



Sen. Michael W. Halpin

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10300SB0895sam004

LRB103 03367 MXP 61618 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 part of the county highway system, is jointly

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

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

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

13 (605 ILCS 5/6-107) (from Ch. 121, par. 6-107)

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

22 A road district shall not construct, reconstruct, improve,
23 widen, relocate, repair, alter, or maintain a highway, road,
24 street, alley, bridge, culvert, drainage structure, sidewalk,
25 bicycle path, parking lot, driveway, or any other

1 transportation-related facility that is outside of its
2 county's boundaries unless such construction, reconstruction,
3 improvement, widening, relocation, repair, alteration, or
4 maintenance is part of the township and district road system,
5 in an adjacent road district, is jointly performed with
6 another road district through the sharing of road equipment
7 pursuant to an intergovernmental agreement, or provided as
8 necessary relief services following the occurrence of a
9 disaster as defined by the Illinois Emergency Management
10 Agency Act.

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

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

18 (605 ILCS 5/7-101) (from Ch. 121, par. 7-101)

19 Sec. 7-101. Streets and alleys, including bridges and
20 other structures, which are or will become part of the
21 municipal street system may be laid out, established,
22 constructed, reconstructed, altered, widened, relocated,
23 improved, maintained, repaired and vacated by the respective
24 municipalities in the manner provided in the Illinois
25 Municipal Code, as heretofore or hereafter amended; provided

1 that the Department and counties may locate and extend State
2 and county highways into or through a municipality in the
3 manner provided in this Code. In addition to the powers
4 granted to municipalities by the Illinois Municipal Code,
5 municipalities have powers granted and duties imposed by this
6 Code.

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

18 As used in this Section, "maintain" or "maintenance" does
19 not include mowing, gravel reclamation, snow removal or the
20 application of salt, sand, or any other substance applied for
21 the purpose of improving the safety of vehicular or pedestrian
22 traffic in response to the presence or prediction of ice or
23 snow.

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