

CHAPTER 22

TRAFFIC AND VEHICLES

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ARTICLE I. IN GENERAL

22-1-1. Obedience to police officers required. No person shall willfully fail or refuse to comply with any lawful order or direction of any police officer, firefighter, or uniformed adult school crossing guard invested by law with authority to direct, control, or regulate traffic. It shall be unlawful for any person to fail or refuse to comply with any lawful order, signal, or direction of a police officer. Any person found guilty of violating the provisions of this Article shall be fined \$120.00 for said violation.

Any person receiving a citation under this Article shall pay the fine provided for in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any penalty is not paid within that fourteen-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the citation was issued to appear in the Douglas County Circuit Court to answer the charge. Nothing in this section shall preclude the City of Arcola, its police department, or other attorney from taking or pursuing any action allowed by law as a result of the violation or from referring the matter to another entity for prosecution as allowed by law.

(Ordinance 14-C-3, amended March 17, 2014)

ARTICLE II. OPERATION OF VEHICLES GENERALLY

22-2-1. Squealing or screeching. No person shall operate any motor vehicle in such a manner as to cause or allow to be emitted squealing, screeching or other such noises from the vehicle's tires due to rapid acceleration or excessive speed around corners or other such reason. This section shall not apply to the following conditions: (a) an authorized vehicle, when responding to an emergency call or when in the pursuit of an actual or a suspected violator; nor (b) the emergency operation of a motor vehicle when avoiding imminent danger; nor any raceway, racing facility or other public event, not part of a highway, sanctioned by the appropriate governmental authority. Any person found guilty of violating the provisions of this Article shall be fined \$120.00 for said violation.

Any person receiving a citation under this Article shall pay the fine provided for in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any penalty is not paid within that fourteen-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the citation was issued to appear in the Douglas County Circuit Court to answer the charge. Nothing in this section shall preclude the City of Arcola, its police department, or other attorney from taking or pursuing any action allowed by law as a result of the violation or from referring the matter to another entity for prosecution as allowed by law.

(Ordinance 14-C-3, amended March 17, 2014)

22-2-2. Riding motorcycle without eye protection. The operator of a motorcycle, motor driven cycle, or motorized pedicyle and every passenger thereon shall be protected by glasses, goggles, or a transparent shield. The Department of Transportation, State of Illinois, shall determine the standards for this equipment. These standards shall establish requirements based upon those set forth in Vehicle Equipment Safety Commission Regulation VESC-8, "Minimum Requirements for Motor Cyclist's Eye Protection.

Any person found guilty of violating the provisions of this Article shall be fined \$120.00 for said violation. Any person receiving a citation under this Article shall pay the fine provided for in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any penalty is not paid within that fourteen-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the citation was issued to appear in the Douglas County Circuit Court to answer the charge. Nothing in this section shall preclude the City of Arcola, its police department, or other attorney from taking or pursuing any action allowed by law as a result of the violation or from referring the matter to another entity for prosecution as allowed by law.

(Ordinance 14-C-3, amended March 17, 2014)

22-2-3. Motor vehicle lighting. (a) Every motorcycle shall at all times exhibit at least one lighted lamp, showing a white light visible for at least 500 feet in the direction the motorcycle is proceeding. However, in lieu of such lighted lamp, a motorcycle may be equipped with and use a means of modulating the upper beam of the head lamp between high and a lower brightness. No such head lamp shall be modulated, except as authorized by state law, during times when lighted lamps are required for other motor vehicles.

(b) All other motor vehicles shall exhibit at least 2 lighted head lamps, with at least one on each side of the front of the vehicle, which satisfy United States Department of Transportation requirements, showing white lights, including that emitted by high intensity discharge (HID) lamps, or lights of a yellow or amber tint, during the period from sunset to sunrise, at times when rain, snow, fog, or other atmospheric conditions require the use of windshield wipers, and at any other times when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the roadway or street are not clearly discernible at a distance of 1,000 feet. Parking lamps may be used in addition to but not in lieu of such head lamps. Every motor vehicle, trailer, or semi-trailer shall also exhibit at least 2 lighted lamps, commonly known as tail lamps (or brake lights), which shall be mounted on the left rear and right rear of the vehicle so as to throw a red light visible for at least 500 feet in the reverse direction, except that a truck tractor or road tractor manufactured before January 01, 1968, and all motorcycles need be equipped with only one such tail lamp.

(c) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light a rear registration plate when required and render it clearly legible from a distance of 50 feet to the rear. Any tail lamp or tail lamps, together with any separate lamp or lamps for illuminating a rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

(d) A person shall install only head lamps that satisfy United States Department of Transportation regulations and show white light, including that emitted by HID lamps, or light of a yellow or amber tint for use by a motor vehicle.

(e) Any person found guilty of violating the provisions of this Section shall be fined \$120.00 for said violation. Any person receiving a citation under this Section shall pay the fine provided for in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any penalty is not paid within that fourteen-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the citation was issued to appear in the Douglas County Circuit Court to answer the charge. Nothing in this section shall preclude the City of Arcola, its police department, or other attorney from taking or pursuing any action allowed by law as a result of the violation or from referring the matter to another entity for prosecution as allowed by law.

(Ordinance No. 14-C-3, amended March 17, 2014)

ARTICLE III. JUNKED, ABANDONED AND WRECKED VEHICLES

22-3-1. Definitions. The following definitions shall apply in the interpretation and enforcement of this article:

“Motor Vehicles:” Every vehicle which is self propelled except for vehicles moved solely by human power and motorized wheel chairs.

“Inoperable Motor Vehicles”: A motor vehicle for which for a period of at least 10 days, the engine, wheels or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power, but shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

“Unlicensed Motor Vehicle”: A motor vehicle for which for a period of at least 30 days does not have displayed thereon a current registration or “applied for” sticker.

22-3-2. Abandonment of Motor Vehicles Prohibited. No person shall abandon any motor vehicle within the City and no person shall leave any vehicle at any place within the City for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

22-3-3. Inoperable Motor Vehicles Declared a Nuisance. All inoperable motor vehicles, whether on public or private property and in view of the general public, are hereby declared to be a nuisance.

22-3-4. Exterior Storage of Inoperable Motor Vehicles Prohibited. No person shall allow an inoperable motor vehicle under his control to remain on public or private property and in view of the general public for more than 10 days after receiving a municipal notice from the City of Arcola Police Department directing the person to dispose of the inoperable motor vehicle or vehicles under his control. Said notice shall include a copy of this ARTICLE III. However, nothing in this section shall apply to any motor vehicle that is kept within a building when not in use, or to a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

(Ordinance No. 02-C-3 amended August 5, 2002)

22-3-5. Removal of Inoperable Motor Vehicles. The City of Arcola Police Department may remove or cause to be removed any inoperable motor vehicle or parts thereof after 10 days from the issuance of the municipal notice provided for in Section 22-3-4 of this Article. The person who has control of the inoperable motor vehicle or parts thereof which are removed pursuant to this section shall be liable for reasonable towing and storage charges for the inoperable motor or parts thereof are released and said charges shall be recoverable in a suit at law. When an inoperable motor vehicle has been removed and placed in storage by the City, as provided for herein, said inoperable motor vehicle shall be sold by the City after the lapse of such time as is provided by State law in Article II of Chapter 4 of the Illinois Vehicle Code (625 ILCS 5/4/201 et. Seq.) If the proceeds of such sale are insufficient to pay the costs of abatement and storage the owner and/or the person in control of the inoperable motor vehicle shall be liable to the City for the balance of the costs to be recoverable in a suit at law. If the proceeds are in excess of costs the balance shall be paid to the registered owner of the inoperable motor vehicle or if unclaimed then it shall be deposited in the City treasury.

22-3-6. Right to Hearing. Any person who receives a 10 day municipal notice directing him to dispose of an inoperable motor vehicle may request a hearing before a committee designated by the City Council by filing his written request with the City Clerk no later than 10 days after the issuance of the municipal notice. In the event that the hearing is requested, the inoperable motor vehicle shall not be removed from the property until after the hearing and only then if the designated committee rules in favor of the City.

