

ORDINANCE NO. 646

VILLAGE OF BELLEVUE, ILLINOIS

AN ORDINANCE PERTAINING
TO PARKING

WHEREAS, the Village of Bellevue ("Village") Board of Trustees has determined that the health, safety and welfare of the citizens of the Village will be served by adopting a comprehensive parking ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF BELLEVUE, PEORIA COUNTY, ILLINOIS, AS FOLLOWS:

1. Stopping, Standing or Parking Prohibited in Specified Places.

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

1. On a sidewalk;
2. In front of a public or private driveway;
3. Within an intersection;
4. Within fifteen (15) feet of a fire hydrant;
5. On a crosswalk;
6. Within twenty (20) feet of a crosswalk at an intersection;
7. Within thirty (30) feet of an approach to any flashing beacon, stop sign or traffic-control signal located at the side of the property;
8. Within 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 the Village indicates a different length by signs or markings;
9. Within fifty (50) feet of the nearest rail or railroad crossing;
10. Within twenty (20) feet of a driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy five (75) feet to the entrance when properly sign posted;
11. Alongside or opposite any street excavation or obstruction when parking would obstruct traffic;
12. On the roadway side of any vehicle parked at the edge or curb of a street;

13. Upon any bridge or elevated structure upon a highway or within a highway tunnel;
14. At any place where official signs prohibit parking;
15. Within any designated bus zone, where the zone is marked by signals or pavement markings;
16. In an alley within twenty (20) feet of the inner sidewalk line projecting across the alley;
17. Under the lowest portion of any fire escape;
18. Upon a railroad track or between any railroad tracks and in a line and parallel with and ten (10) feet from the outer rail thereof;
19. Upon any parkway except in an emergency;
20. Within twenty (20) feet of any alley entrance or exit; and
21. Next to any curbing painted with alternating red and white stripes or painted with solid yellow paint which has been placed on the curbing by the Village or Illinois Department of Transportation.

2. Parking of Passenger Vehicles Restricted.

It shall be unlawful to allow any passenger vehicles, regardless of its primary or incidental utility, to be parked on the public streets or highways within the confines of the Village for a period of more than twenty four (24) hours.

3. Parking of Commercial Vehicles Restricted.

(a) Commercial vehicles shall include, but not be limited to, trucks, motorbuses, tractors, trailers, wagons, carts, road scrapers, or any combination thereof.

(b) It shall be unlawful to allow any commercial vehicles, regardless of its primary or incidental utility, to be parked on the public streets or highways within the confines of the Village for a period of more than four (4) hours.

4. Parking in the Village between 12:00 a.m. (midnight) and 6:00 a.m.

It shall be unlawful for any operator or owner of any vehicle to stop, stand or park a vehicle, or allow a vehicle to stop, stand or park on or along the public streets of the Village between the hours of 12:00 a.m. (midnight) and 6:00 a.m.

5. Parking Prohibited on Certain Streets in the Village.

It shall be unlawful for any person to park, stop or stand for the purpose of temporary parking, any passenger or commercial vehicle on the following streets within the Village at any time:

1. Anna Street between West Closen Road and Plank Road (Route 116);
2. Along the East side of Bellevue Avenue between Plank Road (Route 116) and Highview Lane;
3. Roseland Lane, within one hundred (100) feet of its intersection with Eastland Avenue;
4. Eastland Avenue, within one hundred (100) feet of its intersection with Roseland Lane;
5. Closen Road, East of Interstate 474;
6. Star Lane, on the blacktopped portion;
7. Anna Avenue, within one hundred (100) feet of its southernmost point;
8. Deluxe Boulevard;
9. East side of North Bellevue Avenue, for a point one hundred thirty (130) feet north of the north right of way line of Plank Road (Route 116) to a point two hundred ten (210) feet of the north right of way line of Plank Road (Route 116);
10. South side of West Closen Road between South Byron Court on the West and South Anna Avenue on the East; and
11. South Maxwell Road between West Closen Road and West Katherine Avenue.

6. School Zones/School Crossing Zones.

(a) School zones shall include the school grounds fronting on a public street or thoroughfare. No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device in a school zone when marked by signs erected at either end thereof, between the hours of 8:00 a.m. and 4:00 p.m. on days when school is in session.

(b) The area designated as one hundred (100) feet on either side of the intersection of Plank Road (Route 116) and Bellevue Avenue in the Village which are designated as school crossing zones. It shall be unlawful to park any vehicle on either side of the street within one hundred (100) feet of the intersection, or upon property within ten (10) feet of the shoulder of this intersection.

