

ORDINANCE NO. 2019-05-031

AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER 23, SECTION 23-211

(Parking Violation Procedures)

WHEREAS, Sections 11-80-2 and 11-80-20 of the Illinois Municipal Code (65 ILCS 5/11-80-2 and 65 ILCS 5/11-80-20) authorize the corporate authorities of each municipality to regulate the use of the streets and traffic upon the streets; and

WHEREAS, Section 11-208(a) of the Illinois Vehicle Code (625 ILCS 5/11-208(a)) empowers local authorities to regulate the standing or parking of vehicles on streets under their jurisdiction; and

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council heretofore has enacted Urbana City Code Section 23-211 to establish parking violation procedures in the City; and

WHEREAS, the City Council, after due consideration, finds that amending said section as herein provided is in the best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Illinois, as follows:

Section 1.

Urbana City Code Chapter 23, “Local Traffic Code,” Article XVI, “Parking Violation Procedures and Penalties,” Section 23-211, “Parking violation procedures,” subsection (1), paragraph g, is hereby amended and as amended shall read as follows:

- g. The information regarding the opportunity to informally contest the violation on its merits within seven (7) days of receipt of “hang-on” notice;

Section 2.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of

this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

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 meeting of said Council.

PASSED BY THE CITY COUNCIL this ___ day of ___, 2019.

AYES:

NAYS:

ABSTENTIONS:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ___ day of ___, 2019.

Diane Wolfe Marlin, Mayor