

# TRAFFIC CODE OF THE CITY OF PEKIN

## CHAPTER 1

### GENERAL TRAFFIC PROVISIONS

#### SECTION:

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8-1-1: **SHORT TITLE & DEFINITIONS:** This Title may be cited as and referred to as the TRAFFIC CODE OF THE CITY OF PEKIN. Whenever any words and phrases used in this Title are not defined in the Section but are defined in the State Motor Vehicle Law, such definitions shall be deemed to apply to such words and phrases used herein.

Whenever any words and phrases used in this Title are not defined in this Section and are not defined in the State Motor Vehicle Law, such words shall be given their usual, customary meanings.

Whenever in this Title the following words and phrases are used, they shall have the meanings respectively ascribed to them in this Section:

**ABANDONED VEHICLE:** Any motor vehicle or any other vehicle in a state of disrepair rendering it incapable of being driven in its condition, or any motor vehicle or other vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted.

**ALLEY:** A public way designed primarily for access to the adjoining property and not used for general traffic circulation.

**AUTHORIZED EMERGENCY VEHICLE:** Emergency vehicles of Municipal departments or public service corporation as are designated or authorized by proper local authorities including, but not limited to: police vehicles, fire vehicles, and ambulances.

**BICYCLE:** Every device propelled by human power upon which a human may ride having two (2) tandem wheels of which one is more than sixteen inches (16") in diameter.

**BUS:** Every motor vehicle, other than a commuter van, designed for carrying more than 10 persons.

**BUSINESS DISTRICT:** The territory of the City contiguous to and including a street or a highway when within any six hundred feet (600') along such street or highway there are buildings in use for business or industrial purposes including but not limited to hotels, banks or office buildings, railroad stations and public buildings which occupy at least three hundred feet (300') of frontage on one side or three hundred feet (300') collectively on both sides of such street or highway.

**CROSSING GUARD:** An adult civilian officially authorized to supervise and expedite the crossing of school children or other pedestrians at hazardous or congested traffic points.

**CROSSWALK:** That portion of a roadway ordinarily included within the prolongation or connection of sidewalk lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by markings.

**CYCLE:** Every device propelled by human power upon which any person may ride, having one or more wheels.

**DRIVER:** Every person who drives or is in actual physical control of a vehicle.

**DRIVEWAY:** A strip of land improved for the purpose of providing access from private property to main traveled portion of public way.

**EXPLOSIVES:** Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

**FLAMMABLE LIQUIDS:** Any liquids which have a flash point of seventy degrees Fahrenheit or less, as determined by a tagliabue or equivalent closed-cup test device.

**FUNERAL PROCESSION:** A procession led by a police vehicle, funeral hearse, or a properly designated funeral car followed by motor vehicles, funeral hearse(s), floral car(s), foot units, equestrian units or any combination thereof proceeding to a place of burial.

**HIGHWAY:** The entire width between the boundary lines of every highway publicly maintained when any part thereof is open to the use of the public for vehicular traffic.

**HOUSE TRAILER:**

- A. A trailer or semitrailer equipped and used for living quarters or for human habitation (temporarily or permanently) rather than for the transportation of freight, goods, wares, and merchandise; or
- B. A house trailer or semitrailer which is used commercially (temporarily or permanently), that is, for the advertising, sales, display, or promotion of merchandise or services, or for any other commercial

purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.

**INTERSECTION:** The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles or the area within which vehicles traveling upon different roadways joining at any other angle may come in conflict.

Where a highway includes two roadways forty feet (40') or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection.

In the event such intersecting highway also includes two roadways forty feet (40') or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

**LANED ROADWAY:** A roadway which is divided into two or more clearly marked lanes.

**LOADING ZONE:** The space adjacent to a curb or side of a public way reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

**MERGING TRAFFIC:** A maneuver executed by the drivers of vehicles on converging roadways to permit simultaneous or alternative entry into the junction thereof, wherein the driver of each vehicle involved is required to adjust his vehicular speed and lateral position so as to avoid collision with any other vehicle.

**MOTOR-DRIVEN CYCLE:** Every motorcycle and every motor scooter with less than one hundred fifty (150) cubic centimeter piston displacement including motorized pedalcycles.

**MOTOR HOME:** A self contained motor vehicle, not used commercially, designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk through access to the living quarters from the driver's seat.

**MOTOR VEHICLE:** Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. For this Title, motor vehicles are divided into two divisions:

First: Those motor vehicles which are designed for the carrying of not more than ten (10) persons.

Second: Those motor vehicles which are designed for carrying more than ten (10) persons, those designed or used for living quarters and those motor vehicles which are designed for pulling or carrying freight or cargo, and those motor vehicles of the First Division remodeled for use and used as motor vehicles of the Second Division.

**MOTORCYCLE:** Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground, but excluding a tractor.

**MOTORIZED PEDALCYCLE:** A bicycle-type vehicle, which has tires with an overall inflated diameter of nineteen inches (19") or more, with fully operative pedals for propulsion by human power, equipped with a

power drive system that functions directly or automatically only and not requiring clutching or shifting by the operator after drive system is engaged, and a helper motor with a cylinder capacity not exceeding 50 cubic centimeter displacement, which produces no more than 2.0 brake horsepower, and is capable of propelling the vehicle at a maximum speed of no more than 30 m.p.h. on level ground.

**OFFICIAL TIME STANDARD:** Whenever certain hours are named they shall mean Standard Time or Daylight-Saving Time as may be in current use in this City.

**OFFICIAL TRAFFIC SIGNALS:** All signals, not inconsistent with this Title, placed or erected by authority of the Traffic Safety Committee of the City of Pekin, for the purpose of alternately directing traffic to stop and to proceed.

**OFFICIAL TRAFFIC-CONTROL DEVICES:** All signs, markings and devices, other than signals, not inconsistent with this Title, place or erected by authority of the Traffic Safety Committee of the City of Pekin, for the purpose of guiding, directing, warning or regulating traffic.

**OPERATOR:** Every person who drives or is in actual physical control of a vehicle.

**OWNER:** A person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Title.

**PARK OR PARKING:** When prohibited, means the standing of a vehicle whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading and unloading.

**PARKING ENFORCEMENT OFFICER:** A person employed by the City for the purposes of performing administrative and civil duties for the Police Department. Parking Enforcement Officers shall be merely administrative assistants and shall not be deemed to be or have police authority or powers, nor shall they be deemed to be part of the police force. They shall have the power and authority to issue parking violation tickets.

**PARKING METER:** Any mechanism which upon deposit of a coin or coins or the United States in the amount indicated thereon, displays a signal showing parking from the time of depositing such coin or coins 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 meter period has expired.

**PARKING METER ZONE:** A certain designated and marked-off section of the public way 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 may indicate.

**PASSENGER CURB LOADING ZONE:** A space adjacent to a curb, reserved for the exclusive use of vehicles during the loading or unloading of passengers and appropriately marked.

**PEDESTRIAN:** Any person afoot.

**PERSON:** Every natural person, firm, co-partnership, association, corporation, company or organization of any kind.

**POLICE OFFICER:** Every officer of the City Police Department or any officer authorized to direct or regulate traffic or make arrests for violation of traffic regulations.

**PRIVATE ROAD OR DRIVEWAY:** Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

**PROPERTY:** Any real property within the City which is not a street or highway.

**PROPERTY LINE:** The boundary line between any public way and the private property abutting thereto.

**PUBLIC BUILDING:** A building used by any government agency.

**PUBLIC PASSENGER VEHICLE:** A motor vehicle, as defined in the Motor Vehicle Law of the State of Illinois, which is used for the transportation of passengers for hire, excepting those devoted exclusively for funeral use or in operation of a metropolitan transit authority or public utility under the laws of the State of Illinois.

**PUBLIC WAY:** Any sidewalk, roadway, alley or other public thoroughfare open to the use of the public, as a matter of right, for the purpose of travel, excepting bridle paths.

**RAILROAD:** A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

**RAILROAD CROSSING:** An intersection of stationary rails owned or used in the operation of a railroad corporation across a highway or street.

**RAILROAD SIGNS OR SIGNAL:** Any sign, signal, or device, other than official traffic-control device, erected to indicate of the presence with railroad tracks or the approach of a railroad train.

**RAILROAD TRAIN:** A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

**RESIDENCE DISTRICT:** The territory contiguous to and including a street or highway not comprising a business district when the property on such street or highway for a distance of three hundred feet (300') or more is in the main improved with residences or residences and buildings in use for business.

**RIGHT-OF-WAY:** The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

**ROAD TRACTOR:** Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

**ROADWAY:** That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

**SAFETY ZONE:** The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

**SCHOOL BUS:** Every motor vehicle owned by a public or governmental agency, or privately owned and operated for the transportation of persons to or from school or school-sponsored or authorized activities.

**SEMI-TRAILER:** Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

**SIDEWALK:** That portion of a public way between the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

**STOP:** When required, means complete cessation from movement.

**STOP, STOPPING or STANDING:** When prohibited, means any stopping or standing of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

**STREET:** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

**TAXICAB STAND:** A designated area in the trafficway alongside and parallel to the curb set aside for taxicabs to stand or wait for passengers.

**THROUGH HIGHWAY:** Every street or highway, or portion thereof, at the entrances to which vehicular traffic from intersecting street or highways is required by law to stop before entering or crossing the same and when traffic-control devices are erected, as provided in this chapter.

**TRAFFIC:** Pedestrians, ridden or herded animals, vehicles and other conveyances, either singularly or together, while using any public way for purposes of travel.

**TRAFFIC-CONTROL DEVICES:** All signs, signals, markings, and devices placed or erected under due authority for the purpose of regulating, warning or guiding traffic.

**TRAFFIC REGULATIONS:** The regulations, designations and prohibitions promulgated by the Traffic Safety Committee.

**TRAILER:** Every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

**TRUCK:** Every motor vehicle designed, used or maintained primarily for the transportation of property.

**TRUCK LOADING ZONE:** A designated space adjacent to a curb for the use of vehicles during the loading or unloading of freight.

**URBAN DISTRICT:** The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred feet (100') for a distance of one-quarter (1/4) of a mile or more.

**VEHICLE:** A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy, wheelchair and wagon.

**YIELD RIGHT-OF-WAY:** When required by an official sign, means the act of granting the privilege of the immediate use of the intersecting roadway to traffic within the intersection and to vehicles approaching from the right or left but, when the roadway is clear, may proceed into the intersection.

**8-1-2: TRAFFIC SAFETY COMMITTEE:**

A. Powers and Duties: The Traffic Safety Committee shall:

1. Conduct analyses of traffic accidents and devise remedial measures to minimize accidents;
2. Conduct investigations of traffic conditions;
3. Plan the operation and flow of traffic on the public ways of the City;
4. Regulate the standing or parking of vehicles, except as limited by 625 ILCS 5/11-1306;
5. Regulate traffic by means of traffic officers or traffic control signals or devices;
6. Regulate or prohibit processions or assemblages on the highways;
7. Designate particular highways as one-way highways and require that all vehicles thereon move in one specific direction;
8. Designate particular highways as through highways, as authorized by 625 ILCS 5/11-302, and require that all vehicles stop before entering or crossing the same or designate any intersection as a stop intersection or a yield right-of-way intersection and requiring all vehicles to stop or yield the right-of-way at one or more entrances to such intersections;
9. Regulate the use of highways as authorized by 625 ILCS 5/15-100 et seq.;
10. Regulate the operation of bicycles and require the registration and licensing of same, including the requirement for a registration fee;

11. Regulate the operation of cycles, motor scooters, motorized pedalcycles, roller skates, roller blades, coasters, skateboards, toy vehicles or similar devices and provide appropriate markings to inform the public of any such regulations;

12. Regulate or prohibit the turning of vehicles, or specified types of vehicles, at intersections;

13. Regulate the speed limits as authorized by 625 ILCS 5/11-604.

\_\_\_n 14. Prohibit U-turns;

15. Designate all school zones, school crosswalks and other pedestrian crosswalks, and prohibit pedestrian crossings at other than designated and marked crosswalks or at intersections;

16. Prohibit parking during snow removal operations;

17. Designate and regulate all Handicapped Parking Zones or spaces;

18. Designate and regulate all Fire Hydrant Zones and all Fire Lane Zones, both on public and private property, and provide for appropriate markings thereof;

19. No regulation enacted under subsections 4, 7, 8, 9, 12, 14, and 16 of paragraph A shall be effective until signs giving reasonable notice of such traffic regulations are posted;

20. Adopt such other traffic regulations as are specifically authorized by this Code.

21. Keep and maintain a written record of all proceedings of the Traffic Safety Committee and keep and maintain three permanent copies of the regulations enacted, amended, or deleted on file in the office of the City Clerk;

22. Post in the office of the City Clerk all regulations enacted for a period of ten (10) days after enactment;

22. Submit a written report of the proceedings of each meeting of the Traffic Safety Committee to the next meeting of the City Council.

The Traffic Safety Committee may change, amend and repeal any regulation, designation, or prohibition pursuant to the foregoing subsections and shall duly change the record maintained, and it will be unnecessary to repeat or republish the entire record, or any part thereof.

#### 8-1-3: **COMPLIANCE WITH PROVISIONS:**

A. Generally: It shall be unlawful for any person to do any act forbidden or fail to perform any act required in this Traffic Code.



- B. Public Employees: The provisions of this Traffic Code shall apply to the driver of any vehicle owned by or used in the services of the United States, the State, or any political subdivision thereof, and it shall be unlawful for any said driver to violate any of the provisions of this Code except as otherwise permitted in this Code or by State Statute with reference to authorized emergency vehicles.

**8-1-4: OBEDIENCE TO POLICE:**

- A. Obedience Required: No person shall willfully fail or refuse to comply with any lawful order or direction of a police officer invested by law with authority to direct, control or regulate traffic.
- B. Fleeing or Eluding Police: It shall be unlawful for any driver or operator of a motor vehicle who, having been given a visual or audible signal by a peace officer directing such driver or operator to bring his vehicle to a stop, to willfully fail or refuse to obey such direction, to increase his speed, to extinguish his lights, or to otherwise flee or attempt to elude the officer. The signal given by the peace officer may be by hand, voice, siren, red or blue light; provided, the officer giving such signal shall be in police uniform and, if driving a vehicle, such vehicle shall be marked showing it to be an official police vehicle.

