



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** SO2012-2281

**Type:** Ordinance **Status:** Passed

**File created:** 4/24/2012 **In control:** City Council

**Final action:** 5/28/2014

**Title:** Amendment of Municipal Code Chapters 9-64, 9-100 and 10-28 to further regulate vehicle parking and storage of goods on public way

**Sponsors:** Suarez, Regner Ray, Fioretti, Bob, Beale, Anthony, Harris, Michelle A., Reilly, Brendan, Cappleman, James, Lane, Lona, Brookins, Jr., Howard, Pawar, Ameya, Quinn, Marty, Jackson, Sandi, Dowell, Pat, Arena, John, Austin, Carrie M., Waguespack, Scott, Mitts, Emma, Burns, William D., Zalewski, Michael R., Chandler, Michael D., Cullerton, Timothy M., Solis, Daniel, Sposato, Nicholas, Cardenas, George A., Balcer, James, Thompson, JoAnn, Foulkes, Toni, Sawyer, Roderick T., Colón, Rey, Mell, Richard F., O'Connor, Mary

**Indexes:** Ch. 28 Structures On & Under Public Ways, Ch. 64 Parking Regulations, Ch. 100 Admin. Adjudication of Parking, Compliance, Automated Traffic Law Enforcement System or Automated Speed Enforcement System Violations

**Attachments:** 1. O2012-2281.pdf, 2. SO2012-2281.pdf

Date	Ver.	Action By	Action	Result
5/28/2014	1	City Council	Passed as Substitute	Pass
5/21/2014	1	Committee on Pedestrian and Traffic Safety	Recommended to Pass	
4/24/2012	1	City Council	Referred	

### SUBSTITUTE

### ORDINANCE

## BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Section 9-64-170 of the Municipal Code of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

### 9-64-170 Parking restrictions - Special types of vehicles - Exceptions.

(a) £1 Residential streets - Restrictions. It Except as otherwise provided in this subsection (a) or in subsection (f)(2) of this section, it shall be unlawful for any person to park at\_ any time, including overnight, any truck, van, tractor, truck tractor, semi-trailer, trailer, recreational vehicle more than 22 feet in length, self-contained motor home, bus, taxicab^ commercial vehicle or livery vehicle on any residential street ~~for a longer period than is necessary for the reasonably expeditious loading or unloading of such vehicle; except that~~ a

2) Residential streets - Exception for expeditious loadins or unloading of a vehicle - When authorized. The prohibition set forth in paragraph (I) of this subsection (a) shall not apply to any vehicle

described therein when the vehicle is actually and expeditiously being loaded or unloaded of passengers, merchandise or other contents.

3) Residential streets - Exception for delivery, service or repair vehicles -When authorized. The prohibition set forth in paragraph (1) of this subsection (a\*) shall not apply to any delivery, service or repair vehicle, if such vehicle (i) is actually being used to perform deliveries, service or repairs at a particular address for a particular customer when that customer's address is clearly displayed on the vehicle's dashboard: and (ii) is emblazoned with the name and business license number of its owner: and Cm) is lawfully parked in accordance with the general parking requirements of this Code. Provided, however, that this exception shall not apply to any vehicle for which a service vehicle permit is required under Section 9-68-060. Provided further, that nothing in this subsection (a)(3) shall be construed to permit overnight parking by any delivery, service or repair vehicle, except in the case of, and only for the duration of, emergency delivery, service or repairs at a particular address for a particular customer when that customer's address is clearly displayed on the vehicle's dashboard, or unless overnight parking is permitted pursuant to a valid permit issued under Section 9-68-060.