7. Parking of Unattended Vehicles Containing Hazardous Materials.

(a) It shall be unlawful to leave unattended any vehicle containing hazardous materials including, but not limited to, any explosive, flammable, or other highly combustible materials or radioactive materials, within any residential district as indicated upon the zoning map of the Village, pursuant to Ordinance No. 553, or within five hundred (500) feet of any residential district.

8. Snow Removal.

(a) Parking upon the streets of the Village will be prohibited whenever the Village President finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the United States Weather Bureau or weather or news service of snow, sleet or freezing rain, that weather conditions will make it necessary that parking on Village streets be prohibited, the Village President shall put into effect a parking prohibition on Village streets by declaring such prohibition in the manner prescribed in subsection 2 below.

1. Notwithstanding the provisions of this section or another ordinance, parking shall be automatically prohibited on any part of any street within the Village upon which there has been an accumulation of snow and/or ice of two (2) inches or more. Such prohibition will remain in effect for forty eight (48) hours after the snowfall, or other weather condition causing such accumulation has ended, unless terminated, or extended prior to expiration, by the Village President in the manner prescribed in subsection 2 below.

2. The Village President, or his designated representative, shall cause each declaration of Village action made by him pursuant to this section to be publicly announced through the news media by at least an AM or FM radio station generally broadcasting over the Village area. Each declaration shall describe the action taken by the Village President, or his designated representative, including the time such action became or will become effective.

(b) A prohibition under this section shall become effective no sooner than three (3) hours after a declaration is made pursuant to section 8(a)(2) and shall remain in effect for such time as is stated in such declaration or until termination by the Village President, or his designated representative.

(c) The following penalties shall apply with respect to violations of this section:

1. Any person violating any provisions of this section shall be fined in an amount not less than twenty five dollars (\$25.00) but not more than two hundred dollars (\$200.00);

2. The Village may also cause any vehicle parked in violation of this section to be towed, and the owner of the vehicle shall be liable to the Village for the cost of towing and storage of the vehicle; and

3. Whenever a vehicle becomes stalled or inoperable for any reason on any street on which a parking prohibition has been declared, the person operating such vehicle must take immediate action to have the vehicle towed or pushed off the roadway of such prohibition and onto the first street or parking lot which is not subject to a prohibition. Failure to do so will subject the owner to the penalties prescribed hereunder regardless of whether the owner indicated, by raising the hood or otherwise, that the vehicle is stalled or inoperable.

9. Abandoned, Inoperable and Unlicensed Motor Vehicles.

(a) Abandonment of vehicles prohibited. All abandoned vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance, and shall be unlawful as provided herein.

1. Highways. The abandonment of a vehicle or any part thereof on any highway in the Village is unlawful and subject to penalties as set forth under Section 9(d).

2. Other Property. The abandonment of a vehicle or any part thereof on private or public property, other than a highway, in view of the general public, anywhere in the Village is unlawful except on the property of the owner or bailee of that abandoned vehicle.

A vehicle or any part thereof so abandoned on private property shall be authorized for removal, by the Sheriff of Peoria County or any member of the Sheriff's Department, after a waiting period of seven (7) days or more, or may be removed immediately if determined to be a hazardous dilapidated motor vehicle under Section 11-40-3.1 of the Illinois Municipal Code (65 ILCS 5/11-40-3.1). A violation of this section is subject to penalties as set forth under Section 9(d).

3. Removal of Abandoned Vehicles. The Sheriff of Peoria County or any member of the Sheriff's Department is hereby authorized to remove any abandoned vehicle in violation of the provisions of this Ordinance.

(b) Inoperable Motor Vehicles are a Nuisance. All inoperable motor vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance. The term "inoperable motor vehicle" shall have the meaning described in Section 11-40-3 of the Illinois Municipal Code (65 ILCS 5/11-40-3).

1. Disposal Upon Notice. All persons are required to dispose of any inoperable motor vehicles under their control upon written notice from the Village or from the Sheriff of Peoria County or any member of the Sheriff's Department commanding such disposition of an inoperable motor vehicle.

2. Removal by Sheriff. The Sheriff of Peoria County or any member of the Sheriff's Department is hereby authorized to remove or have removed any inoperable motor vehicle or parts thereof within the Village after seven (7) days from the issuance of the notice. Such vehicle shall be removed and held until lawfully claimed or disposed of in accordance with 625 ILCS 5/4-201 *et seq.*, as amended from time to time.