Every person convicted of fleeing or attempting to elude a police officer shall be punished upon a first conviction by a fine of not less than one hundred fifty dollars (\$150.00) nor more than five hundred dollars (\$500.00), and on a second or subsequent conviction shall be punished by a fine of not less than three hundred fifty dollars (\$350.00) nor more than five hundred dollars (\$500.00).

**8-1-5: AUTHORITY TO MOVE VEHICLES:**

- A. Unlawful to Move Vehicle: No person other than an authorized police officer shall move a vehicle not lawfully under his control, or start or cause to be started the motor of any motor vehicle or shift, change, or move the levers, brake, starting device, gears, or other mechanism of a parked vehicle to a position other than that in which it was left by the owner or driver thereof, or attempt to do so.

**B. Police Authority:**

1. Any police officer is hereby authorized to remove or cause to be removed to a place of safety any unattended vehicle illegally left standing upon any street, highway, bridge, or causeway, in such a position or under such circumstances as to obstruct the normal movement of traffic.

2. Any police officer is hereby authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle found upon a street or highway when:

a. Report has been made that such vehicle has been stolen or taken without the consent of its owner, or

b. The person or persons in charge of such vehicle are unable to provide for its custody or removal, or

c. The person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person before a Judge without unnecessary delay.

**8-1-6: ACCIDENTS:**

**A. Duty of Driver:**

1. The driver of any vehicle which collides with any vehicle which is unattended shall immediately stop and shall then and there either locate and notify the operator or owner of such vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle or shall leave in a conspicuous place on the vehicle struck a written notice giving name and address of the driver and of the owner of the vehicle doing the striking and a statement of the circumstances thereof.

2. The driver of any vehicle involved in an accident resulting only in damage to fixtures or other property legally upon or adjacent to a public way shall take reasonable steps to locate and notify the owner or persons in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his operator's or chauffeur's license.

**B. Accident Reports Required:** The driver of a vehicle involved in an accident resulting in injury or death of any person or property damage to the property of another, if such operator is physically capable of doing so, shall immediately report such accident to the Police Department.

**8-1-7: TRANSPORTING LIQUOR:**

**A. Open Bottle Law:** Except as provided in subsection B of this Section, no person shall transport, carry, possess or have any alcoholic liquor within the passenger area of any motor vehicle except in the original container and with the seal unbroken.

**B. Exemptions:** This Section shall not apply to the passengers of a chartered bus designed for carrying more than ten (10) persons when it is being used for the transportation of said persons. However, the provision of the subsection shall not extend to buses chartered for school purposes. The driver of any such vehicle is prohibited from consuming or having any alcoholic liquor in or about the driving area of any such vehicle.

**C. Prima Facie Proof:** Evidence of alcoholic consumption alone shall be prima facie evidence of the driver's failure to obey subsection B of this Section.

**8-1-8: INJURIOUS MATERIALS ON HIGHWAYS:**

**A. Injurious Materials Prohibited:** No person shall throw or deposit upon any highway any glass bottles, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle upon such highway.

B. Removal Required:

1. Any person who drops or permits to be dropped or thrown upon any highway any destructive or injurious material shall immediately remove the same or cause it to be removed.
2. Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance dropped upon the highway from such vehicle.

8-1-9: **WEIGHT LIMITATIONS - TRUCK ROUTES:**

- A. Truck Routes Designated: The movement of all trucks traveling within the City of Pekin shall be confined to the following truck routes, except as hereinafter provided: (Ord. 1462, 12-15-80)  
ALL STATE HIGHWAYS

BROADWAY: Eastern City limits west to Eighth Street.

DISTILLERY ROAD: From Second Street west to Front Street.

FAYETTE STREET: From Third Avenue west to Front Street.

FOURTEENTH STREET: From the southern City limits north to Court Street  
(added back 08-03-07)

FRONT STREET: From Distillery Road north to Fayette Street  
(Ord. No. 1462-A263-07/08 08-27-07)

HANNA DRIVE: From Illinois Route 29 to South Fifth Street  
(Ord. No. 1462-A263-07/08 08-27-07)

MALL ROAD: From Commercial Drive to Southern City Limits  
(Ord. No. 1462-A 246 01-23-06)

PARKWAY DRIVE: From Court Street to Broadway Road.

VETERANS DRIVE From Commercial Drive to Broadway Road  
(Ord. No. 1462-A216 10-13-03) (Ord. No. 1462-A246 01-23-06)

VFW ROAD: From Illinois Route 29 east to Illinois Central Railroad  
(Ord. No. 1462-A165 09-13-99)

VFW ROAD: From Fourteenth Street easterly 950 feet  
(Ord. No. 1462-A165 09-13-99)

(Ord. 1462, 12-15-80; amd. Ord. 1462-A64, 9-19-88; Ord. 1462-A65, 10-3-88; Ord. 1462-A102, 12-16-91, eff. 12-28-91)

B. Exceptions:

1. The restrictions set forth herein shall not apply to trucks normally classified as one ton maximum and under, and having not more than two (2) axles.
2. All trucks larger than those specified in subsection B1 herein may travel off of truck routes within the City only for the purpose of making local deliveries. Said trucks shall proceed to the delivery point via the shortest route, traveling, if possible, on the hard-surface streets and shall return by the same path to the truck routes. (Ord. 1462, 12-15-80)

C. Signs Posted:

1. There shall be posted on all trucks routes at the City limits, signs which read as follows: "Trucks over One Ton - Truck Routes Only."
2. There shall be posted at periodic intervals along all truck routes and all truck route turn intersections signs denoting the direction of truck traffic. (Ord. 1462, 12-15-80)

## CHAPTER 2

### TRAFFIC-CONTROL SIGNS, SIGNALS AND MARKINGS

#### SECTION:

- 8-2-1: Specifications
- 8-2-2: Traffic-Control Signal Legend
- 8-2-3: Flashing Signals
- 8-2-4: Lane-Control Signals
- 8-2-5: Pedestrian-Control Signals
- 8-2-6: Obedience to and Compliance with Traffic-Control Devices
- 8-2-7: Unauthorized Signs
- 8-2-8: Interference with or Damage to Signs, Signals or Markings
- 8-2-9: Stop Signs
- 8-2-10: Yield Right-of-Way
- 8-2-11: Vehicle Entering Through Street or Intersection

8-2-1: **SPECIFICATIONS:** All signs and signals established by the direction of the governing body shall conform to the Illinois State Manual of Uniform Traffic Control Devices for Streets and Highways.

8-2-2: **TRAFFIC-CONTROL SIGNAL LEGEND:** Whenever traffic is controlled by traffic-control signals exhibiting different colored lights successively one at a time or with lighted green or yellow arrows, only the following colors shall be used and such terms and lights and lighted green or yellow arrows shall indicate and apply to drivers of vehicles and pedestrians as follows:

#### A. Circular Green Alone:

1. Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn, but vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
2. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk unless directed otherwise by a pedestrian signal as provided under Section 8-2-5 of this Chapter.

#### B. Steady Yellow:

1. Vehicular traffic facing a steady circular yellow or yellow arrow signal is thereby warned that the respective green movement is being terminated or that a red indication will be exhibited immediately thereafter.

2. Pedestrians facing a steady yellow signal unless otherwise directed by a pedestrian control signal, as provided in Section 8-2-5 of this Chapter, are hereby advised that there is insufficient time to cross the roadway, and no pedestrian shall start to cross.

C. Steady Red Indication:

1. Vehicular traffic facing a steady red signal alone must stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of an intersection, or if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in subsections C2 and C3 of this Section.
2. Vehicular traffic facing a steady red signal at an intersection may turn right after stopping as required by subsection C1 above but shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to offer traffic lawfully using the intersection. Such "right turn on red" may be prohibited at any intersection in the City by ordinance. Such ordinance or rule or regulation shall be effective when a sign is erected at such intersection giving notice of the ordinance or rule or regulation prohibiting the right turn.
3. Vehicular traffic on a one-way street or highway facing a steady red signal may, after stopping as required by subsection C1 of this Section, cautiously enter the intersection and make a left turn onto an intersecting one-way street or highway on which traffic travels to the left but shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection. Such "left turn on red" may be prohibited at any intersection in the City by ordinance. Such rule or regulation shall be effective when a sign is erected at such intersection giving notice of the ordinance or rule or regulation prohibiting the left turn.
4. No pedestrian facing such signal shall enter the roadway unless a separate "Walk" indication is shown.

D. Green Straight-through Arrow Alone:

1. Vehicular traffic facing the signal may proceed straight through but shall not turn right or left. Such vehicular traffic shall yield right-of-way to other vehicles and to pedestrians legally within the intersection or an adjacent crosswalk at the time such signal is exhibited
2. Pedestrians facing the signal may proceed across the roadway within the appropriate marked or unmarked crosswalk unless directed otherwise by a pedestrian signal as provided in Section 8-2-5 of this Chapter.

E. Green Turn Arrow (with circular green, with steady yellow, with steady red, or with green straight-through arrow):

1. Vehicular traffic facing the signal shall comply with the meaning of the circular green, steady yellow, steady red, or green straight-through arrow indication as if it were shown alone; except, that such vehicular traffic may cautiously enter the intersection to make the movement indicated by the green turn

arrow. Vehicular traffic shall yield the right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

2. Pedestrians facing such signal shall comply with the meaning of the circular green, steady yellow, steady red, or straight-through arrow indication as if it were shown alone unless directed otherwise by a pedestrian signal as provided in Section 8-2-5 of this Chapter.

F. Application and Compliance:

1. In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this Section shall be applicable except as to provisions which by their nature can have no application. Any stop required shall be at a traffic sign or a marking on the pavement indicating where the stop shall be made or, in the absence of such sign or marking, the stop shall be made at the signal.

G. Traffic-control signals shall be installed at the following locations:

<b>Control</b>	<b>On Street</b>	<b>At or From</b>
Traffic Signal	Ann Eliza Street	Second Street
Traffic Signal	Ann Eliza Street	Third Street
Traffic Signal	Ann Eliza Street	Fifth Street
Traffic Signal	Broadway Road	Eighth Street
Traffic Signal	Broadway Road	Eleventh Street
Traffic Signal	Broadway Road	Fourteen Street
Traffic Signal	Broadway Road	Parkway Drive
Traffic Signal	Broadway Road	Veterans Drive (Ord. No. 1462-A214)
Traffic Signal	Commercial Drive	Veterans Drive (Ord. No. 1462-A224)
Traffic Signal	Court Street	Capitol Street
Traffic Signal	Court Street	Fourth Street
Traffic Signal	Court Street	Fifth Street
Traffic Signal	Court Street	Broadway Road
Traffic Signal	Court Street	Eighth Street
Traffic Signal	Court Street	Tenth Street
Traffic Signal	Court Street	Fourteenth Street
Traffic Signal	Court Street	Parkway Drive
Traffic Signal	Court Street	Allentown Road
Traffic Signal	Court Street	Valle Vista Blvd.
Traffic Signal	Court Street	Barney Avenue
Traffic Signal	Court Street	Commercial Drive Mall Entrance
Traffic Signal	Court Street	Veteran's Drive
Traffic Signal	Margaret Street	Second Street
Traffic Signal	Margaret Street	Third Street
Traffic Signal	Margaret Street	Fourth Street
Traffic Signal	Margaret Street	Fifth Street
Traffic Signal	Margaret Street	Capitol Street

Traffic Signal	Parkway Drive	Route 98
Traffic Signal	Parkway Drive	UAW
Traffic Signal	Route 29	Route 98
Traffic Signal	Second Street	Derby Street
Traffic Signal	Second Street	Koch Street
Traffic Signal	Second Street	Manito Blacktop
Traffic Signal	Eighth Street	Sheridan Road

8-2-3: **FLASHING SIGNALS:** Whenever an illuminated flashing red or yellow signal is used on conjunction with a traffic-control device, it shall require obedience by vehicular traffic as follows:

- A. **Flashing Red (Stop Signal):** When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line but if none, before entering the crosswalk on the near side of the intersection or if none, then at a point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
- B. **Flashing Yellow (Caution Signal):** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

This section does not apply at railroad grade crossings.

8-2-4: **LANE-CONTROL SIGNALS:** Whenever lane-control signals are used in conjunction with official signs, they shall have the following meanings:

- A. **Downward-Pointing Green Arrow:** A driver facing this indication is permitted to drive in the lane over which the arrow signal is located. Otherwise, he shall obey all other traffic controls present and follow normal, safe driving practices.
- B. **Red X Symbol:** A driver facing this indication shall not drive in the lane over which the signal is located, and this indication shall modify accordingly the meaning of all other traffic controls present. Otherwise, he shall obey all other traffic controls and follow normal safe driving practices.
- C. **Yellow X (Steady):** A driver facing this indication should prepare to vacate the lane over which the signal is located in a safe manner to avoid, if possible, occupying that lane when a steady red X is displayed.
- D. **Flashing Yellow Arrow:** A driver facing this indication may use the lane only for the purpose of approaching and making a left turn.

8-2-5: **PEDESTRIAN-CONTROL SIGNALS:** Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" or the illuminated symbols of a walking person or an upraised palm are in place, such signals shall indicate as follows:

- A. **Walk or Walking Person Symbol:** Pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the drivers of all vehicles.



- B. Don't Walk or Upraised Palm Symbol: No pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partly completed his crossing on the "Walk" signal or walking person symbol shall proceed to a sidewalk or safety island while the "Don't Walk" signal or upraised palm is illuminated, steady, or flashing.

**8-2-6: OBEDIENCE TO AND COMPLIANCE WITH TRAFFIC-CONTROL DEVICES:**

- A. It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic sign or signal placed in view by authority of the corporate authorities and in accordance with the laws of the State of Illinois, excepting on direction of a police officer, subject to the exceptions granted the driver of an authorized emergency in this title.
- B. It shall be unlawful for any person to drive a motor vehicle upon or across any private or public property for the purpose of evading an official stop sign, other official traffic-control device or a police officer directing traffic.

**8-2-7: UNAUTHORIZED SIGNS:** No person shall place, maintain or display upon or in view of any street any unauthorized sign, signal, marking or device which purports to be, or is in imitation of or resembles an official traffic-control device or railroad sign or signal or which attempts to direct the movement of traffic, nor shall any person place, maintain or display upon or in view of any street any other sign which hides from view or interferes with the movement of traffic or effectiveness of any traffic-control device or any railroad sign or signal, and no person shall place or maintain nor shall any public authority permit upon any highway any traffic sign or signal bearing thereon any commercial advertising.