4) Residential streets - Exception for buses - When authorized. The driver of a bus may park or stand the bus in a designated bus stand ~~as authorized elsewhere in the traffic code; provided, however, this in accordance with Section 9-48-050.~~

5) Residential streets - Exception for pick-up trucks and vans - Special parkins permit - When authorized. The prohibition set forth in paragraph (1) of this subsection (a) shall not apply to the owner of a pickup truck or van ~~weighing under 8,000 pounds who has no outstanding parking violations, when such vehicle~~ if the pickup truck or van CO is lawfully parked at the curb in accordance with the general parking requirements of this Code, ~~adjacent to the owner's place of residence and the vehicle~~ (ii) bears a valid and current city wheel tax license emblem^ and (iii) bears a valid and current special parking permit issued in accordance with paragraph (7) of this subsection (a).

6) Residential streets - Exception for taxicabs - When authorized. In the 5th, 7th, 8th, 10th, 15th, 23rd, 25th, 35th, 46th and 50th wards, and on that portion of 108<sup>th</sup> Place from South Wentworth Avenue on the east to the perpendicular railway line on the west, this the prohibition set forth in paragraph (1) of this subsection (a) also shall not apply to the owner of a taxicab if all of the following requirements are met: (i) who the owner of the taxicab has no outstanding debt to the city for parking violations or has satisfied or otherwise resolved any such debt within the meaning of Section 2-32-094, ~~when~~ and (ii) ~~such vehicle~~ the taxicab is not in service, ~~when the vehicle~~ and (iii) the taxicab is lawfully parked at the curb adjacent to the taxicab owner's place of residence in accordance with the general parking requirements of this Code, and ~~when the vehicle~~ (iv) the taxicab bears a valid and current city wheel tax license emblem^ and a (v) the taxicab bears a valid and current special parking permit issued by the alderman of the ward in which the taxicab owner resides, and (vi) the taxicab is in apparent compliance with in ~~aeoordance with~~ this subsection and other applicable requirements of this Code.

(71) Residential streets - Application procedure for a special parking permit. ~~The owner shall apply for a permit for such parking from the alderman of the ward in which he or she resides.~~ If a special parking permit is required under this subsection (a) to park a pick-up truck or van on a residential street, the person eligible to apply for such permit shall submit an application for a special parking permit to the alderman

of the ward in which such person resides. ~~The Alderman~~ an alderman shall evaluate the vehicle identified in such application for compliance with relevant this section and other applicable provisions of the municipal code this Code and shall issue a special parking permit to such person if the vehicle is believed to be compliant, (i) the pick-up truck or van weighs less than 8,000 pounds, and (ii) the pick-up truck or van is not a commercial vehicle, as defined in subsection (e) of this section, and (iii) the owner of the pick-up truck or van has no outstanding debt to the city for parking violations or has satisfied or otherwise resolved any such debt within the meaning of Section 2-32-094; and (iv) the pick-up truck or van is in apparent compliance with this section and other applicable requirements of this Code.

A special parking permit issued under this subsection shall be valid until the thirtieth day of June following the date of issuance. The Such permit shall be affixed., without the use of supplemental adhesiveSi to the inside of the windshield of the vehicle^ and shall be placed

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directly above the city wheel tax license emblem. If a residential parking zone restriction is in effect at the owner's place of residence, a residential parking permit shall also be required in accordance with Section 9-64-090.

(8) Residential streets - Penalty for violation. ~~A violator of~~ In addition to any other penalty provided by law, any person who violates this subsection (a) shall be subject to the fine set forth in Section 9-100-020.

(b) (1) Business streets - Restrictions. It Except as otherwise provided in this subsection (V) or in subsection (f)(2) of this section, it shall be unlawful for any person to park at any time, including overnight, any truck, truck tractor, semi-trailer, trailer, self-contained motor home, commercial vehicle or bus on any business street in the city^ ~~for a longer period than is necessary for the reasonably expeditious loading or unloading of such vehicle; except that-a~~

2) Business streets - Exception for expeditious loading or unloading of a vehicle - When authorized. The prohibition set forth in paragraph (1) of this subsection (b) shall not apply to any vehicle described therein when the vehicle is actually and expeditiously being loaded or unloaded of passengers, merchandise or other contents.

