

VILLAGE OF BARTLETT

COMMITTEE AGENDA

OCTOBER 17, 2017

PLANNING & ZONING, Chairman Hopkins

1. Municipal Code Text Amendment – Update of Title 3, Chapter 2 - Amplifier Regulations

FINANCE & GOLF, Chairman Deyne

1. Renewal of Health Insurance Plan
2. Potential General Fund Revenue Discussion

POLICE & HEALTH, Chairman Carbonaro

1. Municipal Code Amendment – Update of Title 6, Chapter 11-1300 – Stopping, Standing and Parking
2. Municipal Code Amendment – Update of Title 1, Chapter 4 – General Penalty

EXECUTIVE SESSION

To Discuss Pending or Imminent Litigation Pursuant to
Section 2(c)11 of the Open Meetings Act



Agenda Item Executive Summary

Item Name Bartlett Municipal Code- Title 3, Chapter 2 Committee Amplifiers (Updated) or Board Committee

BUDGET IMPACT

Amount: N/A Budgeted N/A
List what fund N/A

EXECUTIVE SUMMARY

The Administrative review and approval of Amplifier Permits was approved in March 7, 2017 of this year. This was done to streamline the process and improve overall service delivery to the residents. This Text Amendment to the Municipal Code authorized the Community Development Director or designee to administratively review and approve all Amplifier Permit Applications.

With the approval of the Text Amendment for the administrative approval of Amplifier Permit Applications the hours of operation were not included in the ordinance. Staff believes that there should be some parameters for Amplifier related events and should have hours similar to the previous amplification hours that were between 8:00 a.m. and 11:00 p.m. Monday through Saturday and set Sunday hours between 8:00 a.m. and 10:00 p.m.

Also, an extended Amplifier Permit may be issued if in the public interest for not more than five (5) days and not before 6:00 A.M.

ATTACHMENTS (PLEASE LIST)

CD Memo and Draft Ordinance with amended language

ACTION REQUESTED

- For Discussion Only- To discuss the proposed Text Amendment language and forward on to the Village Board for a final vote.
- Resolution
- Ordinance:
- Motion

Staff: Jim Plonczynski, Com Dev Director Date: 10/6/2017

COMMUNITY DEVELOPMENT MEMORANDUM
17-215

DATE: October 7, 2017

TO: Paula Schumacher, Village Administrator

FROM: Jim Plonczynski, CD Director

RE: **Village Code Text Amendment to include designated hours for Amplifier Permit Applications**

The Administrative review and approval of Amplifier Permits was approved in March 7, 2017 of this year. This was done to streamline the process and improve overall service delivery to the residents. This Text Amendment to the Municipal Code authorized the Community Development Director or designee to administratively review and approve all Amplifier Permit Applications.

With the approval of the Text Amendment for the administrative approval of Amplifier Permit Applications the hours of operation were not included in the ordinance. Staff believes that there should be some parameters for Amplifier related events and should have hours similar to the previous amplification hours that were between 8:00 a.m. and 11:00 p.m. Monday through Saturday and set Sunday hours between 8:00 a.m. and 10:00 p.m.

Under the proposed Text Amendment, the Community Development Director or designee would still be authorized to review **all** Amplifier Permit Applications and utilize the hour parameters in issuing the permits. The Community Development Director or designee would have the authority to administratively approve, reject, or approve the permit subject to conditions.

Since date March 7, 2017 there have been 44 Amplifier Permit Applications reviewed and approved administratively.

A copy of the proposed Municipal Code Text Amendment to add hours to the Amplifier Permit section is attached for your review.

Recommendation

Staff recommends **approval** of the proposed Text Amendment.

alz/attachments

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ORDINANCE 2017 - _____

**AN ORDINANCE AMENDING THE BARTLETT MUNICIPAL CODE TITLE 3:
BUSINESS AND LICENSE REGULATIONS, CHAPTER 22: AMPLIFIER PERMITS,
SECTION 2: AMPLIFIER REGULATIONS**

WHEREAS, the Village of Bartlett regulates amplifier permits under authority of its Municipal Code and related ordinances; and

WHEREAS, the Bartlett Village Board amends these codes and ordinances from time to time in the public interest; and

WHEREAS, the Village Board reviewed the Municipal Code Amendment on March 7, 2017 and has recommended that the Municipal Code Amendment for the Administrative approval of Amplifier Permits be granted; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois as follows:

SECTION ONE: That Title 3, Chapter 22, Section 2 entitled "Amplifier Regulations" of the Bartlett Municipal Code, as amended, which states as follows:

3-22-2: AMPLIFIER REGULATIONS:

- A. No permittee shall use or operate or employ any such device within the radius of two (2) blocks from any hospital or within the radius of two (2) blocks of any religious institution while services are being held therein.
- B. This section shall not apply to radios in homes or in private vehicles, when the same are operated in such a manner as not to be audible at a distance of fifty (50') from such vehicle, nor to noise devices, bands or other musical devices used in any public parade or procession which is operated under a permit in accordance with the ordinances of the Village.
- C. Whenever the Community Development Director or designee determines that it is in the public interest, an extended amplifier permit may be issued authorizing a

permittee to use such devices in the Village for not more than five (5) days at a time during such hours as the Community Development Director or designee may establish in such an extended amplifier permit.

- D. No permittee shall cause or permit to be emanated or emitted from any such device any lewd, obscene, profane or indecent language, sounds, or any false representation of any matter, product or project advertised thereby, the sale of which is prohibited by any law, ordinance or statute.
- E. An amplifier permit may be denied by the Community Development Director or designee from an applicant who has previously received documented complaints by the Police Department or Code Enforcement of excessive noise or extending the amplification beyond the permitted hours of operation.

is hereby repealed; and Title 3, Chapter 22, Section 2 entitled "Amplifier Regulations", is hereby amended to add the following:

3-22-2: AMPLIFIER REGULATIONS:

- A. No permittee shall use or operate or employ any such device within the radius of two (2) blocks from any hospital or within the radius of two (2) blocks of any religious institution while services are being held therein.
- B. The hours to use, operate or employ any such amplified device within the Village limits shall be between the hours of eight (8:00) A.M. to the hour of eleven (11:00) P.M. Monday through Saturday and between the hours of eight (8:00) A.M. to the hour of ten (10:00) P.M. on Sunday.
- C. This section shall not apply to radios in homes or in private vehicles, when the same are operated in such a manner as not to be audible at a distance of fifty (50') from such vehicle, nor to noise devices, bands or other musical devices used in any public parade or procession which is operated under a permit in accordance with the ordinances of the Village.
- D. Whenever the Community Development Director or designee determines that it is in the public interest, an extended amplifier permit may be issued authorizing a permittee to use such devices in the Village for not more than five (5) days at a

time during such hours as the Community Development Director or designee may establish in such an extended amplifier permit, **not before 6:00 A.M.**

- E. No permittee shall cause or permit to be emanated or emitted from any such device any lewd, obscene, profane or indecent language, sounds, or any false representation of any matter, product or project advertised thereby, the sale of which is prohibited by any law, ordinance or statute.
- F. An amplifier permit may be denied by the Community Development Director or designee from an applicant who has previously received documented complaints by the Police Department or Code Enforcement of excessive noise or extending the amplification beyond the permitted hours of operation.

SECTION TWO: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION THREE: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FOUR: EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED: October 17, 2017

APPROVED: October 17, 2017

Kevin Wallace, Village President

ATTEST:

Lorna Giles, Village Clerk

CERTIFICATION

I, Lorna Giles, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2017-_____ enacted on October 17, 2017, approved on October 17, 2017.

Lorna Giles, Village Clerk



Agenda Item Executive Summary

Item Name Analysis of Health Insurance Plan Committee
or Board

BUDGET IMPACT

Amount:	N/A	Budgeted	N/A
List what fund	N/A		

EXECUTIVE SUMMARY

Staff has concluded the annual analysis of our benefit plans and, per your direction, have evaluated our health insurance costs and researched opportunities for changes to our plan to identify potential costs savings for the Village.

Through a combination of structure changes, cost adjustments and education to modify employee health care choices, we have been able to reduce the rate increases from 19.9% to 15%. To realize these savings, the following changes to our plan are recommended:

- Change from a two-tier rate system to a four-tier rate system.
- Increase the co-pay for emergency room visits from \$50 to \$150.

The modified plan meets our goals of providing flexibility to our employees, savings to the Village and maintaining our Collective Bargaining Agreement commitments.

ATTACHMENTS (PLEASE LIST)

Staff Memo

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion:

Staff: Janelle Terrance, Human Resources Director Date: 10/02/17

Memorandum

To: Paula Schumacher, Village Administrator
From: Janelle Terrance, Human Resources Director
Date: October 2, 2017
Re: Analysis of Health Insurance Plan

Staff has concluded the annual analysis of our benefit plans and, per your direction, have evaluated our health insurance costs and researched opportunities for changes to our plan to identify potential costs savings for the Village.

As you are aware from our meetings with our insurance broker, we were presented with a significant rate increase (19.9%) for our current plan design. This increase is based on an actuarial formula, which takes numerous factors into consideration. The most significant contributions being the catastrophic claims and the continuous claims experience over the industry benchmarks for our group.

Through a combination of structure changes, cost adjustments and education to modify employee health care choices, we have been able to reduce the rate increases from 19.9% to 15.8%. To realize these savings, the following changes to our plan are recommended:

- Change from a two-tier rate system to a four-tier rate system. The two-tier system, which had some historical value, has been in place since the plan's inception over 25 years ago. This system is very antiquated and is not in line with industry standards. By moving to the four-tier system, we provide more flexibility for our employees to migrate to more cost effective options, while allowing us to keep our commitments to our collective bargaining agreements. I have attached a sheet indicating the savings we will experience with employee migration. Based on current enrollments, the Village will save at least \$24,674.80, with potential for more based on changes in enrollment numbers. This change also creates a plan structured more similar to what is offered in the private sector.

- Increase the co-pay for emergency room visits from \$50 to \$150. This change will produce a dual benefit for cost savings. First, it will lower the overall rate increase to both plans, which will save \$11,360 per year as indicated on the attached sheet, and second, it will cause a change in behavior for employees seeking treatment. With this increase, the employees will consider seeking more cost-effective for treatments in “emergency” situations. On that note, employees enrolled in the PPO Plan will automatically be eligible to participate in a Web MD program that will allow them to get medical care through an online service. This service provides an alternative to having to go in person to see a physician and will result in lower costs.
- Because of our continuous claims experience 30% to 80% over industry benchmarks, per your direction, Human Resources staff has outlined a program to educate our employees on the most cost effective ways to utilize our health insurance plans. Tracy and I, along with representatives from our insurance broker’s office, will hold open enrollment meetings to educate employees on plan design changes and how to most effectively utilize the plans to save money for themselves and their families, which will ultimately lower our costs. We will also be offering one-on-one meetings with employees and spouses to assist them in reviewing their options and choosing the most cost effective plans. This may include a migration to using a spouse’s plan or other alternatives, depending on the family situation, which again could potentially lower our costs overall. This kind of education and assistance program has not been offered to our employees in the past. Prior to this, they were responsible for seeking out answers themselves.

The Village will also be saving approximately \$25,000 per year by eliminating the prescription drug and co-pay reimbursement program that was afforded to the Police union members. This plan will sunset at the end of the current collective bargaining agreement that ends on April 30, 2018.

Our broker has also negotiated a 13-month contract with our insurance carrier to put us on a January 1st renewal, which will assist us with aligning decision-making regarding benefits on a more acceptable timeframe with Village budget decisions.

One option that was under consideration, but is not being recommended is a high-deductible PPO Option with a Health Savings Account. An extensive review of this option indicated no substantial savings for our group at this time.

The modified plan meets our goals of providing flexibility to our employees, savings to the Village and maintaining our collective bargaining agreement commitments.

Employee Migration

EE's		Gross 4 Tier Rate	Village cost	Gross Difference	Annual Difference
	PPO				
	EE& Ch	\$2,050.52	\$1,640.41		
34	Family	\$3,172.50	\$2,538.00		
				\$897.59	\$10,771.00
	HMO				
	EE&Ch	\$1,532.62	\$1,379.35		
43	Family	\$2,371.23	\$2,134.10		
				\$754.75	\$9,057.00
34	PPO Family	\$3,172.50	\$2,538.00		
43	HMO Family	\$2,371.23	\$2,134.10		
				\$403.90	\$4,846.80

ER Copay from \$50 to \$150

\$150 ER - PPO	0.19%	\$2,181,064	\$4,144.00
\$150 ER - HMO	0.45%	\$1,603,546	\$7,216.00



Agenda Item Executive Summary

Item Name Potential General Fund Revenue Discussion Committee or Board Committee

BUDGET IMPACT

Amount: \$800,000

Budgeted

N/A

List what fund General Fund

EXECUTIVE SUMMARY

At the September 5th Committee of the Whole meeting, the staff presented potential cost reductions totaling \$800,000 to the General Fund. The attached memos are from the prior meetings. The discussion is going to be continued now that waste hauler proposals have been reviewed.

ATTACHMENTS (PLEASE LIST)

Admin Department Memo
Finance Department Memo
Police Department Memo
Past Finance Department Memos on home-rule sales tax

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion

Staff: Todd Dowden, Finance Director

Date: October 12, 2017

Memorandum

TO: Kevin Wallace, Village President and Board of Trustees

FROM: Paula Schumacher, Village Administrator

DATE: August 28, 2017

SUBJECT: Budget and Potential General Fund Cost Reductions

In our discussions about a home rule sales tax, Trustee Hopkins asked if I could give you a sense of what \$800,000 in budget cuts would mean for our service levels and ultimately our residents. This is a tricky order, because some of those cuts are felt gradually as their impact is felt over time, like the condition of streets, sidewalks, bike paths and other municipal facilities. The impact on the ability to retain and hire employees, negotiate with unions, and maintain service levels are also a cumulative result. We found it to be a valuable task, because often we are focused on the dollars and bottom line, and not on the overall impact. In that light, I've asked the staff to give me their "cuts and consequences" lists. Finance Director Todd Dowden summarizes those lists in his memo. We've also attached a memo from Police Chief Patrick Ullrich that provides more detail on the police department cuts.