Any such unauthorized sign, signal, marking or device is hereby declared to be a public nuisance, and may be removed by any policeman or any other person duly authorized by the City Council.

**8-2-8: INTERFERENCE WITH OR DAMAGE TO SIGNS, SIGNALS OR MARKINGS:**

- A. No person shall, without lawful authority, attempt to or, in fact, alter, deface, injure, knock down or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon or any other part thereof.
- B. It shall be unlawful for any person to willfully injure or damage any public highway or street or any bridge, culvert, sign, signpost, or structure upon or used or constructed in connection with any public highway or street for the protection thereof or for protection or regulation of traffic thereon by any willful, unusual, improper or unreasonable use thereof or by willful careless driving or use of any vehicle thereon or by willful mutilation, defacing or destruction thereof.
- C. It shall be unlawful for the driver of any vehicle to drive on or across any freshly painted roadway marking when such marking is clearly evidenced to still be wet by virtue of painting equipment in operation upon or near said markings. The temporary placement of marking cones or similar devices along or upon any pavement marking shall similarly give evidence that such markings are wet.

**8-2-9: AUTHORIZED STOP SIGNS:** All vehicular traffic shall come to a stop on the streets described as follows:

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>Direction</b>
Stop	Alameda Court	Gingoteague	South (Ord. No. 1462-A295-09/10 01-25-10)
Stop	Alameda Drive	Gingoteague	North (Ord. No. 1462-A295-09/10 01-25-10)
Stop	Amanda Street	Earl Street	East
Stop	Ann Eliza Street	N. Ninth Street	West
Stop	Ann Eliza Street	N. Twelfth Street	West (Ord. No. 1462-A284-08/09 10-14-08)
Stop	Arlann Drive	North Shore Drive	North
Stop	Aspen Court	Dogwood Lane	East-West (Ord. No. 1462-A259-06/07 11-13-06)
Stop	Autumn Ridge Drive	North Lake Drive	West (Ord. No. 1462-A256 08-14-06)
Stop	Avon Street	Stratford Avenue	South (Ord. No. 1462-A318 10-22-12)
Stop	Bacon Street	Walnut Street	South
Stop	Belmont Drive	Glendale Avenue	West
Stop	Black Street	Meyers Court	North-South
Stop	Broadway Road	S. Fifth Street	East-West
Stop	Broadway Road	S. Fourth Street	East-West
Stop	Broadway Road	Third Avenue	East-West
Stop	Brookdale Lane	Knollcrest Avenue	East
Stop	Buckhaven Street	Fawnridge Lane	East (Ord. No. 1462-A250 02-13-06)
Stop	Capitol Street	Elizabeth Street	North-South (Ord. No. 1462-A280 09-22-08)
	(Casey see Kacy)		
Stop	Charles Street	S. Tenth Street	East-West
Stop	Charlotte Street	N. Third Street	East-West
Stop	Charlotte Street	Willow Street	West
Stop	Columbus Drive	Valentine Drive	North-South
Stop	Columbus Drive	Easter Avenue	North-South (edit remove Easter Through Ord. No. 1462-A189 10-22-01 see Ord. No. 1462-A347-16/17) 06-13-16)
Stop	Court Street	N. Third Street	West
Stop	Court Street	S. Third Street	East
Stop	Crescent Drive	Coolidge Drive	North-South
Stop	Crestview Drive	Glendale Avenue	West
Stop	Cypress Street	Pine Street	South (Ord. No. 1462-A314 07-23-12)
Stop	Deerfield	S. Fifth Street	West (edit 01-25-10)
Stop	Derby Street	S. Fifth Street	East-West
Stop	Derby Street	S. Fourteenth Street	East
Stop	Derby Street	S. Seventh Street	East-West

Stop	Derby Street	S. Tenth Street	East-West
Stop	Dogwood Lane	Black Oak Drive	North-South (Ord. No. 1462-A259-06/07 11-13-06)
Stop	Easter Avenue	Columbus Drive	East-West (Ord. No. 1462-A347-16/17 06-13-16)
Stop	El Camino Drive	S. Fourteenth Street	East-West
Stop	El Camino Drive	Quail Hollow Road	North-South (Ord. No. 1462-A257-06/07 09/11/06)
Stop	Elizabeth Street	Front Street	West
Stop	Elizabeth Street	S. Capitol Street	East-West (Ord. No. 1462-A280-08/09 09-22-08)
Stop	Elizabeth Street	S. Fourth Street	East-West (Ord. No. 1462-A281-08/09 09-22-08)
Stop	Elizabeth Street	S. Third Street	West
Stop	Enterprise Drive	Riverway Drive	East
Stop	Executive Court	S. Fourteenth Street	East
Stop	Fayette Street	Main Street	West (Ord. No. 1462-A263-07/08 08-27-07)
Stop	Fox Point Court	Point East Court	North
Stop	Georgetown Place	Arlington Circle	East
Stop	Gingoteague Way	Alameda Court	East
Stop	Gingoteague Way	S. Fourteenth Street	West
Stop	Glendale Avenue	Sunset Drive	North-South
Stop	Granada Drive	Alhambra Court	South (Ord. No. 1462-A303-10/11 03-14-11)
Stop	Greenbrook Street	Cherry Lane	South
Stop	Hanna Drive	S. Fifth Street	East (edit 01-25-10)
Stop	Hardt Court	Gingoteague Way	East
Stop	Hawthorne Avenue	Maywood Avenue	South (edit 01-25-10)
Stop	Heilman Street	Sapp Street	North
Stop	Hemlock Street	Schramm Drive	East
Stop	Herget Street	Sapp Street	East-West
Stop	Hickory Lane	Black Oak Drive	North/South (Ord. No. 1462-A259 11-13-06)
Stop	Highland Avenue	S. Eleventh Street	West
Stop	Highland Avenue	S. Tenth Street	East
Stop	Highland Avenue	S. Twelfth Street	East-West
Stop	Highwood Avenue	Crestview Drive	North
Stop	Highwood Avenue	North Lake Drive	East-West (Ord. No. 1462-A256 08/14/06)
Stop	Hillcrest Street	Glendale Avenue	East
Stop	James Road	S. Eighteenth	East (edit 06-27-11)
Stop	Jefferson Street	Lincoln Street	North (Ord. No. 1462-A300 08-23-10)

Stop	Jessica Court	Vista Grande Drive	South
Stop	Kacy Drive	McNaughton Park Road	West
	Note-Casey incorrect	(Ord. No. 1462-A273	08-11-08)
Stop	Kelly Avenue	Veterans Drive	West
Stop	Koch Street	S. Eighteenth Street	East
Stop	Koch Street	S. Fifth Street	East-West
Stop	Koch Street	S. Fourteenth Street	East-West
Stop	Lakecrest Street	Brenkman Drive	North-South
Stop	Lakeshore Drive	Brenkman Drive	South
		(Ord. No. 1462-A189	10-22-01)
Stop	Lawndale	N. Fourteen Street	North
		(Ord. No. 1462-A325	06-24-13)
Stop	Lighter Street	Manor Street	East-West
Stop	Lighter Street	Windsor Street	East
		(Ord. No. 1462-A285	11-24-08)
Stop	Lucille Street	Sycamore Street	West
Stop	Main Street	Fayette Street	North-South
		(Ord. No. 1462-A263-07/08	08-27-07)
Stop	Main Street	McLean Street	South
		(Ord. No. 1462-A263-07/08	08-27-07)
Stop	Main Street	2 <sup>nd</sup> Street	East
		(Ord. No. 1462-A263-07/08	08-27-07)
Stop	Margaret Street	N. Twelfth Street	West
		(Ord. No. 1462-A301-10/11	11-22-10)
Stop	Margaret Street	N. Thirteenth Street	East
Stop	Market Street	N. Nineteenth Street	East-West
Stop	Maryland Court	Arlington Circle	West
Stop	Maywood Avenue	Redwood Drive	West
Stop	Meadow Lane	Buckhaven Street	North
		(Ord. No. 1462-A250	02/13/07)
Stop	Mechanic Street	Elm Street	North-South
		(Ord. No. 1462-A234	07/25/05)
Stop	Melvina Street	Dell Avenue	East
Stop	Meyers Court	S. Thirteenth Street	East-West
Stop	Meyers Court	S. Twelfth Street	East-West
		(Ord. No. 1462-A272	08-11-08)
Stop	Monticello Court	Tharp Street	North
		(Ord. No. 1462-A 232	03/14/05)
Stop	Nighthawk Court	Eagle Bend	South
Stop	North Lake	Highwood Avenue	South
		(Ord. No. 1462-A256	08/014/06)
Stop	Oakridge Avenue	S. Twelfth Street	West
		(Ord. No. 1462-A256	08/14/06)
Stop	Petri Lane	S. Fifth Street	West (edit 01-25-10)
Stop	N. Capitol Street	Ann Eliza Street	North
Stop	N. Capitol Street	Charlotte Street	North

Stop	N. Eighth Street	N. Fifth Street	North
Stop	N. Eleventh Street	Coolidge Drive	North-South
Stop	N. Eleventh Street	Willow Street	North-South
Stop	N. Fifteenth Street	Henrietta Street	North-South
Stop	N. Fourteenth Street	Broadway Road	South
Stop	N. Fourteenth Street	Sheridan Road	North-South
Stop	N. Fourteenth Street	Willow Street	North-South
Stop	N. Sixteenth Street	Charlotte Street	North-South
Stop	N. Sixteenth Street	State Street	South
Stop	N. Thirteenth Street	Henrietta Street	North-South
Stop	N. Twelfth Street	Amanda Street	North-South
Stop	N. Twelfth Street	Ann Eliza Street	North-South
Stop	N. Twelfth Street	Henrietta Street	North-South
Stop	Norwood Avenue	Belmont Drive	North

(Ord. No. 1462-A240 10/24/05)

Stop	Oakwood Drive	St. Clair Drive	East
Stop	Orr Avenue	Entrance Drive	East-West
Stop	Oxford Avenue	S. Ninth Street	East-West
Stop	Oxford Avenue	S. Tenth Street	East-West
Stop	Park Avenue	S. Fourteenth Street	East-West
Stop	Park Avenue	S. Tenth Street	East/West

(Ord. No. 1462-A240 10/24/05)

Stop	Park Avenue	Sheridan Road	North-South
Stop	Pine Street	Schramm Drive	West
Stop	Point East Court	Cherry Lane	North
Stop	Potomac Court	Tharp Street	South

(Ord. No. 1462-A 232 03/14/05)

Stop	Powers Avenue	Gunion Avenue	East
Stop	Prince Street	S. Eighth Street	East-West

(Ord. No. 1462-A 270 06/23/08)

Stop	Prince Street	S. Tenth Street	East-West
Stop	Quail Hollow Road	El Camino Drive	West
Stop	Redwood Drive	Maywood Avenue	South (edit 01-25-10)
Stop	Remington Road	Gingoteague Way	North

(Ord. No. 1462-A256 08/14/06)

Stop	Roberts Drive	Orr Avenue	North
Stop	Rosemary Road	S. Fourteenth Street	East
Stop	Rosemary Road	Verbena	North
Stop	Rosemary Road	Verbena	South
Stop	Rosemary Road	Primrose	North
Stop	Rosemary Road	Primrose	South
Stop	Rosemary Road	Hollyhock	North
Stop	Rosemary Road	Hollyhock	South
Stop	Rosemary Road	Chicory	North
Stop	Rosemary Road	Chicory	South
Stop	Royal Avenue	S. Eleventh Street	West

Stop	Royal Avenue	S. Tenth Street	East
Stop	Royal Avenue	Woodland Street	East
Stop	S. Eighth Street	Prince Street	North-South
		(Ord. No. 1462-A270 06-23-08)	
Stop	S. Eighteenth Street	James Road	South
Stop	S. Eighteenth Street	James Road	North
		(Ord. No. 1462-A308 06-27-11)	
Stop	S. Eighteenth Street	Saratoga Street	North-South
		(Ord. No. 1462-A311 10-24-11)	
Stop	S. Eleventh Street	Royal Avenue	South
Stop	S. Fifth Street	Koch Street	North-South
Stop	S. Fourteenth Street	Derby Street	North-South
Stop	S. Fourteenth Street	Park Avenue	North-South
Stop	S. Fourteenth Street	VFW Road	North-South
Stop	S. Fourth Street	Broadway Road	South
Stop	S. Fourth Street	Elizabeth Street	North-South
		(Ord. No. 1462-A281 08/09 09-22-08)	
Stop	S. Fourth Street	Washington Street	South
Stop	S. Ninth Street	Prince Street	North-South
Stop	S. Seventh Street	Derby Street	North-South
Stop	S. Tenth Street	Derby Street	North-South
Stop	S. Tenth Street	Oxford Avenue	North-South
		(Ord. No. 1462-A338-14/14 09-22-14)	
Stop	S. Third Street	Broadway Road	North
Stop	S. Thirteenth Street	Pekin Hospital Crossing	North-South
Stop	Sharon Street	Hilltop Drive	West
Stop	Sheridan Road	N. Fourteenth Street	East-West
Stop	Sheridan Road	Parkway Drive	East-West
Stop	Shire Avenue	Oxford Avenue	North
Stop	Sierra Drive	St. Clair Drive	North
Stop	Sommerset Street	N. Third Street	North
Stop	Sommerset Street	Sheridan Road	South
Stop	St. Clair Drive	Sierra Drive	East
Stop	St. Clair Drive	Summit Drive	North-South
Stop	St. Joseph Place	S. Sixth Street	West
Stop	St. Mary Street	Main Street	West
		(Ord. No. 1462-A263-07/08 08-27-07)	
Stop	Stadium Drive	East Campus Hill Road	North-South
Stop	State Street	Parkway Lane	East
Stop	State Street	Windsor Street	East
		(Ord. No. 1462-A285-08/09 11-24-08)	
Stop	Stratford Avenue	S. Tenth Street	West
Stop	Sunset Drive	Glendale Avenue	East-West
Stop	Tharp Street	Arlington Circle	East
Stop	Valencia Place	Valle Vista Blvd.	East
Stop	Valentine Drive	Columbus Drive	East-West

Stop	Valle Vista Blvd.	Griffin Drive	South
Stop	Veterans Drive	Court Street	South
Stop	VFW Road	S. Second Street	West
Stop	VFW Road	S. Fourteenth Street	East-West
Stop	Village Court	Vista Grande Drive	South
Stop	Vista Grande Drive	S. Fourteenth Street	West
Stop	Washington Street	S. Eighth Street	East-West
Stop	Washington Street	Tenth Street	East-West
Stop	Washington Street	Third Avenue	West
Stop	Willow Street	N. Capitol Street	East-West
Stop	Willow Street	N. Eighth Street	West
Stop	Willow Street	N. Eleventh Street	East-West
Stop	Willow Street	N. Fifth Street	East
Stop	Willow Street	N. Fourteenth Street	East-West
Stop	Willow Street	Parkway Drive	East-West

8-2-10: **Authorized Yield Right-of-Way Signs:** The following intersections are hereby designated as intersections at which preference to traffic is given on certain streets and at which intersections “yield-right-of-way” signs shall be installed. Traffic on the first named street in each paragraph shall yield the right-of-way at the intersection with the streets named thereafter in that paragraph.

