

ORDINANCE NO. 11-2011

AN ORDINANCE AMENDING CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, ARTICLE V, STOPPING, STANDING OR PARKING, BY ADDING SECTION 13-220, STOPPING, STANDING OR PARKING IN PRIVATE LOTS, OF THE MUNICIPAL CODE OF THE VILLAGE OF EVERGREEN PARK

WHEREAS, the Village of Evergreen Park, Cook County, Illinois ("Village") is a home rule municipality duly existing under the Constitution of the State of Illinois; and

WHEREAS, the Village desires to regulate the parking of motor vehicles within large parking areas near or contiguous to schools, hospitals, churches, apartment complexes, condominium complexes, commercial and industrial facilities, and shopping centers, upon the agreement of the owners thereof.

NOW THEREFORE BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Evergreen Park, Cook County, Illinois, as follows:

Section 1

That Chapter 13, Motor Vehicles and Traffic, Article V, Stopping, Standing or Parking, of the Municipal Code for the Village of Evergreen Park, be amended by adding Section 13-220, Stopping, Standing or Parking in Private Lots, to provide as follows:

Sec. 13-220 Stopping, Standing or Parking in Private Lots.

(a) Definitions. For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires different meaning:

Overnight stopping, standing or parking shall mean a vehicle remaining stationary in a parking lot for at least one (1) hour between the hours of 12:00 a.m. and 6:00 a.m.

Owners shall mean actual legal owner, the trust officer of a banking institution having the right to manage and control such property, or a person having the legal right, through lease or otherwise, to manage or control the property.

Parking lot shall mean any area, or areas, of land near or contiguous to a school, church, hospital building, shopping center, commercial or industrial facility, apartment complex, condominium complex, but not the public highways or alleys, and used by the public as the means of access to and egress from such buildings and the stores and business establishments at a shopping center, and for the parking of motor vehicles.

(b) Regulations. The following stopping, standing and parking regulations may be enforced by the Village upon the election and agreement of

the owner(s) of any school, church, hospital building shopping center, commercial or industrial facility, apartment complex, or condominium complex, which shall be recorded in the Office of the Cook County Recorder of Deeds:

(1) It shall be unlawful for any registered owner of a motor vehicle to permit the stopping, standing or parking of his/her vehicle in a parking lot except within designated parking spaces.

(2) It shall be unlawful for any registered owner of a motor vehicle to permit the stopping, standing or parking of his/her vehicle in a park space reserved for persons with disabilities unless the vehicle is properly displaying authorized disability license plates or decals and the person operating the vehicle is the authorized holder of the disability license plates or decals or transporting the authorized holder thereof.

(3) It shall be unlawful for any registered owner of a motor vehicle to permit the stopping, standing or parking of his/her motor vehicle within a parking lot during prohibited hours as posted in the parking lot. Provided, however, any motor vehicle having affixed on the windshield a decal or sticker constituting a parking permit issued by the owners shall not be subject to this restriction.

(4) It shall be unlawful for any registered owner of a motor vehicle to permit the stopping, standing or parking of his/her motor vehicle within a parking lot for the purposes of congregating or meeting.

(5) It shall be unlawful for any registered owner of a motor vehicle to permit the stopping, standing or parking of his/her motor vehicle within a designated fire line or traffic lane or within twenty (20) feet in any direction of fire hydrant, wall hydrant, water standpipe or a fire exit door.

(6) It shall be unlawful for any registered owner of a motor vehicle to permit the stopping, standing or parking of his/her vehicle within an apartment or condominium parking lot unless the occupants thereof are authorized guests of the complex and the motor vehicle is parked in a designated "guest" parking spot.

(7) It shall be unlawful for any registered owner of a motor vehicle to permit the stopping, standing or parking of his/her motor vehicle within a parking lot of a shopping center if the occupants are not present conducting business at an establishment to which the parking lot serves.

(8) It shall be unlawful for any registered owner of a motor vehicle to permit the overnight stopping, standing or parking of his/her motor vehicle within a parking lot of a shopping center.

Section 2

Any person found to be in violation of any provision of this ordinance shall be fined not less than \$250.00. Provided, however, any person found to be in violation of E.P.M.C. §13-220(b)(2) shall be fined in accordance with 625 ILCS 5/11-1301.3. Each day a violation occurs or is permitted to continue constitutes a new and separate violation.

Section 3

Tickets issued for violating this ordinance shall be administered through Chapter 13, Motor Vehicles and Traffic, Article X, Administrative Adjudication of Violations of Traffic Regulations Concerning the Standing, Stopping or Condition of Vehicles.

Section 4

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Section 5

All statutes of the State of Illinois or any parts thereof which are in conflict with the provisions of this Ordinance are hereby superseded by this ordinance enacted under the home rule power of the Village of Evergreen Park.

Section 6

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict herewith.

Section 7

This ordinance shall be immediately in full force and effect after passage, approval and publication. This ordinance is authorized to be published in pamphlet form.

This ordinance was passed and deposited in my office the 5th day of July, 2011.




Catherine T. Aparo
CATHERINE T. APARO, Village Clerk

APPROVED by me this 5th
day of July, 2011.

James J. Sexton
JAMES J. SEXTON, Mayor

I DO HEREBY CERTIFY that this ordinance was, after its passage and approval, published in pamphlet form by authority of the Village of Evergreen Park, in accordance with law, this 5th day of July, 2011.

A handwritten signature in cursive script, appearing to read "Catherine T. Aparo".

CATHERINE T. APARO, Village Clerk