminal Code and Illinois Vehicle Code.

The proposed ordinance maintains the existing $350 administrative penalty and established adjudication procedures. These amendments will provide officers with additional enforcement tools to deter criminal activity, promote roadway safety, and ensure consistent application of the Village's vehicle impoundment regulations.

STAFF RECOMMENDATION:

Staff recommends that the Village President and Board of Trustees approve the proposed ordinance amending Section 38.07 (Vehicle Impoundment) of the La Grange Park Municipal Code to enhance public safety, clarify enforcement authority, and expand the qualifying offenses for vehicle seizure and impoundment.

ACTION REQUESTED:

This item is for discussion and action.

MOTION TO APPROVE AN ORDINANCE AMENDING SECTION 38.07 (VEHICLE IMPOUNDMENT) OF CHAPTER 38 (ADMINISTRATIVE ADJUDICATION) OF TITLE III (ADMINISTRATION) OF THE LA GRANGE PARK MUNICIPAL CODE RELATIVE TO AUTHORIZING VEHICLE IMPOUNDMENT FOR CERTAIN ENUMERATED OFFENSES

DOCUMENTATION:

- Ordinance

ORDINANCE NO. 1333

AN ORDINANCE AMENDING SECTION 38.07 (VEHICLE IMPOUNDMENT) OF CHAPTER 38 (ADMINISTRATIVE ADJUDICATION) OF TITLE III (ADMINISTRATION) OF THE LA GRANGE PARK MUNICIPAL CODE RELATIVE TO AUTHORIZING VEHICLE IMPOUNDMENT FOR CERTAIN ENUMERATED OFFENSES

WHEREAS, the President and Board of Trustees of the Village of La Grange Park (the "Corporate Authorities of the Village"), a non-home rule municipality, have all of the powers and authority granted to such municipalities pursuant to Article VII (Local Government), Section 7 (Counties And Municipalities Other Than Home Rule Units) of the Constitution of the State of Illinois of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/11-1-1, municipalities are granted the authority to pass and enforce all necessary police ordinances; and

WHEREAS, pursuant to Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2), the Village is authorized to define, prevent, and abate nuisances; and

WHEREAS, the Illinois Vehicle Code permits local authorities to adopt additional traffic regulations not in conflict with the Illinois Vehicle Code (625 ILCS 5/11-207); and

WHEREAS, pursuant to the Illinois Municipal Code, 65 ILCS 5/11-80-2, municipalities have the authority to regulate the use of the streets and other municipal property; and

WHEREAS, the Illinois Vehicle Code states the owner, operator, or other legally entitled person shall be responsible for applicable removal, towing, storage, and processing costs associated with a vehicle impounded under authorization of law enforcement (625 ILCS 5/4-204(c)); and

WHEREAS, pursuant to Article 36-1(a) of the Illinois Criminal Code (720 ILCS 5/36-1(a)), vehicles used with the knowledge and consent of the owner in the commission of or in the attempt to commit certain enumerated offenses; and

WHEREAS, pursuant to Section 11-208.7(a) of the Illinois Vehicle Code (625 ILCS 5/11-208.7(a)), the Village may provide by ordinance procedures for the release of properly impounded vehicles and the imposition of a reasonable administrative fee related to its administrative and processing costs associations with the vehicle impoundment, and such administrative fees may be in addition to any fees charged for the towing and storage of an impounded vehicle; and

WHEREAS, pursuant to Section 11-208.7(b) of the Illinois Vehicle Code (625 ILCS 5/11-208.7(b)), the Village may impose administrative fees for certain enumerated violations, including but not limited to the operation of 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 or any other misdemeanor or felony offense of the Criminal Code of 1961 or the Criminal Code of 2012, when so provided by local ordinance; and

WHEREAS, the vehicles used in the commission of criminal offenses can cause great public harm, and the Village is therefore authorized to impound said vehicles in order to deter such criminal use, and to charge the owner of said vehicles an administrative fee to recoup the costs to the Village of the impoundment and to support the law enforcement activities of the Village's Police Department as related to the deterrence and prosecution of these criminal acts; and