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>Direction</b>
Yield	Anna Street	Jerome Street	East-West
Yield	Bacon Street	McLean Street	North-South
Yield	Bacon Street	Park Avenue	North-South
Yield	Bacon Street	Prince Street	North-South
Yield	Center Street	S. Thirteenth Street	West
Yield	Charles Street	Howard Court	East-West
Yield	Charles Street	Janssen Street	East-West
Yield	Charles Street	S. Eighth Street	East-West
Yield	Charles Street	S. Ninth Street	East-West
Yield	Charles Street	S. Seventh Street	East-West
Yield	Charles Street	S. Sixth Street	West
Yield	Charles Street	Summer Street	East-West
Yield	Chestnut Street	N. Ninth Street	East-West
Yield	Chestnut Street	N. Tenth Street	East-West
Yield	Cooper Street	Heilman Street	East-West
Ord. No. 1462-A252 05/22/06			
Yield	Cooper Street	Sapp Street	West
Yield	Fisher Street	Jerome Street	East-West
Yield	Frontage N. Eighth	Brenkman Drive	North-South
Yield	Frontage N. Eighth	Velde Drive	North-South
Yield	Garden Street	Center Street	North-South
Yield	Grandview Avenue	Commonwealth Avenue	North

(Ord. No 1462-A304-10/11 03/14/11)

Yield	Herman Street	Bacon Street	East-West
Yield	Herman Street	Mechanic Street	West
Yield	Herman Street	S. Capitol Street	East-West
Yield	Herman Street	S. Fourth Street	East-West
Yield	Herman Street	Summer Street	East-West
Yield	Hillyer Street	S. Eighth Street	East
Yield	Hillyer Street	S. Seventh Street	East-West
Yield	Hillyer Street	S. Sixth Street	West
Yield	Illinois Street	N. Fifth Street	East-West
Yield	James Street	S. Eighteenth Street	West
Yield	Lake Street	Jerome Street	East-West
Yield	Loretta Road	Jerome Street	East-West
Yield	Martha Street	S. Thirteenth Street	West
Yield	Mary Street	N. Fifth Street	East-West
Yield	Mary Street	N. Ninth Street	East-West
Yield	Mary Street	N. Tenth Street	East-West
Yield	Matilda Street	N. Fifth Street	East-West
Yield	McLean Street	Bacon Street	East
Yield	McLean Street	S. Eighth Street	East-West
Yield	McLean Street	S. Ninth Street	East
Yield	McLean Street	S. Sixth Street	East-West
Yield	McLean Street	Summer Street	East-West
Yield	Monge Street	Commonwealth Drive	North-South
Yield	N. Eighteenth Street	Market Street	North
Yield	N. Fifth Street	Amanda Street	North-South
Yield	N. Fifth Street	Chestnut Street	North-South
Yield	N. Ninth Street	Illinois Street	North-South
Yield	N. Ninth Street	Lawndale Avenue	North-South
Yield	N. Ninth Street	St. Julian Street	North-South
Yield	N. Seventeenth Street	Market Street	North-South
Yield	N. Sixteenth Street	Market Street	South
Yield	N. Tenth Street	Amanda Street	North-South
Yield	N. Tenth Street	Illinois Street	North-South
Yield	N. Tenth Street	Lawndale Avenue	North-South
Yield	N. Tenth Street	St. Julian Street	North-South
Yield	N. Thirteenth Street	Arthur Street	North-South
Yield	N. Thirteenth Street	Jefferson Street	North-South
Yield	N. Thirteenth Street	Lincoln Street	North-South
Yield	N. Thirteenth Street	Monroe Street	North-South
Yield	N. Twelfth Street	Arthur Street	North-South
Yield	N. Twelfth Street	Jefferson Street	North-South
Yield	N. Twelfth Street	Lincoln Street	North-South
Yield	N. Twelfth Street	Monroe Street	North-South
Yield	Oxford Street	S. Seventh Street	West

(Ord. No. 1462-A314 07-23-12)

Yield	Park Avenue	Summer Street	East-West
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Yield	Prince Street	S. Thirteenth Street	East-West
Yield	S. Seventh Street	McLean Street	North-South
Yield	S. Seventh Street	Prince Street	North-South
Yield	S. Sixth Street	Prince Street	North-South
Yield	S. Third Street	South Street	North
Yield	South Street	Bacon Street	East-West
Yield	South Street	Black Street	East-West
Yield	South Street	Howard Court	East-West
Yield	South Street	Janssen Street	East-West
Yield	South Street	Mechanic Street	West
Yield	South Street	Morton Street	West
Yield	South Street	S. Capitol Street	East-West
Yield	South Street	S. Eighth Street	East-West
Yield	South Street	S. Eleventh Street	East-West
Yield	South Street	S. Fourth Street	East-West
Yield	South Street	S. Ninth Street	East-West
Yield	South Street	S. Seventh Street	East-West
Yield	South Street	S. Sixth Street	East-West

(Ord. No.1462-A326-13/14 08-26.13)

Yield	South Street	S. Tenth Street	East-West
Yield	South Street	S. Thirteenth Street	East-West
Yield	South Street	S. Twelfth Street	East-West
Yield	South Street	Summer Street	East-West
Yield	Southmoor Street	Herman Street	North
Yield	Southmoor Street	South Street	North-South
Yield	St. Joseph Place	S. Seventh Street	East
Yield	St. Julian Street	Earl Street	West
Yield	St. Julian Street	N. Fifth Street	East-West
Yield	Starceovich Court	S. Sixth Street	West
Yield	Tennell Road	Jerome Street	East-West
Yield	Walnut Street	Summer Street	West
Yield	Winter Street	S. Eighth Street	West
Yield	Winter Street	S. Ninth Street	East-West
Yield	Winter Street	S. Tenth Street	East-West
Yield	Woodlawn Court	Summer Street	East

8-2-11: **Vehicle Entering Through Street or Intersection:** The following street or parts thereof as indicated are hereby designated as through streets, and it shall be unlawful to drive any vehicle onto any such street without first stopping such vehicle and yielding the right-of-way to any traffic on such street, unless a “go” signal is given by a traffic signal or traffic officer. The first named in each paragraph is the name of the through street, and in the information following said street name indicates the portion of said street which is a through street.

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>
Through	Ann Eliza Street	Second Street	Eighth Street

Through	Ann Eliza Street	Ninth Street	Eleventh Street
Through	Ann Eliza Street	Eleventh Street	Fourteenth Street
Through	Ann Eliza Street	Fourteenth Street	GM&O Railroad
Through	Arrow Street	Broadway Road	Willow Street
Through	Broadway Road	Third Street	Fourth Street
Through	Broadway Road	Fourth Street	eastern city limits
Through	Capitol Street	Derby Street	Washington Street
Through	Capitol Street	Washington Street	Broadway Road
Through	Capitol Street	Broadway Road	Elizabeth Street
		(Ord. No. 1462-A282 09-22-08)	
Through	Capitol Street	Elizabeth Street	Court Street
Through	Capitol Street	Court Street	Ann Eliza Street
Through	Capitol Street	Ann Eliza Street	Willow Street
Through	Capitol Street	Willow Street	Sheridan Road
Through	Caroline Street	Eighth Street	Eleventh Street
Through	Caroline Street	Eleventh Street	Fourteenth Street
Through	Caroline Street	Fourteenth Street	GM&O Railroad
Through	Catherine Street	Eighth Street	Eleventh Street
Through	Catherine Street	Eleventh Street	Fourteenth Street
Through	Catherine Street	Fourteenth Street	GM&O Railroad
Through	Charlotte Street	Eighth Street	Eleventh Street
Through	Charlotte Street	Eleventh Street	Fourteenth Street
Through	Charlotte Street	Fourteenth Street	Sixteenth Street
Through	Chestnut Street	Eleventh Street	Fourteenth Street
Through	Columbus Street	Valentine Street	Memorial Drive
Through	Coolidge Street	Crescent Drive	Eleventh Street
Through	Coolidge Street	Eleventh Street	eastern end
Through	Cottage Grove	Court Street	northern end
		(Ord. No. 1462-A237 07/25/05)	
Through	Court Street	Illinois River	Second Street
Through	Court Street	Third Street	eastern city limits
Through	Crescent Drive	Sheridan Road	Kennedy Drive
Through	Dane Kelsey	Kennedy Drive	Susan Hope
		(Ord. No. 1462-A223)	(Ord.No. 1462-A225)
Through	Deerfield Drive	South Fifth Street	eastern city limits
		(Ord. No. 1462-A250 02-13-07)	
Through	Dell Avenue	Derby Street	Melvina Street
Through	Derby Street	Second Street	Seventh Street
Through	Derby Street	Seventh Street	Tenth Street
Through	Derby Street	Tenth Street	Fourteenth Street
Through	Dominion Street	Valentine Street	Columbus Drive
Through	East Shore Drive	Court Street	southern city limits
Through	El Camino Drive	Quail Hollow Road	S. Fourteenth Street
Through	Elizabeth Street	Capitol Street	Second Street
Through	Entrance Drive	Court Street	Powers Avenue
Through	Florence Avenue	Willow Street	Sheridan Road

Through	Florence Avenue	Sheridan Road	Memorial Drive
Through	Glendale Drive	Sunset Drive	Valle Vista Blvd.
Through	Hamilton Street	Eighth Street	Eleventh Street
Through	Hamilton Street	Eleventh Street	Fourteenth Street
Through	Hamilton Street	Fourteenth Street	GM&O Railroad
Through	Hawthorne	Maywood	Sheridan Road
		(Ord. No. 1462-296 01-25-10)	
Through	Hemlock Street	Willow Street	Schramm Drive
Through	Henrietta Street	Eighth Street	Eleventh Street
Through	Hamilton Street	Eleventh Street	Fourteenth Street
Through	Hamilton Street	Fourteenth Street	Sixteenth Street
Through	Henry Street	Fourteenth Street	Eighteenth Street
Through	Highwood Street	Wildwood Drive	Valle Vista Blvd.
Through	Highwood Street	Valle Vista Blvd.	Crestview Drive
Through	Hilltop Street	Court Street	Highwood Street
Through	Hoff Street	Derby Street	Koch Street
Through	Holiday Drive	Sheridan Road	Memorial Drive
Through	Illinois Street	Eleventh Street north	Fourteenth Street
Through	Ironwood Drive	Broadway Road	northern city limits
		(Ord. No. 1462-A259 11-13-06)	
Through	James Road	Fourteenth Street	Eighteenth Street
Through	Kennedy Drive	Eighth Street	Susan Hope
		(Ord. No. 1462-A223) eastern city limits	(Ord. No. 1462-A225)
Through	Knapp Street	Derby Street	Koch Street
Through	Knollcrest Avenue	Willow Street	Brookdale Lane
Through	Koch Street	Second Street	Fifth Street
Through	Koch Street	Fifth Street	Fourteenth Street
Through	Koch Street	Fourteenth Street	Eighteenth Street
Through	Lakeside Avenue	Eighth Street	Sommerset Street
Through	Lucille Street	Mineral Springs Park	Sycamore Street
Through	Main Street	St. Mary Street	Fayette Street
		(Ord. No. 1462-A263 08-27-07)	
Through	Main Street	Fayette Street	McLeanStreet
		(Ord. No. 1462-A263 08-27-07)	
Through	Manor Street	Lighter Street	Willow Street
Through	Margaret Street	Second Street	Court Street
Through	Margaret Street	Ninth Street	Eleventh Street
Through	Market Street	Ninth Street	Eleventh Street
Through	Market Street	Eleventh Street	Fourteenth Street
Through	Market Street	Fourteenth Street	eastern end
Through	Matilda Street	Eleventh Street	Fourteenth Street
Through	Memorial Drive	Florence Avenue	northern end
Through	Olt Avenue	Valle Vista Blvd.	Court Street
Through	Orr Avenue	Robert Drive	eastern end
Through	Park Avenue	Fifth Street	Fourteenth Street
Through	Park Avenue	Fourteenth Street	Court Street

Through	Parkway Drive	Court Street	Broadway Road
Through	Parkway Drive	Broadway Road	Willow Street
Through	Parkway Drive	Willow Street	Sheridan Road
Through	Parkway Drive	Sheridan Road	northern city limits
Through	Peoria Street	Derby Street	Koch Street
Through	Petri Lane	South Fifth Street	eastern city limits
		(Ord. No. 1462-A250 02-13-06)	
Through	Powers Avenue	Highwood Avenue	Gunion Avenue
Through	Quail Hollow Road	Sierra Drive	El Camino Drive
Through	Redwood	Maywood	Sheridan Road
		(Ord. No. 1462-A296 01-25-10)	
Through	Reservoir Road	Court Street	northern city limits
Through	Royal Avenue	Eleventh Street	Fourteenth Street
Through	Royal Avenue	Pekin Park District	Fourteenth Street
Through	Schramm Drive	Willow	Broadway Road
Through	Sheridan Road	Second Street	Eighth Street
Through	Sheridan Road	Eighth Street	Fourteenth Street
Through	Sheridan Road	Fourteenth Street	Parkway Drive
Through	Sheridan Road	Parkway Drive	eastern city limits
Through	Sherwood Street	Market Street	Willow Street
Through	Sierra Drive	St. Clair Drive	Highwood Avenue
Through	Sommerset Street	Third Street	Second Street
Through	Sommerset Street	Sheridan Road	northern end
Through	St. Clair Drive	Valle Vista Blvd.	Sierra Drive
Through	State Street	Eighth Street	Eleventh Street
Through	State Street	Eleventh Street	Fourteenth Street
Through	State Street	Fourteenth Street	Sixteenth Street
Through	State Street	Sherwood Street	Manor Street
Through	Summit Drive	Highwood Street	St. Clair Drive
Through	Sunset Drive	Court Street	Glendale Avenue
Through	Susan Hope	Kennedy Drive	Velde Drive
		(Ord. No. 1462-A223) Susan Hope	(Ord. No. 1462-A225)
Through	Sycamore Street	Royal Avenue	Broadway Road
Through	Tazewell Road	Reservoir Road	eastern city limits
Through	Valentine Street	Holiday Drive	Columbus Street
Through	Valentine Street	Columbus Street	Marigold Drive
Through	Valle Vista Blvd.	Griffin Drive	Court Street
Through	Valle Vista Blvd.	Court Street	Summit Drive
Through	Veerman Street	Willow Street	Sheridan Road
Through	Velde Drive	Eighth Street	East end
		(Ord. No. 1462-A223) Susan Hope	(Ord. No. 1462-A225)
Through	Veterans Drive	Court Street	Broadway Road
			(Ord. No. 1462-A214)
Through	VFW Road	Derby Street	VFW Road
Through	Vista Grande Drive	Fourteenth Street	East End
Through	Washington Street	Second Street	Fourth Street

