

Effective Date: February 26, 2010

1/14/2010
1/4/2010

2-0-10

AN ORDINANCE

**Adding New Section 12, "School Safety Zones"
to Title 10, Chapter 3, "Miscellaneous Driving Rules"**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: That Title 10, Chapter 3, "Miscellaneous Driving Rules," of the Evanston City Code of 1979, as amended, is hereby further amended by adding Section 12, "School Safety Zones" to read as follows:

10-3-12 SCHOOL SAFETY ZONES.

(A) For the purpose of this subsection, "school" means any of the following entities:

- (1) A public or private primary or secondary school.
- (2) A primary or secondary school operated by a religious institution.
- (3) A public, private or religious nursery school.

On a school day when school children are present and so close thereto that a potential hazard exists because of the close proximity of the motorized traffic, no person shall drive a motor vehicle at a speed in excess of twenty (20) miles per hour while passing a school zone or while traveling upon any public thoroughfare where children pass going to and from school. For the purposes of this Section a school day shall begin at 7:00 a.m. and shall conclude at 4:00 p.m.

This Section shall not be applicable unless appropriate signs are posted, giving due warning that a school zone is being approached and shall indicate the school zone and the maximum speed limit in effect during school days when school children are present. Signs shall be in a form similar to signs posted for similar purposes pursuant to the Illinois Vehicle Code. School zones created prior to the

effective date of this Section and in compliance with the Illinois Vehicle Code shall be considered school zones for purposes of this Section.

(B) Any person who violates subsection (a) of this section shall be subject to a fine of not less than five hundred dollars (\$500.00) nor more than Seven hundred fifty dollars (\$750.00). A person whose violation of this section results in a fatality may be subject to the imposition of felony charges by the state's attorney. Fifty dollars (\$50.00) shall be paid to the unit school district where the violation occurred for school safety purposes. If the violation occurred in a dual school district, twenty-five dollars (\$25.00) shall be paid to the elementary school district for school safety purposes and twenty-five dollars (\$25.00) shall be paid to the high school district for school safety purposes. Notwithstanding any other provision of law, the entire fifty dollars (\$50.00) shall be paid to the appropriate school district or districts.

For purposes of this subsection, "school safety purposes" includes the costs associated with school zone safety education, the Safe Routes to School Program under Section 2705-317 of the Department of Transportation Law of the Civil Administrative Code of Illinois, safety programs within the School Safety and Educational Improvement Block Grant Program under 105 ILCS 5/2-3.51.5 of the School Code, and the purchase, installation, and maintenance of caution lights which are mounted on school speed zone signs.

(C) Any person found to be in violation of this section will be reported to the Secretary of State pursuant to the requirements of 625 ILCS 5/6-204 of the Illinois Vehicle Code.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: That if any provision of this Ordinance 2-O-10 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

SECTION 4: That this Ordinance 2-O-10 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: January 11, 2010

Approved:

Adopted: January 25, 2010

January 3, 2010

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar
W. Grant Farrar, City Attorney

