

**ORDINANCE NO. 2015-16**

**AN ORDINANCE AMENDING CHAPTER 14, SECTION 14-159(a) OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING PARKING AREAS FOR HANDICAPPED PERSONS**

**WHEREAS**, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, Section 11-208(a)(1) of the Illinois Vehicle Code (the "Vehicle Code") (625 ILCS 5/11-208(a)(1)) provides that the Vehicle Code shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from regulating the standing or parking of vehicles; and

**WHEREAS**, the Municipal Code, Village Of Stickney, Illinois (the "Village Code") requires that on street parking spaces for persons with permanent disabilities or disabled veterans be marked by the posting of a sign in accordance with the Vehicle Code and by painting the curb the color of handicap blue, as defined by the Village Code, for a distance of eleven (11) feet in each direction from the sign; and

**WHEREAS**, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of individuals residing in, working in and visiting the Village; and

**WHEREAS**, upon due consideration, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to amend the regulations regarding designating on street parking spaces for persons with disabilities or disabled veterans by painting the curb the color of handicap blue, as defined by the Village Code, for a distance of eleven (11) feet in each direction from a handicap parking sign; and

**WHEREAS**, in light of the foregoing, the Corporate Authorities have determined that it is in the best interests of the Village and its residents to amend Chapter 14, Section 14-159(a) of the Village Code as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**ARTICLE I.  
IN GENERAL**

**SECTION 1. INCORPORATION CLAUSE.**

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

## **SECTION 2. PURPOSE.**

The purpose of this Ordinance is to amend Chapter 14, Section 14-159(a) of the Village Code to amend the regulations regarding designating on street parking spaces for persons with disabilities or disabled veterans by painting the curb the color of handicap blue, as defined by the Village Code, for a distance of eleven (11) feet in each direction from a handicap parking sign.

## **ARTICLE II.**

### **AMENDMENT OF CHAPTER 14, SECTION 14-159(a) OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS**

#### **SECTION 3.0. AMENDMENT OF CHAPTER 14, SECTION 14-159(a).**

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 14, Section 14-159(a), which Section shall be amended as follows:

- (a) The reservation of on street parking spaces for persons with permanent disabilities or disabled veterans as defined under state law shall be pursuant to the provisions of this section and the applicable portions of the Illinois Vehicle Code.
  - (1) Reserved parking shall be allowed curbside of a public street within residentially zoned areas.
  - (2) The reserved space shall be marked by the posting of one sign, and the painting of the curb the color of handicap blue for a distance of 11 feet in each direction from the sign, as may be necessary. The supervisor of public works shall have the authority to determine whether such curb painting is required and when such curb painting shall occur. The owners of all non-public curbs and/or medians to be designated as handicap parking spaces shall be responsible for all costs and ensuring the completion of the painting of any and all curbs and/or medians the color of handicap blue for a distance of 11 feet in each direction from the sign. The painting of a non-public curb and/or median shall be completed within ten (10) business days, weather permitting, of the installation of a sign. The sign and post shall be erected under the supervision of the supervisor of public works in the form and manner prescribed under 11-1301 of the Illinois Vehicle Code (ILCS Ch. 625, Act 5, 11-1301).
  - (3) The reserved parking space shall be located within the limits of the individual's residence and as close as possible to the frontage of the residence where the permanently disabled person resides. The village reserves the right to post each sign at its discretion based on existing conditions, and shall not be permitted in such a manner to unduly harm or cause hardship to other residents residing in the area.
  - (4) The on-street reserved parking space shall be designated and posted, provided that all the criteria in the application process have been met.

**SECTION 3.1. OTHER ACTIONS AUTHORIZED.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.  
HEADINGS, SAVINGS CLAUSES, PUBLICATION,  
EFFECTIVE DATE**

**SECTION 4. HEADINGS.**

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

**SECTION 5. SEVERABILITY.**

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**SECTION 6. SUPERSEDER.**

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 7. PUBLICATION.**

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.**

This Ordinance shall be effective and in full force immediately after its passage and approval.

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**PASSED this 6<sup>th</sup> day of October, 2015.**

**AYES: Trustees Kathleen Fuentes, Lazansky, Milenkovic, Savopoulos and White**

**NAYS:**

**ABSENT: Trustee Hrejsa**

**ABSTENTION:**

**APPROVED by me this 7<sup>th</sup> day of October, 2015.**

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**Deborah Morelli, President**

**ATTESTED AND FILED in my  
office this 7<sup>th</sup> day of  
October, 2015.**

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**Audrey McAdams, Village Clerk**