WHEREAS, the Corporate Authorities of the Village desire to make certain amendments to Section 38.07 (Vehicle Impoundment) of Chapter 38 (Administrative Adjudication) of Title III (Administrative) of the La Grange Park Municipal Code (the "Village Code"), as set forth below in this Ordinance (the "Code Amendments"); and

WHEREAS, the President and Board of Trustees of the Village of La Grange Park make the following findings in support of the passage of this Ordinance:

A. The Code Amendments are intended to enhance the protection of the health, safety and welfare of the Village's residents, drivers utilizing the Village's roadways, and the public;
B. The Code Amendments are intended to enhance the safety of residents, drivers, and pedestrians located within the Village;
C. The Code Amendments are intended to recover reasonable administrative fees related to the Village's administrative and processing costs associations with the vehicle impoundment;
D. The Code Amendments are intended to deter the use of motor vehicles in the commission of criminal offenses and to abate the public nuisance that arises from such activity; and

WHEREAS, pursuant to its statutory authority and constitutional powers provided by the applicable provisions of the Illinois Municipal Code (65 ILCS 5/1-2), the Illinois Vehicle Code (625 ILCS 5/11-208.7(b)), and Section 7 (Counties And Municipalities Other Than Home Rule Units) of Article VII (Local Government) of the Constitution of the State of Illinois of 1970, the President and Board of Trustees of the Village of La Grange Park find that the approval of the below Code Amendments is protective of the health, welfare and safety of and in the best interests of the Village, its residents, property owners, local businesses and the public.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE PARK, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation. The above recitals are incorporated by reference into Section 1 of this Ordinance as material terms and provisions.

SECTION 2: Code Amendments. Section 38.07 (Vehicle Impoundment) of Chapter 38 (Administrative Adjudication) of Title III (Administration) of the La Grange Park Municipal Code is amended, which shall read, in its entirety, as follows (new text is marked with underlining; deleted text is shown as stricken):

"§ 38.07 Vehicle Impoundment.

[. . .]

(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 declared a public nuisance and 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 $350, in addition to costs of prosecution and any towing and storage fees as hereinafter provided. It shall not be necessary for criminal charges to be filed, prosecuted, and/or proven in order to demonstrate that a vehicle was subject to seizure and impoundment based on an officer having had probable cause to believe one or more of the following violations was committed:

(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 ILCS Ch. 720, Act 5, § 36-1 (seizure).

(2) Driving under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof, ILCS Ch. 625, Act 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, ILCS Ch. 720, Act 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, ILCS Ch. 720, Act 570, § 100.

(5) ~~Unlawful use of a weapon in violation of ILCS Ch. 720, Act 5, § 24-1; aggravated discharge of a firearm in violation of ILCS Ch. 720, Act, 5, § 24-1.5; unlawful possession of a firearm and firearm ammunition in violation of ILCS Ch. 720, Act 5, § 24-3.1.~~ Operating a motor vehicle involved in a motor vehicle crash resulting in personal injury or death, in violation of ILCS Ch. 625, Act 5, § 11-401.

(6) Driving while license, permit or privilege to operate a motor vehicle is suspended or revoked, ILCS Ch. 625, Act 5, § 6-303; vehicles shall not be subject to seizure/impoundment if the suspension is for unpaid citations (parking or moving)~~,~~ or due to failure to comply with emission testing as set forth in ILCS Ch. 625, Act 5, § 13C-1 et. seq..

(7) Operating a motor vehicle without a valid driver's license, ILCS Ch. 625, Act 5, § 6-101 ~~in combination with operation of motor vehicle with no insurance ILCS Ch. 625, Act 5, § 3-707.~~

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

(b) Except a person who is less than 17 years of age operating a motor vehicle on any street or highway when in violation of the Child Curfew Act.

(8) Operating 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, or operating a motor vehicle without ever having been issued a driver's license or permit due to a person's age.

(9) Operation or use of a motor vehicle in the commission or attempted commission of an offense prohibited by Section 11-204.1 of the Illinois Vehicle Code (aggravated fleeing or attempting to elude a police officer).

