

154-O-19

AN ORDINANCE

**Amending Various Chapters of Title 10, "Motor Vehicles and Traffic"
Regarding Parking Violations**

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

SECTION 1: Various sections of Title 10 Chapter 4, "Stopping, Standing or Parking," of the Evanston City Code of 2012, as amended, are hereby further amended:

CHAPTER 4 - STOPPING, STANDING OR PARKING

10-4-1. - STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES.

No person, except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or a traffic control device, in any of the following places shall:

(A) Stop, stand or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street. A violation of Section 10-4-1(A)(1) shall result in a mandatory fine of fifty five dollars (\$55.00);
2. On a sidewalk in such a way as to obstruct any portion thereof;
3. Within an intersection;
4. On a crosswalk;
5. Between a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;

6. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
 7. Upon any bridge or other elevated structure upon a highway;
 8. On any railroad tracks. A violation of this Subsection (A)8. shall result in a mandatory fine of five hundred dollars (\$500.00) or fifty (50) hours of community service.
 9. At any place where official signs prohibit stopping, standing or parking;
 10. On any controlled-access highway;
 11. In the area between roadways of a divided highway, including crossovers;
 12. On a parkway;
 13. Under a fire escape.
 14. In a public parking area if the vehicle does not display a current annual registration sticker or current temporary permit pending registration. A violation of Section 10-4-1(A)(14) shall result in a mandatory fine of twenty-five dollars (\$25.00);
- (B) Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:
1. In front of a public or private driveway or alley, and within eight feet (8') of a public or private driveway or alley where signposted. A violation of Section 10-4-1(B)(1) shall result in a mandatory fine of sixty dollars (\$60.00);
 2. Within fifteen (15) feet of a fire hydrant. A violation of Section 10-4-1(B)(2) shall result in a mandatory fine of sixty dollars (\$60.00);
 3. Within twenty (20) feet of a crosswalk at an intersection;
 4. Within thirty (30) feet upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of the roadway;
 5. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of such entrance (when properly signposted);
 6. At any place where official signs prohibit standing.

(C) Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:

1. Within fifty (50) feet of the nearest rail of a railroad crossing;
2. At any place where official signs prohibit parking;

(D) Move a vehicle not lawfully under his/her control into any such prohibited area or away from a curb such distance as is unlawful.

10-4-2. - OBSTRUCTING TRAFFIC.

No person shall park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to obstruct the free movement of traffic. A violation of Section 10-4-2 shall result in a mandatory fine of fifty-five dollars (\$55.00);

10-4-3. - PARKING FOR CERTAIN PURPOSES PROHIBITED.

(A) No person engaged in the acquisition or sale of vehicles shall park or place a vehicle upon any street, alley, or parkway for the purpose of selling or offering the same for sale or rent. For purposes of this Section, a person "engages in the sale of vehicles" if he/she holds himself/herself out, by any means whatever, as accepting or willing to accept vehicles for sale.

(B) It shall also be unlawful to park any vehicle upon the street in a business district from which any merchandise is being sold.

(D) It shall be unlawful to park or place any nonmotorized vehicle upon or in any public way for any purpose or period of time other than for the expeditious loading or unloading of goods or materials, and then only for a period not to exceed four (4) hours.

(E) It shall be unlawful to park or place any nonmotorized vehicle upon or in any public way between the hours of nine o'clock (9:00) P.M. and six o'clock (6:00) A.M.

10-4-4. - EMERGENCY PARKING.

Nothing contained in this Chapter shall be construed to prohibit emergency vehicles, or vehicles operated by physicians on emergency calls, from parking or standing such a motor vehicle in a zone where parking or standing is otherwise prohibited during the course of said emergency call.

10-4-5. - RESTRICTIONS IN BUSINESS AND RESIDENTIAL DISTRICTS.

10-4-5-1. - PARKING IN ALLEYS.

- (A) *Parking In Alleys Within The Business District:* Where signposted, it shall be unlawful for the operator of any vehicle to park the same in any alley within a business district; provided, however, that nothing herein shall be construed to prohibit the parking of delivery trucks while actually engaged in the delivery or picking up of merchandise or material.
- (B) *Parking In Alleys Within Residence Districts:* Where signposted, it shall be unlawful for the operator of any vehicle to park the same in the alley of any "residence district," defined in Chapter 1 of this Title, except with the left or right wheels of the vehicle within twelve inches (12") of the west side of north and south alleys and the south side of east and west alleys, except where parking on both or a different side of the alleys shall have been provided for or prohibited by ordinance and so indicated. Nothing herein shall be construed to permit parking in those alleys where by ordinance all parking shall have been prohibited. A violation of Section 10-4-5-1 shall result in a mandatory fine of fifty-five dollars (\$55.00);

10-4-5-2. - PARKING IN PREDOMINANTLY RESIDENTIAL AREAS.