Some things to keep in mind about our current budget:

- 53% of our current budget is dedicated to capital projects. These projects are mainly water and sewer projects that will dominate the capital budget for the next few years, through 2021. The police building will be the other major project through 2019. These capital projects are funded through water and sewer rates and/or loans and bonds.
- Core municipal services, Police and Public Works make up 32% of our total budget. We currently budget \$10,000 (with another \$10,000 from the park district) to maintain bike paths. The \$20,000 results in about 2,000 ft. of bike path resurfaced. **However, we have 75,000 ft. of path to maintain, which puts us on a 37 year cycle.** It really should be a 15-20 year cycle. We resurface paths with our in-house crews as time allows.

We increased our budget for sidewalk and curb repairs to \$60,000 but still have a backlog. The same is true for our storm sewer maintenance. We raised it to

\$50,000 this year. We are required to meet IEPA requirements for storm sewers and this is also the fund we use to assist residents with drainage issues.

We phased out the \$50.00 replacement tree this fall and will be returning to the 50/50 tree program.

- All other departments represent 10% and 5% of our budget is dedicated to debt service.
- Personnel – The number of employees per 1,000 residents is what we track because it takes into account the growth of community /demand for services. **Since 2008/09 that number has decreased by 4.69%.** We have decreased personnel mostly through attrition and combining or eliminating positions when they became vacant through separation or retirement. **Last year's budget eliminated 4 full time equivalent employees.**
- The General Corporate property tax levy has been reduced by \$625,000 since the 2011 levy and has been level since the 2014 levy.

Village of Bartlett
Finance Department Memo
2017 - 27

DATE: August 28, 2017

TO: Paula Schumacher, Village Administrator

FROM: Todd Dowden, Finance Director 

SUBJECT: Potential General Fund Cost Reductions

At the August 15th Committee of the Whole meeting, the staff was asked to show what an \$800,000 reduction of revenue to the General Fund would look like. The General Fund accounts for Police, Streets, Administration, Finance, Building, Community Development departments, as well as Professional Services. The Police Department costs are over 54% of the fund total and the Streets Department accounts for a little over 17%. The current fiscal year budget has an estimated shortfall of \$800,000 due to a planned use of fund balance at a little over \$400,000 and a reduction in state shared income tax.

Attached is a memo from the Chief of Police with potential cuts that could be made. The total cost savings amounted to \$232,075. These cuts included eliminating the National Night Out activities. Reducing positions through attrition would save from \$89,075 for a Police Officer to \$70,350 for a Records Clerk per year.

A list of Streets Department cuts that could be made is below:

- Brush pickup – two crews of two workers, 2,320 man hours plus the cost of two chippers and two trucks - \$106,000
- Bike path maintenance - \$10,000 annual budget
- Sidewalk and curb replacement - \$60,000 annual budget
- Stormwater maintenance - \$50,000 annual budget
- Tree replacements - \$150,000 annual budget, changing back to a 50/50 program with a limit of 300 trees will reduce the net cost to \$45,000
- Flower baskets - \$5,000 for the flowers and two hours watering each day and one day each weekend for a total cost of around \$10,000
- Holiday lights - \$20,000

Bike paths, sidewalks, curbs, and stormwater maintenance programs are already under funded. Village owned parking lots are also in need of being resurfaced. Snow plowing costs are a major cost in the Streets Department and fluctuate from year to year depending on the weather.

The Administration Department budget for 17/18 included \$20,710 towards civic organizations in addition to \$12,000 for the annual fireworks display. There was also a one-time donation to the Parks Foundation of \$40,000. The Finance Department has an Accountant position that has been open from the beginning of the year. Keeping this position open until May of 2018 would save a total of \$79,000. Community Development and Administration replaced the Health Inspector and a Code Enforcement Officer with one person for a savings of around \$50,000. Utility tax senior rebates could be reduced by \$30,000 to reflect the reduction in the tax rates.

The professional development and training budget for the year is \$157,000. The last two years have averaged \$123,890 in actual costs. Of this amount, \$80,000 was in the Police Department for the 16/17 year, which was down from \$106,000 the prior year. The 17/18 budget was increased to \$110,000 to get the police training back up to the level of training needed.

All of these reductions to costs total just over \$812,000.

POLICE DEPARTMENT MEMORANDUM
17-60

DATE: August 22, 2017
TO: Paula Schumacher, Village Administrator
FROM: Patrick Ullrich, Chief of Police
RE: Potential Cuts to Reduce Deficit

At the August 15, 2017 Village Board Meeting, Finance Director Todd Dowden briefed the Village President and Board of Trustees on the \$800,000 deficit the Village is facing. The Village Board directed staff to present some ideas for potential cuts that could be used to reduce the deficit. It is important to note these cuts are not a one-time solution. Without additional revenue sources, these cuts would effectively become permanent. While I recognize some of the potential cuts I am proposing will be unpopular with residents and staff, all or some of them may be necessary if we are unable to find a solution to provide additional revenues.

After consulting with some of my command staff, here are the potential cuts we have identified:

- Permanently cut school crossing guards. The budgeted amount in the FY 17/18 budget for school crossing guard payroll is \$125,000. **Total: \$125,000**
- Stop providing officers at the following community events at partial or no cost/reimbursement to the event organizers.
 - Apple Blossom Run: \$1,403 OT, \$404 salaries/pay, **Total: \$1,807**
 - Lions' Day Dash: \$2,408 OT, **Total: \$2,408**
 - Kickstand Classic: \$17,916 OT & salaries/pay, Village's share at 50%: \$8,958 **Total: \$8,958**
 - Easter Egg Hunt Eggstravaganza: \$850 OT, **Total: \$850**
 - Fourth of July Festival & Parade: \$30,437 OT, \$11,643 salaries/pay, **Total: \$42,080**
 - Bartlett High School Homecoming Parade: \$1,684 OT, **Total: \$1,684**
- Cease certain police/village sponsored public relations events & programs.
 - Mobile Outreach Program: \$3,685 OT, **Total: \$3,685**
 - DARE Fishing Derby: \$895 OT, **Total: \$895**
 - Police Department Open House: \$6,726 OT, \$1,941 rentals/expenses, **Total: \$8,667**
 - National Night Out (includes Picnic in the Park & all lead-in events): \$11,592 OT, \$24,449 rentals/supplies/vendors, **Total: \$36,041**

OR

 - National Night Out (lead-in events only): \$3,434 OT, **Total \$3,434**
- Cut positions through attrition. When employees retire or separate from the department we could hold those positions open or cut them entirely. Here are the approximate potential savings if someone from one of these positions was to retire or leave (Amounts are based on current figures and are not included in the total savings listed below): Police Officer: \$89,075, Records Clerk: \$70,350, CSO: \$76,884

While I am not in favor of making any of these cuts, without an additional revenue source to fill the \$800,000 gap, some or all of these cuts may become necessary. Unfortunately, making any of the cuts would be contrary to our culture of service to the community and would negatively impact our ability to continue building positive relationships with our residents and businesses.

If all of the cuts above were implemented, including the full cut to National Night Out, the Village could save approximately \$232,075.

If all of the above cuts were made, but with only the cut to the National Night Out lead-in events instead of the full National Night Out cut, the Village could save approximately \$199,468.

Village of Bartlett
Finance Department Memo
2017 - 25

DATE: August 4, 2017

TO: Paula Schumacher, Acting Village Administrator

FROM: Todd Dowden, Finance Director 

SUBJECT: Home-Rule Sales Tax

The 2017/18 Budget was approved on April 4th. The budget included the use of General Fund unassigned fund balance of just over \$400,000 and holding four additional positions unfilled for the year at a savings to the General Fund of over \$340,000. On July 6th the State passed their budget that reduced the amount of income tax shared with the Village by 10% or approximately \$410,000 for the coming year.

The Village currently receives a 1% tax on all general merchandise sales and qualifying food and drugs sold within the Village. The 2017/18 budgeted amount is \$2,400,000. The State collects these funds and distributes them to the Village. Most of the surrounding communities have a local sales tax in addition to the base sales tax. The local rates are listed on the next page. Rates must be in increments of 0.25%. An increase of 0.25% would add approximately \$400,000 in revenue. The additional tax would not apply to qualifying food and drug purchases. A home-rule sales tax approved before October 1 could be implemented January 1 with the Village receiving the first distribution in April. Added to the home rule sales tax rate chart is a comparison of Bartlett's utility tax rates with the surrounding communities. The last chart gives the rate history for the Village's electric and gas utility taxes along with the average annual tax per household. The 2017/18 budget for the electric tax is \$160,000 and the gas tax is \$500,000.

At the July 18th Committee of the Whole meeting, staff recommended implementing a 0.50% home rules sales tax. The estimated revenue generated would be \$800,000. This would cover the General Fund's current year use of fund balance and the reduced share of income tax from the State. A 0.50% tax would not cover filling positions that have been held open or increases in costs in the coming fiscal year.

Electric and gas utility taxes were also discussed during the July 18th Committee of the Whole meeting. The current annual budgeted amount of revenue from these taxes is \$660,000. Just over \$60,000 was rebated to seniors this summer leaving a net amount of \$600,000. An additional 0.25% home rule sales tax could be added to cover a \$400,000 reduction in these taxes and still have a total sales tax rate at or below most of our surrounding communities.

Tax Rate Comparisons

	Bartlett	Elgin	Hanover Park	Streamwood	Carol Stream	West Chicago	Bloomington
Home-Rule Sales Tax	0%	1.25%	0.75%	1%	0.75%	0.75%	0.50%
Elec Use Tax/kWh	.074¢	.628¢	.628¢	.462¢	.581¢	.572¢	0¢
Gas Use Tax/therm	2.5¢	3.0¢	1.5¢	3.25¢	2.5¢	2.5¢	0¢
Gas Sales Tax	0%	5.15%	0%	5.15%	0%	0%	0%

Estimated Revenue

	0.25%	0.50%	0.75%	1.00%	1.25%
Home-Rule Tax					
Estimated Revenue	\$400,000	\$800,000	\$1,200,000	\$1,600,000	\$2,000,000

Utility Tax Rate History

Bartlett History	Date	Rate	Avg/Yr	Date	Rate	Avg/Yr	Date	Rate	Avg/Yr
Gas Use Tax	6/1/12	5.0¢/therm	\$55	No	Change		5/1/16	\$2.50/therm	\$27.50
Electric Use Tax	6/1/12	.294¢/kWh	\$30	5/1/15	.146¢/kWh	\$15	5/1/16	.074¢/kWh	\$7.50

Village of Bartlett

Finance Department Memo

2017 - 21

DATE: July 10, 2017

TO: Paula Schumacher, Acting Village Administrator

FROM: Todd Dowden, Finance Director *TD*

SUBJECT: Home-Rule Sales Tax

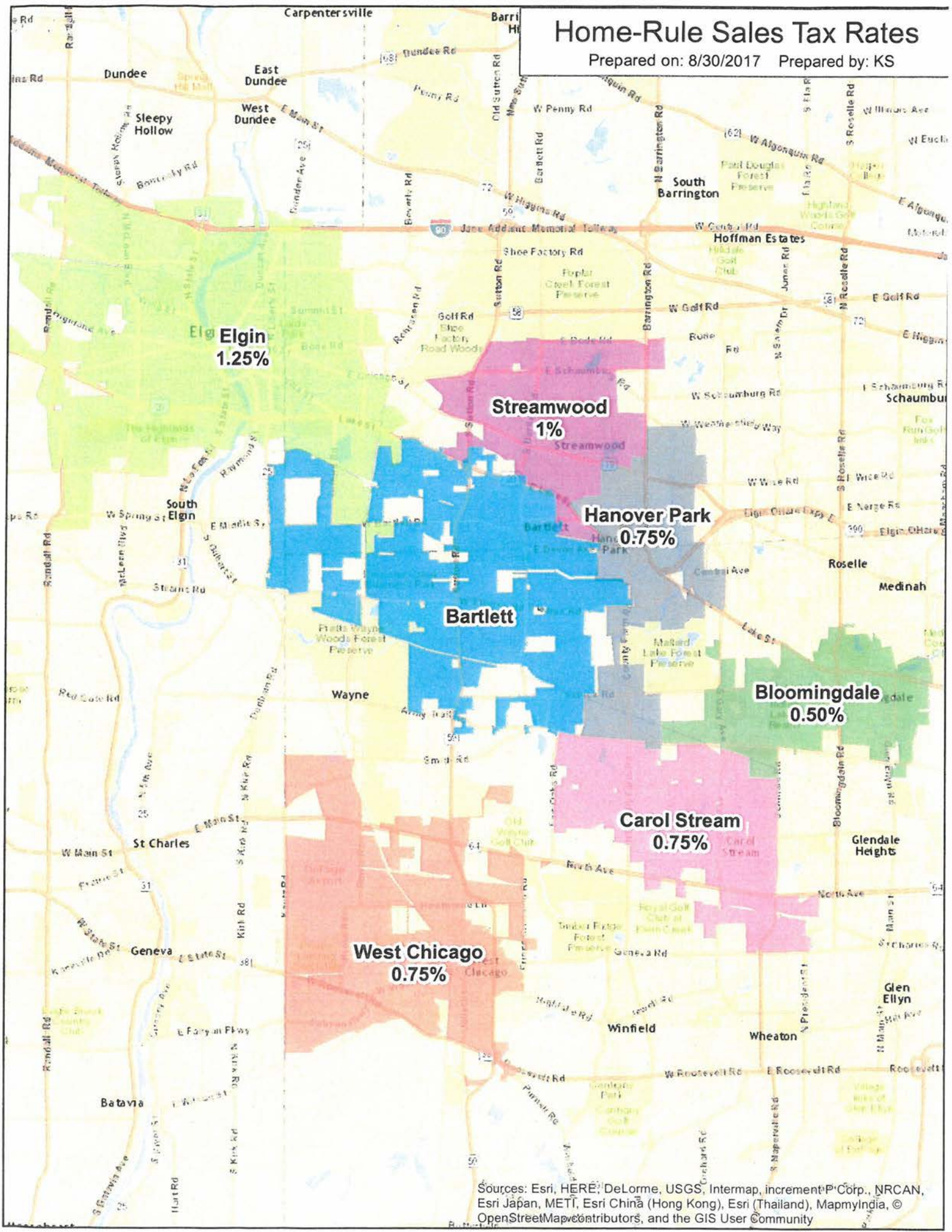
The 2017/18 Budget was approved on April 4th. The budget included the use of General Fund unassigned fund balance of just over \$400,000 and holding four additional positions unfilled for the year at a savings to the General Fund of over \$340,000. During the budget discussion, the staff was asked to look at revenue sources available to the Village that have the potential for growth. The options of adding a home-rule sales tax or a food & beverage tax were discussed at the May 2nd committee meeting. Due to the administration advantages and the broader range of sales taxed, the implementation of a home-rule sales tax was recommended over a food & beverage tax.