(10) Operation or use of a motor vehicle in a reckless manner that causes injury to a child or crossing guard in violation of ILCS Ch. 625, Act 5, § 11-503(b-1) or aggravated reckless driving in violation of ILCS Ch. 625, Act 5, § 11-503(c-d).

(11) Operation or use of a motor vehicle in the commission or attempted commission of street racing, in violation of ILCS Ch. 625, Act 5, § 11-506(d)(1-2) or aggravated street racing in violation of ILCS Ch. 625, Act 5, § 11-506(d)(3).

(12) The stopping of a person against whom a warrant has been issued by a Circuit Court for failing to appear to answer charges that the person was:

a. Operating a motor vehicle while that person's license was suspended or revoked in violation of 625 Illinois Compiled Statutes 5/6-303;

b. Operating a motor vehicle while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof in violation of 625 Illinois Compiled Statutes 5/11-501; or

c. Operating a motor vehicle without having a valid driver's license or permit in violation of 625 Illinois Compiled Statutes 5/6-101.

(13) Operation or use of a motor vehicle to commit, or in the attempt to commit a violation of any misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012, as amended, when provided for by local ordinance, including:

a) 720 Illinois Compiled Statutes 5/11-6 (indecent solicitation of a child);

b) 720 Illinois Compiled Statutes 5/11-14 (prostitution);

c) 720 Illinois Compiled Statutes 5/11-14.1 (solicitation of a sexual act);
d) 720 Illinois Compiled Statutes 5/11-14.3 (promoting prostitution);
e) 720 Illinois Compiled Statutes 5/11-14.4 (promoting juvenile prostitution);
f) 720 Illinois Compiled Statutes 5/11-18 (patronizing a prostitute);
g) 720 Illinois Compiled Statutes 5/11-18.1 (patronizing a juvenile prostitute);
h) 720 Illinois Compiled Statutes 5/12-2 (aggravated assault);
i) 720 Illinois Compiled Statutes 5/12-3.05 (aggravated battery);
j) 720 Illinois Compiled Statutes 5/16-1 (theft);
k) 720 Illinois Compiled Statutes 5/16-2 (theft of lost or mislaid property);
l) 720 Illinois Compiled Statutes 5/16-3 (theft of labor or services or use of property) except to the extent such violation constitutes a petty offense;
m) 720 Illinois Compiled Statutes 5/16-5 (theft from coin operated machine);
n) 720 Illinois Compiled Statutes 5/16-18 (tampering with communication services; theft of communication services);
o) 720 Illinois Compiled Statutes 5/16-25 (retail theft);
p) 720 Illinois Compiled Statutes 5/18-1 (robbery);
q) 720 Illinois Compiled Statutes 5/18-2 (armed robbery);
r) 720 Illinois Compiled Statutes 5/19-1 (burglary);
s) 720 Illinois Compiled Statutes 5/19-3 (residential burglary);
t) 720 Illinois Compiled Statutes 5/20-1 (arson);
u) 720 Illinois Compiled Statutes 5/20-1.1 (aggravated arson);
v) 720 Illinois Compiled Statutes 5/20-2 (possession of explosives or explosive or incendiary devices);
w) 720 Illinois Compiled Statutes 5/21-1 (criminal damage to property);
x) 720 Illinois Compiled Statutes 5/24-1 (unlawful use of weapons);
y) 720 Illinois Compiled Statutes 5/24-1.1 (unlawful use or possession of weapons by felons);
z) 720 Illinois Compiled Statutes 5/24-1.2 (aggravated discharge of a firearm);
aa) 720 Illinois Compiled Statutes 5/24-1.2-5 (aggravated discharge of a machine gun or firearm equipped with a device designed or used for silencing the report of a firearm);
bb) 720 Illinois Compiled Statutes 5/24-1.5 (reckless discharge of a firearm);
cc) 720 Illinois Compiled Statutes 5/24-1.6 (aggravated unlawful use of a weapon);
dd) 720 Illinois Compiled Statutes 5/24-2.1 (unlawful use of firearm projectiles);
ee) 720 Illinois Compiled Statutes 5/24-2.2 (manufacture, sale, or transfer of bullets or shells represented to be armor piercing bullets, dragon's breath shotgun shells, bolo shells, or flechette shells);
ff) 720 Illinois Compiled Statutes 5/24-3 (unlawful sale of firearms);
gg) 720 Illinois Compiled Statutes 5/24-3.1 (unlawful possession of firearms and firearm ammunition);
hh) 720 Illinois Compiled Statutes 5/24-3.2 (unlawful discharge of firearm projectiles);
ii) 720 Illinois Compiled Statutes 5/24-3.3 (unlawful sale or delivery of firearms on the premises of any school);
jj) 720 Illinois Compiled Statutes 5/24-3.4 (unlawful sale or delivery of firearms by liquor licensee);
kk) 720 Illinois Compiled Statutes 5/24-3.5 (unlawful purchase of a firearm);
ll) 720 Illinois Compiled Statutes 5/24-3.6 (unlawful use of a firearm in the shape of a wireless telephone);
mm) 720 Illinois Compiled Statutes 5/24-3A (gunrunning);
nn) 720 Illinois Compiled Statutes 5/24-3A-2 (armed violence); or
oo) 720 Illinois Compiled Statutes 5/25-1 (mob action).