- (A) *Violation Penalty.* It shall be unlawful for any person to park a taxicab, or any vehicle, other than a "passenger vehicle," as defined in this Title, in any street of any block in which more than one-half ($\frac{1}{2}$) of the buildings in such block are used exclusively for residential purposes, and in which block this regulation has been posted, for a longer period than is necessary for the reasonable expeditious loading or unloading of such vehicles
- (B) *Residential Permit Parking Areas.*
1. The City Manager or his/her designee is hereby authorized to designate, by and with the consent of the City Council, as hereinafter provided, streets and other public ways within the City on which the parking of vehicles may be restricted to vehicles bearing a valid parking permit issued pursuant to this Section or to vehicles bearing a valid Evanston vehicle license issued pursuant to this Section.
 2. As used in this Section:
 - a. "Residential area" shall mean a contiguous or nearly contiguous area containing public highways or parts thereof primarily abutted by residential property or residential and nonbusiness property (such as schools, parks and churches), and designated as such by the City Manager.
 - b. "Commuter vehicle" shall mean a motor vehicle parked in a residential area by a person not a resident thereof.
 3. A residential area shall be deemed eligible for residential permit parking if, based on objective criteria herein established, parking therein is "impacted" by

commuter vehicles between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. weekdays, except holidays.

4. In determining whether an area identified as eligible for residential permit parking shall be designated as a residential permit parking area, the area in question shall meet the following criteria:
 - a. The number of vehicles parked on the area streets during an average day, between the hours of eight o'clock (8:00) A.M. to five o'clock (5:00) P.M., except holidays. During any two (2) consecutive hours, the number of vehicles parked (or standing), legally or illegally, on the streets in the area must be equal to or greater than seventy percent (70%) of the legal on street parking capacity of the area to qualify as an "impacted" area.
 - b. The number of commuter vehicles parked (or standing) on the streets of the area during the same time period as in Subsection (B)4a of this Section. The number of commuter vehicles so parked in this category must be equal or greater than thirty percent (30%) of the total number of vehicles parked to qualify as an "impacted" area.
 - c. There must be reasonable and generally acceptable alternate areas for the displaced commuter vehicles to relocate to, or other modes of transportation to be utilized so that the cause of the impacted area under study is not merely shifted to an adjacent neighborhood residential area.
 - d. The residents must be willing to accept the restrictions of the permit parking program and to bear the administrative costs incurred because of the designation of a residential parking area.

The following factors shall also be considered:

- a. The possibility of a reduction in total vehicle miles driven in the City and its environs;
 - b. The likelihood of alleviating traffic congestion, illegal parking and related health and safety hazards;
 - c. The proximity of public transportation to the residential area;
 - d. The need for parking in proximity to establishments located therein and used by the general public for religious, educational, or recreational purposes.
5. In order to determine whether a particular street, avenue or other location should be designated as a residential permit parking area, a public hearing will be conducted prior to the designation of a permit parking area, or prior to the

withdrawal of such designation once it is established. The hearing shall clearly state the exact location and boundaries of the residential permit parking area under consideration, the reasons why such area is being proposed for designation as a residential permit parking area, and the permit parking fee that would be charged as provided for herein. During such hearing any interested person shall be entitled to appear and be heard. No hearing shall be held and no area designated if it is not found to be an impacted area under Subsection (B)4 of this Section.

6. a. Following Council approval of the designation of a residential permit parking area, the City Manager or his/her designee shall issue appropriate permits and shall cause parking signs to be erected in the area indicating the times, locations, and conditions under which parking shall be by permit only. The area shall be described by stating which streets or portions of streets that comprise the area and shall outline the boundary of residence in Schedule XVIII, Section 10-11-18 of this Title. A permit shall be issued upon application and payment of the applicable fee, only to the owner or the operator of a motor vehicle who resides on property located within the residential permit parking area designated. 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.
 - b. Following Council order to withdraw residential parking designation, the City Manager or his/her designee shall cause the pertinent signs to be removed within a reasonable time period thereafter.
7. The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, registration number, the number of the applicant's operator's permit, and the number of the City motor vehicle license if legally required. The motor vehicle's registration and operator's license may, in the discretion of the City Manager, be required to be presented at the time of making said application in order to verify the contents thereof. The owner or operator of any motor vehicle applying for a residential parking permit shall have a valid City motor vehicle license for the vehicle unless said license is legally not required. The permit shall be renewed annually on or before January 1, upon such conditions and procedures as the City Manager or his/her designee shall specify. The permit may be issued on a pro rata, by month, basis; however, all permits issued after January 1 in any year shall be valid until December 31 of the same year. The permit shall be displayed in a manner as determined and directed by the City Manager or his/her designee. The permit shall display the City motor vehicle license number if required to have said license, zone number and expiration date.

