

10/8/2014

Effective Date: February 8, 2015

124-O-14

AN ORDINANCE

Amending Section 10-6-2: Authority to Remove Vehicles (Tow)

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

SECTION 1: Section 10-6-2 of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

10-6-2: Authority to Remove Vehicles (Tow)

(A) The City Manager or his/her designee is hereby authorized to immediately and without prior notice tow away, or cause to be towed away, any vehicle on any public street, public place or private property in the following circumstances:

1. When the motor vehicle is an accident involved motor vehicle;
2. When the motor vehicle is a hazardous vehicle;
3. When the motor vehicle is a derelict motor vehicle;
4. When the motor vehicle is a snow emergency obstruction;
5. When the motor vehicle is a street cleaning obstruction;
6. When the motor vehicle is a tree cutting obstruction;
7. When the motor vehicle is a street or sewer maintenance obstruction vehicle;
8. When the motor vehicle is a tow away zone obstruction vehicle;
9. When the motor vehicle is not operable due to the arrest of the owner or operator;
10. When the motor vehicle is an abandoned, lost or reported stolen vehicle;
11. When the motor vehicle is a reserved residential wheelchair bound obstruction vehicle;
12. When the vehicle is a nonmotorized obstruction vehicle;
13. When the motor vehicle is a wheel lock immobilized vehicle pursuant to police order;
14. When the vehicle is on private property and is parked there without consent of the property owner, proprietor, or agent of the property; provided: a) that signs posted on the property give notice that parking is prohibited, and b) that the person requesting the tow signs a statement

that he/she is the owner, proprietor, or agent of the property and that he/she has authority to request the tow.

15. When the motor vehicle violates the provisions of Subsection 9-5-23(A)4 of this Code;
 16. When the vehicle was reportedly used in the commission of a crime;
 17. When a crime was reported, or is suspected to have occurred, within any part of the vehicle;
 18. When the motor vehicle is physically obstructing access to a fire hydrant.
- (B) The City Manager or his/her designee is hereby authorized to immediately tow, or cause to be towed away, any vehicle on any public street or public place when a temporary tow-away zone has been posted by the authority of the City with 48 hour notice. Such tow-away zones shall clearly indicate the temporary tow-away zone date and time.
- (C) The Chief of Police shall promulgate rules and regulations in the form of a special order for the implementation of this Chapter.

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

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is ruled 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 provision or invalid application of this ordinance is severable.

SECTION 4: 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.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: January 12, 2015

Adopted: January 26, 2015

Approved:

January 29, 2015

Elizabeth B Tisdahl
Elizabeth B. Tisdahl, Mayor

Attest:

Rodney Greene
Rodney Greene, City Clerk

Approved as to form:

W. Grant Farrar
W. Grant Farrar, Corporation Counsel