The Village currently receives a 1% tax on all general merchandise sales and qualifying food and drugs sold within the Village. The 2017/18 budgeted amount is \$2,400,000. The State collects these funds and distributes them to the Village. Most of the surrounding communities have a local sales tax in addition to the base sales tax. The local rates are listed below. With the addition of a 0.25% home-rule tax, the Village's total sales tax rate of 7.25% in DuPage County and 9.25% in Cook County would remain below the rates of our surrounding communities. An increase of 0.25% would add approximately \$400,000 in revenue. The additional tax would not apply to qualifying food and drug purchases. A home-rule sales tax approved before October 1 could be implemented January 1 with the Village receiving the first distribution in April.

	Bartlett	Elgin	Hanover Park	Streamwood	Carol Stream	West Chicago	Bloomingtondale
Local Sales Tax	0%	1.25%	0.75%	1%	0.75%	0.75%	0.50%
Food & Bev Tax	0%	3%	3%	2%	0%	0%	0%
Home-Rule Tax	0.25%	0.50%	0.75%	1.00%	1.25%		
Estimated Revenue	\$400,000	\$800,000	\$1,200,000	\$1,600,000	\$2,000,000		

Home-Rule Sales Tax Rates

Prepared on: 8/30/2017 Prepared by: KS



Sources: Esri, HERE, DeLorme, USGS, Intermap, incrementP Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Agenda Item Executive Summary

Item Name Code Amendment - Update of Title 6, Chapter Committee
11-1300. Stopping, Standing and Parking or Board Committee

BUDGET IMPACT

Amount:	\$0.00	Budgeted	\$0.00
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List what fund	N/A
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EXECUTIVE SUMMARY

Attached is the amended/updated parking ordinance. The Internal Disruption Committee (IDC) asked the Police Department to look at the fines related to parking violations. The recommendation was to raise parking violation fines to make them more in line with surrounding villages. A survey was conducted of surrounding villages and the recommendation was to raise the current parking violation fine from \$15.00 per violation to \$25.00 per violation. The late fee, if not paid within ten days would increase from \$30.00 to \$50.00.

While evaluating the parking ordinance there were several sections which needed to be brought up to date with the implementation of Passport parking and the changing of areas of the commuter parking from daily to metered parking.

ATTACHMENTS (PLEASE LIST)

Memo, Survey, Ordinance

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion:

Staff: Charles Snider, Deputy Chief of Operations

Date: 10/10/2017

POLICE DEPARTMENT MEMORANDUM
17-73

DATE: **October 10, 2017**

TO: **Paula Schumacher, Village Administrator**

FROM: **Charles Snider, Deputy Chief of Operations**

RE: **Amendments to the Parking Ordinance**

The attached proposed ordinance amends Village Code Chapter 11-1300 Stopping, Standing and Parking Prohibited in Specified Places.

The Village's Internal Disruption Committee (IDC) asked the Police Department to look at the fine structure for parking fines. The IDC conducted a survey of twelve surrounding communities and found the Village's fee for parking violations is lower than all twelve of the surrounding communities. The IDC recommended raising the fine for parking violations from \$15.00 to \$25.00, and raising the penalty if not paid within 15 days from \$30.00 to \$50.00.

The Illinois Vehicle code has changed since the last revision of our parking ordinance so several of the ordinance section numbers have been renumbered to correspond with changes to the numbering in the Illinois Vehicle Code; as a result the Illinois Vehicle Code must be re-adopted.

Additionally, changes to the parking ordinance has been updated to reflect changes in the means and manner in which metered, permit, and residential parking areas are described and located.

The ordinance has also been amended to reflect changes due to implementation of the Passport Parking mobile application and enforcement tool. The changes include the purchase of parking hangers, application for permit hangers, and the ability to pay through a mobile computer application.

Bartlett PD - Fee Structures

May 2017

	Admin Tows	Accident Reports	Certified FOIA	Parking Related	Animal Related	Traffic Related	Truck Related	Vehicle Related	Drug Paraphernalia
Bartlett	\$500.00	\$5.00	\$1.00	\$15.00	\$15-\$500	\$15.00	\$15.00	\$25.00	up to \$750
Bloomingtondale	\$500.00	\$5.00	over 50 pp .25/pg	\$25.00	\$25-\$250 up to \$1,000	up to \$1,000	up to \$1,000	up to \$1,000	\$200-\$1,000
Geneva	\$300.00	\$5.00	N/A	\$25.00	\$50.00	IVC	N/A	IVC	\$120-\$300
Hanover Park	\$500.00	\$5 or online \$13	chg for over 50 pp	\$30.00	\$35 + \$10/day	\$65-\$120	\$65-\$120	varies	varies
Roselle	\$500.00	\$5.00	N/A	\$35-\$50	\$35-\$250	\$35-\$250	N/A	\$35-\$250	\$250-\$2,500
St Charles	\$500.00	\$5.00	N/C	\$25.00	\$5-\$500	\$5-\$500	\$50.00	-	\$200.00
Schaumburg	\$500.00	\$5.00	\$1.00	\$50.00	\$50.00	IVC	\$100 (parking)	\$50.00	\$200.00
South Elgin	\$250.00	\$5.00	.15 for CD	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.
Streamwood	\$500.00	\$5.00	over 50 pp .15/pg	\$25-\$40	\$25-\$50	\$25-\$40	\$25-\$40	\$25.00	\$100-\$750

ORDINANCE 2017 - _____

**AN ORDINANCE AMENDING TITLE 6 OF THE BARTLETT MUNICIPAL CODE
TO INCORPORATE THE ILLINOIS VEHICLE CODE IN ITS ENTIRETY
AND TO AMEND CHAPTER 11-1300 THEREOF REGULATING
THE STOPPING, STANDING AND PARKING OF VEHICLES**

BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: That Title 6 of the Bartlett Municipal Code entitled "MOTOR VEHICLES AND TRAFFIC" is hereby amended to add new Chapter 1-100 entitled "ILLINOIS VEHICLE CODE ADOPTED" thereto, as follows:

**CHAPTER 1-100
ILLINOIS VEHICLE CODE ADOPTED**

6-1-100: ILLINOIS VEHICLE CODE ADOPTED.

The Illinois Vehicle Code (625 Illinois Compiled Statutes 5/1-100, *et seq.*), in its entirety and as the same may be amended from time to time, is hereby incorporated herein by reference and is expressly made a part hereof.

SECTION TWO: That Chapter 11-1300 of Title 6 of the Bartlett Municipal Code is hereby repealed.

SECTION THREE: That Title 6 of the Bartlett Municipal Code entitled "MOTOR VEHICLES AND TRAFFIC" is hereby amended to add new Chapter 11-1300 entitled "STOPPING, STANDING, AND PARKING" as follows, to replace the prior provisions of the Bartlett Municipal Code repealed in Section Two of this Ordinance:

**Chapter 11-1300
STOPPING, STANDING AND PARKING
PROHIBITED IN SPECIFIED PLACES**

- 6-11-1300: STATE LAW ADOPTED:**
- 6-11-1301: CROSS REFERENCE BETWEEN IVC AND BARTLETT MUNICIPAL CODE:**
- 6-11-1302: RESERVED:**
- 6-11-1303.1: SCHEDULE V, NO PARKING ZONES:**
- 6-11-1303.2: SCHEDULE VI, TIME LIMIT PARKING:**
- 6-11-1303.3: SCHEDULE VII, PARALLEL, DIAGONAL AND PERPENDICULAR PARKING:**
- 6-11-1303.4: SCHEDULE VIII, METERED PARKING AND DAILY PAY COMMUTER PARKING AREAS:**
- 6-11-1303.5: SCHEDULE IX, PERMIT PARKING:**

- 6-11-1303.6: NO STOPPING ZONES:**
- 6-11-1303.7: NO STANDING ZONES:**
- 6-11-1304.4: ADDITIONAL PARKING REGULATIONS;
PARKING RESTRICTED AND LIMITED:**
- 6-11-1304.2: ALL NIGHT PARKING:**
- 6-11-1304.3: PARKING IN ALLEYS:**
- 6-11-1304.4: PARKING IN LOADING ZONES:**
- 6-11-1304.5: PARKING DURING SNOW REMOVAL AND STREET CLEANING
OPERATIONS:**
- 6-11-1304.6: PARALLEL, DIAGONAL AND PERPENDICULAR PARKING
REGULATIONS:**
- 6-11-1304.7: METERED PARKING:**
- 6-11-1304.8: PERMIT PARKING:**
- 6-11-1304.8.1: RESIDENTIAL PERMIT PARKING AREA:**
- 6-11-1304.9: CAB, BUS STANDS:**
- 6-11-1304.10: SIGNS POSTED:**
- 6-11-1304.11: PARKING OF VEHICLE WITH EXPIRED REGISTRATION:**
- 6-11-1304.12: LESSORS OF VISITOR VEHICLES-DUTY UPON RECEIVING
NOTICE OF VIOLATION:**
- 6-11-1304.13: PARKING LIABILITY OF LESSOR:**
- 6-11-1304.14: CENTRALIZED PARKING METER SYSTEM:**
- 6-11-1304.14: UNAUTHORIZED USE OF PARKING PLACES RESERVED
FOR ELECTRIC VEHICLE:**
- 6-11-1305.1: PROCEDURE FOR ISSUANCE OF TICKETS:**
- 6-11-1305.2: SETTLEMENT PROCEDURES:**
- 6-11-1305.3: REGISTRATION PRIMA FACIE EVIDENCE:**
- 6-11-1305.4: NOTICE TO APPEAR; CITATION:**
- 6-11-1305.5: ARRESTS:**
- 6-11-1305.6: PENALTIES:**

6-11-1300: STATE LAW ADOPTED:

Sections 11-1301 through 11-1308 of the Illinois vehicle code¹ are hereby expressly incorporated herein by reference and made a part hereof:

**6-11-1301: CROSS REFERENCE BETWEEN IVC AND BARTLETT MUNICIPAL
CODE:**

Pertinent to this Chapter 11 of Title 6 of the Bartlett Municipal Code is Chapter 11, RULES OF THE ROAD, Article XIII of the Illinois Vehicle Code entitled "STOPPING, STANDING AND PARKING", 625 Illinois Compiled Statutes, Sections 5/11-1301 through 5/11-1308.

The following table includes Illinois Vehicle Code ("IVC") section numbers and in some cases corresponding section numbers and cites in the Bartlett Municipal Code for the authority to adopt such violations of the IVC that are adopted as prohibitions and violations of the Bartlett Municipal Code as a local ordinance violation.