22-3-7. Unlicensed Motor Vehicles Declared a Nuisance. All unlicensed motor vehicles, whether on public or private property and in view of the general public, except those which are on the premises of the place of business engaged in the sale of motor vehicles or a business engaged in the wrecking or junking motor vehicles, are hereby declared to be a nuisance.

22-3-8. Exterior Storage of Unlicensed Motor Vehicles Prohibited. No person shall allow any unlicensed motor vehicle to remain on public or private property and in view of the general public for more than 30 days after receiving a municipal notice from the City of Arcola Police Department to remove the vehicle. Said notice shall also include a copy of this Article III. However, nothing in this section shall apply to any unlicensed motor vehicle that is kept within a building, or to an unlicensed motor vehicle on the premises of a place of business engaged in the sale of motor vehicles or in the wrecking or junking of motor vehicles. (Ordinance No. 02-C-3 amended August 05, 2002)

22-3-9. Removal of Unlicensed Motor Vehicles. The City of Arcola Police Department may remove or cause to be removed any unlicensed motor vehicle after 30 days from the issuance of the municipal notice provided for in Section 22-3-8 of this Article. The person who owns or is in possession of the unlicensed motor vehicle which is removed pursuant to this Section shall be liable for reasonable towing and storage charges for the said vehicle which charges shall be paid before the unlicensed motor vehicle is released and said charges shall be recoverable in a suit at law. When an unlicensed motor vehicle has been removed and placed in storage by the City, as provided herein, said unlicensed motor vehicle shall be sold by the City after the lapse of such time as is provided by law. If the proceeds are in excess of costs the balance shall be paid to the registered owner of the inoperable motor vehicle or if unclaimed then it shall be deposited in the City treasury.

22-3-10. Right to Hearing. Any person who receives a 30 day municipal notice directing him to dispose of an unlicensed motor vehicle may request a hearing before a committee designated by the City Council by filing his written request with the City Clerk no later than 15 days after the issuance of the municipal notice. In the event that the hearing is requested, the unlicensed motor vehicle shall not be removed from the property until after the hearing and only then if the designated committee rules in favor of the City.

22-3-11. Penalty for Failure of Owner or Person in Control of Motor Vehicle to Abate Nuisance. If the owner or person in control of a motor vehicle which constitutes a nuisance under this Article shall allow the nuisance to continue after the time allowed in the municipal notice, then that person, upon conviction thereof, shall be fined not less than \$25 nor more than \$500 for each offense and a separate offense shall be deemed committed on each day during or on which such nuisance is permitted to exist after the time allowed for in the municipal notice.

(Ordinance No. 95-C-3 amended June 19, 1995)

ARTICLE IV. USE OF MOTOR VEHICLES FOR THE COMMISSION OF CERTAIN OFFENSES

22-4-1. Definitions. For purposes of this Chapter, and the interpretation and enforcement thereof, the capitalized words, terms and phrases set forth below shall have these meanings respectively ascribed to them in this Section as follows:

(a) “Motor Vehicle” means every vehicle which is self-propelled, including but not limited to automobiles, trucks, vans, motorcycles, and motor scooters.

(b) “Owner of Record” means, collectively, the record title holder or holders of the Motor Vehicle.

22-4-2. Violations; exceptions.

(a) The Owner of Record of any Motor Vehicle shall be liable to the City of Arcola, Illinois, for an administrative penalty in the amount of Two hundred and Fifty Dollars (\$250.00), plus any applicable towing and storage fees payable to a towing agent, whenever any such Motor Vehicle is used in the commission of any of the following offenses:

(1) the knowing possession not less than 10 grams of cannabis as provided in Section 4 of the Cannabis Control Act (720 ILCS 550/4) or the knowing possession of a controlled substance as provided in Section 402 of the Illinois Controlled Substances Act (720 ILCS 570/402).

(2) driving under the influence of alcohol, drugs and/or intoxicating compounds as provided in Section 11-501 of the Illinois Vehicle Code (625 ILCS 5/11-501).

(3) driving on a suspended or revoked license as defined in Section 5/6-303 of the Illinois Vehicle Code (625 ILCS 5/6-303).

(4) driving without a valid driver's license or permit as provided in Section 5/6-101 of the Illinois Vehicle Code (625 ILCS 5/6-101). The only exception to this provision shall be if the driver has a valid graduated driver's license as defined in Section 5/6-107 of the Illinois Vehicle Code (625 ILCS 5/6-107).

Any Motor Vehicle used in the commission of any such violation shall be subject to seizure and impoundment as provided in this Chapter.

(b) For purposes of this Section, a Motor Vehicle is not considered to have been used in a violation that would render such Motor Vehicle eligible for seizure and impoundment if:

(1) The Motor Vehicle used in the violation was stolen at the time and the theft was reported to the appropriate police authorities within 24 hours after the theft was discovered or reasonably should have been discovered;

(2) The Motor Vehicle was operating as a common carrier and the violation occurred without the knowledge of the person in control of the Motor Vehicle; or

(3) The alleged Owner of Record provides adequate proof that the Motor Vehicle had been sold to another person prior to the violation.

22-4-3. Seizure and impoundment. Whenever a police officer has probable cause to believe that a Motor Vehicle is subject to seizure and impoundment pursuant to Article IV of this Chapter, such police officer shall provide for the towing of such Motor Vehicle to a facility designated by the Police Chief of the City of Arcola, Illinois, before or at the time the Motor Vehicle is towed, the police officer shall notify the Owner of Record or the person in control of the Motor Vehicle at the time of the alleged violation, whichever is present if there is such a person, of the fact of the seizure and impoundment and of the right of the Owner of Record to request a vehicle impoundment hearing under this Chapter.

22-4-4. Notice. Within 72 hours after a Motor Vehicle is seized and impounded pursuant to this Chapter, the police department shall notify by certified mail the Owner of Record and any lien holder of record of the fact of the seizure and impoundment and the right to request a Motor Vehicle impoundment hearing under the Chapter. However, no such notice need be sent to the Owner of Record if the Owner of Record is personally served with the notice at the time the Motor Vehicle is seized and impounded and the Owner of Record acknowledges receipt of such notice in writing. A copy of such notice shall be forwarded to the hearing officer. The notice shall state the penalties that may be imposed if no hearing is requested, including that a Motor Vehicle not released by payment of the

administrative penalty and applicable towing and storage fees may be sold or disposed of by the City of Arcola, Illinois, in accordance with applicable law.

22-4-5. Hearing. The Owner of Record seeking a vehicle impoundment hearing shall file a written request for such a hearing with the Police Department of the City of Arcola, Illinois, no later than 15 days after notice was mailed or otherwise given to the Owner of Record under Section 22-4-3 or Section 22-4-4 of this Chapter. The hearing date shall be no more than 10 calendar days after a request for a vehicle impoundment hearing has been filed. If, after the vehicle impoundment hearing, the hearing officer determines by a preponderance of the evidence that the Motor Vehicle was used in the violation, the hearing officer shall enter an order finding the Owner of Record liable to the City of Arcola, Illinois, for the amount of the administrative penalty prescribed, plus applicable towing and storage fees payable to the towing agent. If, after a hearing, the hearing officer does not determine by a preponderance of the evidence that the Motor Vehicle was used in such a violation, the hearing officer shall enter an order finding for the Owner of Record and for the return of the Motor Vehicle and any previously paid administrative penalty and applicable towing and storage fees; provided that if the Motor Vehicle was seized and impounded pursuant to state or federal drug asset forfeiture laws, the Motor Vehicle shall not be returned unless and until the City of Arcola, Illinois, receives notice from the appropriate, state, or where applicable, federal officials that (i) forfeiture proceedings will not be instituted; or (ii) forfeiture proceedings have concluded and there is a settlement or a court order providing that the Motor Vehicle shall be returned to the Owner of Record. If the Owner of Record request a vehicle impoundment hearing but fails to appear at such hearing or fails to request a vehicle impoundment hearing within 15 days as detailed above, the Owner of Record shall be deemed to have waived his or her right to such a hearing and the hearing officer shall enter a default order in favor of the City of Arcola, Illinois, for the amount of the administrative penalty prescribed, plus applicable towing and storage fees payable to the towing agent. However, if the Owner of Record pays such administrative penalty and applicable towing and storage fees and the Motor Vehicle is returned to the Owner of Record, no default order need be entered if the Owner of Record is informed of his or her right to a hearing and signs a written waiver, in which case an order of liability shall be deemed to have been made when the City of Arcola, Illinois, receives the written waiver.

