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AN ORDINANCE AMENDING TITLE 9 CHAPTERS 7 AND 9 OF THE ORLAND PARK MUNICIPAL CODE, RELATING TO PARKING FOR PERSONS WITH DISABILITIES AND REGULATIONS FOR PARKING AREAS AT SCHOOLS

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Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

Section 9-7-7 of the Orland Park Municipal Code is hereby amended to read in its entirety as follows:

9-7-7 PARKING SPACES FOR PERSONS WITH DISABILITIES AND DISABLED VETERANS

9-7-7-1 DEFINITION:

The following persons shall be classified as persons with disabilities and disabled veterans for the purpose of this Section:

Every natural person who is unable to walk two hundred feet (200') or more unassisted by another person or without the aid of a walker, crutches, braces, prosthetic device or a wheelchair or without great difficulty or discomfort due to the following impairments: neurologic, orthopedic, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs.

The term "persons with disabilities" and "disabled veterans" are interchangeable for purposes of this Section and Title 9 of the Orland Park Village Code.

9-7-7-2 VEHICLE IDENTIFICATION:

A motor vehicle operated by or for a disabled person shall be identified by one or more of the following methods:

1. State of Illinois registration plates issued to a disabled person or disabled veteran pursuant to State law;
2. State of Illinois special decal or device issued to a person with a disability by the office of the Secretary of State, or other state agency or local government, pursuant to law;
3. Temporary placard or devices conforming to State law and regulations issued by the Village; or

4. Disabled person registration plates, special placards or device issued by any other municipality or jurisdiction.

#### 9-7-7-3 REGULATION:

(a) Any motor vehicle not displaying the registration plates or placard issued to a person with disabilities or a disabled veteran is prohibited from parking or being parked in any private or public on or off street parking place designated by the posting of signs for motor vehicles displaying such plates or placards. It is also prohibited to park or be parked any motor vehicle in a designated access aisle adjacent to such parking place.

It is also a violation of this subsection (a) if the authorized holder of the disability license plate or placard does not enter or exit the vehicle at the time the parking privileges are being used.

(b) Any motor vehicle displaying the registration plates or a placard issued to a person with disabilities or a disabled veteran, but not being used by, or for the transportation of, the authorized holder of the disability plates or placard is prohibited from being parked in a parking space designated for the parking of such vehicles or the designated access aisle for such space.

#### 9-7-7-4 EXEMPTIONS:

A vehicle which is designated as being operated by or for a person with disabilities shall be exempt from the payment of parking meter fees and from any ordinances imposing time limitations on parking, except limitations of one hour or less.

However, these exemptions shall not apply if the parking of the motor vehicle constitutes a traffic hazard whereby such motor vehicle shall be moved at the direction and request of a law enforcement officer to a location designated by said officer.

#### 9-7-7-5 SIGNS AND SIZE OF SPACES:

Signs in conformance with the provisions of 625 ILCS 5/11-301 and 11-1301.3 shall be posted to designate the reservation of parking facilities for use by persons with disabilities.

Owners, operators or managing agents of any commercial or business center with a parking lot containing parking stalls for persons with disabilities which are designated on approved building or site plans shall cause such parking stalls for persons with disabilities to be identified by pavement markings and also to be identified by a sign posted at the front of the stall. The sign shall conform to State standards, and the bottom of the sign shall not be less than four feet (4') from the ground.

Beginning October 1, 1992, all parking spaces reserved for persons with disabilities except for those reserving on-street parking areas, shall be at least sixteen (16) feet wide.

It is not a defense to a violation of this section if the signs posted or the intended accessible parking spaces do not comply with technical requirements or local regulations, if the actual sign or space would make a reasonable person aware that the space is reserved for persons with disabilities.

#### 9-7-7-6 PLACARDS OR DEVICES:

Placards or devices are available to Orland Park residents from the Orland Township office upon proper proof from the requestor.

The placard shall be the property of such person with a disability or organization and may be used by that person or organization to designate a vehicle not designated as disabled by registration plates when the said vehicle is being used to transport persons with disabilities; thus entitling the vehicle to all the privileges that would be afforded a disabled licensed vehicle.

