

ORDINANCE NUMBER 23 - 25

AN ORDINANCE AMENDING TITLE VII (TRAFFIC CODE), CHAPTER 70 (GENERAL PROVISIONS), SECTION 70.04 (AMENDMENTS) OF THE VILLAGE OF EAST DUNDEE MUNICIPAL CODE REGARDING PARKING DURING SNOW EVENTS

WHEREAS, the Village of East Dundee ("Village") is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Village seeks to amend Title VII: "Traffic Code," Chapter 70: "General Provisions," Section 70.04 "Amendments" of the Village of East Dundee Municipal Code ("**Village Code**") regarding parking during snow events; and

WHEREAS, the Board of Trustees of the Village of East Dundee finds it in the best interests of the Village to amend the Village Code as set forth in this Ordinance in order to protect the public health, safety and welfare; and

NOW, THEREFORE, BE IT ORDAINED by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

SECTION 1: That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Title VII: "Traffic Code," Chapter 70: "General Provisions," Section 70.04 "Amendments" shall be, and is hereby amended as set forth in **Exhibit A** attached to and, by this reference, made a part of this Ordinance.

SECTION 3: That the Village Clerk is hereby directed to have the Municipal Code of the Village of East Dundee clearly marked to indicate the aforesaid changes.

SECTION 4: All ordinances or parts of ordinances in conflict with terms of this ordinance are, to the extent of such conflict, hereby repealed.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

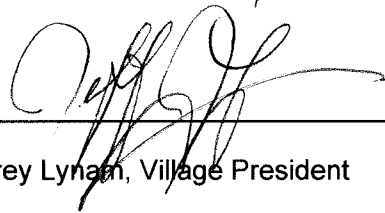
PASSED this 6th day of February 2023 pursuant to a roll call vote as follows:

AYES: Runze, Brittin, Treiber and Sauder

NAYES: Ø

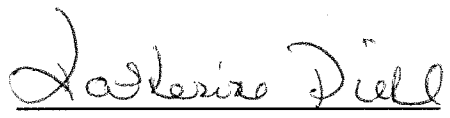
ABSENT: Mahony and Saviano

APPROVED by me this 26th of February 2023.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

EXHIBIT A

[Added text **bold and double underlined**; deleted text ~~struck through~~

“§ 70.04 AMENDMENTS.

The following amendments are hereby made to the State Code.

(A) Chapter 11, Article II - Obedience to and Effect of Traffic Laws.

70-11-206 TRAFFIC LAWS APPLY ANIMAL DRAWN VEHICLES.

(a) It shall be unlawful to leave any horse or other draft animal unattended or allow other animals to roam in any street without having the animal securely fastened or accompanied by a driver.

(B) Chapter 11, Article XIII - Stopping, Standing and Parking.

70-11-1302 OFFICERS AUTHORIZED TO REMOVE VEHICLES.

4. The Police Department is hereby authorized to have removed and towed away any car or other vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant or obstructs or may obstruct the movement of any emergency vehicle; or in any public place where signs have been legally posted either limiting or prohibiting parking; or any vehicle which has been parked in any public place for a period of 24 consecutive hours. Vehicles towed away shall be stored and shall be released to the owner or operator thereof after payment of the expense incurred in removing and storing the vehicles.

70-11-1303 STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIC PLACES.

4. It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

5. When signs are erected at the entrances of highways and streets into the village giving notice thereof, no person shall park a vehicle between the hours of 2:00 a.m. and 6:00 a.m. on any day, on any street within the village except such regulation shall not apply to Jackson Street between Van Buren Street and Water Street, Hill Street between Van Buren Street and River Street, Railroad Street between Van Buren Street and River Street, and Parking Lots 1 and 2 between Railroad Street and Hill Street where parking is permitted.

6. It shall be unlawful to stop, stand or park a motor vehicle for a period of time longer than necessary for the unloading and delivery or pickup of materials, not to exceed 30 minutes, in any place posted as a loading zone.

7. It shall be unlawful to park a vehicle for longer than the time designated within any district or upon any street or section thereof, when signs are erected giving notice thereof.

8. Snow removed - Interference by parking.

(a) It shall be unlawful to park any vehicle on any public street in the village at any time **after the snow on the street exceeds two (2) inches in depth and for a twelve (12) hour period following the cessation of the snowfall** ~~within 12 hours after a snowfall of three inches or more has occurred.~~

(b) It shall be unlawful to park any vehicle on any public street or portion thereof in the village at any time when the street is being cleaned. Signs indicating that a street or portion thereof is being cleaned shall be posted immediately before the cleaning of the street and shall be removed after the cleaning of the street is finished.

(c) Any vehicles parked in violation of this section are hereby declared a public nuisance and a hazard to public safety and police officers in the village are hereby authorized to cause removal of the vehicle to a public garage or other place of safety during snow removal operations of the village on the streets and the expense of the removal and storage in the public garage shall be paid by the owner or operator of the vehicle.

(d) Any person violating any provisions of this subsection (8) shall be fined not less than \$25, nor more than \$750, for each and every separate offense.

(1981 Code, § 41.04) (Ord. 80-20, passed - -1980; Am. Ord. 15-05, passed 2-16-2015)"