



City of Urbana

400 South Vine Street
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Urbana, Illinois 61803-0219

Finance Department

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To: Mayor Prussing and Council
From: Delora Siebrecht
Date: October 29, 2009
Re: Parking Fine Schedule and Traffic Code

Curt Borman, Assistant City Attorney, reviewed the Schedule of Fines and asked that changes be made to the schedule and the amending ordinance that eliminates surplus language and promotes clarity and consistency with our municipal code.

Attached are both revised documents. In the fine schedule the reset of the fine amounts was moved to our Parking Procedure Manual as Curt considers it to be an administrative procedure and not a fine.

Through the amending ordinance of the traffic code, I removed any duplicate references to payment within 72 hours, fine amounts and renumbered some sections.

ORDINANCE NO. 2009-10-116

AN ORDINANCE AMENDING THE LOCAL TRAFFIC CODE AND THE SCHEDULE OF
FINES PURSUANT SECTION 1-10(j)
OF THE URBANA CITY CODE
(Increasing Meter, Restricted, Prohibited Fines)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA,
ILLINOIS, as follows:

Section 1. That the attached "Schedule of Fines" is hereby approved and shall remain in effect until a new schedule is approved pursuant to the procedures adopted in Ordinance No. 1999-01-003.

Section 2. All ordinances, resolutions, motions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed. In addition, the below language replaces or removes the sections so noted:

Article XIV.

Sec. 23-193. Parking time limited on certain streets or public parking lots.

~~(c) Any person who permits a vehicle to be parked longer than the period of time indicated on said sign as provided in subsection (a) of this section may, within twenty four (24) hours of the time when the notice required in subsection (b) of this section was placed upon such vehicle, pay as the penalty for, and in full satisfaction of such violation, sums as set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances and after seventy two (72) hours, in like manner the sums set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances. The failure of such person to make such payment within such seventy two (72) hours shall render such person subject to the penalties provided in Article XVI of this traffic code.~~

Article XVI.

Sec. 23-211. Parking violation procedures and penalties.

(2) Payment of a ticket for a parking violation at any time is a final determination of liability.

c. Any person who violates any provision of Articles XII, XIII, ~~and XIV, XV, XVII, XVIII, -XIX and XX, or sections 23-234 through 23-240~~ of this traffic code, excluding those sections for

which specific penalties are provided, may, within ~~seventy two (72) hours~~ seven (7) days of the time when the notice required in section 23-211(a)(1) of this traffic code was attached to the vehicle, settle as the penalty therefor and in full satisfaction therefor the sum set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances or, after ~~seventy two (72) hours~~ seven (7) days, in like manner the sum set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances.

(3) An informal notice of dispute may be filed with the city within ~~seventy two (72) hours~~ seven (7) days of the occurrence of the violation and shall immediately postpone payment. Receipt of this notice of dispute within ~~seventy two (72) hours~~ seven (7) days means that only the lowest fine for each violation as indicated in section 1-10(j) of the Code of Ordinances shall be imposed if payment is made within five (5) days of the date of a notice to the defendant that the notice of dispute is not justified. If full payment is not received within five (5) days, the fines shall increase as indicated in section 1-10(j) of the Code of Ordinances as though the notice of dispute was never received. Notices of dispute must be written and filed with the municipal collector's office at 400 South Vine Street in Urbana, Illinois.

(5) If neither full payment nor a notice of dispute is received within ~~seventy two (72) hours~~ seven (7) days following the violation and no other action has been taken by the parking violator, the fine imposed upon the parking violator shall increase according to section 23-211(a)(2).

Article XVII.

Sec. 23-236. Parking in unmetered spaces in municipal parking lots and metered streets prohibited.

No person shall park a motor vehicle in an unmetered space in the municipal parking lots or in an unmetered space on any street, or portion thereof, that has been designated as a metered area.

~~Any person who violates the provisions of this section may, within seventy two (72) hours of the time when the notice required in section 23-211 of this traffic code was attached to the vehicle settle as the penalty therefor and in full satisfaction therefor the sum set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances, and after seventy two (72) hours, in like manner the sum set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances. If settlement is not made within seven (7) days after the date on which the notice required in section 23-211 of this traffic code was attached to the vehicle, the person who violates any of the provisions of this section shall be subject to the penalties set forth in Article XVI of this traffic code.~~

Sec. 23-248. Unauthorized use of rental spaces.

~~(c) Anyone violating this section shall be fined fifteen dollars (\$15.00) if paid within seventy-two (72) hours and twenty dollars (\$20.00) if not paid within seventy two (72) hours of the date of issuance of the notice of violation.~~

Sec. 23-249. Unauthorized parking, permit only lot.

~~(b) Any person violating this section may, within seventy two (72) hours of notice of said violation, pay as the penalty for, and in full satisfaction of such violation, sums as set forth for~~

~~such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances and after seventy two (72) hours, in like manner the sums set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances. The failure of such person to make such payment within such seventy two (72) hours shall render such person subject to the penalties provided in article XVI of this traffic code.~~

~~Sec. 23-265. Penalties for violations.~~

~~(a) Any person violating the provisions of sections 23-261 and 23-262 of this article may within seventy two (72) hours of the time when the notice required in section 23-261 of this traffic code was attached to the vehicle settle as the penalty therefor and in full satisfaction therefor the sum set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances, or after seventy two (72) hours, in like manner the sum set forth for such period in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances. If settlement is not made within seven (7) days after the date on which the notice required in section 23-211 of this traffic code was attached to the vehicle, any person violating the provisions of sections 23-261 and 23-262 of this article shall be subject to the penalties set forth in Article XVI of this traffic code.~~

~~(b) Any person violating the provisions of sections 23-263 and 23-264 of this article shall be punished by a fine up to the amount set forth in the schedule of fines established pursuant to section 1-10(j) of the Code of Ordinances.~~

~~(c) Each day that a violation is allowed to continue under this article may be considered as a separate offense.~~

~~Sec. 23-266~~265. Expired registration plates/no registration plates.

