

29-O-19

AN ORDINANCE

Amending Portions of City Code Sections 10-4-16-2(A) "Vehicle Parking Permits" and 10-4-16-3 "Vehicle Identification"

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

SECTION 1: City Code Subsection 10-4-16-2(A) of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

10-4-16-2. - PERMIT REQUIRED.

(A) *Application And Fee.* It shall be unlawful for any person to park a vehicle in the posted reserved parking space areas designated in Subsection 10-4-16-1(A) of this Chapter, unless the owner or operator of such vehicle shall have received from the City Manager or his/her designee a permit for such parking and shall have paid the charges therefor for the current month. Further, no permit shall be issued until the applicant has either:

- 1) Paid the fine and/or penalty for each violation for which there is an outstanding or otherwise unsettled parking violation; or
- 2) Requested an appearance in the circuit court to answer for each violation.

Space for the storage and parking of passenger motor vehicles shall be reserved, set aside and allocated to those persons who shall make application therefor to the City Manager or his/her designee and upon the payment of the rental fee, as may be prescribed by the City Council from time to time.

(B) *Issuance; Transferability; Renewal.* Should there be applicants for space in any designated area in excess of the number of parking spaces available, such applications shall be placed on file by the finance director, to be filed in chronological order. No person shall be permitted to sell, transfer or assign reserved parking space to any other person. Reassignment of space shall be by the finance director. Renewal of reserved parking spaces shall have preference over all other applications; provided, that such renewal applications are on file prior to the expiration date.

(C) *Exceptions.* No permits shall be required for designated parking in those reserved parking areas set forth in Schedule XX, Section 10-11-20 of this Title.

(D) *Violations.* Vehicles parked in violation of Section 10-4-16 shall be subject to towing and further penalties as designated in Schedule XVII, Section 10-11-17 of this Title, provided the reserved parking area is appropriately posted giving notice thereof. Each twenty four (24) hour period the violation continues shall be construed to be a separate offense.

SECTION 2: City Code Subsection 10-4-16-3, of the Evanston City Code of 2012, as amended, is hereby further amended to read as follows:

10-4-16-3. - RESERVED.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: If any provision of this Ordinance 29-O-19 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: Ordinance 29-O-19 shall be in full force and effect after its passage and approval.

SECTION 6: 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: April 8th, 2019

Adopted: April 22nd, 2019

Approved: May 6, 2019

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:



Devon Reid, City Clerk

Approved as to form:



Michelle L. Masoncup, Corporation
Counsel