



Sen. Michael W. Halpin

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10300SB0895sam003

LRB103 03367 MXP 61091 a

1 AMENDMENT TO SENATE BILL 895

2 AMENDMENT NO. _____. Amend Senate Bill 895 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Highway Code is amended by
5 changing Sections 5-101.9, 6-107, and 7-101 as follows:

6 (605 ILCS 5/5-101.9) (from Ch. 121, par. 5-101.9)

7 Sec. 5-101.9. To exercise any other power and perform any
8 other duty prescribed in this Code.

9 A county shall not construct, reconstruct, improve, widen,
10 relocate, repair, alter, or maintain a highway, road, street,
11 alley, bridge, culvert, drainage structure, sidewalk, bicycle
12 path, parking lot, driveway, or any other
13 transportation-related facility that is outside of the
14 county's boundaries unless such construction, reconstruction,
15 improvement, widening, relocation, repair, alteration, or
16 maintenance is provided as necessary relief services following

1 the occurrence of a disaster as defined by the Illinois
2 Emergency Management Agency Act.

3 As used in this Section, "maintain" or "maintenance" does
4 not include snow removal or the application of salt, sand, or
5 any other substance applied for the purpose of improving the
6 safety of vehicular or pedestrian traffic in response to the
7 presence or prediction of ice or snow.

8 (Source: Laws 1959, p. 196.)

9 (605 ILCS 5/6-107) (from Ch. 121, par. 6-107)

10 Sec. 6-107. Road districts have corporate capacity to
11 exercise the powers granted thereto, or necessarily implied
12 and no others. They have power: (1) to sue and be sued, (2) to
13 acquire by purchase, gift or legacy, and to hold property,
14 both real and personal, for the use of its inhabitants, and
15 again to sell and convey the same, (3) to make all such
16 contracts as may be necessary in the exercise of the powers of
17 the district.

18 A road district shall not construct, reconstruct, improve,
19 widen, relocate, repair, alter, or maintain a highway, road,
20 street, alley, bridge, culvert, drainage structure, sidewalk,
21 bicycle path, parking lot, driveway, or any other
22 transportation-related facility that is outside of its road
23 district's boundaries unless such construction,
24 reconstruction, improvement, widening, relocation, repair,
25 alteration, or maintenance is in an adjacent road district, is

1 jointly performed with another road district through the
2 sharing of road equipment pursuant to an intergovernmental
3 agreement, or provided as necessary relief services following
4 the occurrence of a disaster as defined by the Illinois
5 Emergency Management Agency Act.

6 As used in this Section, "maintain" or "maintenance" does
7 not include snow removal or the application of salt, sand, or
8 any other substance applied for the purpose of improving the
9 safety of vehicular or pedestrian traffic in response to the
10 presence or prediction of ice or snow.

11 (Source: P.A. 96-996, eff. 1-1-11.)

12 (605 ILCS 5/7-101) (from Ch. 121, par. 7-101)

13 Sec. 7-101. Streets and alleys, including bridges and
14 other structures, which are or will become part of the
15 municipal street system may be laid out, established,
16 constructed, reconstructed, altered, widened, relocated,
17 improved, maintained, repaired and vacated by the respective
18 municipalities in the manner provided in the Illinois
19 Municipal Code, as heretofore or hereafter amended; provided
20 that the Department and counties may locate and extend State
21 and county highways into or through a municipality in the
22 manner provided in this Code. In addition to the powers
23 granted to municipalities by the Illinois Municipal Code,
24 municipalities have powers granted and duties imposed by this
25 Code.

1 A municipality shall not construct, reconstruct, improve,
2 widen, relocate, repair, alter, or maintain a highway, road,
3 street, alley, bridge, culvert, drainage structure, sidewalk,
4 bicycle path, parking lot, driveway, or any other
5 transportation-related facility that is outside of its
6 municipality's boundaries unless such construction,
7 reconstruction, improvement, widening, relocation, repair,
8 alteration, or maintenance is within its corporate limits, in
9 an adjacent municipality, or provided as necessary relief
10 services following the occurrence of a disaster as defined by
11 the Illinois Emergency Management Agency Act.

12 As used in this Section, "maintain" or "maintenance" does
13 not include snow removal or the application of salt, sand, or
14 any other substance applied for the purpose of improving the
15 safety of vehicular or pedestrian traffic in response to the
16 presence or prediction of ice or snow.

17 (Source: Laws 1961, p. 1415.)"