3) Business streets - Exception for delivery, service or repair vehicles - When authorized. The prohibition set forth in paragraph (1) of this subsection (b) shall not apply to any delivery, service or repair vehicle, if such vehicle (0 is actually being used to perform deliveries, service or repairs at a particular address for a particular customer when that customer's address is clearly displayed on the dashboard; and (ii) is emblazoned with the name and business license number of its owner; and (iii) is lawfully parked in accordance with the general parking requirements of this Code. Provided, however, that this exception shall not apply to any vehicle for which a service vehicle permit is required under Section 9-68-060. Provided further, that nothing in this subsection (b)(3) shall be construed to permit overnight parking by any delivery, service or repair vehicle, except in the case of, and only for the duration of, emergency delivery, service or repairs at a particular address for a particular customer when that customer's address is clearly displayed on the vehicle's dashboard, or unless overnight parking is authorized pursuant to a valid permit issued under Section 9-68-060.

4) Business streets - Exception for buses - When authorized. The driver of a bus may park or stand the bus in a designated bus stand as authorized elsewhere in the traffic code in accordance with Section 9-48-050.

5) Business streets - Taxicabs. It shall be unlawful for any person to park any taxicab on any business street in the city for a period longer than two hours between the hours of 2:00 A.M. and 7:00 A.M.; provided, however, that this prohibition shall not apply to taxicabs parked on business streets in the 23 rd Ward ward^ 40th Ward ward only on the (north side) of

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North Lincoln Avenue, from North California Avenue to West Peterson Avenue, (south side) of North Lincoln Avenue, from North California Avenue to West Foster Avenue, (both sides) of North Western Avenue, from West Glenlake Avenue to West Peterson Avenue, (east side) of North Western Avenue, from West Balmoral Avenue to West Peterson Avenue and (south side) of West Peterson Avenue, from North Lincoln Avenue to North California Avenue^; 46th ward; 49th Ward ward; and in the 50th Ward ward (on Devon Avenue between Ridge Boulevard and Hovne Avenue, and on Western Avenue from Granville Avenue to Pratt Boulevard).

(6) Business streets - Penally for violation. ~~A violator of~~ In addition to any other penalty provided by law, any person who violates this subsection (b) shall be subject to the fine set forth in Section 9-100-020.

c) Citwide restriction - Parking near crosswalks, alleys, driveways or firelanes Penally for violation. It shall be unlawful to stand or park any vehicle six feet or greater in height within 20 feet of a any crosswalk, alley, commercial driveway or firelane. ~~A violator of this subsection~~ In addition to any other penalty provided by law, any person who violates this subsection (c) shall be subject to the fine set forth in Section 9-100-020.

d) Impoundment - When authorized. ~~It shall be unlawful to park a truck tractor as defined in Section 1-212 of the Illinois Vehicle Code, a commercial truck, a semi trailer or a trailer on any business street or residential street in the city for a longer period than is necessary for the reasonably expeditious loading or unloading of such vehicle. This prohibition shall not apply to the owner of a pickup truck or van weighing under 8,000 pounds who has no outstanding parking violations, when such vehicle is parked on a residential street at the curb adjacent to the owner's place of residence and the vehicle bears a valid and current city wheel tax license emblem and a special parking permit issued in accordance with subsection (a). A violator of this subsection shall be subject to the fine set forth in Section 9-100-020.~~ In addition to such any fine other penalty provided by law, ~~the~~ a any commercial truck vehicle, truck tractor, semi-trailer or trailer that is parked on any residential or business street in violation of this section shall be subject to immobilization and impoundment, without prior notice or placement on an immobilization list.

e) Definitions. For the purposes of this section:

"Commercial truck vehicle" means (i) a any motor vehicle that is marked^ or emblazoned with the name of a business^ or is otherwise represented as being used for the transportation of property in the furtherance of any commercial or industrial enterprise, whether for hire or not for hire; or (ii) any motor vehicles

vehicle driven for profit or ~~carrying~~ to carry or transport property, merchandise or supplies of a commercial or industrial nature; or (iii) any "junk ~~vehicles-vehicle~~" as defined herein; or (iv) any vehicle with an unenclosed cargo bed, if such unenclosed cargo bed has been modified to increase the vehicle's capacity to transport or carry merchandise, junk, cargo or other property of any type; or (V) any vehicle with a gross weight of 8,000 or more

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pounds.