STOPPING, STANDING AND PARKING

Description	Illinois Vehicle Code Citation	Bartlett Municipal Code Citation
Powers of Local Authorities	625 ILCS 5/11-208	6-11-208
Uniformity	625 ILCS 5/11-208.1	6-11-208.1
Limitation on home rule units	625 ILCS 5/11-208.2	6-11-208.2
Administrative adjudication of violations	625 ILCS 5/11-208.3	6-11-208.3
Powers of municipalities and counties to contract with private property owners for regulation of traffic	625 ILCS 5/11-209	6-11-209
Powers of local authorities – enforcing the provisions of this Code on private streets and roads	625 ILCS 5/11-209.1	6-11-209.1
Failure to pay fine or penalty for standing, parking compliance	625 ILCS 5/6-306.5(f)	6-6-306.5(f)
Suspension of driving privileges	625 ILCS 5/6-306.5(g)	6-6-306.5(g)
Stopping, standing or parking outside of business or residence district	625 ILCS 5/11-1301(a) 625 ILCS 5/11-1301(b) 625 ILCS 5/11-1301(c) 625 ILCS 5/11-1301(d)	6-11-1301(a) 6-11-1301(b) 6-11-1301(c) 6-11-1301(d)
Persons with disabilities – Parking privileges - Exemptions	625 ILCS 5/11-1301.1	6-11-1301.1
Special decals for parking: persons with disabilities	625 ILCS 5/11-1301.2	6-11-1301.2
Unauthorized use of parking places reserved for persons with disabilities	625 ILCS 5/11-1301.3	6-11-1301.3
Reciprocal agreements with other jurisdictions	625 ILCS 5/11-1301.4	6-11-1301.4
Fictitious or unlawfully altered disability license plate or parking decal or device	625 ILCS 11/1301.5	6-11-1301.5
Fraudulent disability license plate or parking decal or device	625 ILCS 5/11-1301.6	6-11-1301.6
Appointed volunteers and contracted entities; parking violations for persons with disabilities	625 ILCS 5/11-1301.7	6-11-1301.7
Obstruction of parking places for persons with disabilities	625 ILCS 5/11-1301.8	6-11-1301.8
Officers authorized to remove vehicles	625 ILCS 5/11-1302	6-11-1302

Stopping, standing or parking prohibited in specified places	625 ILCS 5/11-1303 625 ILCS 5/11-1303(a)1.i 625 ILCS 5/11-1303(a)2.f. 625 ILCS 5/11-1303(a)3.b. 625 ILCS 5/11-1304	6-11-1303 6-11-1303(a)1.i. 6-11-1303(a)2.f. 6-11-1303(a)3.b. 6-11-1304
Schedule V, no parking zones	625 ILCS 5/11-1303(a)3.b.	6-11-1303.1
Schedule VI, time limit parking	625 ILCS 5/11-1303	6-11-1303.2
Schedule VII, parallel, diagonal and perpendicular parking	625 ILCS 5/11-1304(a)(b)(c)(d)	6-11-1303.3
Schedule VIII, metered parking and daily pay commuter parking areas	625 ILCS 5/11-1307(a)(b)	6-11-1303.4
Schedule IX, permit parking	625 ILCS 5____	6-11-1303.5
No stopping zones	625 ILCS 5/11-1303(a)1.i.	6-11-1303.6
No standing zones	625 ILCS 5/11-1303(a)2.f.	6-11-1303.7
ADDITIONAL PARKING REGULATIONS PARKING RESTRICTED AND LIMITED	625 ILCS 5/11-1304	6-11-1304.1
All night parking		6-11-1304.2
Parking in alleys		6-11-1304.3
Parking in loading zones		6-11-1304.4
Parking, snow removal and street cleaning		6-11-1304.5
Parallel, diagonal and perpendicular parking		6-11-1304.6
Metered parking		6-11-1304.7
Permit parking		6-11-1304.8
Residential permit parking area		6-11-1304.8.1
Cab, bus stands		6-11-1304.9
Signs posted		6-11-1304.10
Parking of vehicle with expired registration	625 ILCS 5/1304.5	6-11-1304.11
Lessors of visitor vehicles - duty upon receiving notice of violation of this or local parking regulations	625 ILCS 5/11-1305	6-11-1304.12
Parking liability of lessor	625 ILCS 5/11-1306	6-11-1304.13
Centralized parking meter system	625 ILCS 5/11-1307	6-11-1304.14

Unauthorized use of parking places reserved for electric vehicles	625 ILCS 5/11-1308	6-11-1304.15
Procedure for issuance of tickets	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.1
Settlement procedures	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.2
Registration prima facia evidence	625 ILCS 5/11-208	1-15-1 through 1-15-15 And 6-11-1305.3
Notice to appear; citation	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.4
Arrests	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.5
Penalties	625 ILCS 5/11-208	1-15-1 through 1-15-15 and 6-11-1305.6

(1984 Code; amd. Ord. 2006-116, 11-7-2006; Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

6-11-1303.1: SCHEDULE V, NO PARKING ZONES:

It shall be unlawful to park any vehicle at any time on any of the streets hereinafter named at the locations hereinafter set forth:

A. Streets Designated:

SOUTH BARTLETT ROAD at Stearns Road

SOUTH BARTLETT ROAD at Struckman

WEST BARTLETT ROAD, along the length of the improvement of FAP Route 77 section 110X-N

BREWSTER CREEK BOULEVARD, from Stearns Road to Munger Road

CREST AVENUE, on the west side from North Avenue to Taylor Avenue

EASTERN AVENUE, on the east side between the north line of North Avenue and the south line of Oneida Avenue from Monday through Friday both inclusive

SOUTH EASTERN AVENUE

FOSTER at Cuyahoga

FOSTER at Martingale

GRANT STREET, on the west side from 200 feet south of Lincoln Drive to the intersection of Grant and Lincoln Drive

HARBOR at Voyager

HARDT CIRCLE, from Humbracht Circle to Humbracht Circle

HECHT COURT, from Hecht Circle to west end

HECHT DRIVE, from Brewster Creek Boulevard to Spitzer Road

HICKORY STREET, on the east side from the south line of Oneida Avenue to the south line of Bartlett Avenue

HUMBRACHT CIRCLE, from Munger Road to Munger Road

ILLINOIS ROUTE 59 (INGALTON AVENUE) AND ILLINOIS ROUTE 59 (SUTTON ROAD) from 500 feet south of Army Trail Road to 450 feet north of Red Oak Drive

LAMBERT LANE on the east side from Versailles Drive to Thornbury Drive (Ord. 2017-110)

SOUTH MAIN STREET from Devon Avenue to Oak Glenn Drive, both inclusive

SOUTH MAIN STREET, on the east and west sides from the north line of the AT&T property (26 South Main Street) south 110 feet.

SOUTH MAIN STREET, on the east side from a point ____ feet south of the south line of Railroad Avenue to Devon Avenue.

SOUTH MAIN STREET, on the west side from the south line of Railroad Avenue to Devon.

MARION AVENUE, on the west side from North Avenue to Taylor Avenue

MEADE COURT, north side, on school days

NAPERVILLE ROAD at Spaulding Road

NEWPORT at Coral

NEWPORT at Harbor

NEWPORT BOULEVARD, on the west side of Newport Boulevard from its intersection with the north curblines of Coral Avenue to a point 40 feet north of its intersection with the north curblines of Coral Avenue, and on the west side of Newport Boulevard from its intersection with the south curblines of Coral Avenue to a point 40 feet south of its intersection with the south curblines of Coral Avenue

NORTH AVENUE at Western Avenue

NORTH AVENUE, between Eastern Avenue and Elroy Street

NORTH AVENUE, on the north side between Chase Street and Crest Street

NORTH AVENUE, on the north side from Oak Street to Oliver Street

NORTH AVENUE, on the south side between the west line of Eastern Avenue and the east line of Elroy Street, from Monday through Friday, both inclusive

EAST NORTH AVENUE from Eastern Avenue to Hale Street, both inclusive

NORWOOD LANE, north and south sides from Route 59 to 350 feet east

OAK AVENUE, on the east and west sides from Bartlett Avenue to Oneida

OAK AVENUE, on the east and west sides from Railroad Avenue to Bartlett Avenue

OAK AVENUE, on the west side from Morse Avenue to the north edge of the Fire Station Drive approaches

OAK STREET, on the west side from Railroad Avenue to Natoma Avenue, as vacated

NORTH OAK STREET from Morse Street to North Hickory Street, both inclusive

SOUTH OAK STREET from Oneida Avenue to Railroad Avenue, both inclusive

ONEIDA AVENUE at Hickory Street

ONEIDA AVENUE, on the north side from Oak Avenue to the east end of Bartlett Hills Golf Course

RAILROAD AVENUE from a point 80 feet east of the centerline of Oak Avenue to Oak Avenue

RAILROAD AVENUE from South Oak Street to South Western Avenue, both inclusive

RAILROAD AVENUE, on the south side from the southwest corner of the intersection of Railroad Avenue and South Main Street to a point 50 feet west of said intersection

ROUTE 20 (WEST LAKE STREET) AND ROUTE 20 (EAST LAKE STREET) from 650 feet east of Lambert Drive to 400 feet east of Park Boulevard

SCHICK ROAD, north and south side from Route 59 to 375 feet east and 375 feet west

SCHIFERL ROAD, from Brewster Creek Boulevard to Munger Road

SCOTT COURT, north side, and south side on school days

SPITZER ROAD, from Brewster Creek Boulevard to north end

STEARNS at Balsam

STEARNS at Cottonwood

STEARNS ROAD from Cuyahoga Drive to Munger Road, both inclusive

STEARNS ROAD north and south sides from South Bartlett Road to County Farm Road (Ord. 2017-110)

SYCAMORE LANE, west side, between Cedar Lane and the Northern Illinois Gas easement, on school days

WESTERN AVENUE, on the west side from the south line of Railroad Avenue to a point 50 feet north of the north line, if extended west, of Bartlett Avenue, and on the east side of Western Avenue from the south line of Railroad Avenue to the north line of Oneida Avenue

(Ord. 74-27; amd. Ord. 75-42; Ord. 75-54; Ord. 76-8; Ord. 78-48; Ord. 78-58; Ord. 79-17; Ord. 80-24; Ord. 81-30; Ord. 82-19; Ord. 83-9; Ord. 83-10; Ord. 85-28, 3-19-1985; Ord. 88-71, 8-2-1988; Ord. 91-5, 2-5-1991; Ord. 92-74, 10-6-1992; Ord. 92-91, 11-17-1992; Ord. 93-106, 9-7-1993; Ord. 95-1, 1-17-1995; Res. 96-37-R, 5-7-1996; Ord. 2016-36, 4-19-2016; Ord. 2017-37, 4-4-2017)

- B. Four Seasons Townhome Subdivision: Within or upon any of the fire lanes in the Four Seasons Townhome Subdivision designated on the map of said area set forth in Appendix 1303.1-B to this chapter.

(Ord. 2002-121, 12-3-2002)

- C. BARTLETT PLAZA, within or upon any of the fire lanes designated on the map of said area set forth on Appendix 1303.1-C to this chapter, expressly incorporated herein and made a part hereof, other than an authorized emergency vehicle.

- D. BARTLETT QUADRO-HOME AREA, within or upon any of the fire lanes designated on the map of said area set forth in Appendix 1303.1-D to this chapter, which is expressly incorporated herein and made a part hereof, other than an authorized emergency vehicle.

- E. HEARTHWOOD FARMS SUBDIVISION, within or upon any of the fire lanes designated on the map of said area set forth on Appendix 1303.1-E to this chapter, expressly incorporated herein and made a part hereof, other than an authorized emergency vehicle.

- F. JEWEL SHOPPING CENTER, within or upon any of the fire lanes designated on the map of said area set forth on Appendix 1303.12-F to this chapter, expressly incorporated herein and made a part hereof, other than an authorized emergency vehicle

6-11-1303.2: SCHEDULE VI, TIME LIMIT PARKING:

- A. Two Hour Parking: It shall be unlawful to park any vehicle for longer than two (2) consecutive hours on Monday through Friday, both inclusive, in any of the following locations:

BARTLETT AVENUE, on the north side between its intersection with the east line of Oak Street and the west line of Eastern Avenue, except on Sundays and legal holidays. (Ord. 81-56)

EASTERN AVENUE, on the west side between the north line of Morse Avenue and the south line of Bartlett Avenue.

EASTERN AVENUE, on the east side between the south line of Oneida Avenue and the south line of Bartlett Avenue and between the north line of Morse Avenue and the north line of North Avenue. (Ord. 75-54)

WEST RAILROAD AVENUE, on the north side, between a point seventy two feet (72') east of the east line of Oak Street and a point one hundred eighty one feet (181') east of the east line of Oak Street. (Ord. 80-19)

B. Four Hour Parking:

AREA, described by beginning at the intersection of the north line of North Avenue with the west line of Western Avenue, and running thence east along the north line of North Avenue to the east line of Eastern Avenue; thence south along the east line of Eastern Avenue, and the prolongation thereof, to the north line of the Chicago, Milwaukee, St. Paul and Pacific Railroad right of way; thence west along the north line of said railroad right of way, to its intersection with the prolongation of the east line of South Main Street; thence south along the prolongation of the east line of South Main Street and along the east line of South Main Street to the south line of Devon Avenue; thence west along the south line of Devon Avenue and the prolongation of the south line of Devon Avenue to the west line of Western Avenue; thence north along the west line of Western Avenue to its intersection with the north line of North Avenue; it shall be unlawful to park any vehicle on any Village street for more than four (4) consecutive hours between the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M., except on Sundays and legal holidays.
(Ord. 74-27)

BARTLETT AVENUE, on the south side, between its intersection with the east line of Oak Street and the west line of Eastern Avenue, except on Sundays and legal holidays.

ONEIDA AVENUE, on the south side from the east line of Eastern Avenue to the west line of Prospect Avenue, for a period of time longer than four (4) hours. (Ord. 81-56)

POND VIEW LANE, on either side, between its intersections with the east line of Devon Avenue and the west line of Western Avenue. (Ord. 2003-160, 12-2-2003)

C. Monday Through Friday: No parking Monday through Friday, inclusive, six o'clock (6:00) A.M. to six o'clock (6:00) P.M.

BERTEAU AVENUE, on either side from the south side of Oneida Avenue to the Milwaukee Road right of way on Monday, Tuesday, Wednesday, Thursday and Friday.

ONEIDA AVENUE, on the north side from the east line of Eastern Avenue to the west line of Prospect Avenue. (Ord. 80-19)

D. League Play Restriction:

CORAL AVENUE, on the north side, from Newport Boulevard to Voyager Drive.

NEWPORT BOULEVARD, on the east side from Coral Avenue to Millwood Drive.

The "no parking" restriction on the above named streets is during regular league play hours only.