Through	Washington Street	Fourth Street	Fifth Street
Through	Washington Street	Fifth Street	Eighth Street
Through	Washington Street	Eighth Street	Tenth Street
Through	Washington Street	Tenth Street	Court Street
			(Ord. No. 1462-A 208)
Through	West Shore Drive	Court Street	Eighteenth Street
Through	Willow Street	Capitol Street	Eighth Street
Through	Willow Street	Eighth Street	Eleventh Street
Through	Willow Street	Eleventh Street	Fourteenth Street
Through	Willow Street	Fourteenth Street	Maple Park Drive
Through	Winged Foot	Sheridan Road	northern city limits
		(Ord. No. 1462-A223)	(Ord. No. 1462-A225)
Through	Winter Street	Second Street	South Capitol Street
Through	Winter Street	Fourth Street	Fifth Street
Through	Second Street	southern city limits	Sheridan Road
Through	Third Avenue	Washington Street	Broadway Road
Through	Third Street	Sommerset Street	Broadway Road
Through	Third Street	Broadway Road	Washington Street
Through	Third Street	Washington Street	Winter Street
Through	Third Street	Winter Street	Derby Street
Through	Fourth Street	Lakeside Drive	Sheridan Road
Through	Fourth Street	Sheridan Road	Willow Street
Through	Fourth Street	Willow Street	Ann Eliza Street
Through	Fourth Street	Ann Eliza Street	Court Street
Through	Fourth Street	Court Street	Elizabeth Street
Through	Fourth Street	Elizabeth Street	Broadway Road
		(Ord. No. 1462-A282 09-22-08)	
Through	Fourth Street	Broadway Road	Washington Street
Through	Fourth Street	Washington Street	Derby Street
Through	Fifth Street	Koch Street	Derby Street
Through	Fifth Street	Derby Street	Washington Street
Through	Fifth Street	Broadway	Court Street
Through	Fifth Street	Margaret Street	Willow Street
Through	Sixth Street	N. Eighth Street	Ann Eliza Street
Through	Seventh Street	N. Eighth	Ann Eliza Street
Through	Eighth Street	Court Street	Willow Street
Through	Eighth Street	Willow Street	northern city limits
Through	Eleventh Street	Broadway Road	Willow Street
Through	Eleventh Street	Willow Street	Sheridan Road
Through	Eleventh Street	Sheridan Road	Kennedy Drive
Through	Thirteenth Street	Court Street	Royal Avenue
Through	Thirteenth Street	Royal Avenue	Broadway Road
Through	Fourteenth Street	southern city limits	Derby Street
Through	Fourteenth Street	Derby Street	Park Avenue
Through	Fourteenth Street	Park Avenue	Court Street
Through	Fourteenth Street	Court Street	Broadway Road

Through	Fourteenth Street	Broadway Road	Willow Street
Through	Fourteenth Street	Willow Street	Sheridan Road
Through	Fourteenth Street	Sheridan Road	northern city limits
Through	Sixteenth Street	Willow Street	Sheridan Road
Through	Eighteenth Street	James Road	Saratoga Street

(Ord. No. 1462-A311-11/12 10-24-11)

8-2-12: **AUTHORIZED NO LEFT TURN CONTROL SIGNS:** All vehicular traffic shall be prohibited to turn left on the streets described as follows:

<b>Control</b>	<b>On Street</b>	<b>At or on to</b>	<b>Direction</b>	<b>Duration</b>
No Left Turn	Hilltop	Court Street	west	8:00a.m. – 8:00 p.m. (Ord. No. 1462-A312 01-09-12)

## CHAPTER 3

### RULES OF THE ROAD

#### SECTION:

- 8-3-1: Authorized Emergency Vehicles
- 8-3-2: Pushcarts and Animals
- 8-3-3: Speed Limits
- 8-3-4: Turning Movements
- 8-3-5: Overtaking and Passing Vehicles
- 8-3-6: Drivers' Signals
- 8-3-7: Right-of-Way
- 8-3-8: Driving on Right Side of Roadway; Exceptions
- 8-3-9: Restrictions on Driving
- 8-3-10: Obstructing Traffic
- 8-3-11: Motorcycles, Motor Scooters and Motorized Pedalcycles
- 8-3-12: Prohibited Acts and Conditions
- 8-3-13: Traffic at Railroad Grade Crossings
- 8-3-14: Parades, Pickets, Assemblies, Rallies, Meetings and Processions
- 8-3-15: School Buses
- 8-3-16: Public Passenger Vehicles
- 8-3-17: Offensive Noises
- 8-3-18: Reckless Driving
- 8-3-19: Drag Racing
- 8-3-20: Driving Under Influence of Liquor or Drugs

#### 8-3-1: **AUTHORIZED EMERGENCY VEHICLES:**

A. Operation of Authorized Emergency Vehicles: The driver of any authorized emergency vehicle, when responding to an emergency call or when in pursuit of an actual or suspected violator of the law or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Section, but subject to the conditions herein stated. The driver of an authorized emergency vehicle may:

1. Park or stand, irrespective of the provisions of this Code.
2. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
3. Exceed the speed limits.
4. Disregard regulations governing direction of movement or turning in specified directions.

The exemptions herein granted to an authorized emergency vehicle apply if such vehicle while in motion sounds audible signal by bell, siren or exhaust whistle as may be reasonably necessary and when the vehicle is equipped with at least one lighted lamp displaying an oscillating, rotating or flashing red beam visible under

normal atmospheric conditions from a distance of five hundred feet (500') to the front of such vehicle; except, that an authorized emergency vehicle operated as a police vehicle need not be equipped with or display a red light visible from in front of the vehicle nor need the driver of a police vehicle while in motion sound an audible signal by bell, siren, or exhaust whistle if such police vehicle is displaying an oscillating, rotating or flashing red beam described heretofore.

The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

B. Operation of Vehicles on Approach of Authorized Emergency Vehicles: Upon the immediate approach of an authorized emergency vehicle making use of audible and visual signals meeting the requirements of this Title or a police vehicle properly and lawfully making use of an audible or visual signal, the driver of every other vehicle on the same roadway shall yield the right-of-way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection and shall stop if possible and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. This subsection shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

C. Fire Department Vehicles; Fires:

1. Operation of Vehicles on Approach of Fire Department Vehicles: Upon the approach of a Fire Department vehicle, drivers of vehicles shall comply with the provisions of this Section relating to the approach of authorized emergency vehicles.

2. Following Fire Apparatus; Parking Near Fires: It shall be unlawful for the driver of any vehicle, other than one on official business, to follow any fire apparatus in response to a fire alarm closer than five hundred feet (500') or to drive into or park such vehicle within the block where fire vehicles have stopped in answer to a fire alarm.

3. Crossing Fire Hose: No vehicle shall be driven over an unprotected hose of the Fire Department when laid down on any street or private driveway to be used at any fire or alarm of fire without the consent of the Fire Department official in command.

8-3-2: **PUSHCARTS, WHEELCHAIRS AND ANIMALS:** Every person propelling any pushcart or riding an animal upon a roadway and every person driving any animal-drawn vehicle shall be subject to the provisions of this Title applicable to the driver of any vehicle, except those provisions of this Title which by their very nature can have no application.



### 8-3-3: **SPEED LIMITS:**

- A. **Speed Restrictions Generally:** The state traffic laws regulating the speed of vehicles shall be applicable upon all streets and alleys within the City except as this Chapter, as authorized by State law, hereby declares and determines upon the basis of engineering and traffic investigation that certain speed regulations shall be applicable upon specified streets and alleys or in certain areas.
- B. **Increase of State Speed Limit at Certain Intersections:** It is hereby determined, upon the basis of an engineering and traffic investigation, that the speed permitted by State law upon those streets or portions thereof described in the Traffic Regulations is less than is necessary for safe operation of vehicles thereon by reason of the conditions found to exist upon those streets or portions thereof, and it is hereby declared that reasonable and safe absolute maximum speed limit upon those streets or portions thereof described in the Traffic Regulations shall be as therein stated, which speeds so declared shall be effective at the time specified therein when signs are erected giving notice thereof.
- C. **Decrease of State Speed Limit at Certain Intersections:** It is hereby determined, upon the basis of an engineering and traffic investigation, that the speed permitted by State law upon those streets or portions thereof described in the Traffic Regulations is greater than is necessary for safe operation of vehicles thereon by reason of the conditions found to exist upon those streets or portions thereof, and it is hereby declared that a reasonable and safe absolute maximum speed limit upon those streets or portions thereof described in the Traffic Regulations shall be as therein stated, which speeds so declared shall be effective at the time specified therein when signs are erected giving notice thereof.

Nothing in this Chapter shall prohibit the use of electronic speed-detecting devices within five hundred feet (500') of signs within a special school speed zone indicating such zone nor shall evidence obtained thereby be inadmissible in any prosecution for violation of this provision.

- D. **Driving at Greater Speed Than Reasonable; Duty to Decrease Speed:** No person shall drive any vehicle upon any street in this City at a speed which is more than is reasonable and proper with regard to traffic conditions and the use of the street, which endangers the safety of any person or property, or is more than the applicable maximum speed limit established by Sections 8-3-3 and 8-3-5 of this Chapter. The fact that the speed of a vehicle does not exceed the applicable maximum speed does not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, or when special hazards exist with respect to pedestrians or traffic or by reason of weather or highway conditions, and the driver of every vehicle shall decrease his speed to such extent as may be necessary to avoid colliding with any person or vehicle on or entering a street in compliance with the legal requirement and the duty of all persons to use due care.
- E. **Minimum Speed:** No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation of his vehicle or in compliance with the law.
- F. **The absolute statutory urban speed limit shall be thirty (30) miles per hour in streets, fifteen (15) miles per hour in the Pekin Boat Access area and fifteen (15) miles per hour in alleys. The absolute statutory non-urban speed limit shall be fifty-five (55) miles per hour.**

<b>Control</b>	<b>Speed</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>	<b>Direction</b>
Speed	20 mph	Market Street	N. Nineteen Street	East End	EW
Speed	20 mph	N. Nineteenth St.	Broadway Road	Market Street	S
Speed	20 mph	N. Twentieth Street	Broadway Road	Market Street	N
Speed	20 mph	Park Avenue	Court Street	12 <sup>th</sup> Street	EW
					Ord. No. 1462-A276
Speed	35 mph	Broadway Road	N. 14 <sup>th</sup> Street	Parkway Drive	EW
					Ord. No. 1462-A306
Speed	35 mph	Court Street	S. Ninth Street	Valle Vista Blvd	EW
Speed	35 mph	N. Eighth Street	Chestnut Street	Coolidge Drive	NS
Speed	35 mph	S. Second Street	Derby Street	Koch Street	NS
Speed	35 mph	S. Fourteenth Street	Rosemary Street	Koch Street	NS
Speed	35 mph	Parkway Drive	Broadway Road	Velde Drive	NS
					Ord. No. 1462-A266
Speed	35 mph	Sheridan Road	California Road	California Road E	EW
					Ord. No. 1462-A292
Speed	35 mph	VFW Road	Route 29	IC Railroad	EW
Speed	40 mph	Ann Eliza Street	N. Second Street	Bridge	West
Speed	40 mph	Broadway Road	Parkway Drive	Schramm Drive	EW
					Ord No. 1462-A306
Speed	40 mph	Court Street	Valle Vista Blvd	Barney Avenue	EW
Speed	40 mph	Hanna Drive	railroad tracks	S. Fifth Street	EW
					Ord. No. 1462-A310
Speed	40 mph	Margaret Street	Bridge	N. Second Street	East
Speed	40 mph	N. Eighth Street	Coolidge Drive	Past Sacred Hrt. Ce.	NS
Speed	40 mph	Parkway Drive	Velde Drive	Northern City Limit	NS
					Ord. No. 1462-A266
Speed	45 mph	California Road	Broadway Road	Allentown Road	NS
					Ord. No. 1462-A336
Speed	45 mph	Broadway Road	Schramm Drive	Veterans Drive	EW
					Ord. No. 1462-A306
Speed	45 mph	S. Fifth Street	Hanna Drive	Veterans Drive	NS
					Ord. No 1462-A329 (328*)
Speed	45 mph	Court Street	Barney Avenue	Veterans Drive	EW
Speed	45 mph	S. Fourteenth Street	VFW Road	Rosemary Street	NS
Speed	45 mph	S. Second Street	Manito Blacktop	Koch Street	NS
Speed	45 mph	VFW Road	S. Fourteenth Street	900' E of S. Fourteenth Street	EW
Speed	45 mph	Veterans Drive	30 mph posted	Allentown Road	NS
					(Ord. No. 1462-A214 had Court to Broadway edit 7-11-11)
Speed	50 mph	Court Street	Veterans Drive	Eastern City Limit	EW
Speed	50 mph	N. Eighth Street	Past Sacred Hrt. Ce.	Northern City Limit	NS
Speed	50 mph	S. Second Street	Southern City Limit	Manito Blacktop	NS
Speed	55 mph	Ann Eliza Street	Bridge	Levee Road	West
Speed	55 mph	Margaret Street	Levee Road	Bridge	East

Speed 55 mph Veterans Drive Allentown Road Broadway Road NS  
 Ord. No. 1462-A307  
 (deleted Ord. No. 1462-A200 10/14/02 on 10/22/07) (deleted 1462-A180 on 11-13-00) (1462-A290-09/10  
 failed 06/22/09) (deleted Ord. No. 1462-A288 on 06/27/11)

G. Speed Limits in School Zones. No person shall drive a motor vehicle at a speed in excess of twenty (20) miles per hour while passing a school zone or while traveling upon any public thoroughfare on or across which children pass going to and from school during school days when school children are present.