22-4-6. Hearing officer; proceedings.

(a) The Mayor or his or her designee shall serve as the hearing officer for vehicle impoundment hearings under this Chapter.

(b) All interested persons shall be given a reasonable opportunity to be heard at any vehicle impoundment hearing. The formal rules of evidence will not apply at any such hearing.

(c) Any sworn or affirmed report, including a report prepared in compliance with Section 11-501.1 of the Illinois Vehicle Code (625 ILCS 5/11-501.1) that (1) is prepared in the performance of a law enforcement officer's duties and (2) sufficiently describes the circumstances leading to the impoundment, shall be admissible evidence of the Owner of Record's liability under Article IV of this Chapter, and shall support a finding of the Owner of Record's liability under Article IV of this Chapter, unless rebutted by clear and convincing evidence.

22-4-7. Disposition of impounded vehicle. An administrative penalty imposed pursuant to this Chapter shall constitute a debt due and owing the City of Arcola, Illinois, which may be enforced in any manner provided by law. Except as otherwise provided in this Chapter, a Motor Vehicle impounded pursuant to this Chapter shall remain impounded until (1) the administrative penalty is paid in full to the City of Arcola, Illinois, and all applicable towing and storage fees are paid to the towing agent, in which case the Owner of Record shall be given possession of the Motor Vehicle, (2) a cash bond in the amount of \$250.00 is posted with the City of Arcola, Illinois, Treasurer of the City of Arcola, Illinois, and all applicable towing and storage fees are paid to the towing agent, at which time the Motor Vehicle shall be released to the Owner of Record, or (3) the Motor Vehicle is sold or otherwise disposed of to satisfy a judgment or enforce a lien as provided by law. Notwithstanding any other provision of this Section, whenever a person with a lien of record against a Motor Vehicle impounded under this Section has commenced foreclosure proceedings, possession of the Motor Vehicle shall be given to that person if he or she pays the applicable towing and storage fees and agrees in writing to refund to the City of Arcola, Illinois, the net proceeds of any foreclosure sale, less any amounts necessary to pay all lien holders of record, up to the total amount of administrative penalties imposed under this Chapter. Notwithstanding any other provision of this Section, no vehicle that was seized and impounded pursuant to state or federal drug asset forfeiture laws shall be returned to the owner of Record unless and until the City of Arcola, Illinois, has received notice from the appropriate state, or where applicable, federal officials that (i) forfeiture proceedings will not be instituted; or (ii) forfeiture proceedings have concluded and there is a settlement or a court order providing that the vehicle shall be returned to the Owner of Record.

22-4-8. Posting of bond. If a cash bond in the amount of \$250.00 is posted with the City of Arcola, Illinois, Treasurer of the City of Arcola, Illinois, the impounded Motor Vehicle shall be released to the Owner of Record upon the payment of any applicable towing and storage fees to the towing agent. If an administrative penalty is imposed for any violation under Article IV of this

Chapter, the \$250.00 cash bond will be forfeited to the City of Arcola, Illinois; however, in the event a violation under Article IV of this Chapter is not proven by a preponderance of the evidence, the \$250.00 cash bond will be returned to the person posting the bond. All bond money to be forfeited to the City of Arcola, Illinois, pursuant to this Section shall be held by the City of Arcola, Illinois, Treasurer until 30 days after an administrative penalty is imposed by the hearing officer under this Chapter, or, if there is a judicial review, until a final judgment is rendered by a court of competent jurisdiction.

22-4-9. Failure to pay penalty. If the administrative penalty and applicable towing and storage fees are not paid within 30 days after an administrative penalty is imposed under this Chapter against an Owner of Record who defaults by failing to appear at the vehicle impoundment hearing, the Motor Vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles. In all other cases, if the administrative penalty and applicable towing and storage fees are not paid within 30 days after the expiration of time at which administrative review of the hearing officer's determination may be sought, or within 30 days after an action seeking administrative review has been resolved in favor of the City of Arcola, Illinois, whichever is applicable, the Motor Vehicle shall be deemed unclaimed and shall be disposed of in the manner provided by law for the disposition of unclaimed vehicles; provided that, if the Motor Vehicle was seized and impounded pursuant to state or federal drug asset forfeiture laws and proceedings have been instituted under state or federal drug asset forfeiture laws, the Motor Vehicle may not be disposed of by the City of Arcola, Illinois, except as consistent with those proceedings.

(Ordinance 11-C-5, amended April 04, 2011)

ARTICLE V. SIGNS, SIGNALS AND MARKINGS

22-5-1. Placement of signs or markings. When signs or markings are required to be placed by this chapter or by law, it shall be the duty of the Alderman who is Chairman of the Streets Committee to cause suitable signs or markings to be placed in such areas, if not so placed by the State Department of Public Works and Buildings.

22-5-2. Marking crosswalks and safety zones. The Alderman who is Chairman of the Streets Committee is hereby authorized to maintain, by appropriate marks or lines upon the surface of the roadway, crosswalks and intersections where in the opinion of the City Council where is particular danger to pedestrians crossing the highway.

22-5-3. Obeying signs. It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the Mayor and City Council or in accordance with the laws of the state, excepting on direction of a police officer. All signs and signals established by direction of the Mayor and City Council shall conform to the State Manual and Specifications and shall be justified by traffic warrants stated in the Manual.

ARTICLE VI. SIZE, WEIGHT AND LOAD

22-6-1. Weight limitation for vehicles on certain streets. No person shall drive or move any vehicle when such vehicle together with its load weighs 5 tons or more upon the following streets:

Dogwood Drive from Jacques Street

Elm Street from Front Street to Springfield Road (Route 133)

Front Street, from Locust Street to Sheldon Street

Jacques Street, from Jefferson Street to Springfield Road (Route 133)

Jefferson Street, from Chestnut Street (Route 45) to Springfield Road
Route 133)

Jefferson Street, from Locust Street to Sheldon Street

Madison Street, from Chestnut Street (Route 45) to Arcola Avenue

Madison Street, from Locust Street to Sheldon Street

Main Street, from Chestnut Street (Route 45) to Springfield Road (Route
133)

Oak Street, from Washington Street to Springfield Road (Route 133)

Robin Lane, from Township Road No. 108 to Industrial Drive.

Schrock Drive.

Washington Street, from Chestnut Street (Route 45) to Springfield Road
(Route 133)

(Ordinance No. 13-C-5 amended June 03, 2013)

22-6-2. Exemptions. The provisions of this article shall not apply to fire apparatus or equipment for snow or ice removal operations owned by any governmental body nor to vehicles which cross the streets specified in Section 22-6-1 at regular intersections.

22-6-3. Spilling loads. No person shall drive or move any vehicle when it is so loaded that any part of its load spills or drops on any street or alley.

ARTICLE VII. SNOWMOBILE REGULATIONS

22-7-1. Definitions. As used in this article, the terms specified in this section have the meaning ascribed to them unless the context clearly requires a different meaning.

Operate. “Operate” means to ride in or on, other than as a passenger, use or control the operation of a snowmobile in any manner, whether or not the snowmobile is under way.

Operator. “Operator” means every person who operates or is in actual physical control of a snowmobile.

Snowmobile. “Snowmobile” means a self-propelled device designed for travel on snow or ice or natural terrain steered by skis or runners, and supported in part by skis, belts, or cleats.