8. Notwithstanding any provision of this Section to the contrary, the holder of a residential parking permit shall be permitted to stand or park a motor vehicle operated by him/her in the designated residential parking area specified on the permit during such times as the parking of motor vehicles therein is permitted. A residential parking permit shall not guarantee or reserve to the holder a parking space within a designated residential permit parking area.
9. A residential parking permit shall not authorize the holder thereof to stand or park a motor vehicle in such places or during such times as the stopping, standing or parking of motor vehicles is otherwise generally prohibited or set aside for specific types of vehicles (no parking any time, bus stop, loading zone, etc.), nor exempt the holder from the observance of any traffic regulations.
10.
 - a. No person shall display a permit on any vehicle other than the vehicle described in the application for which a residential parking permit has been made and the permit issued. Any such use or display of a permit on a vehicle as described above shall constitute a violation of this regulation by the permittee and by the person who so used or displayed such parking permit.
 - b. It shall constitute a violation of this regulation for any person to represent himself/herself as eligible for a residential parking permit or to furnish any false information in an application to the City Manager or his/her designee in order to obtain a residential parking permit.
 - c. The City Manager or his/her designee is authorized, in accordance with due process regulations as stated in other parts of this Code, to revoke the residential parking permit of any permittee found to be in violation of this regulation. Upon written notification thereof, the permittee shall surrender such permit to the City Manager or his/her designee. Failure, when so requested, to surrender a residential parking permit so revoked shall constitute a violation of this regulation.
 - d. Residential parking permits may only be issued to legal residents of a dwelling unit. The number of legal residents shall be that number specified in this Code.
11. The fee of one hundred fifteen dollars (\$115.00) per permit, annually, is hereby established to cover administrative costs of permits, signs, and related costs of the residential permit parking programs. The fee is to be reduced by the amount of the Evanston vehicle license for those applicants who have purchased said license. Permits issued on or after January 1 shall have a fee of fifty-seven dollars and fifty cents (\$57.50).
12. The City Manager or his/her designee is authorized to make provisions for the issuance of temporary parking permits to residents of a designated residential

parking area. Proof of residence within the district must be provided prior to the issuance of said permits, which will have a fee of twenty cents (\$0.20) each. These permits are for one day and will be valid only if the resident has entered in ink on the face of the permit the license plate of the visitor's vehicle, the day of the week and the date.

13. Those streets or portions of streets so designated "residents only parking" shall be maintained in schedule XVIII, Section 10-11-18 of this Title.

Any person who shall violate any provision of this regulation pertaining to "residents exempt parking" shall, upon conviction, be subject to the fine found in Schedule XVII, Section 10-11-17 of this Title. Those streets or portions of streets so designated "residents exempt parking" shall be maintained in Subsection 10-11-10(F) of this Title.

- (C) *Evanston Resident Only Parking Districts:* The City Manager or his/her designee is authorized to designate, by and with consent of the City Council, certain streets or portions of streets as "Evanston resident only parking districts." The streets to be so designated shall meet the criteria for establishing residents only parking districts as described in Subsection (B) of this Section. The means of identifying vehicles eligible for parking in these districts shall be a valid Evanston vehicle license issued pursuant to Section 10-8-1 of this Title. The streets designated as Evanston resident only parking districts shall be listed in Schedule XXII, Section 10-11-22 of this Title, which shall be created for that purpose.
- (D) *Signs Prohibiting Parking Near Driveways:* Upon written application to the City Manager or the City Traffic Engineer and payment of the fee of thirty dollars (\$30.00), a sign or signs prohibiting parking within eight feet (8') of driveways will be erected at the address designated in the application.

10-4-5-3. - PARKING OF COMMERCIAL VEHICLES AND BUSES.

It shall be unlawful for any person to park a commercial vehicle or bus in any block in the City which meets the standards described in the following Subsections:

- (A) *Residential Areas.* It shall be unlawful for any person to park a commercial vehicle or bus in any block in the City in which more than one-half ($\frac{1}{2}$) of the buildings are used for residential purposes. This restriction shall be in effect between nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M., every day. "Commercial vehicle" and "bus" as used in this Subsection shall refer to those vehicles defined as such in the Illinois Vehicle Code.
- (B) *Nonresidential Areas.* It shall be unlawful for any person to park a commercial vehicle or bus in any block in the City in which signs have been posted indicating this prohibition, for a longer period than is required for the expeditious loading or unloading of such vehicles. "Commercial vehicle" and "bus" as used

in this Subsection shall refer to those vehicles defined as such in the Section 10-1-3 of this

10-4-6. - PARKING ON PRIVATE PROPERTY.

No person shall stand or park a vehicle on any private lot or lot area without the express or implied consent of the owner thereof. Whenever signs or markings have been erected on any lot or lot area, contiguous or adjacent to a street, thoroughfare or alley indicating that no vehicles are permitted to stand or park thereon, it shall be unlawful for any person to drive a vehicle across any curb or lot line or over any driveway from a street or alley into such lot or area for the purpose of standing or parking such vehicle, or for any person to stop, stand or park any vehicle in such lot or lot area.

10-4-7. - PARKING NEAR SCHOOL PROPERTY.

Whenever an entrance to school property is used as an entrance or exit for school children, it shall be unlawful to park any vehicle on the school side of the street between the property lines of such school property between the hours of eight o'clock (8:00) A.M. and four o'clock (4:00) P.M. on any school day; provided, that signs are erected giving notice thereof.

10-4-8. - METHOD OF PARKING.

Every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right hand wheels of such vehicle parallel with and within twelve inches (12") of the right hand curb, except as otherwise provided in the following Subsections:

- (A) Upon those streets which have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks or signs.
- (B) Upon one-way streets or any alley where signs have been erected indicating that parking is permitted upon the left hand side of any such street or alley, vehicles parking in such areas shall be parked with the left hand wheels of such vehicle parallel with and within twelve inches (12") of the left hand curb.
- (C) In places where and at hours when stopping for loading or unloading of merchandise or materials is permitted, vehicles used for the transportation of merchandise and materials may back into the curb to take on or discharge loads when the owner of such vehicle holds a permit granting him/her such privilege. Such permit shall be either in the possession of the driver or on the vehicle at the time such vehicle is backed against the curb to take on or discharge a load.

