

ORDINANCE NO. 8182-12

AN ORDINANCE AMENDING THE
URBANA ZONING ORDINANCE - UNAPPROVED PARKING AREAS

WHEREAS, the Zoning Administrator of the City of Urbana petitioned for an amendment to the Zoning Ordinance to control parking of motor vehicles on private property, and

WHEREAS, the Urbana Plan Commission, after due notice was given, held a public hearing on the subject of the said petition on July 9, 1981, in Plan Case #1119-T-81, and

WHEREAS, the Urbana Plan Commission recommended passage of an amendment to the Urbana Zoning Ordinance encompassing the suggested amendment,

NOW, THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL that:

Section 1. The following definition shall be added to the definition section contained in Article II, Section II-3:

"Unapproved Parking Areas: An area used for off-street parking that has not been approved by the Zoning Administrator for off-street parking, except as otherwise provided herein, due to the following:

- a) The parking area is in a required front yard, required side yard or on a required open space area; or
- b) The parking area is unapproved due to its surfacing, size, location, configuration or construction (excluding legally non-conforming parking areas); or
- c) The parking area was illegally established."

Section 2. That the following is hereby added to Article VIII, being to-wit a new Section VIII-3.5 which shall be entitled "Prohibited Parking Areas":

"Section VIII-3.5 Prohibited Parking Areas

- a) Except as otherwise provided herein, off-street parking in a required front or side yard, in a required open space area or on an unapproved parking area (as herein defined) is prohibited.

b) The Zoning Administrator or his duly authorized agent shall cause to be issued parking citations for violations of this section."

Section 3. That Article XI, Section XI-1A entitled "Enforcement of This Ordinance and Penalties" shall be amended to read as follows:

"A. This Ordinance shall be administered and enforced by the Zoning Administrator, appointed by the Mayor, by and with the advice and consent of the City Council. The Zoning Administrator may be provided with the assistance of such persons as the City Council may direct.

Any person violating any of the provisions of this Ordinance, except Article VIII, Section 3.5, shall upon conviction thereof be fined in an amount not exceeding five hundred dollars (\$500.00). Each day such violation is committed or permitted to continue shall constitute a separate offense.

Any person violating the provisions of Article VIII, Section 3.5 shall be issued a parking citation.

Except for Article VIII, Section 3.5, the owners of the land upon which a violation of this Ordinance has occurred shall be prima-facie responsible for such violations of this Ordinance which occur on property owned by such persons; provided, however, the foregoing shall not be construed to relieve the occupants, or any of them, of the land upon which the zoning violation has occurred or is occurring of the responsibility for such violation under this Ordinance.

Pursuant to Article VIII, Section 3.5 the owners of the vehicle which is parked in violation of that section shall be prima-facie responsible for such violations provided, however, the foregoing shall not be construed to relieve the owner of the land upon which the violation occurred of responsibility for such violation under this Ordinance."

Section 4. That Article XI, Section XI-1B, be amended to add a new paragraph 10 thereof, to read as follows:

"10. In the event that the provisions of Article VIII, Section 3.5 are being violated the Zoning Administrator shall cause the owner of the vehicle as determined by the records of the Secretary of State to be issued a parking citation."

Section 5. That to Article XI, a new section, XI-9 entitled "Fines" shall be added to read as follows:

"Section XI-9 Fines. The fine for a prohibited parking citation shall be determined from time to time by the City Council."

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of 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 on the 17th day of August, 1981.

PASSED by the City Council this 17th day of August, 1981.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

APPROVED by the Mayor this 24th day of August, 1981.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the News-Gazette on the 28th day of August, 1981.


Ruth S. Brookens
Ruth S. Brookens

8/82-12

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WHEREAS, the Urbana Plan Commission recommended passage of an amendment to the Urbana Zoning Ordinance encompassing the suggested amendment,

NOW, THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL that:

Section 1. The following definition shall be added to the definition section contained in Article II, Section 11-3:

"Unapproved Parking Areas: An area used for off-street parking that has not been approved by the Zoning Administrator for off-street parking, except as otherwise provided herein, due to the following:

- a) The parking area is in a required front yard, required side yard or on a required open space area; or
- b) The parking area is unapproved due to its surfacing, size, location, configuration or construction (excluding legally non-conforming parking areas); or
- c) The parking area was illegally established."

Section 2. That the following is hereby added to Article VIII, being to-wit a new Section VIII-3.5 which shall be entitled "Prohibited Parking Areas":

"Section VIII-3.5. Prohibited Parking Areas

- a) Except as otherwise provided herein, off-street parking in a required front or side yard, in a required open space area or on an unapproved parking area (as herein defined) is prohibited.
- b) The Zoning Administrator or his duly authorized agent shall cause to be issued parking citations for violations of this section."

Section 3. That Article XI, Section XI-1A entitled "Enforcement of This Ordinance and Penalties" shall be amended to read as follows:

"A. This Ordinance shall be administered and enforced by the Zoning Administrator, appointed by the Mayor, by and with the advice and consent of the City Council. The Zoning Administrator may be provided with the assistance of such persons as the City Council may direct.
Any person violating any of the

CERTIFICATE OF PUBLICATION IN The News-Gazette

The undersigned, M. J. Duca, THE CHAMPAIGN NEWS-GAZETTE, INCORPORATED, by its controller, does hereby

certify that said Corporation is the publisher of The News-Gazette and that the same is a daily secular newspaper of general circulation published in Champaign, Champaign County, Illinois, and which said newspaper had been regularly published for more than six months prior to the first publication of the annexed notice; said publisher further certifies that the annexed notice was published once each week for consecutive weeks in said newspaper, namely on the following dates:

Aug 28, A. D. 1981
_____, A. D. 19

CITY OF URBANA, ILL.
RECEIVED

AUG 31 1981

CITY CLERK'S OFFICE

_____, A. D. 19
_____, A. D. 19
_____, A. D. 19

Said publisher further certifies that the date of the first paper containing the said notice was on the first date hereinabove set forth, and that the date of the last paper containing the said notice was on the last date hereinabove set forth.

The Champaign News-Gazette, Incorporated

By [Signature] Controller

PUBLISHER OF THE NEWS-GAZETTE

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