22-7-2. Operation prohibited. It is unlawful for any person to drive or operate a snowmobile anywhere within the City of Arcola. (81-C-3, 2/16/81)

22-7-3 thru 22-7-6. (Repealed 81-C-3)

ARTICLE VIII. SPEED REGULATIONS

22-8-1. State speed laws – application; specific alterations designated. (a) The state traffic laws regulating the speed of vehicles shall be applicable upon all streets within this city, except as this section, as authorized by state law, hereby declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets or in certain areas, in which even it shall be unlawful for any person to drive a vehicle at a speed in excess of any speed so declared in this section when signs are in place giving notice thereof.

(b) It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by state law outside of business and residence districts as applicable upon streets in this section is greater or less than is reasonable or safe under the conditions found to exist upon such streets and it is hereby declared that the maximum speed limit shall be as is set forth in this section on those streets or part of streets herein designated when signs are erected giving notice thereof. No person shall operate a vehicle on any of the following streets at a greater speed than that specified:

20 MILES PER HOUR

Ash Street

Circle Drive

Elm Street, between Springfield Road and Fourth South Street

First South Street, between Pine Street and Locust Street

Fishel Drive

Jacques Street, between Springfield Road (State Route 133) and Madison Street

Kelley Moore Drive

Locust Street, between First South Street and Second South Street

Locust Street, between Jefferson Street and Washington Street

Main Street, between Pine Street and Chestnut Street (U.S. Highway 45)

McCoy Lane

Moca Court

Pine Street, between First South Street and Second South Street

Polk Drive

Poplar Drive

Robin Lane, between Industrial Drive and Township Road No. 108

Second South Street, between Pine Street and Locust Street

Taft Drive

Tyler Drive

Washington Court

20 MILES PER HOUR ON SCHOOL DAYS WHEN SCHOOL CHILDREN
ARE PRESENT

Arcola Avenue, between Main Street and Springfield Road

Diamond Street, between Main Street and Springfield Road

Washington Street, between U.S. Highway 45 and State Route 133

35 MILES PER HOUR

Egyptian Trail (County Road 1000 East), between State Route 133 and the Arcola Wastewater Treatment Plant

(Ordinance No.99-C-1 amended April 19, 1999)

22-8-2. Penalties for Speeding Violations-Procedures. Any person found guilty of violating the provisions of this ARTICLE shall be fined \$120.00 for a violation of Section 22-8-1 of this Article.

Any person receiving a citation under this Article shall pay the fine provided for in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any penalty is not paid within that fourteen-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the citation was issued to appear in the Douglas County Circuit Court to answer to the charge.

(Ordinance No. 13-C-4, amended May 20, 2013)

ARTICLE IX. STOPPING, STANDING AND PARKING

22-9-1. Parking for sale, repair, advertising, or without registration plates.

(a) No person shall stand or park a vehicle upon any roadway for the principal purpose of displaying it for sale, or washing, greasing or repairing such vehicle, except repairs necessitated by an emergency.

(b) No person shall operate or park a vehicle upon any street for the primary purpose of advertising.

(c) No person shall park a vehicle on any street without state registration plates on it, issued for such vehicle, to the owner of the vehicle, in accordance with the statutes of the State of Illinois.

22-9-2. Parking after snowfall. No person shall park any vehicle on the following public streets or portions thereof at any time within 12 hours after a snowfall of 3 inches or more has occurred:

Elm Street, both sides

Jefferson Street, both sides

Locust Street, both sides

Main Street, both sides

Washington Street, both sides

(Ordinance 09-C-1, amended April 06, 2009)

22-9-3. Parking spaces. (a) When the City shall cause lines or marks to be placed in any parking area designating individual parking spaces, it shall be unlawful for any person to park or to allow to be parked or place any vehicle in such parking area except within the lines so designated or so as to encroach upon an adjacent parking space. It shall be unlawful for any person to park or place a motor vehicle in any part of such parking area marked and indicated by lettering "No Parking" or otherwise prohibited parking.

(b) When signs are erected giving notice thereof, or when lines or marking have been placed upon a pavement indicating the direction of travel to be followed, it shall be unlawful for any person to operate a vehicle in any direction other than that indicated by such lines, markings, or signs, or to disregard to the instructions of any such sign with the respect to ingress or egress to such areas, lots, tracts, or parcels of land. As such, no vehicle shall be placed in any parking space so as to be pointing in a direction in conflict with the direction of travel. Vehicles placed in a parking space adjacent to an eastbound lane of traffic shall be parked facing eastbound. Vehicles placed in a parking space adjacent to a westbound lane of traffic shall be parked facing westbound. Vehicles placed in a parking space adjacent to a northbound lane of traffic shall be parked facing northbound. Vehicles placed in a parking space adjacent to a southbound lane of traffic shall be parked facing southbound.

(Ordinance 11-C-4, amended April 4, 2011)

22-9-4. Parking prohibited in certain places. (a) No person shall stop, stand or park any vehicle upon a street, other than an alley, in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic, except that a driver may stop temporarily during the actual loading of passengers or when necessary in obedience to traffic regulations or traffic signs or signals or a police officer.

(b) No person shall stand or park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for the free movement of vehicular traffic.

(c) No person shall stand or park any truck, trailer, semi-trailer, or other vehicle used for the transporting of goods on any street or alley for a longer period of time than is necessary for the expeditious loading or unloading of goods nor for a longer period than 30 minutes out of any hour.

(d) No person shall stand or park a vehicle within 15 feet of a fire hydrant.

(e) No person shall stand or park a vehicle within 60 feet of any intersection or upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway.

(Ordinance No. 14-C-4, amended April 07, 2014)

22-9-5. No parking zones on designated streets and areas. In accordance with Section 22-9-3, no person shall park a vehicle at any of the following places at any time:

Arcola Avenue, east side, between Main Street and Washington Street

Ash Street, east side, between First South Street and Second South Street

Chestnut Street (US Route 45), west side, from a point 150 feet north of the northwest corner of the intersection of Main Street and Chestnut Street to the northwest corner of the intersection of Main Street and Chestnut Street.

Chestnut Street (US Route 45), west side from a point 75 feet south of the southwest corner of the intersection of Main Street and Chestnut Street to the southwest corner of the intersection of Main Street and Chestnut Street.

Collins Street, west side, from Main Street to a point 250 feet north of Main Street

Collins Street, east side, from Main Street to a point 10 feet north of sidewalk on north side of Main Street

Commercial Street, west side, from Main Street to a point 75 feet 9 inches south of Main Street

Davis Street, both sides, from the west right-of-way line of Sheldon Street to a point 300 feet west of the west right-of-way line of Sheldon Street

Douglas County Road No. 800 East, both sides, from Douglas County Road No. 200 North to Illinois Route 133

Elm Street, east side, from Springfield Road (Illinois Route 133) to Fourth South Street

Industrial Drive, both sides.

Illinois Route 133, north side, from a point 325 feet east of the intersection of Jacques Street and Illinois 133 to the intersection of Jacques Street and Illinois Route 133.

Illinois Route 133, south side, from a point 150 feet east of the intersection of Schrock Drive and Illinois Route 133 to the intersection of Schrock Drive and Illinois Route 133.

Jefferson Street, north side, from Walnut Street to Chestnut Street.

Jefferson Street, south side, between Chestnut Street and a point 375 feet west of Arcola Avenue.

Jefferson Street, south side, between Oak Street and Sheldon Street.

Locust Street, west side, between Main Street and Springfield Road.

Locust Street, west side, between the Wabash Valley Railroad Tracks and a point 140 feet south of Jefferson Street.

Main Street, north side, between Springfield Road and Walnut Street

Oak Street, west side, between Main Street and First South Street

Pine Street, east side, between Jefferson Street and Springfield Road

Second South Street, south side, between Elm Street and Ash Street

Second South Street, north side, between Ash Street and a point 143 feet east of the east edge of Ash Street

Sheldon Street, both sides, between Jefferson Street and Washington Street

Springfield Road (Illinois Route 133), both sides, between the west corporate limit and the east corporate limit of the City of Arcola

Washington Street, north side, between Arcola Avenue and Chestnut Street

Washington Street, north side, between Oak Street and Sheldon Street

Other areas:

In the area between the east side of Firehouse No. 2 and the west edge of Commercial Street.