10-4-9. - UNATTENDED MOTOR VEHICLES.

No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition and removing the key, or when standing upon any perceptible grade, without effectively setting the brake thereon and turning the front wheels to the curb or side of the street or highway.

10-4-10. - SIGNS OR MARKINGS INDICATING ANGLE PARKING.

- (A) The traffic engineer shall determine upon what streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal aid or state highway within this City unless the Illinois Department of Transportation has determined by resolution or order entered in its minutes that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic.
- (B) Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the roadway.

10-4-11. - RESERVED PARKING FOR CITIZENS WITH DISABILITIES.

(A) *Reserved Parking On Municipal Property, Private Property Or Public Way:* When a parking place has been designated as reserved for the mobility limited or when signs are erected giving notice thereof, it shall be unlawful for any person to park a vehicle in such parking space which vehicle does not display the designated license plate of the disabled or disabled veteran or which does not have posted upon such vehicle a permit issued by a government agency allowing such vehicle to park in the aforesaid designated space. Upon written application to the City Manager or his/her designee indicating the name, address, nature of physical disability and vehicular registration information, and evidencing medical documentation of nature, extent, and duration of said disability, the City Manager or his/her designee shall, upon confirmation of said application, issue to a mobility limited person a permit which will enable said permittee to utilize parking spaces designated for the mobility limited.

(B) *Spaces Reserved For Specific Citizens With Disabilities:*

1. Residents with severe mobility limitations, including, but not limited to, persons using wheelchairs, walkers, artificial limbs, or persons having disabilities which limit walking to very short distances, may apply for a reserved on street space for their use only. Exception: Residents who own, rent, or have regular use of private driveways, carports, or garages which provide convenient or adequate access to their residences are not eligible for this program. Said permit may be issued only in areas zoned R1 through R6.
2. When a parking space has been designated as reserved for a citizen with a disability and signs are erected giving notice thereof, it shall be unlawful for any person to park a vehicle in such parking space which does not display the

designated permit issued by the City allowing such a vehicle to park in the aforesaid designated space.

3. Vehicles using the aforesaid spaces are subject to all existing ordinances, including, but not limited to, Sections 10-4-12, "Street Cleaning" and 10-4-13, "Snow Emergency; Snow Route Parking Ban; Other Regulations," of this Chapter.
4. An application must be made in writing and on the form provided by the City. Said application shall contain the following information:
 - a. Applicant's name;
 - b. Applicant's address;
 - c. Motor vehicle registration/license number;
 - d. Evanston wheel tax registration number (the "city sticker" number);
 - e. Medical verification by a licensed physician that the applicant meets the criteria in Subsection (B)1 of this Section; and
 - f. A signed statement by the applicant that he/she does not own, rent, or have regular use of a private driveway, carport, or garage which provides adequate or convenient access to his/her dwelling.
5. A permit shall be issued by the City Manager, City Traffic Engineer, or other person designated by the City Manager if the standards as set forth herein have been satisfied and upon payment of the installation fee of thirty dollars (\$30.00). A violation of Section 10-4-11(B)(5) shall result in a mandatory fine of two hundred and fifty dollars (\$250.00).
6. The City Manager, City Traffic Engineer, or other person designated by the City Manager shall determine the location for the signs indicating the reserved space and shall cause signs to be erected designating said space. The determination of the City Manager, City Traffic Engineer, or other person designated by the City Manager as to the location of the reserved space shall be final.
7. The permit issued hereunder may be renewed on an annual basis by reapplication in writing on the form provided by the City as set forth in Subsection (B)4 of this Section and upon the payment of the renewal fee of ten dollars (\$10.00).

8. In the event a renewal permit is not issued or if the person with the disability no longer needs the reserved space, the signs erected hereunder shall be removed by the City.

10-4-12. - STREET CLEANING.

To facilitate the cleaning of streets within the City, signs giving notice of the street cleaning schedule shall be posted on streets or portions thereof by the City Manager or his/her designee. Where such signs are posted, it is a violation of this Section to park a vehicle on the days and between the times specified on the signs. Any changes to the street cleaning schedule must be approved by the administration and public works committee. A violation of Section 10-4-12 shall result in a mandatory fine of seventy dollars (\$75.00);

10-4-13. - SNOW EMERGENCY; SNOW ROUTE PARKING BAN; OTHER REGULATIONS.

