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Legislation Details (With Text)

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Type: Ordinance **Status:** Failed to Pass

File created: 4/13/2011 **In control:** City Council

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Title: Amendment of Municipal Code Section 9-64-170 to modify parking restriction exceptions for special type vehicles

Sponsors: Suarez, Regner Ray, Lane, Lona, Beale, Anthony, Pope, John, Thomas, Latasha R., Balcer, James, Foulkes, Toni, Thompson, JoAnn, Olivo, Frank, Brookins, Jr., Howard, Stone, Bernard, Levar, Patrick, Willie B. Cochran, Rugai, Virginia, Doherty, Brian, Waguespack, Scott, Reboyas, Ariel, Mell, Richard F., Mitts, Emma, Rice, John, Solis, Daniel, Zalewski, Michael R., Daley, Vi, Tunney, Thomas, Harris, Michelle A., Cullerton, Timothy M., Smith, Mary Ann, Laurino, Margaret

Indexes: Ch. 28 Structures On & Under Public Ways, Ch. 64 Parking Regulations, Ch. 100 Admin. Adjudication of Parking or Compliance Violations

Attachments: 1. O2011-2322.pdf

Date	Ver.	Action By	Action	Result
5/18/2011	1	City Council	Failed to Pass	Fail
4/13/2011	1	City Council	Referred	

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 - Exceptions - Special types of vehicles.

(a) (J_) Residential streets - Restrictions, it Except as otherwise provided in this subsection (a), it shall be unlawful for any person to park at any time, including overnight, any truck, tractor, truck tractor as defined in Section 1-212 of the Illinois Vehicle Code, semi-trailer, trailer, recreational vehicle more than 22 feet in length, self-contained motor home, bus, taxicab^ commercial truck as defined in subsection (e) of this section, company car as defined in subsection (e) of this section or livery vehicle on any residential street for a longer period of time than is necessary for the reasonably expeditious loading or unloading of such vehicle, except that a 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 that in accordance with the requirements set forth in Section 9-48-050 or any other applicable provision of this Code.

(2) Residential streets - Exception for pick-up trucks and vans authorized when. In the 1st, 3rd, 4th, 5th, 6th, 7th, 9th, 10th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 37th, 40th, 42nd, 43rd, 44th, 46th, 47th, 49th and 50th wards^thts the prohibition set forth in paragraph d) of this subsection (a) shall not apply to the owner of a pickup truck or van ~~weighing under 4,500 pounds who~~ if all of the following requirements are met: (1) the pickup truck or van weighs under 4,500 pounds, and (2) the owner of the pickup truck or van has no outstanding parking violations, and (3) ~~when such vehicle~~ the pickup truck or van is parked at the curb adjacent to the such owners owner's place of residence^ and (4) the ~~vehicle~~ pick-up truck or van bears a valid and current city wheel tax license emblem^ and (5) the pick-up truck or van bears a valid and current special parking permit issued in accordance with paragraph (5) of this subsection (a).

(3) Residential streets - Exception for taxicabs authorized when. In the 7th, 15th, 23rd, 35th, 46th and 50th wards_A this the prohibition set forth in paragraph (1) of this subsection (a) afso 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 parking violations, ~~when~~ and (ii) ~~such vehicle~~ the taxicab is not in service, ~~when the vehicle~~ and (iii) the taxicab is parked at the curb adjacent to the taxicab owner's place of residence[^] 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 permit issued in accordance with paragraph (5) of this subsection (a).

(4) Residential streets - Exception for company cars authorized when. The prohibition set forth in paragraph (1) of this subsection (a) shall not apply to the owner or any authorized driver of a company car if all of the following requirements-are met: (i) the owner or authorized driver of the company car has no outstanding parking violations: and (ii) the company car is parked at the curb adjacent to the owner's or authorized driver's place of residence; and (iii) the company car bears a valid and current city wheel tax license emblem, and (iv) the company car bears a valid and current special parking permit issued in accordance with paragraph (5) of this subsection (a).