On any street or alley within the City of Arcola within a distance of 20 feet from Springfield Road (Illinois Route 133) as measured from the nearest intersection point of the street or alley with Springfield Road.

(Ordinance No. 13-C-1 amended February 04, 2013)

22-9-6. Parking limited to certain time periods in specified zones; signs required; limited parking zones specified. No vehicle, car, truck, motor home, or trailer shall be parked or left in a parking space for more than 48 consecutive hours. At the end of 48 consecutive hours, the vehicle shall be ticketed. If the vehicle remains in the parking space for 24 consecutive hours after being ticketed (for a total of 72 consecutive hours) then the vehicle shall be subject to being towed pursuant to Section 22-9-8.

(Ordinance 11-C-4, amended April 04, 2011)

When signs are erected, giving notice thereof, no person shall park a vehicle for longer than the time indicated, or during the times indicated, upon any of the streets and alleys where parking is so limited as described in this section. Whenever such designation is made, signs shall be erected and maintained indicating the appropriate restrictions at the designated locations. Except for Sundays and holidays, no person shall park a vehicle for longer than the time specified on the following streets:

No parking on the north side of Washington Street commencing at the intersection of Washington Street and Diamond Street and ending 500 feet east of the intersection of Washington Street and Diamond Street, parallel with the entrance to the Arcola Junior High School, between 7:30 a.m. and 3:30 p.m., Monday through Friday, when the Arcola public schools are in session.

15 minute parking on the north side of Washington Street commencing at the point 500 feet east of the intersection of Washington Street and Diamond Street and parallel with the entrance to the Arcola Junior High School and ending at the intersection of Washington Street and Arcola Avenue between 7:30 a.m. and 3:30 p.m., Monday through Friday, when the Arcola public schools are in session.

15 minute parking on the south side of Washington Street between Diamond Street and Arcola Avenue between 7:30 a.m. and 3:30 p.m., Monday through Friday, when the Arcola public schools are in session.

15 minute parking on the south side of Washington Street between the intersection of Washington Street and Arcola Avenue and the intersection of Washington Street and US Route 45 between 7:30 a.m. and 3:30 p.m., Monday through Friday, when the Arcola public schools are in session.

(Ordinance 14-C-7, amended July 21, 2014)

15 minute parking on the east side of south Oak Street between Main Street and Washington Street between 8:00 a.m. and 5:00 p.m. as herein described. The designated 15 minute parking area will commence at a point 117.5' south from the

curb on Main Street and end 170' south from the curb on Main Street. This area will consist of two parking spots that shall have signs declaring 15 minute parking only between the hours of 8:00 a.m. and 3:30 p.m. Monday through Saturday.

30 minute parking on the west side of Oak Street between Jefferson Street and Main Street between 8:00 a.m. and 5:00 p.m. as herein described. There shall be three designated parking spots located on the north end of the Oak Street municipal parking lot. These three parking spots shall be located at the beginning of the north edge of the lot and ending at a point 29' from the north edge of the Oak Street lot. These limited parking areas will be designated by three parking declaring 30 minute parking only between the hours of 8:00 a.m. and 3:30 p.m. Monday through Saturday.

(Ordinance No. 06-C-2 amended May 15, 2006)

22-9-7. Loading zone. The City Council may determine the location of loading zones and shall erect or maintain or cause to be erected or maintained appropriate signs indicating the same. In accordance with Section 22-9-3, no person shall stop, stand or park a vehicle for a period of time longer than necessary for the unloading and delivery or pick-up of materials in any place marked as a loading zone.

22-9-8. Authority to police to have illegally parked vehicles towed away. Any member of the Police Department is hereby authorized to remove and tow away, or have removed and towed away by a commercial towing service, any vehicle illegally parked in any place. Cars so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner or operator of such car upon payment of towing charges. Such payment of towing charges shall not be in lieu of any fine imposed by this Code.

22-9-9. Parking violations – prima facie proof that owner is violator. It shall be prima facie proof that the person in whose name an illegally parked vehicle is registered was in control of the vehicle at the time it was illegally parked.

22-9-10. Penalties for Parking Violations-Procedures. Any person found guilty of violating the provisions of this ARTICLE shall be fined in accordance with the following schedule;

(a) \$100 for a violation of Section 22-9-13 of the Article, provided that a fine of \$200 shall be assessed for a second or subsequent violation within one year;

(b) \$100 for parking a vehicle so as to obstruct the entrance or exit of any place where police or fire department apparatus or other emergency equipment is

kept or housed, provided that a fine of \$200 shall be assessed for a second or subsequent violation within one year;

(c) \$50 for parking a vehicle so as to entirely obstruct traffic in any street or alley, provided that a fine of \$100 shall be assessed for a second or subsequent violation within one year;

(d) \$50 for refusing to move a vehicle illegally parked at the request of any police officer, provided that a fine of \$100 shall be assessed for a second or subsequent violation within one year; and

(e) \$25 for the violation of any other section of this Article, provided that a fine of \$50 shall be assessed for a second violation, a \$100 fine shall be assessed for a third violation, and a fine of \$150 shall be assessed for a third violation and any subsequent violation within one year. In the event that any fine pursuant to this subsection (e) is not paid within five days from the date of the citation, the penalty shall be doubled.

(Ordinance 13-C-8, amended December 16, 2013)

(f) \$100 for a violation of Section 22-9-14 of this Article. Any person receiving a citation under this Article shall pay the fine provided for in this section at the police station or City Clerk's office within five days from the date of the citation. If any penalty is not paid within that five-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the vehicle is registered to appear in the Douglas County Circuit Court to answer to the charge.

(Ordinance 11-C-9, amended August 16, 2011)

22-9-11. Parallel Parking Only. Parallel parking only shall be permitted on the South side of Main Street between Walnut Street and Chestnut Street.

(Ordinance No.97-C-3 amended October 20, 1997)

22-9-12. Restricted Parking – Compact Cars Only. Compact car parking only shall be permitted on the north side of Main Street in the area commencing at a point approximately 26 feet east of the center line of Oak Street and ending at a point approximately 46 feet east of the center line of Oak Street and this restricted area shall be identified by a sign or signs indicating compact car parking only. For purposes of this Section, a compact car is defined as any car that does not exceed 15 feet 1 inch in length.

(Ordinance 09-C-1, amended April 06, 2009)

22-9-13. Unauthorized Use of Parking Places Reserved for Persons with Disabilities.

(a) It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities or to a disabled veteran in any parking place, including any private or public off street parking facility specifically reserved by the posting of an official sign for motor vehicles displaying such registration plates or decals. It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities or a disabled veteran in a designated access aisle adjacent to any parking place specifically reserved for persons with disabilities by the posting of an official sign for motor vehicles displaying such registration plates or decals. When using the parking privileges for persons with disabilities, the parking decal or device must be displayed properly in the vehicle where it is clearly visible to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. Any individual with a vehicle properly displaying a person with disabilities license plate or parking decal or device issued to a disabled person is in violation of this Section if the person is not the authorized holder of a person with disabilities license plate or parking decal or device and is not transporting the authorized holder of the person with disabilities license plate or parking decal or device to or from the parking location and the person uses the person with disabilities license plate or parking decal or other device to exercise any privileges granted through the person with disabilities license plates or parking decals or devices.

(b) Any person or local authority owning or operating any public or private off street parking facility may after notifying the City police department, remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by a person with disabilities which does not display a person with disabilities registration plates or a special decal or device as required under this Section.

(c) Any person found guilty of violating the provisions of this Section shall be fined as provided for in Section 22-9-10 of this Article in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this Section provided that the official sign shall show the amount of fine.