(Ord. 85-62, 6-4-1985)

6-11-1303.3: SCHEDULE VII, PARALLEL, DIAGONAL AND PERPENDICULAR PARKING:

BARTLETT AVENUE, north and south side, diagonal parking shall be permitted from the east line of Oak Street to the west line of Eastern Avenue, where vehicles shall be parked at the angle to the curb indicated by markings on the pavement. (Ord. 74-27; amd. Ord. 81-60)

6-11-1303.4: SCHEDULE VIII, METERED PARKING AND DAILY PAY COMMUTER PARKING AREAS:

The following streets and places are hereby declared to be metered parking areas or daily pay commuter parking areas subject to the regulations of section 6-11-1304.7 of this part, and it shall be unlawful to park a vehicle upon such streets and places except in compliance with the regulations set forth in said section 6-11-1304.7 of this part:

The parking area on the north side of Railroad Avenue from the east line of Western Avenue easterly to the west line of Oak Avenue, consisting of fifty nine (58) spaces (Lot 4) depicted in red on Appendix 1 to this chapter.

The east one-half of Lot 6 (61 spaces) located north of the Metra railroad tracks depicted in red on Appendix 1 to this chapter.

The parking lot located at the southeast corner of Western Avenue and Oneida Avenue consisting of eighty six (86) spaces (Lot 11) depicted in red on Appendix 1 to this chapter.

The parking area located on the north side of Bartlett Avenue from the east line of Hickory Avenue easterly approximately one hundred feet (100') consisting of twelve (12) spaces (Lot 2, Motorcycle Parking) depicted in red on Appendix 1 to this chapter.

The parking lot located on the north side of E. Railroad Avenue from the Metra Station easterly approximately five hundred feet (500') east of the east line of Berteau Avenue consisting of one hundred sixty (160) spaces (Lot 15) depicted in red on Appendix 1 to this chapter. (Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

The parking lot located on the south side of E. Oneida Ave., adjacent to the Bartlett water tower, directly south of S. Elroy Ave. consisting of thirty nine (39) spaces (Lot 13).

6-11-1303.5: SCHEDULE IX, PERMIT PARKING:

The following described areas are hereby designated as permit parking areas:

The parking area on the south side of West Bartlett Avenue from the east line of Western Avenue easterly to the west line of Oak Avenue consisting of forty five (45) spaces (Lot 3) depicted in blue on Appendix 1 to this chapter.

The parking lots (Lots 5, the west one-half of Lot 6, 7, 12, and 14) located north of the Metra railroad tracks, south of Oneida Avenue, from the east line of Eastern Avenue easterly to the

east line of Berteau Avenue excluding the east one-half of Lot 6 and Lot 13 (39 spaces) the east side of Berteau Ave. north of E. Bartlett Ave. south of West Oneida Ave. the northern (6 spaces) of lot 14, and the north side of E. Bartlett Avenue, first ten (ten spaces) to the permit parking area known as (Lot 7) of the permit parking area depicted in blue on Appendix 1 to this chapter.

6-11-1303.6: NO STOPPING ZONES:

Except where necessary to avoid a conflict with other traffic or in compliance with law or the directions of a police officer or a traffic control device, it shall be unlawful for any person to stop any vehicle at any time on any of the streets hereinafter set forth:

DARTMOUTH COURT

This section shall not apply to a driver of any vehicle which is disabled; school buses; or any second division vehicle used exclusively for the purpose or collection of garbage, refuse or recyclable material. (Ord. 2006-116, 11-7-2006)

6-11-1303.7: NO STANDING ZONES:

Except when necessary to avoid a conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, it shall be unlawful for any person to stand or park a vehicle, whether occupied or not, whether momentary to pick up or discharge passengers or not, or any other purpose, at any time on any of the streets hereinafter named at the locations hereinafter set forth: (Ord. 2006-116, 11-7-2006)

DARTMOUTH COURT;

LAMBERT LANE from Spaulding Road to 500 feet north of Spaulding Road; and

SPAULDING ROAD from Metra railroad tracks west of Lambert Lane to Ivory Lane east of Lambert Lane. (Ord. 2006-116, 11-7-2006; amd. Ord. 2016-87, 11-15-2016)

This section shall not apply to a driver of any vehicle which is disabled; school buses; or any second division vehicle used exclusively for the purpose of collecting garbage, refuse or recyclable material. (Ord. 2006-116, 11-7-2006)

6-11-1304.1: ADDITIONAL PARKING REGULATIONS, PARKING RESTRICTED AND LIMITED:

A. It shall be unlawful to park any commercial vehicle or machinery on any street or public right of way for more than four (4) consecutive hours. (1968 Code, §17.502)

It shall also be unlawful to park any vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any business street from which vehicle merchandise is peddled. (1968 Code, §17.504)

B. It shall be unlawful to park any inoperative vehicle or any machinery of any kind on any street or public right of way for more than five (5) consecutive hours. (1968 Code, §17.502)

- C. It shall be unlawful to park any vehicle at any time for more than fifteen (15) minutes on the south side of Railroad Avenue from the west line of Hickory Street to a point fifty feet (50') west of the west line of Hickory Street.
- D. It shall be unlawful for any person who is not visiting the Bartlett Municipal Building on village or police business to park any vehicle in the parking lot of the Bartlett Municipal Building, and it shall further be unlawful for any person who is not an officer or employee of the village to park any vehicle in the parking lot of the Bartlett Municipal Building for more than four (4) hours within any twenty four (24) hour period. (Ord. 73-21, 1973)
- E. It shall be unlawful to park any vehicle at any time for more than five (5) minutes on the east side of Oak Street within fifty feet (50') of the north line of Bartlett Avenue.
- F. It shall be unlawful to park any vehicle on any public street or right of way in any location designated in the manner hereinafter set forth:

The village police department, or anyone acting under its direction or control, may, if the condition of traffic so warrants or the public safety so demands, temporarily post or install no parking signs along or upon any public highway, street or parking area in the village, such parking signs to be temporary in nature and not to be posted or installed for an unreasonable time. A period of beyond seventy two (72) hours shall be deemed prima facie unreasonable as to time, unless the circumstances surrounding the need indicate to the contrary. (Ord. 74-27)

6-11-1304.2: ALL NIGHT PARKING:

No person shall park any vehicle on any street for a period of time longer than thirty (30) minutes between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. of any day, except in a residential permit parking area pursuant to a validly issued residential parking permit issued pursuant to Section 6-11-1304.8.1 of this chapter, or physicians on emergency calls; provided, however, that in the event of an emergency, or in the event of mechanical malfunction of a vehicle, such vehicle may be parked on the street between such hours; provided that the owner or person responsible for the parking of such vehicle on the village street shall notify the Bartlett police department as to the existence of such emergency situation, the location where such vehicle shall be parked, the identity of the owner of the premises in front of which such vehicle shall be parked, the identity of the owner and driver of such vehicle and such additional information as the Bartlett police may require. (1968 Code, §17.506; amd. Ord. 79-54)

The provisions of this section shall not apply to vehicles owned by the United States, state of Illinois, any county or municipality which may be subject to call twenty four (24) hours a day, or to the personal vehicles of volunteer firemen. The chief of police is authorized to grant special permits: a) in emergency situations, or b) on a temporary basis in hardship situations. (Ord. 82-67)

6-11-1304.3: PARKING IN ALLEYS:

No person shall park a vehicle within an alley in such manner or under such conditions as to leave available less than ten feet (10') of the width of the roadway for the free movement of traffic, and no person shall stand or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property. (1968 Code, §17.507)

6-11-1304.4: PARKING IN LOADING ZONES:

It shall be unlawful for the driver of a vehicle to stand a passenger vehicle for a period of time longer than is necessary for the loading or unloading of passengers, not to exceed three (3) minutes, and for the driver to stand any freight carrying vehicles for a period of time longer than is necessary to load, unload and deliver materials, not to exceed thirty (30) minutes in any place designated by the village board as a loading zone and marked as such, or in any of the following designated places:

- A. At any place not to exceed seventy five feet (75') along the curb before the entrance to any hospital or hotel at any time.
- B. At any place not to exceed seventy five feet (75') along the curb before the entrance to a public building between the hours of eight o'clock (8:00) A.M. and six o'clock (6:00) P.M. except Sundays.
- C. Directly in front of the entrance to any theater at any time the theater is open for business. (1968 Code, §17.506)

6-11-1304.5: PARKING DURING SNOW REMOVAL AND STREET CLEANING OPERATIONS:

It shall be unlawful to park any vehicle on any public street in the village at any time within twelve (12) hours after a snowfall of three inches (3") or more has occurred, or to park any vehicle on any public street or portion thereof in the village at any time when such street is being cleaned. Signs indicating that a street or portion thereof is being cleaned shall be posted immediately before the cleaning of the street, and shall be removed after the cleaning of the street is finished. (1968 Code, §§17.512, 17.513)

6-11-1304.6: PARALLEL, DIAGONAL AND PERPENDICULAR PARKING REGULATIONS:

- A. No vehicle shall be parked with the left side of such vehicle next to the curb or street pavement, except on one-way streets.
- B. It shall be unlawful to park or stand any vehicle on any street other than parallel with the curb and with the two (2) right wheels of the vehicle within six inches (6") of the curb or established edge of pavement, except as provided in section 6-11-1303.3 of this part. (Ord. 74-27)

6-11-1304.7: METERED PARKING:

The following regulations shall govern parking on village streets, in off street facilities owned, leased, controlled or operated by the village, or in parking areas comprised of both village streets and off street parking facilities owned, leased, controlled or operated by the village.

- A. Parking Meters: The chief of police shall cause parking meters to be placed upon the sidewalk or curb adjacent to the metered parking areas designated for the regulation of the parking of vehicles in such areas in this chapter. He shall cause such parking areas to be divided and marked for individual parking spaces for each meter so placed and installed. Each parking meter so installed shall bear a legend indicating the number of legal hours prior to the legal parking of a vehicle in such parking space, the days and hours that parking regulations are in

effect with respect to such meters, and other information relating to the use of such parking meters. Each meter so placed and used for the regulation of parking in the metered parking areas hereinafter designated shall be so constructed as to permit the placing of coins therein, and shall display a signal or legend showing legal parking for the period indicated on a dial therein provided. (Ord. 75-9)

B. Procedure On Parking In A Metered Zone Or In Commuter Parking Lot:

1. It shall be unlawful to park a vehicle in a metered parking space in the designated metered parking areas or in designated commuter parking areas for more than twelve (12) hours for each one dollar fifty cents (\$1.50) deposited in the parking meter collection box or deposited in or charged through an automatic pay station or through the village authorized mobile parking payment application designated for such parking space.
2. It shall be unlawful for any person to park, and it shall be unlawful for the owner or operator of any vehicle to cause, suffer or permit to be parked, any vehicle in any parking space or stall in any daily pay commuter parking area or lot as described in section 6-11-1303.4 of this part which is regulated by a parking meter, collection box or automated pay station or through the village authorized mobile parking payment application designated for such daily pay commuter parking area, unless there is deposited in such parking meter, collection box or deposited in or charged by credit card through an automated pay station or the village authorized mobile parking payment application designated for said space or stall, the sum of one dollar fifty cents (\$1.50) for each day during which said vehicle is parked in said parking space or stall between the hours of six o'clock (6:00) A.M. and six o'clock (6:00) P.M., except on Saturdays, Sundays and legal holidays. Payment shall be made within 30 minutes of parking the vehicle.
3. The appropriate village personnel are authorized and directed to take the necessary steps to cause the parking meter, collection boxes, and/or automated pay stations or the village authorized mobile parking payment application to be changed or adjusted in order to conform with the provisions of this section.
4. Any person who violates the provisions of this subsection, or causes, suffers or permits the violation of any provision of this section shall be fined not less than twenty-five (\$25.00) for each such violation; and a separate offense shall be deemed committed for each day during which the vehicle is parked in violation of this section. (Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

C. Parking Hours And Days: The regulations for metered parking shall be in effect between the hours of six o'clock (6:00) A.M. and six o'clock (6:00) P.M. on each day from Monday through Friday, both inclusive. Such regulations shall not be in effect on Saturdays, Sundays and the following legal holidays: New Year's Day, Memorial Day, Fourth Of July, Labor Day, Thanksgiving Day and Christmas.

D. Use Of Slugs: It shall be unlawful for any person to deposit in any meter/collection box any slug, device or metallic substitute for a lawful coin. It shall be unlawful for any person to park in any space adjacent to a parking meter/collection box where the last coin deposited in such meter is not a lawful coin of the United States. It shall be unlawful for any person to deface, injure, tamper with, open, break or destroy or impair the usefulness of any parking meter/collection box. (Ord. 69-29)

6-11-1304.8: PERMIT PARKING:

The following regulations shall govern permit parking on village streets, in off street parking facilities owned, leased, controlled or operated by the village, or in parking areas comprised of both village streets and off street parking facilities owned, leased and controlled or operated by the village:

- A. It shall be unlawful to park a vehicle in any of the permit parking areas described in section 6-11-1303.5 , schedule IX of this part, unless there has been issued for such vehicle a parking permit hanger to allow the parking of such vehicle within such permit parking area. Each such parking permit hanger issued pursuant to this section shall be visibly displayed by hanging from the rear view mirror inside of the vehicle in such a manner that it is clearly visible from the outside of the motor vehicle. (Ord. 75-53, 12-2-1975)
- B. The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, color, and registration number.
- C. The permit shall be renewed quarterly on or before the first day of the new quarter, January 1, April 1, July 1 and October 1. The permit shall display the quarter number for which the permit is issued. This permit shall entitle the permittee to park in the permit parking area for a twelve (12) hour period.
- D. The parking permit hanger ~~sticker~~ will be displayed hanging from the rear view mirror inside of the vehicle in such a manner that it is clearly visible from the outside of the motor vehicle.
- E. The village clerk shall cause parking permit hangers to be made available for sale on line, and parking permit hangers will be mailed to the requestor at the rates hereinbefore set forth.
- F. The following permit fees for permit parking areas described in section 6-11-1303.5 of this part are hereby established:

\$90.00 per calendar quarter.
- G. It shall constitute a violation of this regulation for any person to make false representation of eligibility for parking permit or to furnish any false information in an application in order to obtain a parking permit.
- H. Any person who shall violate any provision of this regulation shall, upon a finding of guilty of or a conviction, be subject to a fine twenty five dollars (\$25.00) and if not paid within a period of ten (10) days from the date appearing on the violation notice, said person shall be subject to an additional fine of twenty five dollars (\$25.00)

6-11-1304.8.1: RESIDENTIAL PERMIT PARKING AREA:

- A. "Residential area" shall mean a contiguous or nearly contiguous area containing public highways or parts thereof primarily abutted by residential property or residential and nonbusiness property (such as: schools, parks and churches).
- B. All residents shall be deemed eligible for residential permit parking when the residents would otherwise park the vehicles on the street in violation of the two o'clock (2:00) A.M. to six o'clock (6:00) A.M. prohibition.

