

ORDINANCE NO. 2009-50

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
FOR THE VILLAGE OF CHERRY VALLEY, ILLINOIS,
SECTION 70-62. WINTER PARKING REGULATIONS; SNOW REMOVAL;
DEPOSITING SNOW ON STREETS, AND
SECTION 70-63. FINES.**

WHEREAS, the Public Works Department and the Police Department have requested modifications to the Village Ordinances regarding parking regulations during snowfalls, and,

WHEREAS, in reviewing suggested changes, it was determined to be more practical to reference Winter Storm Warnings issued by the National Weather Service when determining when there should be a prohibition on the parking of motor vehicles on public right-of-ways during snowfalls, and,

WHEREAS, in order to implement this change, it is necessary to amend Section 70-62 of the Code of Ordinances for the Village of Cherry Valley, Illinois.

NOW, WHEREFORE, be it ordained by the President and Board of Trustees for the Village of Cherry Valley, Illinois, as follows:

SECTION 1: Sections 70-62 and 70-63 of the Code of Ordinances for the Village of Cherry Valley, Illinois, shall be and hereby are amended to read as follows:

Sec. 70-62. Winter Parking Regulations; snow removal; depositing snow on streets.

(a) Winter Parking Regulations are hereby declared to exist whenever the National Weather Service issues a Winter Storm Warning.

(b) It shall be unlawful to park a motor vehicle on any residential Village street from the time the Winter Storm Warning is issued until the Winter Storm Warning is canceled by the National Weather Service and the snow has been removed from the streets. Any dwelling that does not

have off-street parking may apply for a seasonal parking exemption with the Village Police.

(c) It shall be unlawful to park on the following Village streets between the hours of 2:00 a.m. and 6:00 a.m. after two inches of snow has fallen in the past twenty-four (24) hours.

East State Street from Walnut Street to East Street
Walnut Street from East State Street to Grove Street
Cherry Street from Genoa Street to Elgin Street

(d) Any vehicle parked in violation of this Article is declared to be an obstruction to traffic and an immediate hazard to essential snow removal operations.

(e) Any vehicle in violation of this article shall be ticketed and may be removed or towed without notice to or consent of the owner or person in charge thereof. The cost of any such towing shall be at the owner's expense and in addition to any fine or ticket payment.

(f) The police department shall keep records of such towing including the license number of the vehicle, if any; the date, time, the location of the vehicle towed and the name of the company providing the towing service; and any other information required by the Chief of Police.

(g) Nothing in this Section shall be construed to authorize parking in an area where such parking would otherwise be restricted or prohibited.

(h) No person shall deposit or cause to be deposited any snow upon any street or alley of the Village on that portion of the traveled way cleared or scheduled for clearance of any snow accumulation.

(i) No snow shall be deposited on any street of the Village in such manner as to obstruct a public sidewalk, nor shall it be deposited upon a neighboring parkway or other private property, or hamper the vision of an intersection of traveled roadways. (Code 1974 § 14-73)

Sec. 70-63. Fines.

Any person violating any portion of Section 70-62 shall be fined not less than \$25.00 or more than \$75.00 for each such offense. Each day's violation shall constitute a separate offense. The driver of the vehicle and any registered owner or co-owner thereof shall be jointly and severally liable for payment of all towing and storage charges in connection with the violation. (Code 1974 § 14-74)

SECTION 2: This Ordinance shall be and hereby is effective ten (10) days after its approval, passage and publication in pamphlet form.

PASSED UPON MOTION BY James Coppernoll

SECONDED BY Stephen Appell

BY ROLL CALL VOTE THIS 17 DAY OF November, 2009

AS FOLLOWS:

VOTING "AYE": Stephen Appell, James Coppernoll, Sally Hollembeak
Scott Kramer, Gary Maitland, David Schroeder

VOTING "NAY": None

ABSENT, ABSTAIN, OTHER None

ATTEST: APPROVED November 17, 2009

VILLAGE CLERK, NANCY L. BELT

PRESIDENT, JIM E. CLAEYSSEN