"Junk vehicle(s)" means any truck, automobile or other motorized vehicle used to collect<sup>^</sup> dispose of or transport junk, as defined in Section 4-6-150(a), ~~dispose of junk or transport j unit from one place to another.~~

"Truck tractor" has the meaning ascribed to the term in Section 1-212 of the Illinois Vehicle Code, as amended, codified at 625 ILCS 5/1-212.

(f) (1) Pick-up trucks and vans weighing less than 8,000 pounds - Parkins on residential and business streets - No special parking permit required- When authorized. Notwithstanding the parking prohibitions or permit requirements set forth in subsections (a)<sup>^</sup> and (b) ~~and (d)~~ of this section, the city council may from time to time, subject to the conditions and procedures described in this subsection (f), allow a person to park a pick-up truck or van weighing less than 8,000 pounds on a business or residential street in a specific area of the city, when there is sufficient parking in such area; provided, however, that the provisions of this subsection (f) shall not apply to a junk vehicle. The ordinance authorizing such parking shall:

*(Omitted text is unaffected by this ordinance)*

SECTION 2. Section 9-64-100 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**9-64-100 Parking prohibited - Fire hydrants, firelanes and various locations.**

It In addition to the restrictions set forth in subsection (c) of Section 9-64-170, it shall be unlawful to park any vehicle in any of the following places:

*(Omitted text is unaffected by this ordinance)*

SECTION 3. Section 9-100-020 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

**9-100-020 Violation - Penalty.**

*(Omitted text is unaffected by this ordinance)*

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(b) The fines listed below shall be imposed for a violation of the following sections of the traffic code:

*Traffic Code Section*

*Fine*

*(Omitted text is unaffected by this ordinance)*

<u>9-64-170(a)</u>	<u>75.00. if the vehicle weighs less than 8.000 pounds</u> <u>125.00. if the vehicle weighs 8.000 pounds or</u> <u>more</u>
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<u>9-64-170(b)</u>	<u>75.00. if the vehicle weighs less than 8.000</u> <u>pounds</u> <u>125.00 if the vehicle weighs 8.000 pounds or more</u>
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9-64-170(c)	60.00
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~~9-64-170(d)~~

*(Omitted text is unaffected by this ordinance)*

SECTION 4. Section 10-28-070 of the Municipal Code of the City of Chicago is hereby amended by deleting the language stricken through and by inserting the language underscored, as follows:

10-28-070 Storage of goods on public ways.

(a) (1) Except as otherwise specifically permitted by this Code, no person shall use any public way for the storage of personal property, goods, wares or merchandise of any kind. Nor shall any person place or cause to be placed in or upon any public way, any barrel, box, hogshead, crate, package or other obstruction of any kind, or permit the same to remain thereon longer than is necessary to convey such article to or from the premises abutting en such sidewalk.

(2) For this the purpose of receiving or delivering merchandise, no person shall occupy ever more than four (4) feet of the outer edge of the sidewalk in front of his the \_store or building where such merchandise is being received or delivered.

(3) No person engaged in the business of repossessing motor vehicles of any type

shall store or park any such repossessed vehicle on the public way. Any person violating any provision of this subsection (a)(3 ) shall be subject to a fine of \$500.00 for each offense. Each day that violation continues shall constitute a separate and distinct offense.

(b) Except as otherwise provided in this section, any person violating any of the provisions of this section shall be subject to a fine of not less than \$50.00 nor more than \$250.00 for each offense. Each day that a violation continues shall constitute a separate and distinct offense.