~~(a) Any motor vehicle which would be required to have motor vehicle registration plates under the laws of the State of Illinois to be operated upon the public highways, must display registration plates issued by the State of Illinois or another state which are valid and unexpired at all times when such vehicle is on a public street in the City of Urbana, or in a parking lot owned by the city of Urbana.~~

~~(b) A vehicle found upon a public street in the City of Urbana, or in a parking lot owned by the City of Urbana, in violation of this section shall subject the owner thereof to a fine of not less than twenty five dollars (\$25.00) for each day that such vehicle remains in violation of this section.~~

Secs. 23-266—23-270. Reserved.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. 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 _____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

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

Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the _____ day of _____, 20____, the corporate authorities of the City of Urbana passed and approved Ordinance No. _____, entitled "AN ORDINANCE AMENDING SECTION 1-10 (J) OF THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS REGARDING THE TRAFFIC CODE SCHEDULE OF FINES", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. _____ was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the _____ day of _____, 20____, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this _____ day of _____, 20_____.

(SEAL)

CITY CLERK

**URBANA LOCAL TRAFFIC CODE
SCHEDULE OF FINES**

Section 1-10 (j). The fines and ranges of fines for the Urbana Local Traffic Code violations shall be as follows:

Graduated Fines

	<u>Fine Amount</u>	
	If Paid Within 7 Days	If Paid After 7 Days
Meter Overtime		
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Article XVII, Sections 23-237 through 23-240		
• Downtown		
○ First offense	Courtesy - no fine	
○ Second offense	\$10.00	\$15.00
○ Third offense	\$15.00	\$20.00
• Campus & Hospital Districts		
○ First offense	\$10.00	\$15.00
○ Second offense	\$15.00	\$20.00
○ Third and subsequent offenses	\$20.00	\$25.00
Street/Lot Overtime		
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Article XIV, Section 23-193 and Schedule N		
• Downtown		
○ First offense	Courtesy - no fine	
○ Second offense	\$10.00	\$15.00
○ Third offense	\$15.00	\$20.00
• All other areas of the city		
○ First offense	\$10.00	\$15.00
○ Second offense	\$15.00	\$20.00
○ Third and subsequent offenses	\$20.00	\$25.00
Parking on Unapproved Surfaces		
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Article XII, Section 23-160		
• First offense	\$25.00	
• Second offense	\$50.00	
• Third and subsequent offenses	\$100.00	

RESTRICTED, PROHIBITED & OTHER PARKING FINES

	Fine Amount	
	If Paid Within 7 Days	If Paid After 7 Days
Restricted Parking	\$20.00	\$25.00
<hr/> Article XIII, Section 23-177 Article XIV, Section 23-184 and Schedule K		
Restricted Parking Special Parking Zones 3:00 AM to 3:00 PM	\$20.00	\$25.00
<hr/> Article XIV, Section 23-192 Article XIV, Section 23-192, (f) Any person found guilty of violating subsection (f) shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00).		
Prohibited Parking	\$30.00	\$35.00
<hr/> Article XII, Sections 23-151 through 23-158 Article XIII, Sections 23-172 through 23-176 Article XIV, Section 23-183 and Schedule J Sections 23-185 and 23-186 Section 23-187 and Schedule L Sections 23-188 and 23-189 Section 23-190 and Schedule M Sections 23-191 and 23-194 Article XV, Section 23-202 (b) and (d) Article XVII, Sections 23-234 through 23-236		
Disabled Parking	\$250.00	\$300.00
<hr/> Article XII, Section 23-159		
Unauthorized Use of Rental Spaces	\$50.00	\$60.00
<hr/> Article XVII, Section 23-248		
Unauthorized Parking, Permit Only Lot	\$20.00	\$25.00
<hr/> Article XVII, Section 23-249		
Expired/No Registration Plates	\$25.00	\$50.00
<hr/> Article XVIII, Section 23-266		
Abandoned and Inoperable Vehicle on Highways or Other Municipal Property	\$30.00	\$35.00
<hr/> Article XVIII, Sections 23-261 and 23-262		

Abandoned and Inoperable Vehicle on Private Property

Article XVIII, Sections 23-263 and 23-264

Fine not to exceed two hundred and fifty dollars (\$250.00) per day.

Abandoned and Inoperable Vehicle on Highways and Other Municipal Property

Article XIX, Section 23-271 (d)

Fine not to exceed two hundred and fifty dollars (\$250.00) per day.

Requirements for Commercial Relocators

Article XXI, All Sections

Fine not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) per day or per removal, whichever is greater.

Parking Violation Procedures and Penalties

Article XVI, Section 23-211 (2) (d)

Article XVI, Section 23-214 (b)

Violation of any provision of the Urbana Local Traffic Code will subject the parking violator to a maximum fine of two hundred fifty dollars (\$250.00) per violation, which may be imposed if the City of Urbana elects to initiate collection proceedings through the judicial process.

Stopping, Standing or Parking Restricted or Prohibited On Certain Streets

Article XIV, Section 23-192 (f) (2)

The display of a fraudulent parking permit shall carry a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) per day.