(Ordinance 09-C-1, amended April 06, 2009)

22-9-14. Parking Prohibited in Fire Lanes. The term “fire lane”, as used in this Section, means travel lanes for the fire fighting equipment upon which there shall be no standing or parking of any motor vehicle at any time so that fire fighting equipment can move freely thereon. No person shall park, stand or stop any vehicle upon any public street at any time in an area designated as a fire lane, whether on public or private property. Any person who parks a motor vehicle in a space on private property designated as a fire lane shall be deemed to have parked without the permission of the owner of the private property. Any vehicle parked in violation of this Section may be immediately removed by or upon the order of

the police department at the expense of the registered owner.

(Ordinance 11-C-9, amended August 16, 2011)

22-9-15. Parking during special events or emergencies. In the event that a special event or emergency is being prepared for or in progress, the police department shall have the authority to regulate parking with the City, either designating additional no parking areas or allowing for additional parking. It shall be unlawful for any person to fail or refuse to comply with the parking signage, direction, and order of the City of Arcola police department. Any person in violation of this section shall be penalized pursuant to Section 22-9-10 of this Article.

(Ordinance 14-C-3, amended March 17, 2014)

ARTICLE X. THROUGH STREETS AND STOP INTERSECTIONS

22-10-1. Designation of through streets and stop intersections; sign required; obedience to signs required. The streets and intersections described in Sections 22-10-2 and 22-10-3 are designated through streets and stop intersections respectively. Stop signs shall be erected and maintained in conformity with state law at the entrances to the through streets and stop intersections described in such Sections 22-10-2 and 22-10-3. When such signs are erected, the driver of a vehicle approaching any such stop sign shall stop as required by law, unless otherwise directed by a police officer or a traffic-control signal. At four-way stop intersections, vehicles on both streets shall stop before entering intersections. At three-way stop intersections, vehicles shall stop as instructed by stop signs.

Any person found guilty of violating the provisions of this Article shall be fined \$120.00 for said violation.

Any person receiving a citation under this Article shall pay the fine provided for in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any penalty is not paid within that fourteen-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the citation was issued to appear in the Douglas County Circuit Court to answer the charge. Nothing in this section shall preclude the City of Arcola, its police department, or other attorney from taking or pursuing any action allowed by law as a result of the violation or from referring the matter to another entity for prosecution as allowed by law.

(Ordinance 14-C-3, amended March 17, 2014)

22-10-2. Specific through streets established. In accordance with Section 22-10-1, the following streets are designated through streets, except at intersections of these streets with marked highways:

Chestnut Street, from the north city limit to Springfield Road
Chestnut Street, from Springfield Road to the south city limit
Jacques Street, from Springfield Road to Madison Street
Jefferson Street, from Springfield Road to Chestnut Street
Jefferson Street, from Chestnut Street to Jacques Street
Madison Street, from Arcola Avenue to Chestnut Street
Madison Street, from Locust Street to Dogwood Court
Main Street, from Springfield Road to Chestnut Street
Main Street, from Chestnut Street to Jacques Street
Springfield Road, from the northwest city limit to Chestnut Street
Springfield Road, from Chestnut Street to the east city limit
Washington Street, from Arcola Avenue to Chestnut Street
Washington Street, from Chestnut Street to Jacques Street

22-10-3. Specific stop intersections established. In accordance with Section 22-10-1, the following intersections are designated stop intersections:

| <u>Right-of-way streets</u> | <u>Stop sign facing traffic on</u> |
|-----------------------------|------------------------------------|
| Ash Street | Third South Street |
| County Road 300 N | Locust Street |
| Egyptian Trail Road | Green Mill Court |
| Egyptian Trail Road | Green Mill Road |
| Egyptian Trail Road | Robin Lane |
| Elm Street | First South Street |
| Elm Street | Fishel Drive |
| Elm Street | Fourth South Street |
| Elm Street | Front Street |
| Elm Street | Polk Street |

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| | |
|-------------------------------|---|
| Elm Street | Second South Street |
| Elm Street | Third South Street |
| Fourth South Street | Ash Street |
| Fourth South Street | Pine Street |
| Fourth South Street | Ridge Street |
| Front Street | Pine Street |
| Front Street | Ridge Street |
| Industrial Drive (northbound) | Industrial Drive (eastbound)/Robin Lane |
| Jacques Street | Davis Street |
| Jacques Street | Jefferson Street |
| Jacques Street | Pin Oak Court Entrance |
| Jacques Street | Washington Street |
| Jefferson Street | Collins Street |
| Jefferson Street | Locust Street |
| Jefferson Street | Oak Street |
| Jefferson Street | Pine Street |
| Jefferson Street | Sheldon Street |
| Jefferson Street | Water Street |
| Locust Street | Circle Drive |
| Locust Street | First South Street |
| Locust Street | Front Street |
| Locust Street | Madison Street |
| Locust Street | Polk Drive |
| Locust Street | Third South Street |
| Madison Street | Elm Street |
| Madison Street | Jacques Street |
| Madison Street | Moore Street |
| Madison Street | Pine Street |
| Madison Street | Ridge Street |
| Madison Street | Sheldon Street |

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Main Street

Main Street

Main Street

Main Street

Main Street

Main Street

Main Street

Main Street

Main Street

Oak Street

Pine Street

Pine Street

Polk Drive

Ridge Street

Second South Street

Second South Street

Second South Street

Second South Street

Walnut Street

Washington Street

Washington Street

Washington Street

Washington Street

Washington Street

Washington Street

Washington Street

Washington Street

Washington Street

Washington Street

Arcola Avenue

Church Street

Collins Street

Elm Street

Oak Street

Pine Street

Ridge Street

Walnut Street

Water Street

First South Street

First South Street

Third South Street

Taft Drive

Third South Street

Ash Street

Locust Street

Oak Street

Ridge Street

Lincoln Avenue

Collins Street

Commercial Street

Elm Street

Locust Street

Oak Street

Okaw Street

Pine Street

Walnut Street

Water Street

Westview Court

Three Way Stop Intersections

Arcola Avenue and Lincoln Avenue

Green Mill Court and Green Mill Road

Four-way Stop Intersections

Diamond Street and Washington Street

Arcola Avenue and Washington Street

Chestnut Street and Springfield Road

Jacques Street and Main Street

Locust Street and Main Street

Sheldon Street and Main Street

Washington Street and Sheldon Street

Pine Street and Second South Street

Elm Street and Fourth South Street

(Ordinance No. 12-C-3, amended August 20, 2012)

ARTICLE XI. YIELD INTERSECTIONS

22-11-1. Yield intersections; sign required; obedience to signs required.

The intersections described in Section 22-11-2 are designated as yield intersections. Yield right-of-way signs shall be erected and maintained in conformity with state law at the entrances to the preferential streets. Yield right-of-way signs shall be erected and maintained in conformity with state law at the designated entrances to the yield right-of-way intersections described in Section 22-11-2. When such signs are erected, the driver of a vehicle approaching any such yield right-of-way sign shall yield the right-of-way in obedience to the sign, unless otherwise directed by a police officer or a traffic-control signal.

Any person found guilty of violating the provisions of this Article shall be fined \$120.00 for said violation.

Any person receiving a citation under this Article shall pay the fine provided for in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any penalty is not paid within that fourteen-day period, the city attorney is authorized to file a complaint alleging the violation of this Ordinance and issue a notice to appear requiring the person to whom the citation was issued to appear in the Douglas County Circuit Court to answer the charge. Nothing in this section shall preclude the City of Arcola, its

police department, or other attorney from taking or pursuing any action allowed by law as a result of the violation or from referring the matter to another entity for prosecution as allowed by law.

