
**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 24 - 01

**AN ORDINANCE ADOPTING REGULATIONS FOR
SCHEDULED TRANSPORTATION SERVICES**

Passed by the Board of Trustees, January 11, 2024

Printed and Published January 11, 2024 in Pamphlet Form
By Authority of the Village Board of Trustees

**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

**ARLENE C. JEZIERNY, MAYOR
MARCIA L. POLLOWY, VILLAGE CLERK**

**ANNETTE BRZEZNIAK-VOLPE
GENE BRUTTO
ANNA BRZOSOWSKI-WEGRECKI
ZBIGNIEW LEWANDOWSKI
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GIUSEPPE "JOE" ZERILLO**

I hereby certify that this document was
properly published in pamphlet form
by authority of the Board of Trustees
on the date stated above.


Village Clerk

**VILLAGE OF HARWOOD HEIGHTS
COOK COUNTY, ILLINOIS**

ORDINANCE NO. 24-01

**AN ORDINANCE ADOPTING REGULATIONS FOR SCHEDULED
TRANSPORTATION SERVICES**

WHEREAS, the Village of Harwood Heights (the “Village”) is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and laws of the State of Illinois; and

WHEREAS, the Village is a home rule unit of local government pursuant to Article VII, Section 6(a) of the 1970 Illinois Constitution; and

WHEREAS, pursuant to its home rule power, the Village may exercise any power and perform any function relating to its government and affairs; and

WHEREAS, the Village has enacted and codified Title 4 of the Harwood Heights Code of Ordinances regulating business licenses and the operation of certain businesses within the Village; and

WHEREAS, the Village cooperates with State, county, and local governments and community service organizations to provide social services to residents which require assistance with housing and food insecurity and job placement and training; and

WHEREAS, for the Village and its partners to most effectively provide public services to residents, it is essential for the service recipients to be able to rely on regularly scheduled and predictable commercial transportation services; and

WHEREAS, residents who are most reliant on public services provided by local governments and social service agencies overwhelmingly rely on transportation for hire to visit service providers and commute to work or educational opportunities; and

WHEREAS, the loading and unloading of passengers by vehicles engaged in commercial passenger transportation services affects the health, safety and welfare of the Village because the unscheduled and unpredictable loading and unloading of passengers makes it more difficult for welfare agencies to provide public assistance and for residents to schedule visits to social service agencies to receive public assistance; and

WHEREAS, the unloading of passengers in inclement or severe weather conditions without a coordinated plan poses a significant threat to the health, welfare, and safety of said passengers and a significant challenge to the Village and its partner agencies providing services to such passengers; and

WHEREAS, the loading and unloading of passengers in locations not expressly designed for that purpose affects the health, safety and welfare of the community because unscheduled stops cannot be accounted for when planning transportation infrastructure and enacting vehicle and land use regulations and create a risk that passengers will be placed in jeopardy because the unloading area is not permitted or intended to be used for that purpose; and

WHEREAS, the Village intends by this ordinance to adopt regulations which prohibit commercial passenger transportation companies from unloading passengers at locations which are not identified on a published schedule and selected by the passenger; and

WHEREAS, for all of these reasons, the Village has determined that the loading and unloading of passengers from commercial vehicles affects the health, safety, and welfare of the Village; and

WHEREAS, the Village finds it in the public interest to adopt clear regulations which prohibit commercial passenger transportation companies from unloading passengers at locations which are not identified on a published schedule and selected by the passenger.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Harwood Heights, County of Cook, Illinois, in the exercise of the Village's home rule powers, that the Village Code be amended as follows, with all existing provisions of the Village Code not set forth below continuing in full effect as currently written:

SECTION 1. That the recitals set forth above be and the same are hereby incorporated as though set forth fully in this Section 1.

SECTION 2. That Chapter 4.28, entitled "Other Businesses," of Title 4, entitled "Business Licenses and Regulations," of the Village of Harwood Heights Code of Ordinances is hereby amended by adding a new Article 31, "Transportation Schedule Regulations," as set forth in Exhibit A, attached hereto and incorporated as though fully recited herein.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance, which are hereby declared to be separable.

