

**CHAPTER 118**  
**COORDINATION OF CHARTERED TRANSPORTATION DROP-OFFS**

**Section**

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**§118.01 DEFINITIONS**

The following words as used in this Ordinance shall be defined as follows:

**OMNIBUS DRIVER:** Omnibus driver means any person employed to drive a passenger carrying vehicle other than a taxi car and all others pursuing like occupations who drive, rent or own vehicles with a lawful capacity of greater than 10 passengers.

**PASSENGER:** Any person receiving the services of transportation for hire.

**DEER PARK DESTINATION:** Any Omnibus Driver which, for any reason other than a bona fide vehicular emergency stops within the Village of Deer Park to discharge 10 or more passengers, the majority of whom are not permanent residents within the Village of Deer Park or within ten miles of the boundaries of the Village of Deer Park.

**LICENSE FEE:** Any Omnibus Driver which intends to make a Deer Park Destination must previously have applied for and received a license to do so from the Village of Deer Park. The license fee shall be One Hundred Dollars (\$100.00) per calendar year.

**§118.02 NOTIFICATION OF DEER PARK DESTINATION**

Any Omnibus Driver which intends to make a Deer Park Destination must for the reasons specified within the preamble to this Ordinance, which is made a part of the Ordinance herein, must provide at least 48 hours' prior written notice of the intention for the Deer Park Destination to the Deer Park Village Administrator. The Notification shall be in writing and shall be sent by certified mail to the Deer Park Village Clerk at the Village Hall, 23680 W. Cuba Road, Deer Park, Illinois 60010. Because of the important need for the Village to be aware of such a Deer Park Destination and because of the current slowness of regular mail and the uncertainty of email transmission, certified mail or personal written notice delivered in person to the Office of the Village Clerk, shall be the only lawful notices allowed to avoid a violation of the notice provision of this Ordinance.

**§118.03 CONTENTS OF NOTICE**

The Notice required to be provided in Section 118.02 of this Ordinance shall include the name of the Omnibus Driver, the day and time, within a two hour window when the Deer Park Destination is planned. Deer Park Destinations shall only be allowed on non-national or State holidays and from Monday through Friday between the hours of 10:00 a.m. and 1:00 p.m. These hours have been chosen to allow the Village of Deer Park to take certain steps relating to the actions the Village would view appropriate in relationship to the delivery of the Passengers who, the Village believes would most likely be non-United States citizens with no lawful process relating to their specific entry into the United States. The Notice shall also describe the number of Passengers likely

to be exiting in Deer Park and based upon any prior or current facts known to the Omnibus Driver, whether such passengers are indeed likely to be a majority of non-United States citizens who entered or remain in the United States with no lawful process relating to their specific entry into the United States. The Notice shall also provide that the Omnibus Driver is aware that the location for Deer Park Destination shall be the Deer Park Village Hall, which is located at 23680 W. Cuba Road, Deer Park, Illinois 60010.

#### **§118.04 EXEMPTIONS**

Nothing in this Chapter shall apply to any transportation for hire services 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, (d) is operated as a commercial undertaking at a Village business or businesses or Village sponsored event, (e) is operated for a private event sponsored by an individual or individuals such as a wedding or party for which transportation has been arranged, or (f) under the Constitution of the United States or State of Illinois may not be made the subject of this regulation by the Village.

The intent of this Chapter is to protect the health, safety, and welfare of the Village and its residents, by ensuring that when large numbers of individuals are dropped off in the Village without housing or other resources, that the resources necessary to address such populations are in place, and that the Village has ensured these services are adequate to respond to an influx of a population in need of housing or other services.

#### **§118.05 PENALTIES**

Any Omnibus Driver found to have violated any provision of this Ordinance shall be liable for a fine of not less than Seven Hundred Fifty Dollars (\$750.00) for each Passenger dropped off in the Village of Deer Park. In addition, any person or entity found to be in violation shall be responsible for the Village's cost of prosecution, including reasonable attorney's fees. The Village may also seek to enforce this Ordinance through an application in Circuit Court for an injunction or other relief. If this Ordinance could be administered through Administrative Adjudication or through a filing in the Circuit Court, the Village shall determine which method it shall utilize.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.