The placard shall be displayed from the rear view mirror.

The placards for temporary use shall be issued by the Police Department for persons with temporary disability and said placards shall contain an expiration date.

#### 9-7-7-7 APPLICABILITY:

Parking privileges granted by this Section are strictly limited to the person to whom the special registration plates, decal or device were issued and to qualified operators acting under the disabled person's express direction while the disabled person is present.

#### 9-7-7-8 PENALTY:

(a) Any person who violates the prohibition of Subsection 9-7-7-3(a) (use of space for persons with disabilities or associated aisle without disabled plates or placard or use of space for persons with disabilities when authorized holder of plates or placard does not enter or exit the vehicle) shall be fined two hundred fifty dollars (\$250) for each offense of which such person is convicted. Signs shall be posted indicating the fine amount.

(b) Any person who violates the prohibition of Subsection 9-7-7-3(b) (use of disabled plates or placard to exercise the privilege of such plates or placard by one who is not either the authorized holder of the plates or placard or transporting the authorized holder) shall be fined five hundred dollars (\$500) for the first offense, seven hundred fifty dollars (\$750) for the second offense and one thousand dollars (\$1,000) for the third or subsequent offenses. In addition, the Secretary of State may revoke the person's driving privileges or suspend them for a period of time to be determined by the Secretary of State for a second, third or subsequent offense.

## SECTION 2

Section 9-7-10-2, Drawing of Parking Areas Submitted, of the Orland Park Municipal Code is hereby amended to read in its entirety as follows:

The Manager, managing agent or managing agency of every commercial center which has not previously done so shall, within thirty (30) days of the effective date hereof, submit an "as is" drawing of the parking area showing the parking row configuration, parking spaces, spaces for persons with disabilities and fire lanes, directions for traffic movement within the area, ingress and egress out of and into the area, and any parking signs for spaces designated for persons with disabilities, stop signs, yield signs, and no parking signs.

### SECTION 3

Section 9-7-10-6 of the Orland Park Municipal Code is hereby amended to read in its entirety as follows:

#### 9-7-10-6 PARKING FOR PERSONS WITH DISABILITIES:

It shall be unlawful to park a motor vehicle in a designated parking space for persons with disabilities unless the vehicle contains the identification (license plate, placard or sticker) required by Section 9-7-7 of this Chapter, or the Illinois Compiled Statutes.

### SECTION 4

Section 9-7-10-7, Penalty, of the Orland Park Municipal Code is hereby amended to read in its entirety as follows:

Any person violating the provisions of this Section, except subsection 6, shall be subject to a fine of not less than two hundred fifty dollars (\$250) unless a different fine is so specified in this Chapter.

### SECTION 5

Section 9-7-11, Regulations for Parking Areas of Schools, of the Orland Park Municipal Code is hereby amended to read in its entirety as follows:

It shall be unlawful for any person to operate or maintain a motor vehicle in the parking areas of all public and private schools except in conformity with the parking and traffic control regulations hereinafter set forth in this Section 9-7-11.

### SECTION 6

Section 9-7-11-8 of the Orland Park Municipal Code is hereby amended to read in its entirety as follows:

## 9-7-11-8 PROHIBITION OF PARKING IN SPACES DESIGNATED FOR PERSONS WITH DISABILITIES:

It shall be unlawful for a motor vehicle to occupy any parking space within the parking area designated and marked for the use of persons with disabilities unless such vehicle is operated by a person defined as disabled according to this Code or as defined in section 5/11-209(d) of the Illinois Vehicle Code of the State of Illinois, 625 ILCS 5/11-209(d); a driver of a vehicle who does not qualify as disabled under either definition shall not park in a space marked or designated for the use of persons with disabilities.