(Ordinance 14-C-3, amended March 17, 2014)

22-11-2. Specific yield right-of-way intersections established. In accordance with Section 22-11-1, the following intersections are designated yield right-of-way intersections:

| <u>Right-of-way streets</u> | <u>Yield sign facing traffic on</u> |
|-----------------------------|--|
| Arcola Avenue | Unnamed Alley between Washington & Main |
| Circle Drive | Polk Drive |
| Circle Drive | Poplar Place |
| Circle Drive | Tyler Drive |
| Elm Street | Davis Street |
| First South Street | Ash Street |
| First South Street | Collins Street |
| First South Street | Ridge Street |
| First South Street | Water Street |
| Front Street | Church Street |
| Front Street | Collins Street |
| Industrial Drive | Unnamed lane at west end of Industrial Drive |
| Jefferson Street | Arcola Avenue |
| Jefferson Street | Church Street |
| Jefferson Street | Commercial Street |
| Jefferson Street | Elm Street |
| Jefferson Street | Moore Street |
| Jefferson Street | Okaw Street |
| Jefferson Street | Pine Drive |
| Jefferson Street | Ridge Street |
| Jefferson Street | Walnut Street |

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Madison Street

Church Street

Madison Street

Collins Street

Madison Street

Commercial Street

Madison Street

Moore Street

Madison Street

Okaw Street

Madison Street

Pine Street

Madison Street

Walnut Street

Main Street

Commercial Street

Main Street

Diamond Street

Main Street

Moore Street

Main Street

Okaw Street

Moore Street

McCoy Lane

Okaw Street

Unnamed Alley between
Washington & Main

Polk Street

Poplar Place

Poplar Place

Taft Drive

Poplar Place

Tyler Drive

Second South Street

Water Street

Sheldon Street

Davis Street

Washington Street

Church Street

Washington Street

Ridge Street

Water Street

Madison Street

(Ordinance No.13-C-5 amended June 03, 2013)

ARTICLE XII. BICYCLES, SKATEBOARDS, ETC.

22-12-1. Restrictions on Operation. (a) It shall be unlawful for any person to operate or ride a bicycle, tricycle, skateboard, roller skates, roller ski, play vehicle or motorized scooter in any of the following places:

(1) Upon and along any sidewalk in that area of the City of Arcola bounded on the north by Jefferson Street, on the east by Collins Street, on the south by Washington Street, and on the west by Walnut Street.

(2) On any public property including but not limited to parking lots located within the City of Arcola where signs are posted prohibiting such operation.

(b) Bicyclists and operators of skateboards, roller skates, roller skis, play vehicles and motorized scooters shall yield the right-of-way to other pedestrians using public sidewalks, and shall not otherwise endanger or interfere with pedestrians using the sidewalk.

(Ordinance 09-C-1, amended April 06, 2009)

22-12-2. Restrictions on Bicycle Parking. It shall be unlawful for any person to park or otherwise leave a bicycle unattended on any sidewalk within the City of Arcola in such a manner that it obstructs or otherwise interferes with pedestrians using the sidewalk.

22-12-3. Warning. For a first offense, a written warning shall be issued to the offender, and no fine shall be imposed. If the offender is under the age of 18 years, a parent or guardian of the offender shall be notified and shall be handed or mailed a copy of the written warning.

22-12-4. Penalty. Any person violating the provisions of this ordinance again after receiving a written warning shall be fined not less than \$1 nor more than \$50 for each offense.

(Ordinance No.91-C-3 amended June 3, 1991)

ARTICLE XIII. GOLF CARTS

22-13-1. Policy Statement. The City of Arcola, in passing this Ordinance, is not advocating or endorsing the use of golf carts on City streets. Other means of travel may be safer than a golf cart. All persons who operate golf carts within the City of Arcola do so at their own risk and peril. In passing this Ordinance, the City of Arcola does not accept any level of liability for accidents, collisions, injuries or death, or destruction of property. In passing this Ordinance, the City is merely regulating the use of golf carts on City streets, as invited by the law of the State of Illinois, in an attempt to increase safety on City streets.

22-13-2. Golf carts on City streets. Golf carts specifically defined and qualified herein shall be allowed on City streets under the conditions as stated herein.

22-13-3. Definitions.

1. A “Golf Cart”, as defined herein, means a vehicle specifically designed and intended for the purposes of transporting one (1) or more persons and their golf clubs while engaged in the playing of golf, supervising the play of golf or maintaining the condition of the grounds on a public or private golf course and for the purposes of the Article shall include recreational off-highway vehicles which are defined as any motorized off-highway device designed to travel primarily off-highway, 64 inches or less in width, having a manufacturer’s dry weight of 2,000 pounds or less, traveling on 4 or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers. (Ordinance 14-C-8, amended Sept. 15, 2014)

2. City Streets” means any of the streets within the boundaries of the City of Arcola, Illinois excluding any street which is under the jurisdiction of a unit of government other than the City of Arcola, Illinois, including, but not limited to Arcola Township, Douglas County, or the State of Illinois.

22-13-4. Requirements. All persons wishing to operate a golf cart on the City Streets must ensure compliance with following requirements:

Proof of current liability insurance, a copy of which shall be kept in the golf cart whenever used on City streets.

1. Must be certified with the City and have the vehicles certified with the City by inspection by a designated representative.
2. Must display City decal on both sides of the vehicle.
4. Must have a current, valid Illinois driver’s license.
5. Golf carts must be equipped as follows:
 - (1) Horn;
 - (2) Brakes and brake light;
 - (3) Front and rear turn signals;
 - (4) A steering wheel apparatus;
 - (5) Tires;
 - (6) Rearview mirror;
 - (7) Seat Belts for each passenger;
 - (8) Red reflector warning device on the front and rear;
 - (9) Yellow flashing light visible for at least 100’ from the rear of the golf cart. Said lights must be turned on when operated one hour before sunrise or one hour before

sunset;

- (10) Approved "Slow Moving Vehicle" emblem on the rear of the vehicle (625 ILCS 5/12-709);
- (11) Headlight that emits a white light visible from a distance of five hundred (500) feet to the front which must illuminate when in operation;
- (12) Tail lamp that emits a red light visible from at least one hundred (100) feet from the rear which must be illuminated when in operation;
- (13) Any additional requirements which may be amended to 625 ILCS 5/11 – 1426.1 of the Illinois Motor Vehicle Code.

6. Must obey all traffic laws of the State of Illinois.

7. Must be eighteen (18) years of age.

8. Must be operated only on the City streets, except where prohibited.

9. May not be operated on streets under the jurisdiction of Arcola Township, Douglas County, or the State of Illinois, except to cross said streets, in which case the operator must make a direct crossing in which the crossing is made at an angle of approximately 90 degrees to the direction of the street, road or highway; at a place where no obstruction prevents a quick and safe crossing; the golf cart is brought to a complete stop before attempting a crossing; the operator of the golf cart yields to the right of way to all pedestrian and vehicular traffic which constitutes a hazard; and that when crossing a divided highway, the crossing is made only at an intersection of the highway with another public street, road, or highway.

(Ordinance No. 14-C-8, amended Sept. 15, 2014)

10. Must not be operated in excess of posted speed limit and, regardless, may not exceed thirty-five (35) miles per hour.

11. A person operating or who is in actual physical control of a golf cart as described herein on a roadway while under the influence is subject to Section 11-500 through 11-502 of the Illinois Compiled Statutes (625 ILCS 5/11-500 – 11-502).

12. Each golf cart may transport only as many individuals as is the lesser of the number of seats or as its manufacturer designates. No individuals may ride on any other portion of the golf cart.

13. Children must be restrained in a golf cart in the same manner required as if they were in an automobile. Car seat and seatbelts law shall be followed when children are in golf carts.
14. Whenever being operated on City streets headlights and taillights shall be illuminated.
15. Golf carts may only be operated on City streets from the hours of 6:00 a.m. until 9:00 p.m..
16. No person shall be in possession of or consume alcoholic beverages on or in a golf cart on City streets.
17. No person shall drive or be in control of a golf cart on City streets when an analysis of the person's blood, urine, breath or other bodily substance would disclose an alcohol concentration of more than 0.00 grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

22-13-5. Permits.