[...].

SECTION 3: Codifier to Make All Necessary Internal Amendments. To the extent necessary, all tables of contents, indexes, headings, text and internal references or cross-references to sections that need to be amended or deleted within the Village Code as a consequence of the above Code Amendments shall be amended by the Village's codifier so as to be consistent with the terms of this Ordinance.

SECTION 4: Repeal of Conflicting Provisions; Severability; Validity of Non-Conflicting Legislation. All ordinances or parts of ordinances in conflict with this Ordinance are repealed. Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. Except as to the Village Code amendments set forth above in this Ordinance, all Chapters and Sections of the Village Code, as amended, shall remain in full force and effect.

SECTION 5: Effective Date; Publication in Pamphlet Form. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

ADOPTED BY THE PRESIDENT AND THE BOARD OF TRUSTEES of the Village of La Grange Park, Cook County, Illinois this 24 day of November, 2026, pursuant to a roll call vote as follows:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

APPROVED by the Village President this 24 day of November, 2026, and attested by the Village Clerk on the same date.

_____
Dr. James L. Discipio, Village President

ATTEST:

_____
Meghan M. Kooi, Village Clerk

This Ordinance was published by me in pamphlet form on the 24 day of November, 2026.

_____
Meghan M. Kooi, Village Clerk

APPROVED AS TO FORM BY: Village Attorney Michael T. Jurusik on 10 day of October, 2026.

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Meghan M. Kooi, Village Clerk of the Village of La Grange Park, in the County of Cook and State of Illinois, certify that the attached document is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. 1333

AN ORDINANCE AMENDING SECTION 38.07 (VEHICLE IMPOUNDMENT) OF CHAPTER 38 (ADMINISTRATIVE ADJUDICATION) OF TITLE III (ADMINISTRATION) OF THE LA GRANGE PARK MUNICIPAL CODE RELATIVE TO AUTHORIZING VEHICLE IMPOUNDMENT FOR CERTAIN ENUMERATED OFFENSES

which Ordinance was passed by a roll call vote of the Board of Trustees of the Village of La Grange Park at a Regular Village Board Meeting on the 24 day of November, 2026, at which meeting a quorum was present, and approved by the President of the Village of La Grange Park on the 24 day of November, 2026.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of La Grange Park was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of La Grange Park, and that the result of said vote was as follows, to-wit:

AYES: _____
NAYS: _____
ABSENT: _____
ABSTAIN: _____

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of La Grange Park, this 24 day of November, 2026.

_____
Meghan M. Kooi, Village Clerk

VILLAGE OF LA GRANGE PARK ILL. CORPORATE SEAL INCORPORATED 1892