- (A) *Snow Route Parking Ban.* A snow route parking ban is hereby declared to be in effect at 11:00 p.m. following the accumulation of two (2) inches of snow within a twenty-four (24) hour period, or may be declared by the City Manager, or his/her designee, and shall remain in effect until 6:00 a.m. the following day.
- (B) *Snow Routes Designated.* To facilitate the removal of snow and to assure the regular flow of traffic during and after snowfalls, the streets and public thoroughfares designated in Section 10-11-6, Schedule VI of this Title, are declared to be snow routes. A violation of Section 10-4-13(A) shall result in a mandatory fine of sixty dollars (\$60.00), plus an additional penalty of twenty-five dollars (\$25.00) if paid after the expiration of twenty-one (21) days following issuance of final determination of liability;
- (F) *Snow Emergency.* A snow emergency is hereby declared to be in effect at 8:00 a.m. following the accumulation of four (4) inches of snow or may be declared by the City Manager, or his/her designee, and shall remain in effect until 6:00 p.m. the following day, a period of thirty-four (34) hours. A snow emergency may be extended by the City Manager, or his/her designee, should conditions warrant;
- (D) *Stopping, Standing, Parking Prohibited.*
1. *Snow Route Parking Ban:* When signs have been erected giving notice thereof, it shall be unlawful for any person to stop, stand, park or leave unattended any motor vehicle upon a snow route, as designated in Subsection (B) of this Section, within the City from eleven o'clock (11:00) P.M. to six o'clock (6:00) A.M. the following day during a snow route parking ban as defined in Subsection (A) of this Section.

2. *Snow Emergency Parking Restrictions.* On all streets within the City limits, other than designated snow routes, where signs have been erected giving notice thereof, and when a snow emergency has been declared as defined in Subsection (C) of this Section, parking is hereby prohibited on the even numbered side of the street on even dates of the month and on the odd numbered side of the street on odd dates of the month between the hours of 8:00 a.m. and 6:00 p.m. the following day, a period of thirty-four (34) hours.
3. A violation of Section 10-4-13(D) shall result in a mandatory fine of sixty dollars (\$60.00), plus an additional penalty of forty dollars (\$40.00) if paid after the duration of twenty-one (21) days following issuance of final determination of liability.

(E) *Movement of Parked Vehicles.* Whenever a motor vehicle has been stopped, parked or left unattended in violation of either the snow route parking ban or the snow emergency parking regulations, said vehicle is hereby declared to be a traffic hazard and the Chief of Police may order said motor vehicle removed pursuant to the provisions of Chapter 6 of this Title or other posted tow away zone within the City. A vehicle found in violation of a Snow Route Parking Ban that is towed will be subject to the sixty dollars (\$60.00) fine plus an additional penalty of twenty-five dollars (\$25.00) if paid after the expiration of ten (10) days from the date of issue and to the cost of towing and daily storage fee, based on the current rate established in the city towing contract. A vehicle found in violation of a Snow Emergency that must be towed and relocated shall pay a fine of one hundred fifty-five dollars (\$155.00) plus an additional penalty of fifty-five (\$55.00) if paid after the expiration of twenty-one (21) days following issuance of final determination of liability.

(F) *Snow Removal, Deposit in Certain Places Prohibited.*

1. No person shall deposit or cause to be deposited any snow upon any street or public thoroughfare.
2. No person shall deposit or cause to be deposited any snow upon any street or public thoroughfare of the City in such a manner as to obstruct a public sidewalk nor shall any person deposit or cause to be deposited any snow upon a parkway or upon private property so as to obstruct a clear view at the intersection of traveled roadways.

10-4-14. - STOPPING FOR LOADING OR UNLOADING.

10-4-14-1. - CURB LOADING ZONES DESIGNATED.

The traffic engineer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs indicating the

same and stating the hours during which the provisions of this Section 10-4-14 are applicable.

10-4-14-2. - PERMITS REQUIRED.

- (A) *Loading Or Unloading.* The Traffic Engineer is authorized to issue to any owner of a vehicle used to transport merchandise or material a special permit renewable annually, and to state therein the terms and conditions thereof, allowing the driver of such vehicle the privilege of loading and unloading the same while the vehicle is parked or backed against the curb, whenever such privilege is reasonably necessary for the conduct of the owner's business and will not seriously interfere with traffic. It shall be unlawful for any owner or driver to violate any of the special terms or conditions of any such permit.
- (B) *Curb Loading Zones.* The Traffic Engineer shall not hereafter designate or sign any curb loading zone upon special request of any person unless such person makes application for a permit for such zone and for two (2) signs to indicate the ends of each such zone. Upon granting a permit and issuing such signs, the City Manager or his/her designee shall collect from the applicant and deposit in the City treasury a service fee of ten dollars (\$10.00) per year or fraction thereof. The Traffic Engineer may by general regulations impose conditions upon the use of such signs and for reimbursement of the City for the value thereof in the event of their loss or damage and their return in the event of misuse or upon expiration of permit. Every such permit shall expire at the end of one year.

10-4-14-3. - STANDING IN CURB LOADING ZONE.

- (A) *Passenger.* No person shall stop, stand, or park a vehicle for any purpose or period of time other than for the expeditious loading or unloading of passengers in any place marked as a passenger curb loading zone during hours when the regulations applicable to such curb loading zone are effective, and then only for a period not to exceed three (3) minutes.
- (B) *Freight.* No person shall stop, stand or park a vehicle for any purpose or length of time other than for the expeditious unloading and delivery or pick up and loading of materials in any place marked as a freight curb loading zone during hours when the provisions applicable to such zones are in effect. In no case shall the stop for loading and unloading of materials exceed thirty (30) minutes.