- C. "Residential permit parking area" shall mean the residential area west of Berteau Avenue, the north side of E. Bartlett Avenue, first ten (ten spaces) to the permit parking area known as (Lot 7), and the east side of Berteau Ave. north of E. Bartlett Ave. south of West Oneida Ave. The Northern (6 spaces) of lot 14 where parking shall be allowed for vehicles owned or leased by a village resident who has procured and displays a residential parking permit. This permit parking area is reserved for the use of village residents who have "residential parking permits" issued one per property on a first come, first issued basis.
- D. The application for a permit shall contain the name of the owner or operator of the motor vehicle, residential address, the motor vehicle's make, model, registration number, and proof of residency.
- E. The permit shall be renewed quarterly on or before the first day of the new quarter, January 1, April 1, July 1 and October 1. The permit shall display the quarter number for which it is issued. This permit shall entitle the permittee to park in the residential permit area twenty four (24) hours daily.
- F. The parking permit hanger will be displayed hanging from the rear view mirror inside of the vehicle in such a manner that it is clearly visible from the outside of the motor vehicle.
- G. No person shall display a parking permit hanger on any vehicle other than the vehicle described in the application for which the residential parking permit hanger has been made and parking permit hanger issued. Any such use or display of a parking permit hanger on a vehicle as described above shall constitute a violation of the regulation by the permittee and by the person who so used or displayed such parking permit hanger.
- H. It shall constitute a violation of this regulation for any person to make representation of eligibility for a residential parking permit or to furnish any false information in an application in order to obtain a residential parking permit. (Ord. 85-75, 8-6-1985)
- I. (Rep. by Ord. 88-81, 8-16-1988)
- J. Any person who shall violate any provision of this regulation shall, upon conviction, be subject to a fine of twenty five dollars (\$25.00) and if not paid within a period of ten (10) days from the date appearing on the violation notice, said person shall be subject to an additional fine of twenty five dollars (\$25.00) (Ord. 85-75, 8-6-1985)

6-11-1304.9: CAB, BUS STANDS:

No vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a cab stand; and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone. (1968 Code, §17.509)

6-11-1304.10: SIGNS POSTED:

The director of public works or any other person authorized by the village board shall cause signs to be posted in all areas where parking is limited or prohibited, indicating such limitations or prohibitions. (1968 Code, §17.511)

6-11-1304.11: PARKING OF VEHICLE WITH EXPIRED REGISTRATION:

No person may stop, park, or leave standing upon a public street, highway, or roadway a vehicle upon which is displayed an Illinois registration plate or plates or registration sticker after the termination of the registration period.

6-11-1304.12: LESSOR OF VISITOR VEHICLES – DUTY UPON RECEIVING NOTICE OF VIOLATION.

Every person in whose name a vehicle is registered pursuant to law and who leases such vehicle to others, after receiving written notice of a violation of this chapter involving such vehicle, shall upon request provide such police officers as have authority of the offense, the ordinance enforcement administrator and/or the administrative hearing officer appointed pursuant to title 1, chapter 15 of this code, and/or the court having jurisdiction thereof with a written statement of the name and address of the lessee at the time of such offense and the identifying number upon the registration plates and registration sticker or stickers of such vehicle.

6-11-1304.13: PARKING LIABILITY OF LESSOR:

No person who is the lessor of a vehicle pursuant to a written lease agreement shall be liable for the violation of any parking or standing regulation of this chapter involving such vehicle during the period of the lease; provided that upon the request of the ordinance enforcement administrator or the administrative hearing officer appointed pursuant to title 1, chapter 15, of this code, received within 120 days after the violation occurred, the lessor provides within 60 days after such receipt the name and address of the lessee. The driver's license number of a lessee may be subsequently individually requested by either of such officers if needed for enforcement of this chapter.

6-11-1304.14: CENTRALIZED PARKING METER SYSTEMS:

A. As used in this section:

“Centralized parking meter system” means a system of regulating the standing or parking of vehicles for the village public commuter parking lots and a single parking meter.

“Parking meter” means a traffic control device which, upon being activated by deposit of currency of the United States, or by electronic or other form of payment, in the amount indicated thereon or otherwise, either: (1) displays a signal showing that parking is allowed from the time of such activation until the expiration of the time fixed for parking in the parking meter zone in which it is located, and upon expiration of such time indicates by sign or signal that the lawful parking period has expired; (2) issues a ticket or other token, or activates a display device, on which is printed or otherwise indicated the lawful parking period in the parking meter zone in which the parking meter is located, such ticket or token, or display device, to be displayed in a publicly visible location on the dashboard or inner windshield of a vehicle parking in the village commuter parking lot, or such ticket to be affixed on the front lamp of a motorcycle or motor scooter parking in the village's commuter parking lot, or (3) payment for parking in any village commuter parking lot through the village authorized mobile parking payment application.

“Village commuter parking lots” means a certain designated and marked off section of village owned or leased public property within the marked boundaries where a vehicle may be

temporarily parked and allowed to remain for such period of time as the parking meter attached thereto, or the ticket or other token issued by the parking meter, or mobile payment application, may indicate.

- B. If for any reason the parking meter serving a space or, in a centralized parking meter system, serving a parking meter zone is malfunctioning due to the accumulation of ice or snow and it has been reported to the local authorities as malfunctioning prior to a violation for the standing or parking of vehicles being issued, it shall be a valid affirmative defense to such violation until such time as the parking meter is brought back into service.

6-11-1304.15: UNAUTHORIZED USE OF PARKING PLACES RESERVED FOR ELECTRIC VEHICLES:

- A. For the purposes of this Section:

“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.

- B. It shall be prohibited to park a non-electric vehicle in an electric vehicle charging station designated for use by electric vehicles, including an electric vehicle charging station on any private or public off street parking facility. A person may park only an electric vehicle in an electric vehicle charging station space designated for use by electric vehicles.
- C. Any person or entity owning any public or private off street parking facility may, after notifying the police department, remove or cause to be removed to the nearest garage or other place of safety any non-electric vehicle parked within an electric vehicle charging station space designated for use by electric vehicles.
- D. It shall not be a defense to a charge under this section that the sign or notice posted at the electric vehicle charging station or the designated parking space does not comply with applicable rules, regulations, or village ordinances, if a reasonable person would be made aware by the sign or notice on or near the parking space that the space is reserved for electric vehicles.

Any person found guilty of violating the provisions of subsection B. shall be fined \$100 in addition to any costs or charges connected with the removal or storage of the non-electric vehicle.

6-11-1305.1: PROCEDURE FOR ISSUANCE OF TICKETS:

Whenever a police officer is authorized to arrest a person without a warrant because of a violation of an ordinance with respect to any of the following subjects:

- A. Prohibiting the parking of a vehicle in a designated area (see sections 6-11-1300 through 6-11-1304.15 of this part);
- B. Restricting the length of time a vehicle may be parked (see sections 6-11-1300 through 6-11-1304.15 of this part);

C. Reserved.

D. Regulating parking in metered parking areas and commuter parking areas (see sections 6-11-1304.7 and 6-11-1304.14 of this part);

E. Reserved.

F. Regulating handicapped parking (see sections 6-11-1301.1 through 6-11-1301.8 of this part);

said police officer may, as a courtesy, in lieu of arrest and the filing of a citation complaint and/or a notice of appear in court, in the first instance, issue to such alleged violator a parking ticket which states the following information:

1. Advising said person that he or she has violated a specified ordinance;
2. Requesting him or her to make payment in an amount applicable to said violation as set forth in section 6-11-1305.2 of this part as settlement of said violation claim;
3. Informing him or her that upon failure to settle said ticket as provided in section 6-11-1305.2 of this part, that a citation complaint and/or notice to appear for an adjudicatory hearing before an administrative hearing officer pursuant to title 1, chapter 15, of this code, or will be filed in the circuit court of Cook County, charging him or her with such violation; and
4. Informing him or her that failure to satisfy any fines and penalties imposed by final judgment(s) for each violation of the stopping, standing and parking regulations could result in the suspension of his or her driver's license by the secretary of state. (Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

6-11-1305.2: SETTLEMENT PROCEDURES:

A. Penalties; Parking Tickets:

1. Any person accused of a violation of sections 6-11-1300 to 6-11-1305.15 of this part may settle and compromise the claim pursuant to subsection B of this section and prior to such person being issued a complaint or notice to appear.
2. Tickets issued under section 6-11-1305.1 of this part shall be as a courtesy in lieu of arrest. If the person accused of the violation does not settle the claim, a citation, complaint and/or notice to appear will be issued for that violation (and may list more than 1 violation of the subjects authorized in section 6-11-1305.1 of this part on a single citation, complaint and/or notice to appear), and the person shall be subject to the penalties set forth in section 6-11-1305.6 of this part for each violation.

B. Parking And Minor Ordinance Violations; Settlement Of Penalties; Authorization And Procedure: The following procedure regarding settlement and compromise of parking violations and certain minor ordinance violations as set forth in this section is hereby authorized:

1. Any owner or operator who is issued a parking ticket for a violation of any of sections 6-11-1300 to 6-11-1304.15 of this part may settle and compromise that ticket by paying

twenty-five (\$25.00) to the village on or before ten (10) days after the date of issuance, not counting the date of issuance. If paid after that date but not less than seven (7) days before the court date, the parking ticket can be settled and compromised for fifty ~~thirty~~ dollars (\$50.00). After that date, payment to the village clerk of the minimum fine upon a finding of liable by the administrative hearing officer, or payment to the circuit court clerk upon a guilty determination by the circuit court shall be fifty dollars (\$50.00) for each separate violation. Payments received by mail shall be credited as paid on the date received by the village.

2. Any owner or operator who is issued a ticket for a violation of sections 6-11-1301.3 or 6-11-1301.8 of this part of this chapter may settle and compromise that ticket by paying to the village on or before ten (10) days after the date of issuance, not counting the date of issuance, the amount in column A. If paid after that date but not less than seven (7) days before the court date, the ticket citation or complaint, as the case may be, may be settled and compromised for the amount in column B. After that date payments to the circuit court clerk or upon a determination of a violation by the circuit court of the following sections, the amount due or minimum fine to be entered by the circuit court shall be the amount in column C.

General Description Of Offense	Bartlett Municipal Code Section Numbers	A Within 10 Days	B After 10 Days But Not Less Than 7 Days Before Court	C Minimum Court or Administrative Adjudication Fine
Improper parking	6-11-1300 through 6-11-1304.14 625-5/11-1304.15 (but excluding 6-11-1301.3 and 6-11-1308)	\$25.00	\$50.00	\$ 50 .00
Overtime parking	6-11-1300 through 6-11-1304.15 (but excluding 6-11-1301.3 and 6-11-1301.8)	\$25.00	\$50.00	50 .00
Overtime metered/commuter parking	6-11-1304.7 (but excluding 6-11-1301.3 and 6-11-1301.8)	\$25.00	\$50.00	50 .00

Parking in designated handicapped space without proper display of handicapped plates or handicapped decal	6-11-1301.3	250.00	250.00	250.00
Obstruction of parking places for persons with disabilities	6-11-1301.8	250 .00	250 .00	250 .00

(Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

6-11-1305.3: REGISTRATION PRIMA FACIE EVIDENCE:

The fact that an automobile or motor vehicle which is illegally operated or parked is registered with the secretary of state in the name of said alleged violator; or, in the alternative, in the event that a vehicle sticker issued by a municipality has been issued in the name of the alleged violator, shall be considered prima facie proof that said alleged violator was in control of or was the operator of the automobile or vehicle at the time of such alleged violation. (1968 Code §17.804)

6-11-1305.4: NOTICE TO APPEAR; CITATION:

- A. Issuance: Whenever a peace officer of the village is authorized by law to arrest a person without a warrant, he may instead issue to such person a ticket, citation, complaint and/or a notice to appear.
- B. Description Of Notice To Appear Or Citation:
 - 1. Such notice to appear shall be in writing, state the name of the person and his or her address (if known), set forth the nature of the offense, be signed by the officer issuing the notice, and shall request the person to appear before an administrative hearing officer or a court of competent jurisdiction at a certain time and place.
 - 2. Such citation shall be in writing, state the name of the person and his or her address (if known), set forth the nature of the offense, the date and time of the alleged offense, the location of the alleged offense, and the section of the code alleged to have been violated. The citation may include more than a single violation, but shall include the foregoing information as to each alleged violation.
- C. Settlement: The person receiving said notice of such violation may pay the penalty imposed for such ordinance violation by paying the amount specified in said notice or citation to the village up until seven (7) days before the administrative hearing date or court date set forth in the notice or citation. Such payment shall be made in accordance with the provisions of section 6-11-1305.2 of this part at the office of the village clerk, who shall issue a receipt for the money so received and promptly remit said amount to the village treasurer to be credited to the proper municipal fund.
- D. Failure To Settle: In the event that the person to whom the notice to appear or citation is issued fails to pay said penalty within the prescribed time, then judgment for the fine imposed by the administrative hearing officer plus court costs, or if the action is brought directly to the circuit court, judgement in the amount of the minimum fine applicable as of the date judgment is entered, plus court costs, may be entered by the court if the person so notified fails to appear

before the administrative hearing officer, or in court, and a summons or warrant of arrest may, but need not, issue.

