

ORDINANCE NO. F-0027

AN ORDINANCE AMENDING CHAPTER 70 (TRAFFIC AND VEHICLES), ARTICLE IV (STOPPING, STANDING AND PARKING) AND ARTICLE VII (BICYCLES), OF THE WHEATON CITY CODE

BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, Illinois, pursuant to its home rule powers, as follows:

Section 1: That Chapter 70 (Traffic and Vehicles), Article IV (Stopping, Standing and Parking), of the Wheaton City Code, 1996, AS AMENDED, is hereby further amended by adding and including the following:

**"Sec. 70-387(b). Unauthorized use of parking spaces reserved for handicapped persons.**

(a) Any motor vehicle bearing registration plates issued to a handicapped person or to a disabled veteran, or any motor vehicle bearing an official handicapped decal, sticker, sign, or insignia, properly displayed, thereby designating the motor vehicle as being operated by, or for, a handicapped person, shall be exempt from payment of parking meter fees and shall be exempt from any ordinance imposing time limitations on parking within a certain zone, except meters, or time limitation of one-half (1/2) hour or less in any lot or parking place which is owned or leased by the City of Wheaton.

Any handicapped-designated motor vehicle is subject to the ordinances which prohibit the following: parking in no-parking zone, parking within fifteen (15) feet of a fire hydrant, parking in a fire lane, over-night parking, parking in loading zones, parking which obstructs driveways, parking in bus stops and in parking spaces leased by the City of Wheaton.

(b) It shall be prohibited to park any motor vehicle which is not bearing the handicapped designation recited in subsection (a) of this section in any parking place or parking space, including any private or public off-street parking facility, which is specifically reserved for motor vehicles bearing a handicapped designation by the posting of an official sign, as defined herein.

(c) The City of Wheaton, pursuant to Chapter 625ILCS Section 5/11-1301.2 of the Illinois Vehicle Code, as amended, may issue a special handicapped motorist parking permit to a handicapped person who is a resident of the City of Wheaton. The handicapped motorist parking permit shall be the property of the handicapped person and may be used by the handicapped person to designate and identify a motor vehicle not owned by the handicapped person and/or not bearing the State of Illinois handicapped registration plates only when the motor vehicle is being used to transport the handicapped person, thereby providing the motor vehicle and its driver/owner with all privileges that would be afforded to a handicapped-licensed vehicle. Any handicapped Wheaton resident requesting a handicapped motorist parking permit must submit a written application to the Wheaton Police Department. Applications for the permit shall be made upon a form provided by the Police Department and must be accompanied by a letter or affidavit from a physician reciting and certifying the specific handicap condition. Handicapped motorist parking permits must be renewed, annually; the initial fee for the permit shall be two dollars (\$2.00) with no fee for any renewal thereafter. Handicapped motorist parking permits must be displayed in the righthand side of the windshield of the

motor vehicle transporting such handicapped person.

(d) Any person charged with a violation of this section may settle and compromise the citation by paying to the City of Wheaton the sum of one hundred dollars (\$100.00) provided that the payment if made within ten (10) days of the issue date recited on the violation notice. In the event the person charged with a violation of this section fails to make payment within ten (10) days as provided herein, the City of Wheaton shall direct a notice to the person, setting forth the date, time, and place of the violation and further advising the person must appear in court or shall be cause for the issuance of a warrant for the arrest of the person.

Any person determined to be guilty of violating any provision of this section shall be fined one hundred dollars (\$100.00) in addition to court costs and attorney fees, if any.

(e) Signs illustrating notice of the reservation of parking places for the handicapped shall conform to the provisions recited in Chapter 625ILCS Section 5/11-301 of the Illinois Vehicle Code, as amended.

**Sec. 70-148.(d) Schedule of Parking Fines.**

70-387(b). Unauthorized use of parking spaces reserved for handicapped persons.....\$100.00"

Section 2: That Chapter 70 (Traffic and Vehicles), Article VII (Bicycles), of the Wheaton City Code, 1996, AS AMENDED, is hereby further amended by adding and including the following:

**"Sec. 70-516. Bicycle equipment required when same is being operated within the City of Wheaton.**

- (a) Bicycles operated in the City of Wheaton are required to have the following equipment:
  - (1) An operational bell or horn which is audible at a distance of one hundred (100) feet.
  - (2) A brake in good working condition which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.
  - (3) A lamp which shall emit a white light, located on the front of the bicycle, which is visible on the front and from a distance of at least 500 feet. The lamp needs to be used during operation of the bicycle between the hours of sunset and sunup.

**Sec. 70-517 Schedule of Fines.**

The penalty for violation of these sections will result in a \$3.00 fine if paid within 10 calendar days from the date of receipt of the citation payable to the city clerk of Wheaton, Illinois. If payment is not received within this 10 days, the matter will be scheduled for a hearing in the Eighteenth Judicial Circuit Court, DuPage County, Illinois."

Section 3: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 4:** This ordinance shall become effective from and after its passage, approval and publication in pamphlet form in the manner prescribed by law.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Emily M. Condelegio  
City Clerk

Ayes:

**Roll Call Vote:**

Councilwoman Davenport  
Councilman Eckhoff  
Mayor Carr  
Councilman Gresk  
Councilman Mork  
Councilwoman Culler

Nays:

None

Absent:

Councilwoman Johnson

**Motion Carried Unanimously**

Passed: May 6, 1996

Published: May 7, 1996