(c) Unlicensed Motor Vehicles are a Nuisance. All unlicensed motor vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance. The term "unlicensed motor vehicle" shall mean any motor vehicle which does not have valid licenses plates and registration.

1. Disposal Upon Notice. All persons are required to dispose of any unlicensed motor vehicle under their control upon written notice received from the Village or from the Sheriff of Peoria County or any member of the Sheriff's Department commanding such disposition of the unlicensed motor vehicle.

(d) Penalties.

1. In the case of an abandoned or inoperable motor vehicle towed pursuant to this Ordinance, the owner of the vehicle or other person legally entitled to possession or the person who controls the vehicle is liable for all associated towing and storage charges.

2. Any person violating any of the provisions of Section 9 in this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined an amount not less than Fifty Dollars (\$50.00) and no more than Two Hundred Dollars (\$200.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

10. Bridges.

(a) Stop, Stand or Park. It shall be unlawful for any person to stop, stand or park a vehicle upon any bridge or overpass or within thirty (30) feet from the end thereof.

(b) Loitering. It shall be unlawful for any person to loiter upon any bridge or overpass.

11. Emergency Authority to Move Vehicles.

When any emergency arises necessitating the removal of any vehicle upon any public way, the Sheriff of Peoria County or any member of the Sheriff's Department are hereby authorized to remove or have removed any such vehicle from one location to any other location.

12. Parking Emergency Vehicles.

Nothing in this Ordinance shall be construed as prohibiting physicians or any other persons operating authorized emergency motor vehicles, while engaged in their duties, from parking a motor vehicle in such designated area during an emergency.

13. Parking/Storage of Junked or Disabled Vehicles.

(a) The terms "junked motor vehicle" or "disabled motor vehicle" shall mean any vehicle, including trailers, which is without currently valid license plates, and in either a wrecked, discarded, dismantled, inoperative or abandoned condition, or has been permitted to become wrecked, discarded, dismantled, inoperative or abandoned.

(b) Junked or disabled motor vehicles shall not be parked, stored or left in the open on private property unless it is necessary for the operation of a business enterprise, lawfully conducted thereon, and such business enterprise shall not permit the parking or storage of any such vehicle in the open for more than 180 days.

(c) The storing, placing or allowing to remain in the open on private property of motor vehicle bodies, parts, equipment, motors and materials for a period of more than seventy two (72) hours in any one (1) calendar month is hereby prohibited, unless necessary for the operation of a business enterprise lawfully conducted thereon. However, in no case shall such

storing, placing, or allowing of the same to remain on any such property more than five (5) days, where the business enterprises are being conducted.

(d) The parking or storing of junked or disabled motor vehicles and the storing or allowing to remain in the open of motor vehicle bodies, parts, equipment, motors, and materials, in violation of sections 13(b) and 13(c), is hereby declared to constitute a public nuisance.

(e) Any Village official or law enforcement officer is hereby authorized and empowered to notify the person in control of any private property to relocate any junked or disabled vehicles parked or stored in violation of Section 13(b) of this Ordinance, to a completely enclosed location on the property or otherwise to remove the same from the premises. Such officials are hereby authorized and empowered to notify the person in control of any private property to relocate any motor vehicle bodies, parts, equipment, motors and materials, stored, placed, or allowed to remain in the open, in violation of Section 13(c) of this Ordinance, to a completely enclosed location on the property, or otherwise to remove the same from the premises. Such notice shall be given by certified or registered mail addressed to the residence or usual place of business of such person, or may be served upon such person or some member of his/her family, upwards of ten (10) years of age found on the property.

(f) After the expiration of five (5) days from the service or receipt of notice provided for in the preceding paragraph, if the person notified has failed, neglected or refused to comply with the directions of such notice, the Village is hereby authorized and empowered to pay for the removal and the disposal of such vehicles, bodies, parts, etc., or to order the removal and disposal by the Village.

(g) In the event that the Village is required to remove or dispose of the vehicles, bodies, parts, etc., as aforesaid, the person in control or in apparent control of the premises, shall be liable to the Village for the costs thereof, and, if not paid, suit may be instituted, for all costs, expenses and fees in connection with the enforcement of Section 13 of this Ordinance.