- E. Owner Or Lessee In Violation: If for any reason the peace officer issuing such notice or citation is unable to place the name and address thereon as required, because it is not known to him, then the word "owner" shall be inserted in that appropriate space, which shall mean the registered owner or lessee of that particular vehicle, who shall be presumed to have been in control of the operation of said vehicle at the time of the violation of the ordinance.
- F. Form Of Notice: The form of notice to be issued pursuant to the provisions of this section shall be as follows:

NOTICE
ISSUED BY THE POLICE DEPARTMENT OF THE VILLAGE OF BARTLETT,
COOK, DU PAGE AND KANE COUNTIES, ILLINOIS

NAME:

ADDRESS:

ON _____ YOU VIOLATED ORD. NO. _____ OF THE VILLAGE OF BARTLETT,
COOK, DU PAGE AND KANE COUNTIES, ILLINOIS, BY OFFENSE COMMITTED:

LOCATION OF OFFENSE - AT OR NEAR

MAKE OF VEHICLE TYPE OF OFFENSE

STATE LICENSE PLATE VEHICLE TAG

ISSUED BY STAR NO.

The penalty indicated on the reverse side hereof may be paid as indicated before the seventh (7th) day preceding the administrative hearing date or court date, or you may appear personally before the administrative hearing officer, or in the Circuit Court of Cook County as provided in the notice to appear on the day _____ of _____, 20____, at A.M./P.M. in _____, Illinois. Failure to comply with either of the aforesaid may result in the issuance of a summons or a warrant for your arrest; and/or the failure to satisfy any fine or penalty imposed by judgment for this violation (in combination with judgments entered for nine (9) or more other violations of the Stopping, Standing and Parking regulation of the Village of Bartlett) will result in the suspension of your driver's license.

(Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

6-11-1305.5: ARRESTS:

Tickets issued under section 6-11-1305.1-of this part may be issued as a courtesy in lieu of arrest. If a person accused of a violation does not settle the claim, a citation, complaint and/or notice to appear will be issued for that violation (and may include more than 1 violation) shall be subject to the penalties set forth in section 6-11-1305.6 of this part. (Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

6-11-1305.6: PENALTIES:

- A. Provisions Other Than Section 6-11-1301.3(a): Any person violating the provisions of this part other than section 6-11-1301.3(a), listed in section 6-11-1300 of this part, shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense.
- B. Any person violating section 6-11-1301.3 or Section 6-11-1301.8 listed in section 6-11-1301 of this part pertaining to handicapped parking, shall be fined two hundred fifty dollars (\$250.00) for each offense.
- C. Section 6-11-1301. Any person violating Section 6-11-1301.8 shall be fined two hundred fifty dollars (\$250.00) for each offense.
- D. General Penalty: Unless another penalty is specifically provided for by this code for violation of a particular section or part, any person found liable or convicted of an offense under this part shall be punished by a fine of not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00). A person shall be found liable or guilty of a separate offense for each and every day during any portion of which any violation of any provision of this part is committed, continued or permitted by any such person, provided that the filing of such civil action shall preclude incarceration or imprisonment.
- E. Driver's License Suspension: The village may cause a suspension of the driver's license pursuant to section 6-306.5(f)(2) of the Illinois vehicle code (footnote 2) as amended, of any person who fails to satisfy any fine or penalty imposed by final judgment for ten (10) or more violations of the stopping, standing and parking regulations of this part.
- F. Notice For Impending Driver's License Suspension For Parking Violations: When notice is required to be sent pursuant to section 6-306.5(f)(2) (footnote 3) of the Illinois vehicle code, as amended, it shall be sent to the person liable for any fine or penalty and shall state that failure to pay the fine or penalty owing within forty five (45) days of the notice date will result in the village of Bartlett notifying the secretary of state that the person's driver's license is eligible for a suspension pursuant to section 6-306.5 of the Illinois vehicle code (footnote 4) as amended.
- G. Notice Sent By Mail: The notice sent in subsection E of this section shall be sent by first class United States mail, postage prepaid, to the address recorded with the secretary of state. (Ord. 2011-22, 4-19-2011, eff. 6-1-2011)

Footnotes - Click any footnote link to go back to its reference.

Footnote 1: 625 ILCS.

Footnote 2: 625 ILCS 5/6-306.5(f)(2).

Footnote 3: 625 ILCS 5/6-306.5(f)(2).

Footnote 4: 625 ILCS 5/6-306.5.

SECTION FOUR: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION FIVE: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SIX: EFFECTIVE DATE. This Ordinance shall become effective ten days after its passage, execution by the Village President and publication in pamphlet form as required by law.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

Kevin Wallace, Village President

ATTEST:

Lorna Gilles, Village Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the village clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2017-_____, enacted on _____, 2017, and approved on _____, 2017, and published in pamphlet form on _____, 2017, as the same appears from the official records of the Village of Bartlett.

Lorna Gilles



Agenda Item Executive Summary

Item Name Code Amendment - Update of Title 1, Chapter 4 Committee
General Penalty or Board Committee

BUDGET IMPACT

Amount:	\$0.00	Budgeted	\$0.00
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List what fund	N/A
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EXECUTIVE SUMMARY

Attached is the amended/updated alternative penalties, compliance warning tickets ordinance. The Internal Disruption Committee (IDC) asked the Police Department to look at the fines related to compliance ticket violations. The recommendation was to raise compliance violation fines to make them more in line with surrounding villages. A survey was conducted of surrounding villages and the recommendation was to raise the compliance violation fines from \$15.00 per violation to \$25.00 per violation. The late fee, if not paid within ten days would increase from \$30.00 to \$50.00.

While evaluating the compliance warning tickets ordinance there were several sections which needed to be brought up to date with the Illinois Vehicle Code.

ATTACHMENTS (PLEASE LIST)

Memo, Survey, Ordinance

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion:

Staff: Charles Snider, Deputy Chief of Operations

Date: 10/10/2017

**POLICE DEPARTMENT MEMORANDUM
17-74**

DATE: October 10, 2017
TO: Paula Schumacher, Village Administrator
FROM: Charles Snider, Deputy Chief of Operations
RE: Amendments to the Alternative Penalties Ordinance

The attached proposed ordinance amends Village Code Chapter 4-1-4-11 General Penalty, Alternative Penalties, and Compliance Warning Tickets.

The Village's Internal Disruption Committee (IDC) asked the Police Department to look at the fine structure for compliance ticket fines. The IDC conducted a survey of twelve surrounding communities and found the Village's fine for compliance ticket violations is lower than all twelve of the surrounding communities. The IDC recommended raising the fine for compliance ticket violations from \$15.00 to \$25.00, and raising the penalty if not paid within 15 days from \$30.00 to \$50.00.

The Illinois Vehicle Code has changed since the last revision of the compliance ticket ordinance so the Illinois Vehicle Code must also be re-adopted.

**Bartlett PD - Fee Structures
May 2017**

	Admin Tows	Accident Reports	Certified FOIA	Parking Related	Animal Related	Traffic Related	Truck Related	Vehicle Related	Drug Paraphernalia
Bartlett	\$500.00	\$5.00	\$1.00	\$15.00	\$15-\$500	\$15.00	\$15.00	\$25.00	up to \$750
Bloomingtondale	\$500.00	\$5.00	over 50 pp .25/pg	\$25.00	\$25-\$250 up to \$1,000	up to \$1,000	up to \$1,000	up to \$1,000	\$200-\$1,000
Geneva	\$300.00	\$5.00	N/A	\$25.00	\$50.00	IVC	N/A	IVC	\$120-\$300
Hanover Park	\$500.00	\$5 or online \$13	chg for over 50 pp	\$30.00	\$35 + \$10/day	\$65-\$120	\$65-\$120	varies	varies
Roselle	\$500.00	\$5.00	N/A	\$35-\$50	\$35-\$250	\$35-\$250	N/A	\$35-\$250	\$250-\$2,500
St Charles	\$500.00	\$5.00	N/C	\$25.00	\$5-\$500	\$5-\$500	\$50.00	-	\$200.00
Schaumburg	\$500.00	\$5.00	\$1.00	\$50.00	\$50.00	IVC	\$100 (parking)	\$50.00	\$200.00
South Elgin	\$250.00	\$5.00	.15 for CD	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.	\$50 at Local Adjud.
Streamwood	\$500.00	\$5.00	over 50 pp .15/pg	\$25-\$40	\$25-\$50	\$25-\$40	\$25-\$40	\$25.00	\$100-\$750

ORDINANCE 2017 - _____

**AN ORDINANCE AMENDING TITLE 1, CHAPTER 4, OF
THE BARTLETT MUNICIPAL CODE ENTITLED "GENERAL PENALTY"**

BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: That Title 1, Chapter 4, GENERAL PENALTY, of the Bartlett Municipal Code is hereby repealed.

SECTION TWO: That the Bartlett Municipal Code is hereby amended to add new Title 1, Chapter 4, GENERAL PENALTY, as follows to replace Title 1, Chapter 4, repealed in Section One of this Ordinance:

**CHAPTER 4
GENERAL PENALTY**

- 1-4-1: GENERAL PENALTY:**
- 1-4-2: APPLICATION OR PROVISIONS:**
- 1-4-3: DEFINITIONS:**
- 1-4-4: CITATION AND SETTLEMENT IN LIEU OF PROSECUTION FOR CERTAIN OFFENSES:**
- 1-4-5: SERVICE OF CITATION:**
- 1-4-6: SETTLEMENT OF CLAIM:**
- 1-4-7: VIOLATION AND SETTLEMENT SCHEDULE:**
- 1-4-8: SETTLEMENT AND COMPROMISE PAYMENT:**
- 1-4-9: CITATION:**
- 1-4-10: COMPLAINT FORM:**
- 1-4-11: ALTERNATIVE PENALTIES, COMPLIANCE WARNING TICKETS:**

1-4-1: GENERAL PENALTY:

In all cases where the same offense is made punishable or is created by different clauses or sections of this code, the prosecuting officer may elect under which to proceed; but not more than one recovery shall be had against the same person for the same offense; provided that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

- A. Whenever in this code a minimum but not maximum fine or penalty is imposed, the administrative hearing officer, or the court may, in its discretion, fine the offender any sum exceeding the minimum fine or penalty, but not exceeding five hundred dollars (\$500.00).

B. Whenever in this code the doing of any act or the omission to do any act constitutes a breach of any section or provision of this code and there shall be no fine or penalty declared for such breach or violation, any person who shall be convicted of any such breach shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense.

1-4-2: APPLICATION OF PROVISIONS:

The penalty provided in this chapter shall be applicable to every section of this code the same as though it were a part of each and every separate section. Any person convicted of a violation of any section of this code where any duty is prescribed or obligation imposed, or where any action which is of a continuing nature is forbidden or is declared to be unlawful, shall be deemed guilty of a misdemeanor. A separate offense shall be deemed committed upon each day such duty or obligation remains unperformed or such act continues, unless otherwise specifically provided in this code. (1984 Code)

1-4-3: DEFINITIONS:

ADMINISTRATIVE ADJUDICATION: Adjudication of alleged code or ordinance violations pursuant to chapter 15 of this title.

ADMINISTRATIVE HEARING OFFICER: The duly appointed administrative hearing officer of the village, who shall have the powers and duties as prescribed in section 1-15-6 and who shall preside over and shall conduct administrative hearings to adjudicate alleged code or ordinance violations in accordance with chapter 15 of this ordinance.

CIRCUIT COURT: The circuit court of Cook County or the circuit court of DuPage County or the circuit court of Kane County as may be appropriate.

OFFICER: Any police officer, the building commissioner, the zoning administrator, the health officer or other enforcement officer of the village.

PERSON: Includes a natural person, firm, partnership, association, sole proprietorship, corporation, or any other entity as well as any agents, representatives or employees thereof upon whom responsibility or liability is imposed by this code for the violation cited.