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>	<b>Direction</b>
Speed 20 mph School Zone	Broadway Road	N. Eighth Street	N. Ninth Street	EW
Speed 20 mph School Zone	Broadway Road	S. Sixth Street	S. Seventh Street	EW
Speed 20 mph School Zone	Buena Vista Avenue	Washington Street	½ Block North	NS
Speed 20 mph School Zone	Florence Avenue	Sheridan Road	Memorial Drive	NS
Speed 20 mph School Zone	Highwood Avenue	Summit Drive	Melanie Street	NS
Speed 20 mph School Zone	Holiday Drive	Sheridan Road	Independence Drive	NS
Speed 20 mph School Zone	Koch Street	S. Sixth Street	Peoria Street	EW
Speed 20 mph School Zone	N. Eighth Street	Broadway Road	Market Street	N
Speed 20 mph School Zone	N. Fourteenth Street	Illinois Street	Matilda Street	NS
Speed 20 mph School Zone	N. Ninth Street	Broadway Road	Market Street	NS
Speed 20 mph School Zone	S. Capitol Street	Walnut Street	Winter Street	NS
Speed 20 mph School Zone	S. Sixth Street	Washington Street	St. Joseph Place	NS
Speed 20 mph School Zone	Summer Street	Walnut Street	Winter Street	NS
Speed 20 mph School Zone	Veerman Street	Willow Street	Westgate Drive	NS
Speed 20 mph School Zone	Washington Street	S. Fourth Street	S. Seventh Street	EW

8-3-4: **TURNING MOVEMENTS:**

A. Required Position and Method for Turning at Intersections: The driver of a vehicle intending to turn at an intersection shall do so as follows:

1. Both the approach for a right turn and a right turn shall be made as close as practical to the right-hand curb or edge of the roadway.
2. At any intersection where traffic is permitted to move in both directions on each roadway entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection, and after entering the intersection, the left turn shall be made so as to leave the intersection to the right half of the roadway nearest the center line. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
3. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left-hand lane lawfully available to traffic moving in the direction of travel of such vehicle, and after entering the intersection, the left turn shall be made so as to leave the intersection, as nearly as practicable, in the left-hand lane lawfully available to traffic moving in such direction upon the roadway being entered.
4. The Traffic Safety Committee of this City may cause markers, buttons, signs or signals to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this Chapter be traveled by vehicles at an intersection, and when markers, buttons, signs or signals are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons, signs or signals.

B. Restrictions on Turning:

1. No person may turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in subsection A of this Section or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety. No person may so turn any vehicle without giving an appropriate signal in the manner hereinafter provided.
2. In accordance with the provisions of subsections A5 and C of this Section, and whenever authorized markers, buttons or signs or signals are erected indicating that no right or left turn or turn in the opposite direction is permitted or only indications that only a left turn or only a right turn is permitted, no driver of a vehicle shall disobey any direction of any such marker, button, sign or signal.

C. "U" Turns: The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street or part of any street where such turns are prohibited by a traffic signal or sign so posted or at any point closer than on hundred feet (100') to any street intersection or upon any curve or upon the approach to a grade or near the crest of a grade or where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within five hundred feet (500') or when such turn cannot be made in safety and without interfering with other traffic.

(Ord. No. 1462-A265 10-22-07)

(Ord. No. 1462-A265 11-26-07)

### 8-3-5: OVERTAKING AND PASSING VEHICLES:

A. Overtaking and Passing Vehicle on the Left: The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions and special rules hereinafter stated:

1. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle. In no event shall such movement be made by driving off of the pavement or the main traveled portion of the street or highway.
2. Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible signal and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.
3. The driver of a two-wheeled vehicle may not, in passing upon the left of any vehicle proceeding in the same direction, pass upon the right of any vehicle proceeding the same direction unless there is an unobstructed lane of traffic available to permit such passing maneuver safely.

B. Limitations on Overtaking on the Left:

1. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within one hundred feet (100') of any vehicle approaching from the opposite direction.
2. No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left side of the roadway under the following conditions:
  - a. When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction.
  - b. When approaching within one hundred feet (100') of or traversing any intersection or railroad grade crossing.
  - c. Where official signs are in place directing that traffic keep to the right or a double, yellow-colored centerline is marked on the roadway.
  - d. The limitations of subsections B2a and B2b above shall not apply upon a one-way roadway or upon a roadway with unobstructed pavement of sufficient width for two (2) or more lanes of moving traffic in each direction when such movement can be made with safety.

C. Overtaking Vehicle on the Right:

1. The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn, providing there is sufficient safe clearance distance between the turning vehicle and the right edge of the roadway.
2. The driver of a vehicle may overtake and, allowing sufficient clearance, pass another vehicle proceeding in the same direction either upon the left or upon the right of a one-way street or on a roadway with unobstructed pavement of sufficient width for four (4) or more lanes of moving traffic when such movement can be made in safety. No person shall drive off the pavement or roadway in overtaking or passing on the right.

8-3-6: **DRIVERS' SIGNALS:** Any stop or turn signal, when required herein, shall be given either by means of the hand or arm or by an electric turn signal device.

- A. A signal of intention to turn right or left, when required, must be given continuously during not less than the last one hundred feet (100') traveled by the vehicle before turning within a business or residence district, and such signal must be given continuously during not less than the last two hundred feet (200') traveled by the vehicle before running outside a business or residence district.
- B. No person may stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided in this Section to the driver of any vehicle immediately to the rear when there is opportunity to give such a signal.
- C. The electric turn signal device must be used to indicate an intention to turn, change lanes or start from a parallel parked position but must not be flashed on one side only on a parked or disabled vehicle or flashed as a courtesy or "do pass" signal to operators of other vehicles approaching from the rear. However, such signal devices may be flashed simultaneously on both sides of a motor vehicle to indicate the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking and passing.
- D. All signals herein required given by hand and arm shall be given from the left side of the vehicle in the following manner and such signals shall indicate as follows:
  1. Left turn -- hand and arm extended horizontally;
  2. Right turn -- hand and arm extended upward;
  3. Stop or decrease of speed -- hand and arm extended downward.

8-3-7: **RIGHT-OF-WAY:**

- A. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different roadway.
- B. When two (2) vehicles enter an intersection from different streets at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the vehicle on the right.

- C. The right-of-way rules declared in subsections A and B are modified at Through streets as provided in Chapter 5 of this Title.
- D. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard, but said driver, having so yielded, may proceed at such time as a safe interval occurs.

**8-3-8: DRIVING ON RIGHT SIDE OF ROADWAY; EXCEPTIONS:**

- A. Upon all roadways of sufficient width, a vehicle shall be driven upon the right half of the roadway, except as follows:
  1. When overtaking and passing a vehicle proceeding in the same direction under the rules governing such movement.
  2. When an obstruction exists making it necessary to drive to the left of the center of the roadway; provided, any person so doing shall yield the right-of-way to all vehicles traveling in the proper direction upon the unobstructed portion of the roadway within such distance as to constitute an immediate hazard.
  3. One-Way Streets. Vehicles traveling on the portions indicated of the first named streets in each paragraph of this Section shall travel in one direction only. The information following said street name indicates the direction said vehicles shall travel and the portion on said street where such travel shall be one-way only. Vehicles traveling other portions of said streets may travel either direction.

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>	<b>Direction</b>
One Way	Ann Eliza Street	N. Eighth Street	N. Second Street	West
One Way	Broadway Road	S. Second Street	Cynthiana Street	East
One Way	Cedar Street	Schramm School	Willow Street	South
One Way	Cynthiana Street	Broadway Road	S. Second Street	West
One Way	Elizabeth Street	Broadway Road	S. Fifth Street	West
One Way	Front Street	2340 ft. south of intersection of Main St. and Front St.	1415 ft	South
Ord. No. 1462-A 260 (11-27-06)				
One Way	Hemlock Street	Willow Street	Schramm School	North
One Way	Margaret Street	N. Second Street	Broadway Road	East
One Way	N. Capitol Street	Ann Eliza Street	Sheridan Road	North
One Way	N. Eighth Street	Court Street	N. Seventh Street	North
One Way	N. Fourth Street	Sheridan Road	Ann Eliza Street	South
One Way	N. Nineteenth Street	Market Street	Broadway	South
Ord. No. 1462-A168 (02-14-00)				
One Way	N. Second Street	Sommerset Street	Court Street	South
One Way	N. Third Street	Court Street	Sommerset Street	North
One Way	N. Twentieth Street	Broadway Road	Market Street	North
One Way	S. Capitol Street	Derby Street	Washington Street	North

(Ord. No. 1462-A330-13/14 11-25-13)

One Way	S. Fourth Street	Washington Street	Derby Street	South
			(Ord. No. 1462-A330-13/14 11-25-13)	
One Way	S. Second Street	Court Street	Washington Street	South
One Way	S. Seventeenth Street	Court Street	Center Street	South
One Way	S. Third Street	Broadway Road	Court Street	North
One Way	Sommerset Street	N. Third Street	N. Second Street	North
One Way	Third Avenue	Washington Street	Broadway Road	North

\* 4. One-Way Alleys removed Ord. No. 1462-A321 02/25/13 **if any alley ways are determined by the Traffic Safety Committee to be one way, they will be in the form of a recommendation by the Traffic Safety Committee to the City Council for final decision.**

8-3-9: **RESTRICTIONS ON DRIVING:**

- A. Coasting: The driver of any motor vehicle when traveling upon a downgrade shall not coast with the gears of such in "neutral" position; the driver of a motor vehicle designed to carry either freight or more than ten (10) passengers when traveling upon a downgrade shall not coast with the clutch disengaged.
- B. Following Too Closely: The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.
- C. Driving on Sidewalks in Safety Zones: No driver of a vehicle shall drive within any sidewalk area, except at a permanent or temporary driveway, and no vehicle shall at any time be driven Through or within a safety zone.
- D. Driving Across Dividers: Whenever any street or highway has been divided into two (2) roadways by leaving an intervening space or by a physical barrier or a clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway and no vehicle shall be driven over, across or within any such dividing space, barrier or section except Through an opening in such barrier, dividing section or space, or at a crossover or intersection established by public authority.
- E. Driving From or Onto Controlled Access Highway: No person shall drive a vehicle onto or from the roadway of any controlled-access highway except at such entrances and exits as are established by public authority.
- F. Limitations on Backing:
  - 1. The driver of a vehicle shall not back the same unless such movement can be made with safety and without interfering with other traffic.
  - 2. The driver of a vehicle shall not back the same upon any controlled-access highway.
- G. Emerging from Alley, Driveway, or Building: The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk area extending across any alleyway, yielding the right-of-way to any pedestrian as may be necessary to avoid collision and upon



entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway.

- H. **Starting Parked Vehicle:** No person shall move a vehicle which is stopped, standing or parked on any trafficway unless and until such movement can be made with reasonable safety.
- I. **Opening Vehicle Doors into Traffic:** No person shall open the door of a vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

8-3-10: **OBSTRUCTING TRAFFIC:** No operator of a vehicle shall enter an intersection or crosswalk unless there is sufficient space beyond such intersection or crosswalk in the direction in which such vehicle is proceeding to accommodate the vehicle without obstructing the passage of other vehicular traffic or pedestrians, notwithstanding any traffic-control signal indication to proceed.

8-3-11: **MOTORCYCLES, MOTOR SCOOTERS AND MOTORIZED PEDALCYCLES:**

A. **Riding on Motorcycles:**

1. **Seating:** The operator of a motorcycle shall ride only astride the permanent and regular seat or saddle attached thereto, and the operator shall not permit more than one other person to ride thereon nor shall such other person ride on the motorcycle unless it is designed to carry two (2) people, in which event, the passenger shall also ride astride the permanent and regular seat or saddle if it is designed for two (2) persons, or astride another seat or saddle firmly attached to the rear of the operator; however, any seat or saddle designed for a passenger must be equipped with permanent handgrips and, in addition, the motorcycle must be equipped with foot rests adjusted to fit such passenger. A sidecar may be attached to a motorcycle in which additional persons may ride.
2. **Glasses, Goggles:** In addition, the operator of a motorcycle and every passenger thereon shall be protected by glasses, goggles or a transparent shield.
3. **Handlebars:** No person shall operate any motorcycle with handlebars higher than the height of the shoulders of the operator when seated in the normal driving position astride that portion of the seat or saddle occupied by the operator.
4. **Riding on Motor Scooters:** No person other than the driver thereof shall ride upon a motorscooter.

B. **Riding on Motorized Pedalcycles:**

1. Seating: The operator of a motorized pedalcycle shall ride only astride the permanent and regular seat attached thereto and shall not permit 2 persons to ride thereon at the same time unless the motorized pedalcycle is designed to carry 2 persons; any motorized pedalcycle designed for 2 persons must be equipped with a passenger seat and permanent handgrips and footrests for use of a passenger.

2. Glasses, Goggles: Neither the operator nor any passenger on a motorized pedalcycle shall be required to wear any special goggles, shield, helmet or glasses.

3. Compliance with Provisions: The provisions of this Code shall be applicable to the operation of motorized pedalcycles except for those provisions which by their nature can have no application to motorized pedalcycles.

#### 8-3-12: **PROHIBITED ACTS AND CONDITIONS:**

A. Boarding or Alighting from Moving Vehicles: No person shall board or alight from any vehicle while such vehicle is in motion.

B. Riding in House Trailers: No person or persons shall occupy a house trailer while it is being moved upon a public highway or street within the corporate limits of this City.

C. Toy Vehicles:

1. Coasters, Roller Skates, Roller Blades, Skateboards, Toy Vehicles: No person upon roller skates, roller blades, skateboards, or riding in or by means of any coaster, toy vehicle or similar device shall go upon any roadway except while crossing a street on a crosswalk, and when so crossing, such person shall be granted all rights and shall be subject to the duties applicable to pedestrians.