~~(5) Residential streets - Special parking permit required when - Application ■ procedure. 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 paragraph (a)(2), (a)(3) or (a)(4) of this subsection (a) to park a vehicle in front of a residence, the person eligible to apply for such special parking permit shall submit an application for such special parking permit to the alderman of the ward in which such person resides. The Alderman shall evaluate the vehicle identified in such application for compliance with relevant provisions of the municipal code Chicago Municipal Code and shall issue a special parking permit to such person if the alderman believes that the vehicle is believed to be compliant in compliance with the relevant provisions of the 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 adhesives,, to the inside of the windshield of the vehicle; and shall be placed directly above the city wheel tax license emblem. If a residential parking zone restriction is in effect at the owners applicable place of residence, a residential parking permit shall also be required in accordance with Section 9-64-090.

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

(b) Business streets - Restrictions -Exceptions - Penalty for violation. It shall be unlawful for any person to park at any time, including overnight, any truck, truck tractor as defined in Section 1-212 of the Illinois Vehicle Code, semi-trailer, trailer, self-contained motor home, commercial truck as defined in subsection (e) of this section or bus on any business street in the city for a longer period of time than is necessary for the reasonably expeditious loading or unloading of such vehicle, except that a 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 the requirements set forth in Section 9-48-050 or any other applicable provision of this Code. It shall be unlawful for any person to park any taxicab on any business street in the city for a period of time 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 23rd, 46th ward,

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and 49 Ward wards and in the 50th Wward (on Devon Avenue and Western Avenue). ~~A violator~~ In addition to any other penalty provided by law, any person who violates any requirement of this subsection (b) shall be subject to the fine set forth in Section 9-100-020.

(c) Citywide restriction - Parking near crosswalk - Penalty 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. ~~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 authorized when. 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 ve~~

hicle. This prohibition shall not apply to the owner of a pickup truck or van weighing under 4,500 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 or other penalty provided by law, the a any commercial truck as defined in subsection (e) of this section, or truck tractor as defined in Section 1-212 of the Illinois Vehicle Code, or semi-trailer or trailer that is parked on any residential street in violation of subsection (a) of this section or on any business street in violation of subsection (b) of this section shall be subject to immobilization and impoundment, without prior notice or placement on an immobilization list.

(e) For the purposes of this section,;

"eCommercial truck" means shall mean (i) a any motor vehicle marked, emblazoned, or otherwise represented as being used for the transportation of property in the furtherance of any commercial or industrial enterprise, for hire or not for hire; or (ii) any motor vehicles carrying merchandise or supplies of a commercial or industrial nature; or (iii) any "junk vehicles" as defined in Section 4-216-010; or (iv) any vehicle that has a gross weight of more than 9,000 pounds.

"Company car" shall mean an automobile that is owned or leased by a business entity for use by any employee of such business entity in connection with such employee's work or for any other purpose. The term "company car" does not include any truck, tractor, truck tractor as defined in Section 1-212 of the Illinois Vehicle Code, semi-trailer, trailer, recreational vehicle more than 22 feet in length, self-contained motor home, bus, taxicab, commercial truck as defined in subsection (e) of this section or livery vehicle.

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SECTION 2. 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 not affected by this ordinance)

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

9-12-060\$ 90.00

(Omitted text is not affected by this ordinance)

9-64-170(a) and (b)..... 25^60 150.00

9-64-170(c) 60.00

9-64-170(d)..... 125.00

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(Omitted text is not affected by this ordinance)

SECTION 3. 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.

(JQ (a) No person shall use any public way for the storage of personal property, goods, wares or merchandise of any kind.

(b) ~~Not shall any~~ No 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 cm such sidewalk.

Cc) For this the purpose of receiving or delivering merchandise, no person shall occupy over 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.

(d) 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

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any provision of this subsection (\)(d) shall be subject to a fine of \$500.00 for each offense. Each day that a

violation continues shall constitute a separate and distinct offense to which a separate fine shall apply.

(2) Any 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 to which a separate fine shall apply.

SECTION 4. This ordinance shall take full force and effect upon its passage and approval.