10-4-14-4. - PUBLIC CARRIER STOPS AND STANDS DESIGNATED.

The traffic engineer shall with the consent of the City Council establish bus stops, bus stands, taxicab stands and stands for other passenger common carrier motor vehicles on such public streets in such places and in such number as shall be determined to be of the greatest benefit and convenience to the public, and every such bus stop, bus stand, taxicab stand or other stand shall be designated by appropriate signs.

10-4-14-5. - STOPPING, STANDING, PARKING OF BUSES AND TAXICABS REGULATED.

- (A) The operator of a bus shall not stand or park such vehicle upon any street at any place other than a bus stand so designated as provided herein.
- (B) The operator of a bus shall not stop such vehicle upon any street at any place for the purpose of loading or unloading passengers or their baggage other than at a bus stop, bus stand or passenger loading zone so designated as provided herein, except in case of an emergency.
- (C) The operator of a bus shall enter a bus stop, bus stand or passenger loading zone on a public street in such a manner that the bus when stopped to load or unload passengers or baggage shall be in a position with the right front wheel of such vehicle not farther than eighteen inches (18") from the curb and the bus approximately parallel to the curb so as not to unduly impede the movement of other vehicular traffic.
- (D) The operator of a taxicab while for hire shall not stand or park such vehicle upon any street at any place other than in a taxicab stand so designated as provided herein. This provision shall not prevent the operator of a taxicab from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of and while actually engaged in the expeditious loading or unloading of passengers.

10-4-14-6. - RESTRICTED USE OF BUS AND TAXICAB STANDS.

No person shall stop, stand or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand when any such stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of and while actually engaged in loading or unloading passengers when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone.

10-4-14-7. - PASSENGER LOADING ZONES AND PUBLIC CARRIER STOPS AND STANDS DESIGNATED.

It having been determined from traffic studies that the areas designated in Schedule VII, Section 10-11-7 of this Title, are necessary for the safety of pedestrian and vehicular traffic, those areas designated in said schedule are hereby declared to be loading zones, public carrier stops and stands.

10-4-15. - STOPPING, STANDING OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS.

10-4-15-1. - APPLICATION OF PROVISIONS.

The provisions of this Section 10-4-15 prohibiting the stopping, standing or parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the direction of a police officer or official traffic control device.

10-4-15-2. - REGULATIONS NOT EXCLUSIVE.

The provisions of this Section 10-4-15 imposing a time limit on parking shall not relieve any person from the duty to observe other and more restrictive provisions prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

10-4-15-3. - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.

When signs are erected giving notice thereof, no person shall park a vehicle at any time upon any of the streets described in Schedule VIII, Section 10-11-8 of this Title.

10-4-15-4. - PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

When signs are erected in each block giving notice thereof, no person shall park a vehicle between the hours specified in Schedule IX, Section 10-11-9 of this Title, on the days therein specified upon any of the streets or portions of streets described in said schedule.

10-4-15-5. - LIMITED PARKING PERMITTED.

- (A) *Reserved Parking Space:* Whenever signs are erected in each City block or at the entrance and exit of any City reserved parking space area giving notice thereof, no person shall park a motor vehicle for a period greater than that designated in schedule X, Section 10-11-10 of this Title, upon those streets, portions of streets or City reserved parking space areas indicated in said schedule on any day except Saturday, Sunday, and national holidays. It is not a defense to a violation of this 10-4-15-5(A) to have moved and parked a vehicle in a new location if the vehicle's new location and the vehicle's prior location are within the same street, portion of street or City reserved parking space areas indicated in said Schedule.
- (B) *Residential Exemption Parking Permits:* The City Manager or his/her designee is hereby authorized to issue residential exemption parking permits to residents with a defined area to park for a period exceeding the posted time limit without penalty. Permits shall be issued upon the following conditions:

1. The vehicle operator must provide proof of residence within the designated exemption area.
2. If the resident's vehicle is required to have an Evanston vehicle license, proof of purchase of said license must be shown prior to the issuing of a residential exemption parking permit.
3. No permit shall be issued until the applicant has either: a) paid the fine and/or penalty for each violation for which there is an outstanding or otherwise unsettled parking violation or b) requested an appearance in the circuit court to answer for each violation.

10-4-15-6. - PARKING SIGNS REQUIRED.

Whenever by this Title or any other regulations of the City any parking time limit is imposed or parking is prohibited on designated streets, it shall be the duty of the traffic engineer to erect appropriate signs giving notice thereof and no such regulations shall be effective unless said signs are erected and in place at the time of any alleged offense.

10-4-15-7. - STOPPING, STANDING OR PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

When signs are erected giving notice thereof, no person shall stop, stand or park a motor vehicle within the time and upon the streets or portions thereof designated in Schedule IX, Subsection 10-11-9(T) of this Title.

10-4-16. - RESERVED PARKING SPACE AREAS. 10-4-16-1. - DESIGNATION OF SPACES.

