

ORDINANCE 919

**AN ORDINANCE REGULATING PARKING DURING SNOW REMOVAL OPERATIONS
WITHIN THE VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS**

**PASSED AND APPROVED BY
THE PRESIDENT AND BOARD OF TRUSTEES
THE 16 DAY OF July, 2008**

Published in pamphlet form by
authority of the corporate authorities
of the Village of Elwood, Illinois,
the 21 day of July, 2008.

SNOW

ORDINANCE NO. 919

AN ORDINANCE REGULATING PARKING DURING SNOW REMOVAL OPERATIONS WITHIN THE VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS

WHEREAS, the Village of Elwood, Will County, Illinois (hereinafter the "Village") is a duly constituted and existing municipality, and a home rule unit pursuant to Section 6 of Article VII of the Constitution of the State of Illinois; and

WHEREAS, a Home Rule Unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Acting Village President and Board of Trustees ("Corporate Authorities") for the Village are obligated to maintain the public rights-of-way in a safe and unobstructed condition, including the periodic removal of natural accumulations of snowfall in order to assure the safe travel of vehicles and pedestrians upon the streets and roadways, and sidewalks of the Village; and

WHEREAS, snow removal operations can be complicated and impeded by vehicles parked along streets and roadways and; as a result the Corporate Authorities consider it prudent to limit parking during snow removal operations;

NOW THEREFORE, BE IT ORDAINED BY THE ACTING VILLAGE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF ELWOOD, WILL COUNTY, ILLINOIS, PURSUANT TO ITS STATUTORY AND HOME RULE AUTHORITY, AS FOLLOWS:

SECTION 1. INCORPORATION That the preambles to this Ordinance be and the same are hereby incorporated herein by this reference as if set out in full at this place.

SECTION 2. PARKING PROHIBITED It shall be unlawful for any person to park any motor vehicle or, if parked, to allow a motor vehicle to remain parked or standing in any highway, street or alley within the Village during or after a snowfall in which there is an accumulation of two (2) inches or more. The prohibition shall remain in effect until such time as the street or alley has been plowed or the snow has been removed therefrom. A Village street shall not be deemed to have been plowed until the lane of traffic nearest the curb has been cleared or the snow has been removed therefrom.

SECTION 3. PENALTIES Every person who violates this section shall be fined not less than fifty dollars (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION 4. AUTHORITY TO TOW Any vehicle parked in violation of this Ordinance is hereby declared a nuisance and a hazard to the public safety, and any police officer of the Village is

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authorized to cause the removal of such vehicle to a public garage or other place of safety during snow removal operations, and the expense of such removal and storage shall be paid by the owner or operator of such vehicle, in addition to any other penalty(ies) imposed by this Ordinance.

SECTION 5. REPEALER Any Ordinance or Resolution of the Village inconsistent herewith, to the extent of such inconsistency and no further, are hereby repealed upon the effective date hereof.

SECTION 6. SEVERABILITY Should any section, subsection or other provision of this Ordinance for any reason be held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not effect the validity of the Ordinance as a whole or any part not declared invalid.


SECTION 7. PUBLICATION The Village Clerk is hereby authorized and directed to publish this Ordinance, by publication in pamphlet form for general distribution in the manner provided by law.

SECTION 8. EFFECTIVE DATE. That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.


AYES: _____ 5
 NAYS: _____ 0
 ABSENT: _____ 1

Trustee	Aye	Nay	Absent	Trustee	Aye	Nay	Absent
Charles Bernhard	X			Donald LaPaglia	X		
Francis "Bud" Jones	X			Mary Matichak			X
Jason Kucera	X			Walter Strawn	X		

PASSED and APPROVED this 16 day of July, 2008.


 JANICE A. RUBAN,
 ACTING VILLAGE PRESIDENT

ATTEST:


 PATRICIA BUCHENAU, VILLAGE CLERK

PASSED: This 16 day of July, 2008.

APPROVED: This 16 day of July, 2008.

PUBLISHED: This 21 day of July, 2008.

§ 92.03 DEPOSITING SNOW, SOIL, DEBRIS AND THE LIKE.

(A) It shall be unlawful for any person to deposit any snow, soil, debris or other undesirable material from any sidewalk, driveway or parking lot or other premises onto any street, alley or sidewalk. It shall also be unlawful for any person to sweep or deposit any snow, soil, debris or other undesirable material from any sidewalk or building onto any public parkway.

(B) It shall be the duty of any person violating this section to remove the snow, soil, debris or other undesirable material within two hours of receipt of notice from the Village Administrator or her designee.

(Ord. 893, passed 1-16-2008) Penalty, see § 92.99

§ 92.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) On the first violation of the provisions of §§ 92.01 through 92.04, unless otherwise specifically set forth herein, an initial warning will be given to the person so unlawfully depositing any snow, soil, debris or other undesirable material. Upon the second violation, a fine in the sum of \$75 shall be imposed upon the person violating §§ 92.01 through 92.04. Each subsequent offense shall result in a fine that increases by increments of \$75 up to a maximum fine amount of \$1,000 per violation.

(C) Any person, firm, or corporation who violates, disobeys, neglects or refuses to comply with any provision of §§ 92.30 through 92.39, shall be subject to a fine of not less than \$75 nor more than \$250 for each offense. Each day a violation is permitted to exist after notification thereof shall constitute a separate offense.

(D) Any person, firm or corporation who violates, neglects or refuses to comply with or who resists or opposes the enforcement of any provision of §§ 92.50 through 92.54 shall be subject to a fine in a sum not less than \$10 nor more than \$100 for each offense, and every person, firm or corporation shall be deemed guilty of a separate offense for every day on which the violation, neglect, refusal, resistance or opposition shall continue.