1. No person shall operate a qualified golf cart without first obtaining a permit from the Chief of Police or his designee. A copy of said permit shall be kept in the golf cart whenever used on City streets. Only an individual with a valid permit shall be allowed to operate a golf cart on the streets with the City of Arcola and said individual shall only be allowed to operate golf carts on City streets that have been inspected and approved for travel on City streets and feature a City decal as detailed above.
2. Permits shall be granted for a period of only year for the date designated on the permit. Renewal date is annually March 1st regardless of when the permit was granted.
3. The cost of the permit is Fifty Dollars (\$50.00).
4. Insurance coverage is to be verified to be in effect by the Police Department when obtaining and renewing a permit.
5. Every application for a permit shall be made on a form supplied by the City and shall contain the following information:
 - a. Name and address of applicant;
 - b. Name of liability insurance carrier;

- c. The serial number, make, model and description of golf cart;
- d. Signed Waiver of Liability by applicant releasing the City and agreeing to defend, indemnify and hold the City harmless from any and all future claims resulting from the operation of their golf carts on City Streets relating to the golf cart owned or operated by the applicant;
- e. Photocopy of applicable liability insurance coverage card specifically for the vehicle to be operated pursuant to the permit;
- f. Such other information as the City may require;

6. No permit shall be granted unless the following conditions are met:

- a. The vehicle must be inspected by the designated representative to insure that the vehicle is safe to operate on City streets and is in compliance with this Article and with the State of Illinois Motor Vehicle Code;
- b. The applicant must provide evidence of insurance in compliance with the provisions of the Illinois Statutes regarding minimum liability insurance.

22-13-6. Penalties.

1. Operating a golf cart on City streets is a privilege and not a right. Any person who has a permit to operate a golf cart on City streets and is found to have violated this Ordinance may have his or her permit suspended or revoked by the Chief of Police. Decisions of the Chief of Police shall only be reversed or modified by a majority vote of the City Council of the City of Arcola, Illinois.

2. Anyone found to operate a golf cart on City of Arcola streets, operate a golf cart within the City of Arcola in an area where golf carts are not allowed, or to operate a golf cart that has not been approved by the City for travel on City streets shall be subject to a \$75.00 fine for the first violation, a \$150.00 fine for a second violation within a 365 day period, and a \$500.00 fine for a third violation within a 365 day period. The City Attorney shall have the authority to bring a complaint against an individual violating this Ordinance to recover the aforementioned fines and to seek an injunction against further violations of this Ordinance.

3. Notwithstanding the foregoing, anyone found to operate a golf cart on City of Arcola streets in violation of any other provision of this Ordinance shall be subject to a \$75.00 fine for the first violation, a \$150.00 fine for a second violation within a 365 day period and a \$500.00 fine for a third violation within a 365 day period. The City Attorney shall have the authority to bring a complaint against an

individual violating this Ordinance to recover the aforementioned fines and to seek an injunction against further violations of this Ordinance.

4. Any person in possession of or consuming alcoholic beverages on or in a golf cart on City streets, in addition to other penalties which may be available under the laws of State of Illinois or other parts of this Ordinance, shall be subjected to revocation of his or her permit to operate a golf cart on City streets.

5. If a person driving or in control of a golf cart on City streets refuses to submit to or submits to a test or analysis of the person's blood, urine, breath or other bodily substance that discloses an alcohol concentration of more than 0.00 grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath, in addition to other penalties which may be available under the laws of State of Illinois or other parts of this Ordinance shall be subjected to revocation of his or her permit to operate a golf cart on City streets.

6. Any person receiving a citation under this Article shall pay any monetary fine provided in this section at the police station or City Clerk's office within fourteen days from the date of the citation. If any monetary penalty is not paid within that fourteen-day period, the police department is authorized to file a complaint alleging the violation of this ordinance and issue a notice to appear requiring the offender to appear in the Douglas County Circuit Court to answer to the charge.

22-13-7. Possibility of amendment, suspension, or end of Golf car program.

Individuals are advised that the City of Arcola is permitting the use of golf carts on City streets in limited circumstances and pursuant to current Illinois law. Individuals should view the use of golf carts on City streets as a program which could be suspended, modified, or ended at any time and effective immediately upon a majority vote of the City Council amending this Ordinance, upon a court ruling, or in the event of a change in the laws of the State of Illinois or United States of America. Individuals should consider these factors when making the decision to purchase golf carts or make potentially expensive upgrades to golf carts.

(Ordinance 10-C-6, amended Oct. 05, 2010)

ARTICLE XIV. PERSONS SOLICITING CONTRIBUTIONS FROM THE
OCCUPANTS OF MOTOR VEHICLES

22-14-1. No person shall stand on a highway within the City of Arcola for the purpose of soliciting a contribution from the occupant of any vehicle unless as provided below and affiliated with or the member of a soliciting agency. The soliciting agency shall be:

Traffic and Vehicles 22-14-1

(a) registered with the Attorney General as a charitable organization as provided by “An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefore,” approved July 26, 1963 [225 ILCS 460/1 et seq.], as amended and

(b) engaged in a Statewide fundraising activity; and

(c) liable for any injuries to any person or property during the solicitation which is casually related to an act or ordinary negligence of the soliciting agent.

22-14-2. Any person engaged in standing on a highway within the City of Arcola for the purpose of soliciting contributions from the occupant of any vehicle shall be sixteen (16) years of age or more and shall be wearing a high visibility vest.

22-14-3. In order to ensure the safety of motorists and the safety of solicitors, solicitations may only occur on a highway or any other street within the City of Arcola at intersections where all traffic is required to come to a full stop and solicitation shall only be allowed during daylight hours. The intersection of Main Street and Locust Street shall be the only location not on a highway in the City of Arcola at which solicitations may occur.

22-14-4. At least two full weeks (fourteen days) before any solicitation is to occur, any organization which wishes to stand on a highway within the City of Arcola for the purpose of soliciting a contribution from the occupant of any vehicle shall first seek permission from the Chief of Police of the City of Arcola by submitting the following information:

(a) the name of the organization applying; and

(b) the proposed location of solicitations; and

(c) the proposed dates and times of solicitations; and

(d) proof that the organization is registered with the Attorney General as a charitable organization as provided by “An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefore,” approved July 26, 1963 [225 ILCS 460/1 et seq.], as amended; and

(e) a statement that the organization is engaged in a Statewide fundraising activity; and

(f) proof of the organization's liability insurance covering the solicitation on the highway.

The Chief of Police shall have discretion in determining whether or not to grant permission for the solicitation and should consider factors including, but not limited to: other activities taking place in the municipality and County on that day, the frequency of requests by the applicant to solicit on streets or highways in the municipality; the number of times in recent weeks and months that there have been solicitations on the highway, the applicant's prior appropriateness in roadway solicitation, and other factors the Chief of Police may deem relevant.

22-14-5. Nothing in this ordinance shall allow for the interference with the operation of official traffic control devices.

22-14-6. No person shall stand on any street or road within the City of Arcola that is not a highway for the purpose of soliciting a contribution from the occupant of any vehicle unless the person soliciting a contribution is sixteen (16) years of age or more wearing a high visibility vest.

22-14-7. At least two full weeks (fourteen days) before any solicitation is to occur, any organization which wishes to stand on a street or road other than a highway within the City of Arcola for the purpose of soliciting a contribution from the occupant of any vehicle shall first seek permission from the Chief of Police of the City of Arcola by submitting the following information:

- (a) the name of the organization applying; and
- (b) the proposed location of solicitations; and
- (c) the proposed dates and times of solicitations.

(d) proof of the organization's liability insurance covering the solicitation on public streets.

The Chief of Police shall have discretion in determining whether or not to grant permission for the solicitation and should consider factors including, but not limited to: other activities taking place in the municipality and County on that day, the frequency of requests by the applicant to solicit on streets or highways in the municipality; the number of times in recent weeks and months that there have been solicitations on the highway, the applicant's prior appropriateness in roadway solicitation, and other factors the Chief of Police may deem relevant.

(Ordinance 11-C-11, amended November 08, 2011)