- (A) The areas designated in Schedule XI, Section 10-11-11 of this Title are hereby declared to be reserved parking space areas for the parking and storage of passenger motor vehicles by those persons who shall be granted an allotted space therein as provided in this Section 10-4-16.
- (B) The traffic engineer shall have the authority to designate and post within a reserved parking space area specific use reserved parking. The traffic engineer shall designate and post specific use reserved parking where it is determined upon the basis of an engineering and traffic investigation that such specific use reserved parking shall be necessary to aid in the regulation and control of the parking of vehicles. The specific use reserved parking shall be as set forth in Schedule XIX, Section 10-11-19 of this Title.

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: A violation of Section 10-4-16-2 shall result in a mandatory fine of fifty dollars (\$50.00);

- 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.

10-4-16-3. - RESERVED. 10-4-16-4. - MANNER OF PARKING.

Vehicles parked or stored in any reserved space parking area shall be parked within the marked lines whenever lines are provided as a designation of parking spaces. No vehicle shall be parked or left in any driveway or other area not designated for parking.

10-4-16-5. - CONSTRUCTION OF RESERVED SPACE AGREEMENT.

The issuance of a permit to park or store a motor vehicle within any designated reserved space parking area shall constitute a rental of vacant space and neither the

City, nor any of its officers or employees shall be liable for any loss or damage to such vehicle or its contents, or for the loss or theft of the same.

10-4-16-6. - REVOCATION OF PERMITS.

Any permit granted under this Section 10-4-16 may be revoked at any time by the City Manager or his/her designee, in which event a rebate shall be prorated for the unexpired term.

10-4-17. - ON STREET PARKING OF EMERGENCY VEHICLES.

Vehicles other than authorized emergency vehicles may not park in areas designated "emergency vehicle parking only" enumerated in Schedule XXI, Section 10-11-21 of this Title.

10-4-18. - IDLING MOTOR VEHICLES.

10-4-18-1. - STANDING OR PARKED IDLING MOTOR VEHICLES.

No standing or parked motor vehicle with a gross vehicle weight rating of eight thousand (8,000) pounds or greater shall be allowed to idle on any public street, public place, or private property for more than a total of five (5) minutes within a sixty-minute period except under the following circumstances:

- (A) The motor vehicle is an official City of Evanston vehicle that is operating in compliance with the City of Evanston Vehicle Idling Management Policy;
- (B) The motor vehicle idles while forced to remain motionless because of traffic, an official traffic control device or signal, or at the direction of a law enforcement official;
- (C) The motor vehicle idles when operating defrosters, heaters, air conditioners, or other equipment solely to prevent a safety or health emergency;
- (D) A police, fire, ambulance, public safety, other emergency or law enforcement motor vehicle, or any motor vehicle used in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator;
- (E) The motor vehicle is owned by an electric utility and is operated for electricity generation or hydraulic pressure to power equipment necessary in the restoration, repair, modification or installation of electric utility service;
- (F) When the motor vehicle idles due to mechanical difficulties over which the operator has no control;

- (G) A bus idles a maximum of fifteen (15) minutes in any sixty-minute period to maintain passenger comfort while nondriver passengers are on board;
- (H) An armored motor vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded;
- (I) When idling of the motor vehicle is required to operate auxiliary equipment to accomplish the intended use of the vehicle (such as loading, unloading, mixing, or processing cargo; controlling cargo temperature; construction operations), provided that this exemption does not apply when the vehicle is idling solely for cabin comfort or to operate nonessential equipment such as air conditioning, heating, microwave ovens or televisions;
- (J) A motor vehicle idles as part of a government inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection; or
- (K) The primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is necessary for such activity.

10-4-18-2. - PENALTY.

Any person who violates the provisions of Section 10-4-18-1 of this Chapter shall be guilty of an offense punishable by a fine of one hundred fifty dollars (\$150.00).

10-4-19. - PARKING IN ELECTRIC VEHICLE CHARGING STATIONS.

- (A) No person shall park or stand a vehicle in, or otherwise block or bar access to, any Electric Vehicle Charging Station except to park an Electric Vehicle therein and recharge it with the provided electric power source.
- (B) Nothing in this Section shall be construed to excuse any person who parks lawfully in an Electric Vehicle Charging Station from obeying posted parking restrictions and/or paying parking meters.

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 (1) recreational vehicle within one (1) 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 Section 10-4-20 shall be subject to a fine of one hundred and five dollars (\$105.00) 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.

10-4-21. – PENALTIES.

- (A) Except as otherwise provided in this Chapter, any violation of this Chapter that occurs between January 1, 2020 and December 31, 2020 shall result in a mandatory fine of forty dollars (\$40.00) and any violation that occurs on or after January 1, 2021 shall result in a mandatory fine of fifty (\$50.00) dollars. A

separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

- (B) Except as noted above, if a ticket issued under this Chapter is not paid within twenty-one (21) days following issuance of final determination of liability, the City shall impose an additional penalty of thirty dollars (\$30.00).

SECTION 2: Title 10, Chapter 5, Section 1 "Parking Zones Established,"

and Title 10 Chapter 5, Section 3 "Parking Spaces" of the Evanston City Code of 2012, as amended, are hereby further amended:

10-5-1. - PARKING ZONES ESTABLISHED.