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SECTION 5. This ordinance shall take full force and effect ten days after its passage and publication.  
Alderman

rman Ray\Suarez, 31<sup>st</sup> l<sup>rd</sup>

*Parking Restrictions Ordinance Bullet Point  
Summary*

*Purpose: (1) To streamline and address ambiguities in existing Section 9-64-170, which regulates parking by special vehicles on residential and business streets; (2) To expand parking opportunities on residential streets for certain types of special vehicles (i.e. properly permitted, non-commercial ("personal use only") pick-up trucks and vans weighing under 8,000 pounds); (3) To enhance public safety near alleys, commercial driveways and firelanes\ (4) To deter parking violations by vehicle repossesses; and (5) To establish a more equitable fine structure*

Streamlining is accomplished by (i) numbering paragraphs; (ii) adding descriptive titles to various sections; (iii) inserting roman numerals to highlight applicable requirements, including the "general rules" that apply, as well as the "exceptions"; (iv) using consistent language; and (v) correcting grammatical and typographical errors in the existing ordinance

*Substantive changes (5)*

Expands parking opportunities on residential streets for non-commercial (i.e. "personal use only"), properly permitted, smaller (under 8,000 pounds') pick-up trucks and vans. Eligible vehicle owners who obtain a special parking permit from their local alderman will now be able to park the vehicle on any residential street where parking is lawful (and will no longer be restricted to parking the vehicle immediately adjacent to their own residence). (See Section 9-64-170(a)).

Describes with greater specificity the characteristics of a "commercial" vehicle. Retains the existing definition of a "commerical vehicle", but amends it to clarify that if a pick-up truck has an unenclosed cargo bed that has been modified to increase the vehicle's capacity to transport junk or other cargo, or if a pick-up truck or van weighs more than 8,000 pounds, the vehicle, by definition is a "commercial vehicle", is subject to the parking restrictions applicable to commercial vehicles, and it is not eligible for a special parking permit (See Section 9-64-170(e)) Promotes public safety by making it unlawful for a person to park vehicles 6 feet or greater in height within 20 feet of a crosswalk (existing requirement) or an alley, commercial driveway or firelane (new requirement). (See Section 9-64-170(c)) Deters parking violations by vehicle repossessors who illegally park repossessed vehicles in the public way by increasing the penalty for violation from \$50-\$250 to a flat fine of \$500 (See Section 10-28-070)

*Establishes an identical fine for illegally parking special vehicles on residential and business streets, and ties the amount of the fine to the offending vehicle's weight in a manner consistent with the existing fine structure. If the offending vehicle weighs more than 8,000 pounds, the fine is \$125 for violation of Section 9-64-170(a) and (b). If the offending vehicles weighs 8,000 pounds or less, the fine is \$75 for violation of those subsections. (See Section 9-100-020) Clarifications:*

Clarifies that the parking restrictions applicable to special vehicles apply



throughout the day, including overnight. (See Sections 9-64-170(a)(1) and 9-64-(b)(1))

Clarifies that special vehicles are allowed to park on residential and business streets when the vehicle is "actually and expeditiously" being loaded or unloaded (See Section 9-64-170(a)(2) and (b)(2))

Clarifies that delivery, service and repair vehicles are allowed to park on residential and business streets in order to provide deliveries, services or repairs at a particular address for a particular customer so long as (1) the vehicle is emblazoned with the name and business license number of its owner, (2) displays on its dashboard the name and address of the customer being served, and (3) is otherwise lawfully parked (See Sections 9-64-170(a)(3) and (b)(3))

Consolidates into the appropriate subsections the full list of vehicles that are currently prohibited from parking on residential and business streets, thereby eliminating a discrepancy in the existing fine structure. (See deleted language in Section 9-64-170(d), reinsertion of that language in subsections (a) and (b)), and amendments to the penalty provisions in Section 9-100-020) Clarifies that a person with outstanding parking violations, who has entered into an installment plan agreement with the City or otherwise resolved the parking debt, is eligible to obtain a special parking permit so long as all of the other requirements necessary for a special parking permit to issue have been met (See Section 9-64-170(7)(iii))