

**ORDINANCE NO. 4338**

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 5 OF THE EAST PEORIA CITY CODE PERTAINING TO ELECTRIC VEHICLE PARKING**

**WHEREAS**, the East Peoria Police Department has received numerous complaints about non-electric vehicles parking in areas in the Levee District designated for electric vehicles only; and

**WHEREAS**, Section 11-71-7 of the Illinois Municipal Code authorizes the corporate authorities of any municipality to make reasonable rules and regulations regarding the management, control and use of any off-street parking facility; and

**WHEREAS**, Section 11-1308 of the Illinois Vehicle Code prohibits the parking of non-electric vehicles in areas designated for electric vehicles only, including any private or public off-street parking facility, and authorizes municipalities to impose a \$100 fine for a violation thereof; and

**WHEREAS**, the City Council finds that it is in the best interest of the City residents to prohibit the parking of non-electric vehicles in areas designated for electric vehicles only;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, THAT:**

**Section 1.** Title 11, Chapter 5, Section 6 of the East Peoria City Code is hereby amended to read as follows (additions are indicated by underline, deletions by ~~strikeout~~):

**11-5-6. Parking prohibited in specified places and beyond specified time limits.**

(a) No person shall park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

- (1) On a sidewalk;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within fifteen (15) feet of a fire hydrant;
- (5) On a crosswalk;

- (6) Within twenty (20) feet of a crosswalk at an intersection;
- (7) Within thirty (30) feet upon an approach to any flashing beacon, stop sign or traffic-control signal located at the side of the property;
- (8) Within a safety zone and the adjacent curb or within thirty (30) feet of points on the curb immediately opposite the ends of a safety zone, unless the city department of streets indicates a different length by signs or markings;
- (9) Within fifty (50) feet of the nearest rail or railroad grade crossing;
- (10) Within twenty (20) feet of a driveway entrance to any fire station and on the side of the street opposite the entrance to any fire station within seventy five (75) feet of said entrance when properly sign posted;
- (11) Alongside or opposite any street excavation or obstruction when such parking would obstruct traffic;
- (12) On the roadway side of any vehicle parked at the edge or curb of a street;
- (13) Upon any bridge or elevated structure upon a highway or within a highway tunnel;
- (14) At any place where official signs prohibit parking;
- (15) Within any designated bus zone, where such zone is marked by signals or pavement markings;
- (16) In an alley within twenty (20) feet of the inner sidewalk line projecting across said alley;
- (17) Under the lowest portion of any fire escapes;
- (18) Upon a railroad track or between any railroad tracks and in a line and parallel with and ten (10) feet distant from the outer rail thereof;
- (19) Upon any parkway excepting in cases of emergencies;
- (20) Within twenty (20) feet of any alley entrance or exit;

(21) Next to any curbing painted with alternating red and white stripes or painted with solid yellow paint which has been placed on said curbing by the City or the Illinois Department of Transportation.

(b) Whenever signs posted by the city or the Illinois Department of Transportation limit parking in a certain area to a specified length of time, no person shall park a vehicle within such area beyond said specified time, except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or traffic-control device.

(c) Whenever signs are posted by the city or the Illinois Department of Transportation or painted in specific areas, public or private, which designate such specific areas as fire lanes, no person shall park a vehicle within such an area, except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or traffic-control device.

(d) It shall be unlawful for any person or operator, except physically handicapped persons or those transporting physically handicapped persons, as described in section 11-5-6.1 of this Code, to park a vehicle any time in municipal parking areas and meter spaces designated for physically handicapped persons only or in areas in private lots designated for the physically handicapped, except when necessary to avoid conflict with other traffic or in compliance with directions of a police officer or other traffic-control device.

(1) An individual with a vehicle displaying license plates or a parking decal or device issued, by a governmental unit, to physically handicapped persons and transporters of physically handicapped persons is in violation of Section (d) if (i) the person using the disability license plate or parking decal or device is not the authorized holder of the disability license plate or parking decal or device or is not transporting the authorized holder of the disability license plate or parking decal or device to or from the parking location and (ii) the person uses the disability license plate or parking decal or device to exercise any privileges granted through the disability license plate or parking decals or devices under this Code.

(e) It shall be unlawful for any person or operator to park a non-electric vehicle at any time in an electric vehicle charging station or area designated for use by electric vehicles only, including an electric vehicle charging station or area designated for use by electric vehicles on any private or public off-street parking facility, except when necessary to avoid

conflict with other traffic or in compliance with directions of a police officer or other traffic-control device.

