

ORDINANCE NO. 2017- 07

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS, ON PUBLIC STREETS, ALLEYS, AND PUBLIC RIGHT OF WAYS, AND REVOKING, REPLACING , AND SUPERSEDING ORDINANCE NO. 2011-07 PREVIOUSLY PASSED RELATING TO THE SAME

WHEREAS, the Village of Winnebago, via Ordinance No. 87-2 passed and approved on April 13, 1987, previously adopted the Illinois Motor Vehicle Code, with said Ordinance No. 87-2 providing, inter alia, that unless another penalty is expressly provided, a violation of any provision of such Code, or any provision of any rule, or regulation adopted, or issued pursuant thereto, shall be punished by a fine of not more than \$500.00, *as* provided in Section 1-4 of said Code; and

WHEREAS, the Village of Winnebago Board of Trustee has the goal of ensuring obedience by the citizenry in following parking rules and regulations to promote public safety, while assessing fines that are graduated based on the number of times a given parking offense is committed; and

WHEREAS, the parking offenses referenced hereinbelow are intended to be covered by the terms of this ordinance, as well as any other parking offenses listed in the Illinois Motor Vehicle Code adopted by the Village through adoption of the Illinois Motor Vehicle Code via the aforesaid Ordinance No. 87-2.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnebago, Illinois:

SECTION 1: It shall be unlawful for any motorized or non-motorized vehicle of any kind, except emergency vehicles and Village vehicles when engaged in work being performed at a given location, to stop or park at any time in an area designated with a no parking sign, unless there are specific time parameters listed when parking is allowed and the vehicle is so parked during those time periods, or -to engage in certain other prohibited or regulated conduct as described below, as proscribed by the Illinois Motor Vehicle Code adopted by the Village, or Village ordinance.

<p><i>Ref: 625 ILCS 5/11-1301.3:</i> HANDICAPPED VIOLATION <i>Ref: 625 ILCS 5/11-1303:</i> School Days/Hours (Posted) Permit Required (Street) Yellow Curb Fire Lane Double Parked Posted No Parking Within 20 feet of entrance to Fire Station On a Sidewalk Blocking Public or Private Driveway</p>	<p><i>Ref: 625 ILCS 5/11-1303 (continued)</i> On a Crosswalk Within 30 feet of Traffic Control Device Within 15 feet of a Fire Hydrant <i>Ref: 625 ILCS 5/11-1304:</i> More than 12 inches from Curb Wrong Direction <u>ORDINANCE 04-21</u> Snow Ordinance</p>
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SECTION 2: Unless State law mandates a higher minimum fine amount, and/or a required court appearance, violators of provisions of this ordinance shall be fined \$25.00 for the first offense. Each day that a violation occurs shall constitute a separate offense. If the fine is not paid in full within 14 calendar days of the date of ticket issuance, the fine shall increase to \$50.00. After 14 additional calendar days the matter shall be referred to the Village Attorney for prosecution as an ordinance violation. Once the matter is logged into the court system, 17th Judicial Circuit court costs shall apply, and either a negotiated plea or a conviction, shall result in a fine of a minimum of \$25.00 plus \$95.00 in 17th Judicial Circuit court costs for a total of a minimum fine of \$120.00,

unless a higher fine amount is required by State statute. This court cost amount is subject to increase by the 17th Judicial Circuit, and shall then result in a corresponding higher total fine amount. Further, if a case is set for court and the violator does not appear, an ex parte judgment against the violator shall be entered for the bond amount, currently set at \$120.00, unless a higher amount is required by State statute. Said minimum bond amount is also subject to increase which would then result in a higher ex parte judgment amount being assessed.

SECTION 3: Within the business district of the Village when a vehicle is abandoned on a highway 10 hours or more, its removal by a towing service may be authorized by the Village Police Department. When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the highway or its physical appearance is causing the impeding of traffic, its immediate removal from the highway or private property adjacent to the highway by a towing service may be authorized by Village Police Department (State Law reference: 625 ILCS 5/4-203).

SECTION 4: Via an Intergovernmental Agreement between the Village of Winnebago and the Board of Education of Community Unit School District Number 323 for the Provision of Police Services effective July 20, 2009, this ordinance shall also apply if the violation occurs on school district property.

SECTION 5: Upon passage and approval of this ordinance, and publication of the same in pamphlet form, Ordinance No. 2011-07 shall automatically be revoked.

SECTION 6: This ordinance shall be in full force and effect from and after the date of its passage, approval, and publication in pamphlet form as provided by law.

APPROVED:

Franklin J. Eubank, Jr., President of the Board of
Trustees of the Village of Winnebago, Illinois

ATTEST:

Sally Jo Huggins, Village Clerk

PASSED: _____

APPROVED: _____

PUBLISHED _____
(in pamphlet form)