## SECTION 7

Section 9-9-11-3 of the Orland Park Municipal Code is hereby amended to read in its entirety as follows:

### 9-9-11-3 COMMUTER PARKING LOTS:

It shall be unlawful for any person to park a motor vehicle on that real estate located within the Village and designated as the 143rd Street, 153rd Street, and 179th Street Commuter Parking Lots between the hours of six o'clock (6:00) A.M. and seven o'clock (7:00) P.M. on any day Monday through Friday of any week, except under the following conditions:

1. A motor vehicle may be parked in any numbered stall upon payment of daily fee of one dollar (\$1.00) deposited in the coin box slot corresponding to the stall number indicated on the adjacent sign and on the pavement.
2. A motor vehicle may be parked in any stall other than those described in subsection (1) above by displaying an appropriate monthly parking permit sticker issued for the applicable commuter parking lot in the rear window of the vehicle, (as described in subsection (4) of this Section) or, if the vehicle has no rear window, then on a rear door or rear bumper of the vehicle. The lot monthly sticker shall not authorize the vehicle to be parked in a numbered spot described in subsection (1) above, unless the said daily fee is paid for that spot, nor in any other lot than designated on the sticker without payment of the required fee for parking in such other lot.
3. Any vehicle parked in the Commuter Parking Lots between the hours designated in Section 9-9-11-3 and which does not display a permit authorizing the parking of said vehicle in said lot, or pay the daily fee as provided for in this Section, shall be ticketed.
4. An application for a permit to park in any Village Commuter Parking Lot shall be made to the Finance Department of the Village. The fee for the issuance of such permit shall be twenty-five dollars (\$25.00) a month payable on a monthly or quarterly basis. Upon payment of the appropriate fee, the Village Finance Department shall issue a permit in the form of a sticker or stickers specifically issued and identified for the specific lot. A permit shall only be issued to a person who can furnish evidence that such person is a

commuter on the Norfolk and Western Commuter trains, and such person shall be entitled to only one permit per month. Such permit shall be valid only for the specific commuter lot designated and identified on the permit.

5. "No Parking" areas, fire lanes, stop signs and parking spaces for persons with disabilities and other regulations for the Commuter Parking Lots shall be as designated by Village Ordinance, in addition to those set forth in this Section.

6. No person shall park or operate a vehicle in any Commuter Parking Lot in violation of the restrictions set forth in subsection (5) above.

7. Except for emergency vehicles, no person shall drive or operate or cause to be driven or operated any vehicle along, upon or over Commuter Parking Lots in the Village at a speed in excess of fifteen (15) miles per hour.

8. Approved freestanding signs shall be installed by the Village in the Commuter Parking Lots, informing the public that vehicle speed is limited as hereinabove provided and that other restrictions are applicable as set forth in subsection (5).

9. Special parking areas for the exclusive use of persons with disabilities shall be provided and installed in the Commuter Parking Lots.

10. Except for emergency vehicles and vehicles being driven or operated by or for the use of persons with disabilities, parking or standing of any motor vehicle, or otherwise obstructing any of the special parking areas established by this Section for the exclusive use of persons with disabilities is prohibited at all times. The vehicles of persons with disabilities shall be identified by the license issued by the Motor Vehicle Division of the Secretary of State of the State of Illinois.

11. It shall be unlawful for any person, firm or corporation to sell or offer for sale any goods or services within the Commuter Parking Lots without the express written approval of the President and Board of Trustees.

12. It shall be unlawful for any person to park a motor vehicle overnight in any Commuter Parking Lot.

13. It shall be unlawful for any person to loiter in any Commuter Parking Lot, to dump or otherwise deposit any waste or refuse of any kind thereon, to permit any animals to run loose thereon, or for any person to consume any alcoholic beverage thereon.

14. Persons using the Commuter Parking Lots will do so on the condition that the Village will not be responsible for lost or stolen property thereon and on the further condition that the Village reserves the right to close said parking lot for normal maintenance or construction thereon.

15. With respect to a motor vehicle parked in violation of the provisions of this Section, it shall be presumed that the person in whose name said vehicle is registered is the person who illegally parked said vehicle.

16. All vehicles shall come to a complete stop before entering the adjacent right of way, and such stop shall be made at the stop line on the pavement.

17. Any person violating the provisions of this Section shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense of which such person shall be convicted, except that violations of parking regulations for persons with disabilities shall be as provided in Section 9-7-7 of this Code.

## SECTION 8

All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

## SECTION 9

This Ordinance shall be effective immediately upon its passage, approval and publication in the manner provided by law.