

106-O-12

AN ORDINANCE

**Amending Title 10, Chapter 6 of the City Code,
"Illegally Parked or Abandoned Vehicles"**

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

SECTION 1: Title 10, Chapter 6 of the Evanston City Code of 1979, as amended ("City Code"), is hereby further amended to add a subsection and read as follows:

10-6-14: FIRE LANES

(A) Definition of Fire Lane: Fire lane means travel lanes for firefighting equipment upon which there shall be no standing or parking of any motor vehicle at any time so that firefighting equipment can move freely thereon and gain access to buildings, structures, fire hydrants, wall hydrants, or fire department connections supplying automatic sprinkler or standpipe systems.

(B) Prohibitions: No person shall stand or park a motor vehicle within any area designated a fire lane, and such violations shall be subject to the penalties provided in this section.

(C) Designation of Fire lanes:

1. By written agreement between the city and any school board, hospital, church, condominium complex unit owners' association, commercial and industrial facility, shopping center or apartment complex owner, which controls a parking area located within the city limits, empowering the city designate and enforce fire lanes on such parking area, including city enforcement of the maintenance of the designated fire lanes. Such agreement shall be approved and executed by the City Manager or his/her designee, shall not exceed a period of 20 years, and shall be recorded in the Office of the Cook County Recorder of Deeds. The agreement shall become effective and enforceable three days after it is recorded.
2. By the City Council, pursuant to the recommendation of the City Manager or his/her designee, and by ordinance, resolution or written agreement, on any private or semi-private roads, streets, driveways, trails, parkways, parking areas or other roadways open to or used by vehicular traffic where

the City Council has, pursuant to a condition in a planned development zoning classification, special use permit or variation or pursuant to a condition in an annexation agreement required the designation of fire lanes.

- (D) Methods of Posting Fire Lanes:** Fire lanes shall be posted in accordance with the Illinois Department of Transportation Manual on Uniform Control Devices. Additionally, at the discretion of the City Manager or his/her designee, curbing within a designated fire lane may be painted yellow.
- (E) Penalty:** Any person violating the provisions contained in this section, 10-6-14, shall be punished by a fine of \$55 and a late penalty of \$50. Each day that such a violation occurs shall be a separate and new offense.
- (F) Tow Zone:** The City Manager or his/her designee, pursuant to the passage of an ordinance designating a fire lane, or pursuant to the recording of a written agreement empowering the City to designate and enforce fire lanes, may have such a lane posted as a tow zone. Any motor vehicle within such tow zone shall be subject to removal by a towing service, and the owner will be responsible for all towing costs.
- (G) Maintenance:** Owners of property on which fire lanes are designated are responsible for providing required pavement markings and for obtaining appropriate signage at owner's expense, in accordance with city standards, to give the public reasonable notice of the location of the fire lane, the parking and standing prohibitions, and that fines may be imposed by the City against violators.
- (H) Citations:** City fire inspectors, City police officers, parking enforcement officers, and/or building code officials are hereby authorized to issue citations for violations of the parking and standing prohibitions and for maintenance violations, as provided for in this section.
- (I) Severability:** That if any provision of this Chapter 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 Chapter that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Chapter is severable.

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

SECTION 3: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 4: If any provision of this ordinance 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 5: The findings and recitals contained herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: November 26, 2012

Approved:

Adopted: December 10, 2012

December 13, 2012

Elizabeth B. Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:

Rodney Greene
Rodney Greene, City Clerk

W. Grant Farrar
W. Grant Farrar, Corporation Counsel

