

58-O-15

AN ORDINANCE

**Adding City Code Section 10-4-20, "Recreational Vehicle Parking" and
Amending City Code Section 10-6-2, "Authority to Remove Vehicles"**

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

SECTION 1: Chapter 4 of Title 10 of the Evanston City Code of 2012, as amended, is hereby further amended by adding a new Section 20, which shall read as follows:

10-4-20. – RECREATIONAL VEHICLE PARKING.

- (A) No person, firm or corporation shall park any recreational vehicle, as defined in 625 ILCS 5/1-169, as amended, whether self-propelled or towed on any street in the City, unless a permit is issued by the City Manager or his/her designee.
- (B) The City Manager or his/her designee has the authority to adopt procedural rules and regulations governing the permit process, and to issue a parking permit for the parking of a recreational vehicle on a public street to any resident of the City or a bona fide guest of such resident, if:
 - (1) a written application is made to the City Manager or his/her designee including the address of the resident; and
 - (2) the appropriate fees are paid.
- (C) Permits. The permit shall state the address of the resident and the permit shall only be valid on a City-approved permitted lot upon availability, or within the same block as the resident's address, on either side of the street.
 - (1) Permits may be issued, but not exceed, seventy-two (72) consecutive hours.
 - (2) No more than four (4) permits shall be issued for any one recreational vehicle within one calendar year.
 - (3) Proof of residency and proof of recreational vehicle ownership or recreational vehicle use and control shall be demonstrated in a manner determined by the City Manager or his/her designee.
 - (4) The fee for obtaining a single permit shall be fifty dollars (\$50.00).

- (D) The recreational vehicle shall not be used for overnight camping.
- (E) Violations.
 - (1) Any person violating the provisions of this Section shall be subject to a fine of one hundred dollars (\$100.00) per day per violation for up to five (5) calendar days. Service of the parking ticket may be served by affixing the original or a copy of the parking ticket to an unlawfully parked vehicle or by handing the parking ticket to the operator of a vehicle if he or she is present.
 - (2) In addition to the penalty provided for in this Subsection, each recreational vehicle parked contrary to the provisions of this Subsection is hereby declared to be an obstruction in the streets and a public nuisance. After five (5) calendar days, the City Manager or his/her designee is authorized to immediately and without prior notice tow away, or cause to be towed away, said recreational vehicle. The removal shall be in accordance with City Code Section 10-6-2.
 - (3) Failure to display the permit shall subject the owner of the recreational vehicle to the imposition of fines and/or removal of said vehicle as if the recreational vehicle were parked on the street without a permit having been issued.

SECTION 2: City Code Section 10-6-2(A) of Title 10 of the Evanston City

Code of 2012, as amended, is hereby further amended 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;
19. When the recreational vehicle violates the provisions of Subsection 10-4-20 of this Code.

SECTION 3: That 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 4: That all ordinances, or parts thereof, which are in conflict with this amendment are hereby repealed.

SECTION 5: That if any provision of this Ordinance 58-O-15, or application thereof to any person or circumstance, is held unconstitutional or otherwise invalid, such invalidity shall not affect the applicability of the other provisions of this Ordinance 156-O-14.

SECTION 6: That this Ordinance 58-O-15 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: April 27, 2015

Approved:

Adopted: May 11, 2015

May 13, 2015

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