D. Skateboards: No person shall operate or ride on a skateboard:

1. On any public or private property where signs have been posted at the entrance or displayed prominently;

2. Any place in the City in such a manner as to be dangerous to persons or property.

#### 8-3-13: **TRAFFIC AT RAILROAD GRADE CROSSINGS:**

A. Generally: Whenever any person driving a vehicle approaches a railroad grade crossing, such person must exercise due care and caution as the existence of a railroad track across a highway is a warning of danger, and under any of the circumstances stated in this subsection, the driver shall stop within fifty (50') but not less than fifteen (15') from the nearest rail of the railroad and shall not proceed until he can do safely. The foregoing requirements shall apply when:

1. A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train;
2. A crossing gate is lowered or a human flagman gives or continues to give a signal of the approach or passage of a railroad train;
3. A railroad train approaching a highway crossing emits a warning signal and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard;
4. An approaching railroad train is plainly visible and is in hazardous proximity to such crossing;
5. A railroad train is approaching so closely that an immediate hazard is created.

No person shall drive any vehicle Through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed.

B. Second Division Vehicles:

1. The driver of any second division motor vehicle carrying passengers for hire or of any vehicle which is required by Federal or State law to be placarded when carrying hazardous material as defined in the "Illinois Hazardous Materials Transportation Act", approved August 26, 1977, as a cargo or part of a cargo before crossing at grade any track or tracks of a railroad, shall stop such vehicle within fifty (50') but not less than fifteen (15') from the nearest rail of such railroad and, while so stopped, shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely. After stopping as required in this subsection, the driver shall proceed only in a gear not requiring a change of gears during the crossing, and the driver shall not shift gears while crossing the track or tracks.
2. All school buses shall stop at all railroad crossings when carrying passengers, except at any railroad grade crossing located upon a four-lane highway where the posted speed limits is in excess of forty-five (45) miles per hour or any railroad grade crossing at which traffic is controlled by a police officer or human flagman.
3. This subsection shall not apply at:
  - a. Any railroad grade crossing at which traffic is controlled by a police officer or human flagman;
  - b. Any railroad grade crossing at which traffic is regulated by a traffic-control signal;

c. Any abandoned, industrial or spur track railroad grade crossing designated as exempt by the Illinois Commerce Commission and marked with an official sign as authorized in the State Manual of Uniform Traffic Control Devices for Streets and Highways.

C. Trains and Certain Other Track-Type Vehicles at Railroad Grade Crossings:

1. It shall be unlawful for any railroad corporation, Through its engineers or conductors or any other employees or agents, to obstruct any public street or highway in this City with any train, locomotive engine or railroad car on its tracks, where the tracks intersect or cross such public street or highway, in such a manner as to prevent the use of such street or highway for purposes of motor vehicle travel for a period of time longer than five (5) minutes except under circumstances where the railroad train, locomotive engine or railroad car cannot be moved without endangering the safety of passengers, the public or freight.

2. No person shall operate or move any crawler-type tractor, power shovel, derrick, roller, or any equipment or structure having a normal operating speed of ten (10) or less miles per hour, or, for such equipment with eighteen feet (18') or less distance between two (2) adjacent axles, having a vertical body or load clearance of less than nine inches (9") above a level surface, or, for such equipment with more than eighteen feet (18') between two (2) adjacent axles, having a vertical body or load clearance of less than one-half inch ( $\frac{1}{2}$ ) per foot (1') of distance between such adjacent axles above a level surface upon or across any tracks at a railroad grade crossing without first complying with the following:

a. Notice of any such intended crossing shall be given to a superintendent of such railroad and a reasonable time to be given to such railroad to provide proper protection at such crossing.

b. Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same not less than fifteen feet (15') nor more than fifty feet (50') from the nearest rail of such railway and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train and shall not proceed until the crossing can be made safely.

c. No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car.

**8-3-14: PARADES, PICKETS, ASSEMBLIES, RALLIES, MEETINGS AND PROCESSIONS:**

(A) DEFINITIONS:

"Parade" or "procession" or "proceed" shall mean any march, demonstration, procession, motorcade, or promenade consisting of persons, animals, or vehicles, or a combination thereof, having a common purpose, design, destination, or goal; upon any public place or right-of-way, which parade, march, demonstration, procession, motorcade, or promenade does not comply with normal and usual traffic regulations or control.

"Assembly" or "Assemble" shall mean any meeting, demonstration, picket line, rally, gathering, or group of five (5) or more persons, animals, vehicles, or a combination thereof, having a common purpose, design, or goal, upon any public street, sidewalk, public right-of-way, alley, park, or other public place, which assembly inhibits the usual flow of pedestrian or vehicular travel or which occupies any public area, other than a parade or procession, as defined above.

(B) **PERMIT REQUIRED:** It shall be unlawful for any person, company, society, association, organization, lodge, club, gathering or group of any kind to parade, proceed or assemble or attempt to parade, proceed or assemble in or upon any of the City of Pekin streets, sidewalks, right-of-ways, or on public property until such person or group shall have first obtained a permit as provided in this Section. The following exceptions shall apply to this permit requirement:

1. The armed forces of the United States;
2. The military forces of this State;
3. The forces of the Police and Fire Department;
4. A governmental agency acting within the scope of its functions;
5. Funeral processions; and
6. Students under the direct and immediate supervision of proper school authorities going to and from school classes or participating in educational activities.

(C) **USE OF SIDEWALKS, STREETS AND RIGHT-OF-WAYS ASSEMBLIES:**

Assemblies shall be conducted only on public sidewalks maintained by the City of Pekin or other walk areas on the public right-of-way, and only the outside five (5) feet of said sidewalks next to the curb shall be used by the persons assembling. No assembling shall be allowed on the remaining portion of said sidewalks or on that portion of the streets used for vehicular traffic.

(D) **APPLICATION FOR PERMIT:** Each applicant for a permit required by this Section shall, in writing made out in duplicate, file an Application with the Chief of Police requesting permission to hold a parade, procession or assembly. The Application

shall be filed at least ten (10) days prior to the date upon which the parade, procession or assembly is to be held.

(E) ASSEMBLY PERMIT REQUIREMENTS AND APPLICATION: The Application for a permit for an assembly shall contain the following information:

1. A description of the event;
2. The day and hour of the event;
3. Location of the event;
4. A reasonable and good-faith approximation of the number of persons expected to attend the event;
5. The names and addresses of the persons sponsoring the event;
6. The applicant's name, address and telephone number;
7. If applicable, the organization's name and address;
8. If applicable, the purpose of the organization;
9. The names and capacities of persons who represent the organization and persons responsible for informing participants of the terms and conditions of any permit issued hereunder;
10. The purpose or use for which the permit is being requested;
11. A reasonably accurate description of the nature of the proposed activity or conduct for which a permit is sought;
12. A reasonable and good-faith approximation of the number of vehicles expected to be a part of the event;
13. The duration of the event for which a permit is sought;
14. The identification of the number, type and location of public announcement, bullhorns or other electronic amplification devices, if any and identification of separate permit issued for use of said equipment;
15. The number and size of signs, banners, placards, or carrying devices;
16. A general description of a clean-up plan.
17. Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit shall be issued.

(F) **PARADE OR PROCESSION PERMIT REQUIREMENTS AND APPLICATION:** The application for a parade or procession permit shall require, in addition to that set forth in part (E) above, the following information:

1. The name, address, and telephone number of the person who will be the parade chairperson and who will be responsible for its conduct;
2. The route to be traveled, the starting point, and the termination point;
3. The approximate number of persons who, and animals and vehicles which, will constitute such parade;
4. The types of animals and description of the vehicles;
5. A statement as to whether the parade will occupy all or only a portion of the width of streets proposed to be traversed;
6. The location by streets of any assembly areas for such parade;
7. The time at which units of the parade will begin to assemble at any such assembly area or areas;
8. The interval of space to be maintained between units of such parades;
9. The maximum and minimum speed of the parade or procession, if applicable;
10. The maximum length of the parade or procession in miles or fractions thereof.

(G) **FALSE OR MISLEADING APPLICATION:** If the information contained in the Application is false or intentionally misleading, a permit will not be issued by the Chief of Police.

(H) **GENERAL STANDARDS AND CRITERIA FOR ISSUANCE OR DENIAL OF PERMIT:** The following criteria shall apply to issuance or denial of a parade, procession, or assembly permit:

1. Whether or not the parade, procession or assembly will endanger public health, welfare, or safety, and that reasonable adjustment to the community traffic control, street and property maintenance, or police, fire, or ambulance protection would not alleviate such danger;
2. Whether or not the time, duration, route, and size of the parade, procession or assembly will substantially and unreasonably disrupt the movement of traffic;

3. Whether or not the parade, procession or assembly is of a size or nature that it would require the diversion of such a great number of police officers of the City to properly police the line of movement or assembly area and the areas contiguous thereto, so as to impair reasonable police protection to the City;
4. Whether or not the applicant has failed to provide for the services of sufficient monitors to control the orderly conduct of the parade or assembly;
5. Whether or not the applicant has provided a reasonable means of informing all the persons participating therein of the terms and conditions of such permit;
6. Whether or not the concentration of persons, animals, or vehicles, or a combination thereof, is such as to inhibit proper police, fire, and ambulance services;
7. Whether or not the parade or procession will progress from its assembly area to its disbanding area as expeditiously as reasonably required for the safe and orderly conduct of the parade or procession;
8. Whether or not the parade, procession or assembly will interfere with another parade, procession or assembly for which a permit has been previously granted;
9. Whether or not the parade, procession or assembly will result in harm to persons or property;
10. Whether or not the conduct of such parade, procession or assembly will interfere with, (a) access to fire hydrants by the Fire Department, or (b) the movement of fire fighting equipment, rescue equipment and ambulances enroute to a fire or emergency call;
11. Whether or not the conduct of the parade, procession or assembly will substantially interrupt the safe and orderly movement of other traffic contiguous to its route or otherwise impede public travel;
12. Whether or not the applicant or permittee refuses to, or is unable to abide by or comply with all conditions of the permit;
13. Whether or not the time, route, and size of the parade, procession or assembly will disrupt to an unreasonable extent the movement of other pedestrians.

(I) **DENIAL OF APPLICATION:** If the Chief of Police disapproves the Application for a parade, procession or assembly permit, the Chief of Police shall serve on the applicant by regular first class mail within four (4) business days after the date upon which the Application was filed, a notice of the Chief of Police's action. If the permit is denied, the Chief of Police shall set forth the reasons or grounds for denial.

(J) **APPEAL TO COUNCIL:** Any final decision of the Chief of Police on the permit application may be appealed to the City Council by the applicant, permittee, or any



person affected by the decision. Any appeal shall be filed with the City Clerk within three (3) business days after notice of the decision by the Chief of Police. The Council shall act upon the appeal at the next regularly scheduled Council meeting held more than three (3) days and less than ten (10) days after the filing of the appeal. If no such meeting is scheduled or if a regularly scheduled meeting is not held within such time, the Mayor shall call a special Council meeting to consider and act upon such appeal within ten (10) days after the filing of such an appeal.

(K) **ALTERNATIVE PERMIT:** The Chief of Police, in denying an Application for a parade, procession or assembly permit, shall be empowered to authorize the conduct of the parade, procession or assembly at alternative times, places, manner, routes or duration. A notice of denial shall contain information regarding the availability of an alternative permit. An applicant desiring to accept an alternate permit shall, within five (5) days after notice of denial by the Chief of Police, file a written notice of acceptance of the alternative permit with the Chief of Police. An alternate parade, procession or assembly permit shall conform to the requirements of, and shall have the effect of any other parade, procession or assembly permit issued under this Section.

(L) **REVOCAION OF PERMIT.** The Chief of Police shall have the authority, after a hearing affording due process, to revoke a parade, procession or assembly permit issued hereunder upon application of the standards and criteria for issuance as set forth in this Section. In the event an emergency occurs in relation to weather conditions, civil disturbances, or other condition that imperils persons or property in the area of the parade or procession route or assembly area, the Chief of Police may revoke a permit previously granted without a hearing. In such case, the Chief of Police shall give the applicant an opportunity to reschedule the parade, procession or assembly for a time when such emergency no longer exists. A revocation without a hearing shall be based solely upon the determination by the Chief of Police that the safety of persons or property demands such revocation. A revocation without a hearing may be appealed to the City Council as provided for in Section (J).

(M) **PARKING ON PARADE AND PROCESSION ROUTE:** The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street, highway or right-of-way or part thereof constituting a part of the route of a parade or procession. The Chief of Police shall post signs to such effect, and it shall be unlawful for any person or persons to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this subsection.

(N) **PERMIT FEES:** An applicant for a parade, procession or assembly permit shall pay to the City Clerk a sum of the established fee at the time of filing an Application for a parade, procession or assembly permit. Said permit fee shall be TWENTY FIVE (\$25.00) DOLLARS for each parade, procession or assembly permit, unless a Class F License has been issued for said event, in which case the TWENTY FIVE (\$25.00) DOLLAR fee shall be waived. (Ord. No. 2336 July 28, 2003)

(O) **AUTHORITY OF MAYOR AND CHIEF OF POLICE:** The Mayor and Chief of Police of the City are hereby authorized and empowered to take such lawful action as may be necessary to carry out the regulations and requirements of this Section, insure an orderly parade, procession or assembly, prevent obstruction to and insure the full flow of traffic, and to prevent riots and disorder, and to hire special policemen and employees to aid in these measures.

(P) **VIOLATION:** Willful violation of any of the terms or conditions of the parade permit by the applicant or permittee or any participant in said parade, procession or assembly is a violation of this Ordinance.

(Q) **PROHIBITIONS:** The following prohibitions shall apply to all parades, processions or assemblies:

1. It shall be unlawful for any person to engage in any parade, procession or assembly activity which would constitute a substantial hazard to the public safety or which would materially interfere with or endanger the public peace or rights of residents to the quiet, peaceful, and unmolested enjoyment of their property;

2. It shall be unlawful for any person to carry or possess, while participating in any demonstration, rally, picket line, protest, parade, or assembly, any length of metal, lumber, wood or wood lath, unless such object is of wood and is one-fourth (1/4") inch or less in thickness and two (2") inches less in width, or if not generally rectangular in shape, such object shall not exceed three-fourths (3/4") inch in its thickest dimension;

3. It shall be unlawful for any person to carry any sign, poster, plaque or notice, whether or not mounted on a length of wood as specified in subsection (2) of this Section, unless such sign, poster, plaque or notice is constructed or made of cloth, paper, cardboard, or foldable plastic.