- (A) Parking zones are hereby established upon those streets or parts of streets described in Schedule XII, Section 10-11-12 of this Title, in which the parking of vehicles upon streets shall be regulated by single space parking meters, multi-space pay stations or web-based payments upon the days and between the hours specified in said Schedule. Parking zones also include parking spaces in City surface parking lots where the user pays for the parking space through a multi-space pay station or web-based payment application instead of utilizing a monthly parking permit.
- (B) The City Manager, traffic engineer, or other person designated by the City Manager is hereby authorized, subject to the approval of the City Council by amendment of Schedule XII, to establish parking zones at other locations upon those streets or parts of streets where it is determined upon the basis of an engineering and traffic investigation that parking meters, pay stations or web-based payments shall be necessary to aid in the regulation, control and inspection of the parking of vehicles.

10-5-3. - PARKING SPACES.

- (A) The Parking Manager shall designate the parking space(s) for each parking meter, pay station, or web-based payment area for which such device is to be used by appropriate markings upon a sign, or the curb and/or the pavement of the street. Parking spaces so designated shall be of appropriate length and width so as to be accessible from the traffic lanes of such street.
- (B) No person shall park a vehicle in any such designated parking space during the restricted or regulated time applicable to the parking zone so that any part of such vehicle occupies more than one such space or protrudes beyond the markings designating such space, except that a vehicle which is of a size too

large to be parked within a single designated parking zone shall be permitted to occupy two (2) adjoining parking spaces when funds have been paid in the parking meter, pay station or web-based application for each space so occupied as is required in this Title for the parking of other vehicles in such space. Except as listed in Section 10-5-3(C), any violation of Section 10-5-3 that occurs between January 1, 2020 and December 31, 2020 shall result in a mandatory fine of forty dollars (\$40.00). Any violation of Section 10-5-3 that occurs on or after January 1, 2021 shall result in a mandatory fine of fifty dollars (\$50.00).

- (C) A violation of the parking requirements for Lot 54 in Section 10-11-10 Schedule X(O), shall result in a mandatory fine of eighty dollars (\$80.00).

10-5-4. – PAYMENT OF FUNDS AND TIME LIMITS.

- (A) No person shall park a vehicle in any parking space upon a street alongside of and next to a parking meter, pay station or web-based payment area during the restricted and regulated time applicable to the parking zone in which such meter is located unless funds of the appropriate denomination as provided by ordinance shall have been deposited therein, or shall have been previously deposited therein for an unexpired interval of time, and said meter has been placed in operation. A violation of Section 10-5-4(A) shall result in a mandatory fine of twenty-five dollars (\$25.00)
- (B) No person shall park a vehicle in any such parking space for a consecutive period of time longer than that limited period of time for which parking is lawfully permitted in the parking zone, irrespective of the number or amounts of the funds deposited. Any violation of Section 10-5-4(B) that occurs between January 1, 2020 and December 31, 2020 shall result in a mandatory fine of forty dollars (\$40.00). Any violation of Section 10-5-3 that occurs on or after January 1, 2021 shall result in a mandatory fine of fifty dollars (\$50.00).
- ~~(C)~~ ~~(D)~~ The provisions of this Section shall not relieve any person from the duty to observe other and more restrictive provisions of this Title and the Illinois Vehicle Code prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

SECTION 3: Title 10 Chapter 8, Section 1 “License Required,” of the

Evanston City Code of 2012, as amended, is hereby further amended:

10-8-1. - LICENSE REQUIRED.

- (A) It shall be unlawful for any person to use, maintain, store for purposes other than sale, park or operate within the City any motor vehicle registered or required to be registered with the Illinois Secretary of State, to an address within the corporate limits of the City, unless such vehicle pays an annual fee outlined in Section 10-8-3

by December 31 for the following calendar year and therefore licensed with the City of Evanston as provided in this Chapter. In addition, vehicles not registered or required to be registered with the Secretary of State, as provided in the previous sentence, must be licensed as provided in this Chapter if the vehicle operator lives in an "Evanston resident only parking district" as described in Section 10-4-5-2(C) of this Title. All new residents of the City of Evanston must obtain a license pursuant to this Chapter within thirty (30) days of change of address.

A violation of the provisions of this Section shall take place when a motor vehicle registered or required to be registered with the Illinois Secretary of State to an Evanston address is not licensed within thirty (30) days the motor vehicle is required to be licensed under this Chapter, whether or not said vehicle is actually in operation on the streets or public ways of the City. Citations for a violation of this Section shall be sixty dollars (\$60.00) and considered in connection with the City's authority to immobilize motor vehicles per City Code Section 11-2-1.

- (B) The deadline for annual license renewal will be due no later than December 31 of the renewal year. Citations may be issued for violations of Section 10-8-1(A) thirty-one (31) days after December 31 of the renewal year.

SECTION 4: Title 10 Chapter 11, Section 17 "Schedule XVII; Parking Violation Penalties," of the Evanston City Code of 2012, as amended, is hereby further amended:

Reserved.

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.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

SECTION 8: 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.

Introduced: November 18, 2019

Approved:

Adopted: November 25, 2019

January 10, 2020

Stephen H. Hagerty
Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Eduardo Gomez
Devon Reid, City Clerk

Michelle L. Masoncup
Michelle L. Masoncup, Corporation
Counsel

Eduardo Gomez, Deputy City Clerk