



DEPT. OF COMMUNITY DEVELOPMENT SERVICES
PLANNING AND ECONOMIC DEVELOPMENT DIVISION

m e m o r a n d u m

TO: Bruce K. Walden, CAO

FROM: April D. Getchius, AICP, Director

DATE: November 20, 2000

SUBJECT: An Ordinance Amending The Urbana Local Traffic Code And The Schedule Of Fines Pursuant To Section 1-10(J)(1) Of The Urbana City Code (Parking on Unapproved Surfaces and Associated Fines)

Introduction. Recently the Urbana City Council has had several discussions regarding the issue of parking. Specifically, the City Council expressed concern with parking on unapproved surfaces such as front yards. The Council requested that staff return with an ordinance clarifying the prohibition of parking on unapproved surfaces and establishing an escalating fine system for repeat offenders. This ordinance is scheduled for the November 27, 2000 Council agenda.

Issues and Discussion. The Urbana Zoning Ordinance prohibits the parking of vehicles on unimproved surfaces such as gravel, grass or dirt. Although the Police Department's Parking Enforcement staff have ticketed for these violations, it is not part of the Traffic Code that they are authorized to enforce. The Zoning Administrator has "delegated" that zoning enforcement authority to the Police Department. In order to better clarify the authority and to establish a fine structure similar to other parking violations, staff drafted the attached amendment to the Traffic Code. It specifies that parking on an unapproved surface shall be prohibited and creates an escalating fine system for repeat offenders. The first offense is a \$25.00 fine, as it is currently. The second offense is a \$50.00 fine and a third or greater offense is a \$100.00 fine. These recurring fines are within one year, August 1 through July 31.

Options. The City Council has the following options in this case:

- a. The City Council may approve the Ordinance as drafted.
- b. The City Council may approve the Ordinance with changes.

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- c. The City Council may deny approval of the Ordinance and provide staff with additional direction.

Recommendation The Legal, Police Department and Community Development Department staffs coordinated the preparation of this ordinance. Staff recommends that the Council Committee of the Whole forward this Ordinance to the Urbana City Council with a recommendation for approval. The attached ordinance clarifies the enforcement responsibility and provides for the issuance of progressive fines for repetitive violators as the Council requested.

If you have any questions, please feel free to call me at 384-2439 or email me at adgetchius@city.urbana.il.us.

- c: Police Chief Eddie Adair
Shawn Zimmer, Parking Enforcement
Tim Ross, Planner

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ORDINANCE NO2000-11-140

AN ORDINANCE AMENDING THE URBANA LOCAL TRAFFIC CODE AND THE SCHEDULE OF FINES PURSUANT TO SECTION 1-10(j)(1) OF THE URBANA CITY CODE

(Parking on Unapproved Surfaces and Associated Fines)

WHEREAS, the City of Urbana has experienced repeated violations with vehicles parking in the required front yard and/or on unimproved surfaces in residential neighborhoods; and

WHEREAS, these violations are currently regulated by the Urbana Zoning Ordinance and not the Urbana Local Traffic Code; and

WHEREAS, it has been determined that for more effective enforcement of these regulations, the Urbana local Traffic Code should be amended to prohibit parking on unapproved surfaces; and

WHEREAS, Section 1-10(j)(1) of the Urbana City Code provides that the fines for violation of the Urbana Local Traffic Code shall be established by the City Council and set forth in a schedule to be maintained by the City Clerk; and

WHEREAS, the City Council is concerned that although the reasonable fine level of \$25.00 should deter such conduct, an escalated fine needs to be provided to deter repeat violations.

NOW THEREFORE, BE IT ORDAINED THAT:

Section 1. That the Urbana Local Traffic Ordinance is amended to add the following section:

“Sec. 23-159. Parking on Unapproved Surfaces. Parking of vehicles on private property shall be restricted to parking on an approved form of hard surface, including oil-and-chip, Portland Cement, asphalt or brick. Unapproved surfaces include grass, dirt and wood chips. Approved gravel driveways and parking areas may be utilized as long as they are properly maintained, as set forth in the Urbana Zoning Ordinance.”

Section 2. That the Schedule of Fees set under Section 1-10(j)(1) of the Urbana City Code is hereby amended to add the following under a new Section entitled “Parking on Unapproved Surfaces”:

Article XIII, Section 23-159 \$25.00 for the first offense occurring after August 1st and prior to July 31st of each 12 month period; \$50.00 for the second offense occurring after August 1st and prior to July 31st of each 12 month period; \$100.00 for each offence after the second offense.

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The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this _____ day of _____, 2000.

AYES:

NAYS:

PRESENT:

Phyllis D. Clark, City Clerk.

APPROVED by the Mayor this _____ day of _____,
2000.

Tod Satterthwaite, Mayor