VIOLATOR: Any person who violates any provision of this code or other village ordinances. (Ord. 86-68, 11-18-1986)

1-4-4: CITATION AND SETTLEMENT IN LIEU OF PROSECUTION FOR CERTAIN OFFENSES:

Whenever an officer observes a violation of those provisions of this code specified in section 1-4-7 of this chapter, or has probable cause to believe that such a violation has occurred and that a particular person is responsible, said officer may, in lieu of the filing of a written sworn pleading or complaint in court, issue to the alleged violator a citation which shall:

- A. Advise the alleged violator that the alleged violator has violated a specified section of this code.
- B. Order the alleged violator to make payment in an amount applicable to the alleged violation as set forth in section 1-4-6 of this chapter in settlement of said claim.
- C. Advise the alleged violator, where applicable, to cease and/or abate said violation immediately and to refrain from like violations in the future.
- D. Inform the alleged violator that, upon failure to so settle the claim and to cease and/or abate said violations, a written sworn pleading or complaint will be filed with the administrative hearing officer or in the circuit court of Cook County, DuPage County or Kane County. (Ord. 86-68, 11-18-1986)

1-4-5: SERVICE OF CITATION:

Citations shall be personally served upon the alleged violator, or upon the agent, representative or employee of the alleged violator. In the event the alleged violator cannot be located, the citation may be served by posting a copy at the property, upon the structure where the violation has occurred or upon the vehicle involved in the violation and sending a copy by certified mail, return receipt requested, to the last known address of the alleged violator. (Ord. 86-68, 11-18-1986)

1-4-6: SETTLEMENT OF CLAIM:

- A. Any person served with a citation pursuant to section 1-4-4 of this chapter may settle and compromise the claim in respect of such ordinance violation by ceasing and/or abating said violation and paying to the village the applicable amount shown within the time period set forth in section 1-4-8 of this chapter.
- B. In the event that payment is not made within the time prescribed, and a notice of an adjudicatory hearing and the complaint have been filed with the administrative hearing officer, or the complaint has been filed in the circuit court, payment of any fine and costs shall be in such amounts as may be determined and established by the administrative hearing officer or the circuit court within the limits established by this code. (Ord. 86-68, 11-18-1986)

1-4-7: VIOLATION AND SETTLEMENT SCHEDULE:

- A. Citations may be issued pursuant to section 1-4-4 of this chapter for violations of the following provisions of this code:

Title 3, "Business And License Regulations", all sections.

Title 4, "Health And Sanitation", all sections.

Title 7, chapter 1, "Streets And Sidewalks", all sections.

Title 7, chapter 5, "Village Water And Sewer Systems", all sections.

Title 8, "Fire Protection And Prevention", all sections.

Title 9, "Bartlett Building Code", all sections.

Title 10, "Bartlett Zoning Code", all sections.

Title 11, "Bartlett Subdivision Code", all sections. (Ord. 86-68, 11-18-1986O)

1-4-8: SETTLEMENT AND COMPROMISE PAYMENT:

Citations issued for violation of those sections of the code specified above may be settled and compromised by payment of twenty-five dollars (\$25.00) if paid within seven (7) days of service of the citation or fifty dollars (\$50.00) if paid after such seven (7) day period but before filing of a complaint with the administrative hearing officer or the in the circuit court. (Ord. 86-68, 11-18-1986)

1-4-9: CITATION:

Citations are issued pursuant to section 1-4-4 of this chapter. (Ord. 86-68, 11-18-1986)

1-4-10: COMPLAINT FORM:

If the violator fails to pay the penalty set forth in section 1-4-8 of this chapter within the time limits therein set forth, a complaint in substantially the following form shall be filed with the administrative hearing officer or in the circuit court of DuPage, Cook or Kane Counties:

State of Illinois

County of Cook, DuPage or Kane

In the Circuit Court of (DuPage) (Cook) (Kane) County, Illinois

Village of Bartlett, Plaintiff

vs.

, Defendant.

COMPLAINT

The Plaintiff, Village of Bartlett, a Municipal corporation of the State of Illinois, complaining of the above named Defendant states that on , 20_, at (AM) (PM) the Defendant did unlawfully commit the offense of

in violation of Title , Chapter , Section of the Bartlett Municipal Code, in that the Defendant did (describe violation)

The undersigned further states that he/she has just and reasonable grounds to believe and does believe that the Defendant named above committed the offense above set forth contrary to law.

DATED this day of , 20_.

THE VILLAGE OF BARTLETT, Plaintiff

*By:
Signature and identification of
Officer or other Complainant*

Subscribed and Sworn to before me

this day of , 20_.

Notary Public

(Ord. 86-68, 11-18-1986)

1-4-11: ALTERNATIVE PENALTIES, COMPLIANCE WARNING TICKETS:

- A. Any person, pursuant to the issuance of a compliance warning ticket, who is accused of a violation of certain sections of this code as hereinafter described in subsections C and D of this section, except a traffic offense for which a court appearance is required pursuant to Illinois Supreme Court Rule 551, may settle and compromise that ticket by paying to the village a fee of twenty five dollars (\$25.00) within ten (10) days from the date such alleged violation was committed or by paying to the village the sum of fifty dollars (\$50.00) subsequent to said ten (10) day period and prior to thirty (30) days thereafter. (Ord. 91-70, 9-17-1991; amd. Ord. 92-41, 6-2-1992)
- B. The issuance of compliance warning citations shall be as a courtesy in lieu of instituting a prosecution before the administrative hearing officer or in court for the alleged offense. If the person accused of the violation does not settle the claim a uniform traffic complaint or notice to appear will be issued for that violation and

otherwise that person shall be subject to the general penalties set forth in section 1-4-1 of this chapter.

- C. The following violations of 625 Illinois Compiled Statutes, Illinois Vehicle Code, are hereby adopted by reference to the Bartlett Municipal Code and shall be subject to the procedures described herein.

ILLINOIS VEHICLE CODE - SUBSECTIONS FROM
625 ILLINOIS COMPILED STATUTES ADOPTED AS PART
OF THE BARTLETT MUNICIPAL CODE

Illinois Vehicle Code (625 ILCS _____) and Bartlett Municipal Code Citation	<u>Description</u>
5/3-112(b)	Failure to transfer title within twenty days
5/3-401(a)	No valid registration - never applied
5/3-404	No bill of lading or manifest/dispatch record
5/3-411(a)	Failure to carry registration card or reciprocity permit - second division vehicle
5/3-413(a,b)	Improper display of license plates
5/3-413(f)	Operation of vehicle with expired registration plate or sticker
5/3-416	Failure to notify the Secretary of State of name/address change
5/3-417(a)	Failure to immediately apply for replacement registration card, plate or sticker
5/3-701(a)(1)	No valid registration - no valid plate or sticker obtained
5/3-701(a)(2)	No valid registration - reciprocity, prorate or apportionment
5/5-201(h)	No in-transit plates
5/5-202(e)	Failure to display three tow-truck plates
5/11-1404	Special equipment for persons riding motorcycles, motor driven cycles or mopeds
5/11-1405	Required equipment on motorcycles
5/11-1416	Obstructing person in highways
5/11-1419.01	Operating without a valid single trip permit
5/11-1419.02	Failure to display external Illinois Motor Fuel Use Tax License

5/11-1419.03	Failure to display valid external motor fuel tax decals
5/11-1426.1	Operation of non-highway vehicles on streets, roads and highways
5/11-1426.2	Operation of low speed vehicle on streets
5/11-1427	Illegal operation of an all-terrain vehicle or off-highway motorcycle
5/11-1502	Traffic laws apply to persons riding bicycles
5/11-1503(a)(b)	Riding on bicycles
5/11-1504	Clinging to vehicles
5/11-1505(a)	Position of bicycles and motorized pedal cycles on roadways – Riding on roadways and bicycle paths
5/11-1505.1	Riding bicycles or motorized pedal cycles on roadways
5/11-1506	Carrying articles
5/11-1507(a)(b)	Lamps and other equipment
5/11-1507.1	Lamps on mopeds
5/12-101(a)	Operation of vehicle with unsafe equipment
5/12-201(a)	Operation of motorcycle without lighted headlamp
5/12-201(b)	Driving vehicles other than motorcycles without two lighted headlamps and tail lamps when required
5/12-201(c)	No white rear registration light
5/12-202(a,b)	Insufficient clearance, identification or side marker lamps and reflectors - second division vehicle
5/12-203(a)	Failure to use parking lights while vehicle is standing on highway
5/12-204	Improper lamp or flag on projecting load
5/12-205	Improper use of lamps on towing and towed vehicles
5/12-205.1	Implements of husbandry or slow moving vehicles – Display of amber signal lamp
5/12-207(a)	Improper use of more than one spot lamp
5/12-207(b)	Improper use of more than three auxiliary driving lamps
5/12-208(a)	No stop signal lamp or device
5/12-209(c)	Defective backup lights

5/12-210(a)	Failure to dim headlights/auxiliary driving lamps within 500 feet on approach of vehicle
5/12-210(b)	Failure to dim headlights/auxiliary driving lamps within 300 feet of vehicle in same direction
5/12-211(a)	Improper lighting on vehicles other than motorcycles - only one headlamp
5/12-211(b)	Improper use of more than four lighted headlights/auxiliary driving lamps
5/12-212(a)	Improper use of red light visible from front of vehicle
5/12-212(b)	Unlawful use of oscillating, rotating or flashing lights
5/12-215	Unlawful use of oscillating, rotating or flashing lights
5/12-301	Use of defective brakes
5/12-401	Unlawful use of metal studded tire
5/12-405(d)	Use of unsafe tire
5/12-501(a)	Operation of vehicle without windshield
5/12-502	Operation of vehicle without rear reflecting mirror
5/12-503(a)	Obstructed view of windshield or side windows adjacent to driver
5/12-503(b)	Unlawful application of tinted film to windshield or window(s) adjacent to driver - all vehicles manufactured after 12/31/81
5/12-503(c)	Obstructed view of any window by stationary or suspended object(s)
5/12-503(d)	Operation of vehicle without windshield cleaning device; operation of vehicle with view obstructed by snow, ice or moisture
5/12-503(e)	Obstructed view due to defective condition or repair of any window
5/12-601(a)	Operation of vehicle with defective horn
5/12-601(b)	Unlawful possession or use of siren
5/12-602	Operation of vehicle with defective or modified exhaust system
5/12-603(b)	Operation of vehicle without two front seat safety belts - vehicles of 1961 or later model years
5/12-603.1	Failure of driver/front seat occupant(s) to use seat safety belt
5/12-604.1(a)	Operation of vehicle with television receiver visible to driver
5/12-606	Operation of tow truck without:

	A. Identifying sign attached on each side
	B. Required equipment - one broom, shovel, trash can and fire extinguisher
	C. Removing roadway debris and spreading dirt or sand on oil/grease deposits
	D. Insurance policy in cab
5/12-607(a)	Operation of vehicle with unlawfully altered vehicle suspension system - body lifted in excess of three inches from chassis
5/12-607.1(a)	Operation of first division vehicle with frame in excess of 22 inches from chassis
5/12-607.1(b)	Operation of second division vehicle with frame in excess of specified limits above ground - refer to statute
5/12-608(a)	Operation of vehicle with a gross vehicle weight rating (GVWR) of 9,000 pounds or less or a recreation vehicle without two bumpers
5/12-608(a)	Operation of vehicle with unlawful bumper height
5/12-610(a)	Operation of vehicle while wearing headset receiver
5/12-610.1(e)	Wireless telephones
5/12-610.2(b)	Electronic communication devices
5/12-611	Sound amplification systems
5/12-702(a)	Operation of second division vehicle without carrying flares/warning devices
5/12-702(c,d,e,f,g)	Failure to use flares/warning devices when second division vehicles is disabled
5/12-707	Overloaded school bus, commuter van or motor vehicle used for hire
5/12-709(a)(b)	Slow moving vehicle emblem
5/12-710	Rear fender splash guards
5/12-711	Operation of garbage truck, roll-off hoist or roll-on container without audible backing warning system
5/12-712(a)	Construction equipment to display company name
5/12-713(a)	Commercial trucks used by construction contractors or subcontractors to display company name
5/12-714(a)	Possession and use of radar detection devices prohibited

5/12-806	Failure to cover school bus sign
5/12-807	Seat belt for driver (School bus)
5/12-808	Operating school bus without fire extinguisher
5/12-809	Operating school bus without first aid kit
5/12-810	Transporting handicapped passenger(s) without restraining device
5/13A-104(c)	Failure to display valid unexpired emission inspection sticker (affected Illinois counties only)
5/15-105	Load projecting in any excess beyond left fenders or six inches beyond right fenders of first division vehicle
5/15-106	Failure to fasten loose projecting member
5/15-108	Failure to plank edge of pavement for any vehicle in excess of 8,000 pounds
5/15-109(a)	Spilling load on highway
5/15-109(b)	Operating loaded vehicle without securely fastened covering
5/15-109.1	Operating second division vehicle with load falling, blowing or dropping to highway
5/15-114	Unlawful pushing of disabled vehicle
5/18c-4604(1)	Operation without current cab card and Illinois identifier stamp
5/18c-4604(2)	Transfer a cab card and identifier to a vehicle other than the vehicle for which it was originally executed
5/18c-4604(3)	Use of a cab card and Illinois identifier stamp issued to another carrier
5/18c-4604(4)	Failure to display or present a cab card and Illinois identifier stamp
5/18c-4701(1)	Operating without trade name, license and registration number of carrier painted or affixed to both doors of power unit
25/4	Transporting child under age of 8; restraint system
25/4a	Children 8 years of age or older but under the age of 19; seat belts
40/3-1	Operation of unnumbered snowmobile
40/4-1	Operation of snowmobile without required:
	A. One white headlamp during darkness

	B. One rear taillight during darkness
	C. Brake system in good mechanical condition
	D. Reflective material on each side of cowling
	E. Adequate sound suppression equipment
40/5-1(D)	Operation of snowmobile without lighted headlamp and taillight
40/5-2	Operation on Highways (snowmobiles)
40/5-3	Youthful Operations (snowmobiles)

(Ord. 91-70, 9-17-91)

D. The following violations of the Bartlett Municipal Code shall be subject to the compliance warning ticket procedures found in subsections A and B of this Section.

<u>Bartlett Municipal Code</u>	<u>Description</u>
<u>7-5A-6</u>	Noncompliance with water conservation regulations

(Ord. 92-41, 6-2-92)

SECTION THREE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION FOUR: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall become effective ten days after its passage, execution by the Village President and publication in pamphlet form as required by law.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

Kevin Wallace, Village President

ATTEST:

Lorna Gilles, Village Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the village clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2017-_____, enacted on _____, 2017, and approved on _____, 2017, and published in pamphlet form on _____, 2017, as the same appears from the official records of the Village of Bartlett.

Lorna Gilles