SECTION 6. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

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VOTES

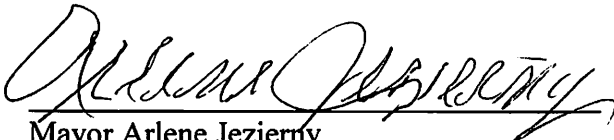
AYES: Trustee Brutto, Steiner, Brzezniak-Volpe, Brzozowski-Wegrecki, Zerillo, Lewandowski

NAYS:

ABSENT:

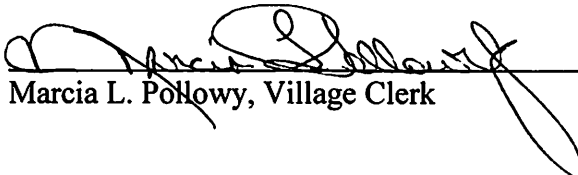
ABSTAIN:

Passed and Approved this 11th day of January, 2024.



Mayor Arlene Jezierny

ATTEST:



Marcia L. Polowy, Village Clerk

EXHIBIT A

TITLE 4, CHAPTER 4.28, ARTICLE 31

TRANSPORTATION SCHEDULE REGULATIONS

ARTICLE 31 – TRANSPORTATION SCHEDULE REGULATIONS

4.28.1600 – Definitions.

The following words or phrases when used in this article shall for the purpose of this article have the meanings respectively ascribed to such terms in this section:

Commercial Passenger Transportation Company means any person engaged in business as proprietor of one (1) or more motor vehicles intended to be used for and is maintained or operated for the transportation for hire of passengers.

Commercial Passenger Transportation Vehicle means any motor vehicle with a lawful capacity of greater than ten (10) passengers which is intended to be used for and is maintained or operated for the transportation for hire of passengers.

Passenger means any person receiving the service of transportation for hire.

Person means any individual, corporation, partnership, limited liability company, joint venture, sole proprietorship, State or local government or any administrative division or agency thereof.

Scheduled Service means transportation for hire provided pursuant to a schedule available to prospective passengers at least five (5) days prior to the commencement of the transportation for hire services, where the schedule must describe the specific service location(s) where passengers may be loaded and unloaded and the dates and times when transportation for hire service is offered.

Service Location means any place included within scheduled service where passengers may commence or terminate transportation for hire services.

Transportation for hire means the operation of a motor vehicle to provide transportation services in exchange for consideration of any kind, regardless of whether the consideration for the transportation services is paid for by the passenger or another person.

4.28.1610 – Limitations on Service Locations.

- A. It shall be a violation of this article for any commercial passenger transportation company to operate a commercial passenger transportation vehicle for transportation for hire services within the village except pursuant to scheduled service at service locations.
- B. It shall be a violation of this article for any commercial passenger transportation company to operate a commercial passenger transportation vehicle for transportation for hire services within the village in a manner which does not permit the passenger to freely and voluntarily select a service location included in the scheduled service for the commencement and/or termination of transportation for hire service.

4.28.1620 – Limitations on Service Hours.

It shall be a violation of this article for any commercial passenger transportation company to operate scheduled service within the village between the hours of 1:00 a.m. and 5:00 a.m.

4.28.1630 – Exemptions.

Nothing in this article will apply to any transportation for hire service which (a) is operated by the Federal government or any department or agency thereof, (b) is for the transportation of students for school purposes, (c) is operated primarily on an on-demand, door-to-door basis for the use of disabled passengers, or (d) under the Constitutions of the United States or State of Illinois, may not be made the subject of this regulation by the village.

4.28.1640 – Penalties.

Any commercial passenger transportation company found to have violated this article shall be liable for a fine of not less than \$1,000.00 and not more than \$5,000.00 for each passenger on a commercial passenger transportation vehicle operated by such commercial passenger transportation company in violation of this article.

STATE OF ILLINOIS

COUNTY OF COOK

CERTIFICATION

I, Marcia L. Pollowy, do hereby certify that I am the duly elected and acting Clerk of the Village of Harwood Heights, County of Cook, State of Illinois.

I do further certify that the foregoing Ordinance 24-01 entitled:

**AN ORDINANCE ADOPTING REGULATIONS FOR SCHEDULED
TRANSPORTATION SERVICES**

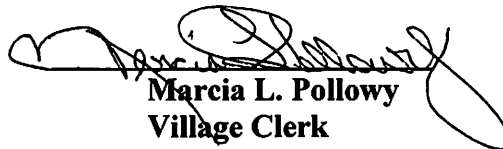
Is true and correct copy of an Ordinance adopted by the Board of Trustees of the Village of Harwood Heights at a meeting held on the 11th day of January, 2024.

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

I do further certify that I am the keeper of the records, ordinances, and resolutions of said Village of Harwood Heights, Cook County, Illinois.

In witness whereof I have hereunto set my official hand and seal this 12th day of January, 2024.




Marcia L. Pollowy
Village Clerk

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