

ORDINANCE NO. 9798-11

AN ORDINANCE: 1) REPLACING REFERENCES TO THE COMMITTEE ON ADMINISTRATION AND FINANCE AND THE COMMITTEE ON ENVIRONMENT AND PUBLIC SAFETY WITH REFERENCES TO THE COMMITTEE OF THE WHOLE COUNCIL; AND 2) REPEALING SECTION 20-84 (TRAFFIC HEARING BOARD) AND REFERRING SECTION 20 APPEALS TO THE TRAFFIC COMMISSION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, AS FOLLOWS:

**Section 1.**

That Section 6-1 of the Code of Ordinances, "Proclamation by mayor for public curfew", is amended to delete the following language shown in strikeout print and to add the underlined language, and to place the retained language in the following sequence:

**Sec. 6-1. Proclamation by mayor for public curfew.**

(a) The term "mayor", as used herein, shall include the mayor pro tem. If a public emergency, natural disaster or civil disorder occurs, to preserve law and order, and for the maintenance of safety and health of the people and for the preservation of property, the mayor is hereby authorized to issue an enforceable proclamation for a public curfew commensurate with the need for the same, as determined by the mayor under the standards set forth hereinbelow with advice or consultation with the chief of police and/or the ~~public safety~~ committee of the whole city council.

**Section 2.**

That Section 20-84 of the Code of Ordinances, "Traffic hearing board", is hereby repealed.

**Section 3.**

That Section 20-89 of the Code of Ordinances, "Appeal", is amended to delete the following language shown in strikeout print and to add the underlined language, and to place the retained language in the following sequence:

**Sec. 20-89. Appeal.**

The person who owns or controls any property, after being notified pursuant to section 20-88 by the director of public works that an obstruction exists on his/her property, may appeal that determination in the manner set forth herein. Appeal of such determination shall be taken by filing a written appeal from not more than fifteen (15) days following the date of mailing of the notice of violation provided for in section 20-88. The appeal shall be addressed to the traffic ~~hearing board~~ commission, through the office of the director of public works. The traffic ~~hearing board~~ commission shall notify the person appealing of the date and time of their consideration of the appeal and such person may appear and be heard by the traffic ~~hearing board~~ commission. The

determination of the director of public works shall not be reversed except by an affirmative vote of two-thirds of the members of the traffic ~~hearing board~~ commission. The director of public works shall promptly notify the person who appealed of the decision of the traffic ~~hearing board~~ commission. If the determination of the director of public works is not reversed as provided for herein, then the director of public works or his/her agent shall require in writing by certified mail that the obstruction be removed within fifteen (15) calendar days from the date of notice.

#### **Section 4.**

That Section 20-90 of the Code of Ordinances, "Removal of obstruction by city", is amended to delete the following language shown in strikeout print and to add the underlined language, and to place the retained language in the following sequence:

##### **Sec. 20-90. Removal of obstruction by city.**

If the obstruction is not removed within thirty (30) days, as provided in section 20-88, or in the event of appeal within fifteen (15) days following notice of the director of public works that the traffic ~~hearing board~~ commission failed to reverse the determination, the director of public works shall cause the removal of the obstruction and the cost of such removal shall be charged against the property on which the obstruction occurred. The failure of the person notified to eliminate the obstruction as required by a notice to do so from the director of public works within the time allowed therein shall constitute a violation of this article.

#### **Section 5.**

That Section 20-91 of the Code of Ordinances, "Not feasible to remove obstacles", is amended to delete the following language shown in strikeout print and to add the underlined language, and to place the retained language in the following sequence:

##### **Sec. 20-91. Not feasible to remove obstacles.**

When in the opinion of the traffic ~~hearing board~~ commission it is deemed inadvisable or not feasible to remove obstacles such as existing buildings, or trees with diameters in excess of one foot, which violate the area defined as within the visibility triangle, the traffic ~~hearing board~~ commission may ~~recommend to the traffic commission~~ the redesignation of the street speed limit or change of the intersection traffic-control signalling or both, to establish a new visibility triangle for the intersection in question. The provisions of sections 20-86 and 20-87 will be used for this purpose.

#### **Section 6.**

That Section 23-2-3 of the Code of Ordinances, "Traffic Commission - powers and duties", is amended to delete the following language shown in strikeout print and to add the underlined language, and to place the retained language in the following sequence:

##### **Sec. 23-2-3. Traffic Commission - powers and duties.**

(A) There is hereby established a traffic commission to serve without compensation, consisting of the City Traffic Engineer ~~and~~; the Chief of Police, or their designated representatives, and an alderperson appointed by the mayor~~the Chairman of the Public Safety Committee of the City Council or their designated representatives~~. Any two of such members shall constitute a quorum. The ~~Chairman~~person of the Commission shall be appointed by the Mayor and may be removed by ~~him~~ the Mayor. The City Attorney shall be an ex officio member, but shall not vote.

**Section 7.**

That Section 24-24 of the Code of Ordinances, "Same--Council approval for noncity property.", is amended to delete the following language shown in ~~strikeout~~ print and to add the underlined language, and to place the retained language in the following sequence:

**Sec. 24-24. Same--Council approval for noncity property.**

The director of public works shall not grant a permit for the connection or extension of any storm drain or sanitary sewer, as required in section 24-23, beyond the corporate limits of the city without first having submitted the question of such extension to the committee ~~on environment~~ of the city ~~whole~~ council, which committee shall investigate the area to be served by the sewer or drain extension or connection and shall determine the fee for such connection or extension in accordance with section 24-25.

**Section 8.**

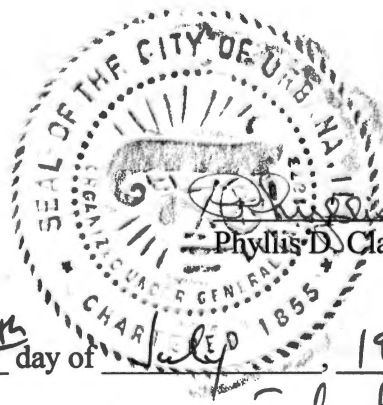
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 21st day of July, 1997.

AYES: Hayes, Huth, Kearns, Patt, Taylor, Whelan, Wyman

NAYS:

PRESENT:



Phyllis D. Clark  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 28<sup>th</sup> day of July, 1997.

Tod Satterthwaite  
Tod Satterthwaite, Mayor