“Electric vehicle” means a battery-powered electric vehicle operated solely by electricity or a plug-in hybrid electric vehicle that operates on electricity and gasoline and has a battery that can be recharged from an external source.

“Electric vehicle charging station” means any facility or equipment that is used to charge a battery or other energy storage device of an electric vehicle.

**Section 2.** Title 11, Chapter 5, Section 21 of the East Peoria City Code is hereby amended to read as follows (additions are indicated by underline, deletions by ~~strikeout~~):

**11-5-21. Penalties.**

(a) The following violations of the City Code pertaining to stopping, standing and parking shall be punishable by a fine in the following amounts if said fine is paid within twenty-one (21) days of receipt of the parking violation notice:

- (1) \$25.00 overtime parking
- (2) \$25.00 no parking zone
- (3) \$25.00 parked wrong direction
- (4) \$25.00 improperly parked
- (5) \$50.00 obstructing traffic
- (6) \$50.00 bus zone
- (7) \$50.00 parked on sidewalk
- (8) \$75.00 parked in fire zone

The term “fire zone” as used in this section shall include those areas described in 11-5-6(a)(4) (parking within 15 feet of a fire hydrant), 11-5-6(a)(10) (parking within a certain distance of a fire station entrance), and 11-5-6(c) (parking in a fire lane).

(b) Penalty for all other parking violations within the city, unless otherwise specified herein, shall be a fine of twenty-five dollars (\$25.00).

(c) The penalty for a violation of section 11-5-6(d) (parking in an area designated for handicapped persons only) shall be a fine of three hundred fifty dollars (\$350.00).

(d) The penalty for a violation of section 11-5-6(d)(1) (person not having a disability who uses disability plates or decals to exercise parking privileges in a space reserved for a person with disabilities) shall be a fine of six hundred dollars (\$600.00).

(e) The penalty for a violation of subsection 11-5-6(e) (parking in electric vehicle charging station or area designated for electric vehicles only) shall be a fine of one hundred dollars (\$100.00).

(ef) Any fine mentioned in subsections (a), (b), (c), ~~or (d)~~ or (e) above may be satisfied without appearing in court if it is paid in person or at the East Peoria Police Department, 201 N. Main, East Peoria, Illinois, or by mailing a check or money order to the East Peoria Police Department at the above address within twenty-one (21) days of receipt of the parking violation notice.

(fg) Where any fine mentioned in subsections (a), (b), (c), ~~or (d)~~ or (e) above remains unpaid after twenty one (21) days of receipt of the parking violation notice, the East Peoria Police Department shall file the parking violation notice against the violator for appearance in court to answer the charges of such violation. Any person convicted of violating this section shall be punished by a fine of not less than one hundred dollars (\$100.00), nor more than seven hundred fifty dollars (\$750.00) for each offense.

(gh) Any person violating any of the provisions of sections 11-5-12, 11-5-13 or 11-5-20 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed seven hundred fifty dollars (\$750.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

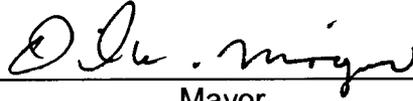
**Section 3.** This Ordinance is hereby ordered to be published in pamphlet form by the East Peoria City Clerk and said Clerk is ordered to keep at least three (3) copies hereof available for public inspection in the future and in accordance with the Illinois Municipal Code.

**Section 4.** This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

**Section 5.** This Ordinance shall be in full force and effect from and after its passage, approval and ten (10) day period of publication in the manner provided by law.

**PASSED BY THE COUNCIL OF THE CITY OF EAST PEORIA, TAZEWELL COUNTY, ILLINOIS, IN REGULAR AND PUBLIC SESSION THIS 20th DAY OF June, 2017.**

**APPROVED:**

  
\_\_\_\_\_  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

**EXAMINED AND APPROVED:**

  
\_\_\_\_\_  
Corporation Counsel

**CITY OF EAST PEORIA**

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**ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF EAST PEORIA  
THE 20TH DAY OF JUNE 2017**

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**Published in pamphlet form by authority of the City Council of the City of East  
Peoria, Tazewell County, Illinois, this 20th day of June, 2017.**

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**EFFECTIVE JUNE 30, 2017**