

ORDINANCE NO. F-0680

**AN ORDINANCE AMENDING THE WHEATON CITY CODE CHAPTER 70,
TRAFFIC AND VEHICLES, ARTICLE II, ADMINISTRATION AND
ENFORCEMENT, DIVISION 4, PARKING VIOLATIONS, SECTION 70-148
(OVERTIME PARKING NOTICES), ARTICLE IV, STOPPING, STANDING AND
PARKING, DIVISION 2, PARKING METERS, SECTION 70-387 (UNAUTHORIZED
USE OF PARKING SPACES RESERVED FOR HANDICAPPED PERSONS) AND
ARTICLE VII, BICYCLES, SECTION 70-517 (SCHEDULE OF FINES), AND ARTICLE
IX, ABANDONED AND INOPERABLE VEHICLES, SECTION 70-574 (CITATIONS)**

BE IT ORDAINED by the 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 II (Administration and Enforcement), Division 4 (Parking Violations), Section 70-148 (Overtime Parking Notices) is hereby amended by deleting subsections (a), (b), (c) and (d) in its entirety and replacing it with the following:

"(a) Any person violating article IV or section 70-147 may settle and compromise the claim by paying to the City one half (50%) of the sum outlined in subsection (c) of this section if paid within fifteen days from the issuance of the violation notice excluding violation codes 70-338(a)(4), 70-355 and 70-387(b) which may only be settled by paying 100% of the violation amount."

"(b) If the owner or operator of an improperly parked vehicle fails to make the required payment for such parking violation within fifteen days as set forth in this section, the Chief of Police shall direct a letter to such owner setting forth the date, time and place of such violation and advising that the owner may, within 30 days of receipt of the violation notice, pay to the City the sum outlined in subsection (c) of this section."

"(c) Schedule of parking fines. The following fines are imposed for the violations listed:

| Section describing violation | Description of violation | Fine |
|-------------------------------------|--|-------------|
| 70-338(a)(4) | Parking within 15 feet of a fire hydrant.... | \$50.00 |
| 70-338[except 70-338(a)(4)] | Parking in all other prohibited places.... | \$30.00 |
| 70-339 | Parking wrong way, head-in or too close.... | \$30.00 |
| 70-340 | Vehicle left with motor running.... | \$30.00 |
| 70-341 | Parking to obstruct traffic.... | \$30.00 |
| 70-342 | Parking in prohibited alleys.... | \$30.00 |

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| 70-343 | Parking on street at night.... | \$30.00 |
| 70-344 | Parking during snow removal.... | \$30.00 |
| 70-345 | Parking in CBD during snow removal hours.... | \$30.00 |
| 70-346(1) | Parking vehicle for sale on street.... | \$30.00 |
| 70-346(2) | Parking on street while working on vehicle.... | \$30.00 |
| 70-347 | Disobedience to angle parking signs or markings.... | \$30.00 |
| 70-348 | Violating loading permit.... | \$30.00 |
| 70-349 | Parking in passenger loading zone.... | \$30.00 |
| 70-350 | Parking in freight loading zone.... | \$30.00 |
| 70-351 | Bus parking not at bus stand.... | \$30.00 |
| 70-352 | Taxi parking not at taxi stand.... | \$30.00 |
| 70-353 | Parking in taxi or bus stand.... | \$30.00 |
| 70-354(c) | Parking prohibited at all times.... | \$30.00 |
| 70-354(d) | Parking prohibited at certain times.... | \$30.00 |
| 70-354(e) | Parking on street over limit of three hours or more.... | \$30.00 |
| 70-354(f) | Parking off street over time limit.... | \$30.00 |
| 70-354(g) | Parking on street over on-hour and two-hour limits.... | \$30.00 |
| 70-354(i) | Moving between spaces CBD lots 1 and 2.... | \$30.00 |
| 70-355 | Improperly parked in fire Lane.... | \$50.00 |
| 70-379 | Parking so not within limits of the space.... | \$30.00 |
| 70-382(a) | Overtime parking meter, chalked tires.... | \$30.00 |
| 70-383(1) | Expired meter.... | \$15.00 |
| 70-383(2) | Remaining overtime in meter parking.... | \$15.00 |
| 70-383(3) | Parking over marking in meter spaces.... | \$15.00 |
| 70-383(5) | Depositing a slug in meter.... | \$15.00 |
| 70-383(6) | Matter not legal tender in notice envelope.... | \$15.00 |
| 70-383(7) | Meter feeding.... | \$30.00 |

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| 70-387(b) | Unauthorized use of parking spaces reserved for handicapped persons.... | \$100.00 |
| 70-414 | Improperly parked in leased space.... | \$30.00 |
| 70-416 | Failure to display authorization.... | \$6.00 |
| 70-356 | Improperly parked in customer designated area.... | \$30.00 |
| 70-147 | Removing chalk marks.... | \$30.00 |

"(d) If the owner or operator of a vehicle receiving a violation notice under subsection (a) of this section continues to park his vehicle in the same location for a period of time which again exceeds the designated time limit, such owner shall be subject to an additional fine. Each continued time limit violation shall constitute a separate offense.

SECTION 2: That Chapter 70 (Traffic and Vehicles), Article IV (Stopping, Standing and Parking), Division 2 (Parking Meters), Section 70-387 (Unauthorized use of parking spaces reserved for handicapped persons) is hereby amended by deleting subsection (d) in its entirety and replacing it with the following:

"(d) Any person charged with a violation of this section may settle and compromise the citation by paying to the City the sum of \$100.00 provided that the payment if made within fifteen 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 fifteen days as provided herein, the City 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 \$100.00 in addition to court costs and attorney fees, if any."

SECTION 3: That Chapter 70 (Traffic and Vehicles), Article VII (Bicycles), Section 70-517 (Schedule of Fines) is hereby amended by deleting its entirety and replacing it with the following:

"The penalty for violation of these sections will result in a six dollar fine if paid within fifteen 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 fifteen days, the matter will be scheduled for a hearing in the Eighteenth Judicial Circuit Court, DuPage County, Illinois."

SECTION 4: That Chapter 70 (Traffic and Vehicles), Article IX (Abandoned and Inoperable vehicles), Section 70-574 (Citations) is hereby amended by deleting subsection (a) in its entirety and replacing it with the following:

"a) Any person who has received a citation for a violation of this section, but who has removed the vehicle before a tow could be made, shall pay a \$100.00 fine to the City within fifteen

days of the date of the citation. Failure to pay the fine within fifteen days of the date of the citation shall result in a mandatory court appearance. Upon conviction, the violator shall be subject to a fine not less than \$150.00 nor more than \$500.00, plus court costs."

SECTION 5: In all other respects, the terms and provisions of the Wheaton City Code are ratified and remain in full force and effect.

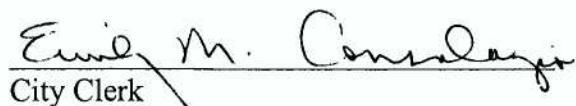
SECTION 6: All ordinances or parts of ordinances in conflict with these provisions are repealed.

SECTION 7: 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. Consalvo
City Clerk

Roll Call Vote

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| Ayes: | Councilman Mouhelis Councilman Eckhoff Councilman Gresk Councilman Johnson Mayor Carr Councilwoman Johnson Councilman Mork |
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| Nays: | None |
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| Absent: | None |
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Motion Carried Unanimously

Passed: February 4, 2002

Published: February 5, 2002