



ORDINANCE NO. #O24-01-01

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 10 - VEHICLES AND TRAFFIC, CHAPTER 10.32 – PARKING, OF THE MUNICIPAL CODE TO ADDRESS ISSUES RELATED TO DOWNTOWN PARKING

ADOPTED BY THE MAYOR AND BOARD OF TRUSTEES
OF THE VILLAGE OF CARY THIS 16th DAY OF JANUARY 2024

Published in pamphlet form by
authority of the Mayor and
Board of Trustees of the Village
of Cary, McHenry County, Illinois
this 16th day of January 2024.

WHEREAS, the Village is authorized to enact certain ordinances and make rules and regulations proper or necessary in accordance with the Illinois Municipal Code (65 ILCS 5/1-2-1); and;

WHEREAS, the Illinois Vehicle Code (625 ILCS 5/11-208 – Power of Local Authorities) authorizes municipalities the ability to regulate parking; and;

WHEREAS, members of the public have expressed concerns about the parking restrictions in the Village of Cary Downtown area; and;

WHEREAS, the exercise of the powers granted to the Village of Cary through both the Illinois Municipal Code and Illinois Vehicle Code can address the concerns expressed by the public and to improve public safety; and;

WHEREAS, the Mayor and Village Board of Trustees have determined that the amendment to the Municipal Code is in the best interest of the Village of Cary.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village of Cary as follows:

SECTION 1: That the above recitals are incorporated as if fully set forth herein.

SECTION 2: The following is added (underline) or deleted (strikeout) to the Municipal Code Section 10.32.010:

Sec. 10.32.010. – Limited Parking.

No person shall park any vehicle between the hours of 6:00 a.m. and 6:00 p.m., unless otherwise specified herein, for longer than the time indicated on the following streets and in the following locations:

F. ~~Six (6)~~ Four (4) hours 8:00 A.M. to 10:00 P.M.

1. Cary Street, north side, from the curb line of High Road, east fifty (50) feet to a point.
2. Cary Street, south side, from the curb line of High Road, East seventy-five (75) feet to a point.
3. High Road, east side, from the curb line of Cary Street to the curb line of Charlotte Place, excepting therefrom those portions where parking is prohibited at any time.
4. ~~The twenty-six (26) space parking lot located on High Road approximately one hundred sixty-two (162) feet north of the northerly right-of-way on West Main Street and bounded by the Union Pacific right-of-way to the north and east.~~

G. Six (6) hours

1. The twenty-six (26) space parking lot located on High Road approximately one hundred sixty-two (162) feet north of the northerly right-of-way on West Main Street and bounded by the Union Pacific right-of-way to the north and east.

~~G~~H. Twenty (20) hours.

1. That parking area on the north side of Jandus Road and running easterly from West Main Street, parallel with the Union Pacific Railroad tracks, as outlined and delineated by Village parking signs as a parking lot, is declared a parking area for motor vehicles not to exceed twenty (20) hours, excepting thereto the restrictions as found in [Section 10.32.005](#).

~~H~~I. One Hundred Twenty (120) hours.

1. That the area on the north side of Jandus Road and parallel with the Union Pacific Railroad tracks, dedicated as spots 229—238, is declared a parking area for motor vehicles not to exceed one hundred twenty (120) hours, excepting thereto the restrictions as found in [Section 10.32.005](#).

SECTION 3: The following is added or amended to the Municipal Code Section 10.32.100:

Sec. 10.32.100 – All Night Parking

- A. No person shall park any vehicle between the hours of 1:00 a.m. and 6:00 a.m. of any day during the months of January, February, March or December except physicians on emergency calls, on any streets in the Municipality except as allowed by this Code.
- B. No person shall park any vehicle between the hours of 1:00 a.m. and 6:00 a.m. on any day of the year on the following roadways except as allowed by this Code:
 1. West Main Street from High Road to Jandus Road.
 2. Jandus Road from West Main Street to Cary Street.
 3. Spring Street from West Main Street to Cary Street.
 4. Cary Street from Jandus Road to High Road.
 5. High Road from West Main Street to Cary Street.
- ~~BC~~. Authority to grant exception to all night parking restriction. The Director of Public Works, Assistant Director of Public Works, Chief of Police, member of the Police Department holding the rank of Sergeant or greater, or a Patrol Officer acting in the capacity of Officer-in-Charge for that period of time affected may grant permission for an individual that seeks prior permission to park on the street contrary to the all night parking restriction. However, no such permission shall be granted to any one (1) residential location/residence at the resident's request for more than four (4) overnight periods annually.

SECTION 4: The following is added or amended to the Municipal Code Section 10.32.105

Sec. 10.32.105 – All Night Parking – Exemption Permit

B. The following vehicles are eligible for an all night parking exemption permit:

1. Privately owned vehicles used by credentialed medical professionals or trained/certified medical caregivers providing required care to a Village resident.
2. Government owned vehicles of emergency service agencies (law enforcement, fire, emergency medical service) used by Village residents parked within the Village.
3. Residents of buildings located at 203 West Main Street, 104 and 106 Spring Street and 109 Cary Street may request, and be granted, a permit to park overnight on the south side of Cary Street between Spring Street and High Road and west side of High Road between West Main Street and Cary Street. Only one permit will be granted per residential living quarter within the defined buildings. The issuance of an overnight parking permit does not relieve the vehicle owner from the responsibility of removing their vehicle from the roadway for maintenance or snow/debris removal as required by this Code.

PASSED THIS 16th DAY OF JANUARY 2024

AYES: Collier, Dudek, McAlpine, Stefani, Walrath, Weinhammer

NAYS: None

ABSTAIN: None

ABSENT: None

APPROVED THIS 16th DAY OF JANUARY 2024

Mark Kownick, Mayor

ATTEST:

Sue Greene, Deputy Village Clerk