



CITY OF AURORA, ILLINOIS

ORDINANCE NO. 025-036
DATE OF PASSAGE MAY 27, 2025

An Ordinance creating Sec. 27-135 of the Code of Ordinances entitled "Vehicular Nuisance."

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, in recent years the police department has seen an increase in street take-overs, car meet-ups, side-shows, unpermitted vehicle parades and drag racing; There have been well over 978 of these incidents over the last 4 and a half years; and

WHEREAS, roadways and parking lots are damaged, and residents have been disturbed by interruptions to traffic flow, speeding vehicles and loud engines.

WHEREAS, vehicle occupants and observers have been injured in Aurora because of these incidents.

WHEREAS, it is difficult for police to stop the large amount of vehicles involved in these incidents and attempting to identify the driver is an impossible task, requiring significant police resources, including, but not limited to, multiple hours spent reviewing video, preparing police reports, and conducting interviews; often without any arrests due to not being able to positively identify the driver of involved vehicles; and

WHEREAS, absent a positive identification of a driver of a motor vehicle, the registered owner of a motor vehicle is in the best position to know who is operating the registered owner's motor vehicle and to prevent the motor vehicle from being used for these illegal, dangerous, nuisance activities; and

WHEREAS, for the benefit of the health, safety and welfare of the City's citizens, when drivers or operators of a motor vehicle commit criminal violations it is necessary and desirable to charge the registered owner of the vehicle used to commit the offense; and

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WHEREAS, in an effort to protect the public health, safety, and welfare, the City of has a clear and compelling interest in exercising its home rule authority as set forth herein; and

WHEREAS, the City Council deems it to be in the best interest of the health, safety, and public welfare to amend Chapter 27, regarding Offenses to the Public, by adding section 27-135, Vehicular Nuisance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows: that Chapter 27, of the Code of Ordinances shall be and hereby is amended to add section 27-135 "Vehicular Nuisance," as reflected in Exhibit A, and further;

BE IT ORDAINED, that the Corporation Counsel and City Clerk shall be and hereby are authorized and directed to correct any scrivener's or other non-substantive errors in Exhibit A upon codification.

ORDINANCE NO. 025-036

LEGISTAR NO. 25-0372

PASSED AND APPROVED ON May 27, 2025

AYES 10 NAYS 0 NOT VOTING 0 ABSENT 1

ALDERMAN	Vote
Alderman Barreiro, Ward 1	yes
Alderwoman Garza, Ward 2	yes
Alderman Mesiacos, Ward 3	absent
Alderman Núñez, Ward 4	yes
Alderman Franco, Ward 5	yes
Alderman Saville, Ward 6	yes
Alderman Bañuelos, Ward 7	yes
Alderwoman Smith, Ward 8	yes
Alderman Bugg, Ward 9	yes
Alderwoman Baid, Ward 10	yes
Alderman Larson, At-Large	yes
VACANT	----

ATTEST:


City Clerk Jennifer Stallings


Mayor John Laesch

1 Sec. 27-135 Vehicular Nuisance.

2 (a) Definitions. As used in this section, the following
3 terms are defined as set forth herein:

4 "Motor vehicle stunt" includes, but is not limited to,
5 operating a vehicle in a manner that causes the vehicle to
6 slide or spin, driving within the proximity of a gathering of
7 persons, performing maneuvers to demonstrate the performance
8 capability of the motor vehicle, or maneuvering the vehicle
9 in an attempt to elicit a reaction from a gathering of persons.

10 "Street racing" means:

11 (1) The operation of two or more vehicles from a point
12 side by side at accelerating speeds in a competitive attempt
13 to outdistance each other; or

14 (2) The operation of one or more vehicles over a
15 common selected course, each starting at the same point, for
16 the purpose of comparing the relative speeds or power of
17 acceleration of such vehicle or vehicles within a certain
18 distance or time limit; or

19 (3) The use of one or more vehicles in an attempt to
20 outgain or outdistance another vehicle; or

21 (4) The use of one or more vehicles to prevent
22 another vehicle from passing; or

23 (5) The use of one or more vehicles to arrive at a
24 given destination ahead of another vehicle or vehicles; or

1 (6) The use of one or more vehicles to test the
2 physical stamina or endurance of drivers over long-distance
3 driving routes.

4 "Street sideshow" means an event in which one or more
5 vehicles block or impede traffic on a street or highway, for
6 the purpose of performing unauthorized motor vehicle stunts,
7 motor vehicle speed contests, or motor vehicle exhibitions of
8 speed.

9 "Unlawful vehicle rally" means a gathering of ten or
10 more persons and four or more vehicles between the hours of
11 9:00 PM and 4:00 AM in publicly or privately owned parking
12 areas or driveways, which provokes a breach of the peace.

13 "Unlawful vehicle caravan" means three or more vehicles
14 traveling together on public roadways in a coordinated manner,
15 which intentionally or recklessly disrupts the normal flow of
16 traffic, violates traffic laws, or poses a threat to public
17 safety. Unlawful vehicle caravans do not include funeral
18 processions, permitted parades, or official motorcades.

19 (b) Nuisance vehicles. Any vehicle used to perform motor
20 vehicle stunts, or participate in street racing, a streetside show,
21 an unlawful vehicle rally, or an unlawful vehicle caravan is
22 declared a public nuisance.

23 (c) It is unlawful for any person to permit a vehicle to be
24 used to perform motor vehicle stunts, or participate in street

1 racing, a streetside show, an unlawful vehicle rally, or an
2 unlawful vehicle caravan.

3 (d) Whenever a police officer has probable cause to believe
4 that a motor vehicle is a nuisance motor vehicle, the officer may
5 issue a citation therefore to the registered owner of such vehicle
6 or serve a citation upon the person operating such vehicle.

7 (e) Whenever a police officer issues a citation to the
8 registered owner of a vehicle alleged to be a nuisance vehicle,
9 the citation shall conform to the requirements of Section 3-105 of
10 this code and set forth the factual the basis for such allegation,
11 including the dates and time the vehicle was observed performing
12 motor vehicle stunts, or participating in street racing, a
13 streetside show, an unlawful vehicle rally, or an unlawful vehicle
14 caravan and a description of said vehicle. The registered owner of
15 the vehicle shall be established by the Police Department's vehicle
16 registration inquiry with the Illinois Secretary of State.

17 (f) Penalties. The owner or operator of any nuisance vehicle
18 shall be fined one thousand dollars the first time such vehicle is
19 determined to be a nuisance vehicle. The owner or operator of a
20 vehicle previously declared to be a nuisance vehicle shall be fined
21 in an amount not less than two thousand five hundred dollars. Fine
22 shall be waived upon verifiable proof that the nuisance vehicle
23 was stolen at the time of the offense. Registered owner may submit
24 proof that a report to that effect was filed with law enforcement

1 agency in a timely manner. The fine imposed above may be
2 transferred by the Police Department from the registered owner of
3 the vehicle to the driver or operator of the vehicle at the time
4 of the offense, if the registered owner produces to the Police
5 Department an affidavit attesting to the same, signed, and under
6 penalties of perjury and notarized by both the registered owner
7 and the driver or operator. Said affidavit must be served to the
8 Police Department within thirty (30) days of the imposition of the
9 fine.

10 (g) Seizure and Impoundment. Any vehicle used in the
11 commission or furtherance of a violation of this section is subject
12 to seizure and impoundment in accordance with sec. 29-48(b)(20).