

ORDINANCE NO. 8410-2020

**AN ORDINANCE AMENDING TITLE XI (BUSINESS REGULATIONS)  
OF THE REVISED CODE OF ORDINANCES OF THE CITY OF BELLEVILLE,  
ILLINOIS BY ADDING CHAPTER 124 (USED CAR DEALERS)**

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS:

**Section 1.** Title XI (Business Regulations) is hereby amended by adding Chapter 124 (Used Car Dealers) as follows:

**CHAPTER 124: USED CAR DEALERS**

**§124.01 DEFINITIONS.**

As used in this chapter:

*Used car* means any used or secondhand motor vehicle to which a certificate of title and license plates have been issued and which motor vehicle has been registered for use on the highways by a consumer or by a dealer, and any used or secondhand vehicle, defined as any vehicle required to be titled, trailer coaches, and trailers weighing over two thousand five hundred (2,500) pounds.

*Used car business* means the purchase, sale, lease or exchange by any person, firm or corporation of five (5) or more used cars within a 12-month period or four (4) or more used cars at any one (1) point in time.

*Used car dealer* means a person who brokers, deals, or engages in the purchase, sale, lease or exchange of five (5) or more used cars within a 12-month period or four (4) or more used cars at any one (1) point in time.

*Used car lot* means a lot where used cars are purchased, displayed, exchanged and sold.

*Used car lot, established.* Established used car lot means a used car lot in the City of Belleville or any land in the City maintained and/or used for the conduct of a used car business.

*City* shall mean the City of Belleville, Illinois.

**§124.02 ESTABLISHED USED CAR LOTS.**

Any established used car lot must have improved grounds complying with the following minimum requirements upon that portion of the land to be used for display and/or offering for said of used cars:

- A. Parking spaces for inventory shall be not less than nine (9) feet by nineteen (19) feet for each used car.
- B. Parking spaces for inventory, employees, and customers shall be improved with a compacted stone base six inches thick and surfaced with two inches of asphalt or concrete. This is a minimum design standard intended for light vehicle parking. Other designs in lieu of this will be considered.
- C. Parking areas shall be designed so that ingress to or egress from a parking space is from an aisle or driveway, not directly from the public right-of-way.
- D. No access way to any parking area shall be located within 25 feet of any corner formed by the intersection of the rights-of-way of two or more streets. At intersections where traffic-control devices are installed, the Director of Residential and Commercial Development Services may increase this requirement as necessary to prevent hazards.
- E. Parking area access ways and public streets shall be aligned to form, as closely as feasible, right angles.

**§124.03 LICENSE.**

- A. No person, firm or corporation shall operate as a used car dealer or engage in a used car business within the City without a used car sales license as herein provided.
- B. A separate used car sales license shall be required for each established used car lot.
- C. The City clerk is hereby authorized to issue a used car sales license upon submission by the applicant of a written application on forms to be provided by the City clerk and upon compliance by the applicant with the following requirements:
  - 1. The applicant shall submit to the Residential and Commercial Development Services of the City of Belleville written detailed plans showing the layout of land to be used, the portion thereof to be improved as required herein, method proposed for improvement, drainage, driveways for ingress and egress, and buildings to be built or existing buildings to be used in the operation of the established used car lot. The application shall also be

accompanied by written evidence that he/she has obtained all applicable zoning, use, or site plan approvals/permits required to be obtained prior to operating a used car lot or business in the proposed location in the City. The granting of a used car sales license shall be contingent on obtaining all applicable zoning, use, or site plan approvals/permits.

2. The applicant must furnish evidence that he/she possesses a valid State of Illinois used vehicle dealer's license for the proposed location.

3. Payment of an annual City of Belleville used car sales license fee of \$50.00.

D. All City used car sales licenses issued under this chapter shall be for a period of one (1) year expiring on April 30 of each year. The City clerk is hereby authorized to issue a renewal City used car license upon expiration of the initial license upon written application on forms to be provided by the City clerk accompanied by the required renewal City used car sales license fee and a determination by the City clerk that the applicant is complying with all of the provisions of this chapter.

E. This Chapter shall comply with Chapter 110 (General Licensing Provisions); provided, however, that, in the event of conflicting provisions, this Chapter 124 shall govern and control.

#### **§124.04 REGULATIONS.**

Each licensee under this Chapter shall comply with the following regulations:

A. Keep his/her premises in a neat and clean condition. He/she shall not allow any used motor vehicles that are part of his/her inventory to encroach upon any right-of-way of the City.

B. Not allow any loud or boisterous noises to emanate from his/her place of business, either by persons congregating there or by the playing of recording instruments, radios, and/or televisions sets or other sound-producing equipment.

C. Any light(s) used to illuminate any parking area shall be arranged or shielded so as to confine direct light rays within the parking area boundary lines to the greatest extent practicable. Further, a minimal amount of lighting in parking lots must be left on after dusk, whether or not the building is occupied, in order to ensure safety for any emergency that may occur on or around the lot.

D. Inventory shall all be parked within approved and striped parking spaces.

E. Provide for adequate customer and employee parking as required in Section 162.435 through 162.465 of this Code.

F. Premises shall not be used for storage of vehicles.

G. Maximum Inventory - 375 square feet of gross area shall be deemed one parking space for inventory. If computation of the number of inventory parking required by this section results in a fractional space, any fraction of one-half or more shall be counted as one space.

**§124.05 PENALTIES.**

Any person, firm, or corporation who shall violate any provision of this Chapter 124 shall be fined in an amount not less than \$250 nor more than \$1,000. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such. The court shall also order as part of the judgment that the defendant comply with all applicable codes and ordinances relating to the property which is the subject of the violation.

**§124.06 COMPLIANCE.**

Any person, firm, or corporation operating a used car business and/or lot shall comply with all provisions of this Chapter by April 30, 2021.

**Section 2.** That conflicting Ordinances or pertinent portions thereof in force the time this takes effect are hereby repealed.

**Section 3.** This Ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, all as provided by law.

**PASSED** by the City Council of the City of Belleville, Illinois, on this 21<sup>st</sup> day of January, 2020 on the following roll call vote:

|                   | <u>AYE</u> | <u>NAY</u> |
|-------------------|------------|------------|
| Joseph Hazel      | <u>X</u>   | _____      |
| Ken Kinsella      | <u>X</u>   | _____      |
| Jane Pusa         |            | Excused    |
| Carmen Duco       | <u>X</u>   | _____      |
| Kent Randle       | <u>X</u>   | _____      |
| Scott Ferguson    | <u>X</u>   | _____      |
| Johnnie Anthony   | <u>X</u>   | _____      |
| Raffi Ovian       | <u>X</u>   | _____      |
| Edward Dintelman  | <u>X</u>   | _____      |
| Michelle Schaefer | <u>X</u>   | _____      |
| Chris Rothweiler  | <u>X</u>   | _____      |

Dr. Mary Stiehl  
Phil Elmore  
Dennis Weygandt  
Roger Wigginton  
Roger Barfield

|              |               |
|--------------|---------------|
| <u>  X  </u> | <u>      </u> |
| <u>  X  </u> | <u>      </u> |
| <u>  X  </u> | <u>      </u> |
| <u>  X  </u> | <u>      </u> |
| <u>  X  </u> | <u>      </u> |

**APPROVED** by the Mayor of the City of Belleville, Illinois this 22<sup>nd</sup> day of January, 2020.

  
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MARK W. ECKERT  
MAYOR

ATTEST:

  
\_\_\_\_\_  
JENNIFER GAIN MEYER  
CITY CLERK