(h) Whoever violates the provisions of sections 13(b) or 13(c) of this Ordinance, or who fails, neglects, or refuses to comply with the notice provided for in section 13(e) of this Ordinance, shall, upon conviction, be punished by a fine of not less than one hundred dollars (\$100.00) and no more than five hundred dollars (\$500.00) plus costs. The penalty or fine shall be in addition to any remedy or expenses provided for in section 13(g) of this Ordinance.

14. State or Federal Interstate Dedicated Highway.

It shall be unlawful to stop, stand or park any vehicle so that any part thereof, is within ten (10) foot of the paved or travelled portion of any State or Interstate designated highway in or through the Village.

15. Officers Authorized to Remove Vehicles.

Except as otherwise provided for in this Ordinance, whenever any police officer finds a vehicle in violation of any of the provisions of this Ordinance, such officer is authorized to move such vehicle or require the driver or other person in charge of the vehicle to move the same, to a legal position of the roadway.

16. Penalties and Fines for Parking Violations.

(a) Unless specifically provided otherwise in this Ordinance, the operator or owner of an unlawfully parked vehicle shall pay, within ten (10) days of the date of the violation, at such place as directed on any parking ticket or citation, the sum of money as provided in Section 1 of **Exhibit A** of this Ordinance.

(b) In the event payment is made after ten (10) days, but within thirty (30) days of the date of the violation, the owner or operator of such illegally parked vehicle shall pay the sum of money as provided in Section 2 of **Exhibit A** of this Ordinance.

(c) The failure of such owner or operator to make payment within such thirty (30) day period shall make such owner or operator liable for the general penalty for violation of the provisions of this Ordinance

17. Prior Ordinances in Effect.

The following Ordinances of the Village are hereby repealed: 113, 137, 143, 198, 205, 227, 231, 242, 260, 267, 273, 301, 343, 403, 427, 434, 445, 537, 542, 564, 584, 588, and 607.

18. Full Force and Effect.

This Ordinance shall be in full force and effect from and after its passage and approval and recordation as provided by law.

Passed and approved this 22nd day of March 2010

AYES:

6

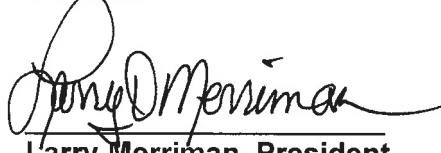
NAYES:

0

ABSENT:

0

VILLAGE OF BELLEVUE



Larry Merriman, President

Attest:


Carol S. Howard, Clerk

EXHIBIT A
PENALTIES AND FINES FOR PARKING VIOLATIONS

Section 1. The following penalties shall apply for the parking violations listed in this section if paid within ten (10) days of the date of the violation:

Stopping, Standing or Parking in Specified Places	\$25.00
Parking of Passenger Vehicles	\$25.00
Parking of Commercial Vehicles	\$25.00
Parking between 12:00 a.m. and 6:00 a.m.	\$25.00
Parking on Certain Streets	\$25.00
School Zones/School Crossing Zones	\$25.00
Unattended Vehicles Containing Hazardous Materials	\$200.00
Parking or Loitering Bridges	\$25.00
State or Federal Interstate Dedicated Highway	\$25.00

Section 2. The following penalties shall apply for the parking violations listed in this section if paid between eleven (11) and thirty (30) days of the date of the violation:

Stopping, Standing or Parking in Specified Places	\$50.00
Parking of Passenger Vehicles	\$50.00
Parking of Commercial Vehicles	\$50.00
Parking between 12:00 a.m. and 6:00 a.m.	\$50.00
Parking on Certain Streets	\$50.00
School Zones/School Crossing Zones	\$50.00
Unattended Vehicles Containing Hazardous Materials	\$400.00
Bridges	\$50.00
State or Federal Interstate Dedicated Highway	\$50.00

Section 3. The following penalties shall apply for the parking violations listed in this section if paid after thirty (30) days of the date of the violation:

Stopping, Standing or Parking in Specified Places	\$100.00
Parking of Passenger Vehicles	\$100.00
Parking of Commercial Vehicles	\$100.00
Parking between 12:00 a.m. and 6:00 a.m.	\$100.00
Parking on Certain Streets	\$100.00
School Zones/School Crossing Zones	\$100.00
Unattended Vehicles Containing Hazardous Materials	\$600.00
Bridges	\$100.00
State or Federal Interstate Dedicated Highway	\$100.00