4. It shall be unlawful for any person to ride, drive, or cause to be ridden or driven any animal or animal-drawn vehicle upon any public street, unless it is specifically authorized by the permit.

5. It shall be unlawful for any person or group to block or attempt to block or otherwise interfere with a person's ingress or egress from any residence or place of business.

(S) **PENALTY FOR VIOLATION OF SECTION:** Any person violating any provision of this Section shall, upon conviction, be punished by a fine of not more than FIVE HUNDRED (\$500.00) DOLLARS or imprisonment in the City Jail for a period not to exceed thirty (30) days or by both such fine and imprisonment, in the discretion of the court.

8-3-15: **SCHOOL BUSES:** The driver of a vehicle on a street or highway within the City upon meeting or overtaking, from either direction, any school bus which has stopped for the purpose of receiving or discharging school children shall stop the vehicle before reaching the school bus where there is in operation on the school bus a visual signal, and said driver shall not proceed until the school bus resumes motion or is signalled by the school bus driver to proceed or the visual signals are no longer actuated.

The driver of a vehicle upon a street or highway of which the roadways for traffic moving in opposite directions are separated by a strip of ground which is not surfaced or suitable for vehicular traffic need not stop his vehicle upon meeting or passing a school bus which is on the opposite roadway and need not stop his vehicle when driving upon a controlled-access highway when a school bus is stopped in a loading zone adjacent to the surfaced or improved part of the controlled-access highway where pedestrians are not permitted to cross such controlled-access highway.

8-3-16: **PUBLIC PASSENGER VEHICLES:** No operator of a public passenger vehicle shall solicit business in such manner as to interfere with the lawful movement of traffic.

8-3-17: **OFFENSIVE NOISES:** It shall be unlawful for the operator of any vehicle which is either stopped, standing, parked or moving, to so quickly accelerate such vehicle or to so rapidly shift the gears of his vehicle so as to cause the tires, engine and/or muffler to create an offensive noise which is unusually loud.

It shall not be a defense to the charge of excessive noise that the muffler on the vehicle was a muffler meeting the requirements of this Title.

8-3-18: **RECKLESS DRIVING:** Any person who drives any vehicle with a wilful or wanton disregard for the safety of persons or property is guilty of reckless driving. Every person convicted of reckless driving shall be punished upon a first conviction by a fine of not less than one hundred fifty dollars (\$150.00) nor more than five hundred dollars (\$500.00) and on a second or subsequent conviction shall be punished by a fine of not less than three hundred fifty dollars (\$350.00) nor more than five hundred dollars (\$500.00).

8-3-19: **DRAG RACING:** It shall be unlawful for any person, as an operator of a motor vehicle, to participate in drag racing. For the purposes of this Section, "drag racing" means the act of two (2) or more individuals competing or racing on any street or highway in the City in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the one driver attempts to prevent the competing driver from passing or overtaking him, either by acceleration or maneuver, or one or more individuals competing in a race against time on any street or highway within the City.

Any person who, as an operator of a motor vehicle, is convicted of being a participant in drag racing shall be punished upon a first conviction by a fine of not less than one

hundred fifty dollars (\$150.00) nor more than five hundred dollars (\$500.00) and, on a second or subsequent conviction, shall be punished by a fine of not less than three hundred fifty dollars (\$350.00) nor more than five hundred dollars (\$500.00).

**8-3-20: DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS:**

- A. A person shall not drive or be in actual physical control of a motor vehicle within this City while:
1. The alcohol concentration in such person's blood or breath is 0.10 or more based on the definition of blood and breath units in 625 ILCS 5/11-501.2;
  2. Under the influence of intoxicating liquor;
  3. Under the influence of any other drug or combination of drugs to a degree which renders such person incapable of safely driving; or
  4. Under the combined influence of intoxicating liquor and any other drug or drugs to a degree which renders such person incapable of safely driving.
- B. The fact that any person charged with violating this Section is or has been legally entitled to use intoxicating liquor or other drugs or any combination of both shall not constitute a defense against any charge of violating this Section.
- C. Upon trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor, evidence of the concentration of alcohol in the person's blood or breath at the time alleged as shown by analysis of a person's blood, urine, breath or other bodily substance is admissible and shall give rise to the following presumptions:
1. If there was at that time an alcohol concentration of 0.05 or less, it shall be presumed that the person was not under the influence of intoxicating liquor.
  2. If there was at that time an alcohol concentration in excess of 0.05 but less than 0.10, such fact shall not give rise to any presumption that the person was or was not under the influence of intoxicating liquor, but such fact may be considered with other competent evidence in determining whether such person was under the influence of intoxicating liquor.
  3. If there was at that time an alcohol concentration of 0.10 or more, it shall be presumed that the person was under the influence of intoxicating liquor.

Percent by weight of alcohol in the blood shall be based upon milligrams of alcohol per one hundred (100) cubic centimeters of blood. Evidence based upon a chemical analysis of blood, urine, breath or other bodily substance shall not be admitted unless

such substance was procured and such analysis made with the consent of the person as provided by this Title, whose bodily substance was so analyzed.

The foregoing provisions of this subsection shall not be construed as limiting the introduction of any other relevant evidence bearing upon the question whether the person was under the influence of intoxicating liquor.

- D. Chemical analysis of the person's blood or breath to be considered valid under this Section must be performed according to uniform standards adopted by the State Department of Public Health in cooperation with the Superintendent of State Highway Police and by an individual possessing a valid permit issued by the Department for this purpose.
- E. When an unconscious person or person otherwise incapable of refusal is given a blood test at the request of a law enforcement officer, only a physician authorized to practice medicine in all its branches, a registered nurse or other qualified person may withdraw blood in a manner prescribed by the Department of Public Health for the purpose of determining the alcoholic content therein.
- F. The person tested may have a physician authorized to practice medicine in all its branches, a qualified technician, chemist, registered nurse or other qualified person of his own choosing to administer a chemical test or tests, at his own expense, in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person does not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.
- G. Upon the request of the person who submitted to a chemical test or tests at the request of a law enforcement officer, full information concerning the test or tests must be made available to him or his attorney.
- H. Evidence of a refusal by a person to submit to a chemical test shall be admissible in any civil action or proceeding or prosecution in any action brought against him for a violation of this Section prohibiting driving a motor vehicle while under the influence of intoxicating liquor.
- I. Every person who is convicted of a violation of this Section shall be sentenced to pay a fine which shall not exceed for each offense One Thousand Dollars (\$1,000.00) and/or a term of imprisonment for a determinate term of less than one year and, in addition to any other criminal or administrative action, for any second or subsequent conviction of violating this Section, committed within five (5) years of a previous violation, or by violating any similar provision of 625 ILCS 5/11-501 or any similar provision of any other local ordinance, within five (5) years of a previous violation, shall be mandatory sentenced to a minimum of forty-eight (48) consecutive hours of imprisonment or assigned to a minimum of ten (10) days of community service as may be determined by the court. The imprisonment or assignment shall not be

subject to suspension nor shall the person be eligible for probation in order to reduce the sentence or assignment.

## CHAPTER 4

### STOPPING, STANDING AND PARKING

#### SECTION:

- 8-4-1: No-Parking Places
- 8-4-2: Manner of Parking
- 8-4-3: Authority to Regulate Parking and Traffic
- 8-4-4: Selling Vehicles on Streets; Peddling from Vehicles
- 8-4-5: Unattended Vehicles
- 8-4-6: Prima Facie Proof
- 8-4-7: Penalties

8-4-1: **NO-PARKING PLACES:** Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic-control device, no person shall:

A. Stop, stand or park a vehicle:

1. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;
2. On a sidewalk;
3. Within an intersection;
4. On a crosswalk;
5. Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
6. Alongside or opposite any street excavation or obstruction when stopping, standing or parking would obstruct traffic;
7. Upon any bridge or other elevated structure or within a highway tunnel, underpass or subway;
8. On any railroad tracks;
9. On any controlled-access highway;
10. In the area between roadways of a divided highway, including crossovers.

- B. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:
  1. In front of a public or private driveway;
  2. Within fifteen feet (15') of a fire hydrant;
  3. Within twenty feet (20') of a crosswalk at any intersection;
  4. Within thirty feet (30') upon the approach to any flashing signal, yield sign or traffic-control signal located at the side of a roadway;
  5. Within twenty feet (20') of the driveway entrance to any fire station; within seventy-five feet (75') of such entrance when properly signposted;
  6. At any place where official signs prohibit standing or parking.
  7. Within fifteen feet (15) on either side of a curbside residential mailbox from Monday-Saturday 8:00 A.M. to 5:00 P.M. when such parking actually interferes with the delivery of mail. (Ord. No. 1462-A323-12/13 02/25/13)

- C. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers:
  1. Within fifty feet (50') of the nearest rail of a railroad crossing;
  2. At any place where official signs prohibit parking.
  3. This section shall not apply to vehicles properly parked in marked diagonal stalls. (Ord. No. 1462-A316-12/13 08/27/12)

D. RESTRICTED PARKING: No person shall park a vehicle on:

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>	<b>Direction</b>	<b>Side</b>
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**SEE PARKING SCHEDULE**  
 (Ord. No. 1462-A350-16/17 11-28-16 last update)

- E. RESTRICTED PARKING WITH PERMIT
  - (i) Parking will be allowed on Center Street between 13th Street and Garden Street between the hours of 9:00 am and 5:00 pm, Monday through Saturday, by vehicles displaying a valid permit in the lower left hand corner of the vehicle's rear window. All non-permit holding vehicles remain subject to the two hour parking limitation as set forth in the Restricted Parking Schedule of Title 8, Chapter 4, Section D. Said permits will be available at the City of Pekin Police Department for an annual fee of \$10.00 per authorized vehicle upon proof of residency and vehicle registration to that Center Street address.



- (ii) Parking will be allowed on South 13<sup>th</sup> Street between Park Avenue and Martha Street between the hours of 9:00 am and 5:00 pm, Monday through Saturday, by vehicles displaying a valid permit in the lower left hand corner of the vehicle's rear window. All non-permit holding vehicles remain subject to the two hour parking limitation as set forth in the Restricted Parking Schedule of Title 8, Chapter 4, Section D. Said permits will be available at the City of Pekin Police Department for an annual fee of \$10.00 per authorized vehicle upon proof of residency and vehicle registration to that 13<sup>th</sup> Street address.
- (iii) Parking will be allowed on the 600 blocks of Hillyer Street 24 hours on all days by vehicles displaying a valid placard in the front driver's side of the vehicle's window. All non-placard holding vehicles remain subject to the two hour parking limitation as set forth in the Restricted Parking Schedule of Title 8, Chapter 4, Section D. Said placards will be available at the City of Pekin Police Department for an annual fee of \$10.00 per authorized vehicle upon proof of residency and vehicle registration to that Hillyer Street address. (Ord. No. 1462-A337 08-25-14)
- (iv) Parking will be allowed on Haines Avenue 24 hours on all days, by vehicles displaying a valid placard in the front driver's side of the vehicle's window. All non-placard holding vehicles remain subject to the two hour parking limitation as set forth in the Restricted Parking Schedule of Title 8, Chapter 4, Section D. Said placards will be available at the City of Pekin Police Department for an annual fee of \$10.00 per authorized vehicle upon proof of residency and vehicle registration to that Haines Avenue address. (Ord. No. 1462-A337 08-25-14)
- (v.) The display of a parking sticker as described in Title 8, Chapter 4, Section E. (i) or (ii), in an unauthorized or otherwise improperly registered vehicle is strictly prohibited and any such use will result in a penalty pursuant to Title 8, Chapter 4, Section 1 E. (viii).
- (vi) The transfer of parking stickers described in Title 8, Chapter 4, Section 1 E. (i) or (ii), is permitted between vehicles upon the proper registration of the transferee vehicle, however, at no time shall two vehicles be registered to the same permit. Any such violation will result in a penalty pursuant to Title 8, Chapter 4, Section 1 E. (viii).
- (vii) The transfer of parking placards described in Title 8, Chapter 4, Section 1 E. (iii) or (iv), is permitted between vehicles. Any such violation will result in a penalty pursuant to Title 8, Chapter 4, Section 1 E. (viii).
- (viii) Any violation of Title 8, Chapter 4, Section 1 E. (i), (ii), (iii) or (iv) will result in the revocation of any and all parking permits or placard provided to vehicles registered to the address of the permit holder and will disqualify any vehicle registered to any current resident from obtaining a parking permit. (Ord. No. 1462-A-238 09/12/05)

F. **SCHOOL BUS LOADING ZONES.** All school bus loading and unloading zones are specifically reserved for the use of school buses delivering children and receiving children from the school there located, and except for said public school buses, no other persons shall be permitted to utilize said area for parking of motor vehicles at any time. Said zones shall be on school days between 7:30 A.M. and 5:00 P.M. as follows:

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>	<b>Direction</b>	<b>Side</b>
No Parking	Buena Vista Avenue	Washington Street	½ Block North	North-South	E
No Parking	Earl Street	150' N. Illinois Street	220' N. Illinois Street	North	E
No Parking	Florence Avenue	Sheridan Road	Memorial Drive	North	E
No Parking	Highwood Avenue	Sunset School Entrance	225 feet North	North	E
No Parking	Holiday Drive	Sheridan Road	Independence Drive	South	E
No Parking	Matilda Street	Earl Street	N. Fourteenth Street	East-West	S
No Parking	Park Avenue	Summer Street	Capitol Street	East	S
No Parking	S. Sixth Street	Washington Street	Hillyer Street	North	W
No Parking	St. Joseph Place	Haines Avenue	S. Sixth Street	West	N
No Parking	State Street	100' W. Fourth Street	170' W. Fourth Street	East	N
No Parking	Summer Street	½ Block N. Walnut	Park Avenue	North	E
No Parking	Veerman Street	Willow School	Willow School	North	E

G. **BUS LOADING ZONES.** The following areas are hereby established as bus loading zones. The first named street in each paragraph indicates the area and location of said zone, and no vehicle other than buses shall occupy said designated zones:

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>	<b>Direction</b>	<b>Side</b>
Bus Loading	Court Street	S. Capitol Street	40 feet East	East	N
Bus Loading	Court Street	S. Fifth Street	40 feet East	East	S
Bus Loading	Court Street	S. Fourth Street	40 feet East	East	S
Bus Loading	S. Capitol Street	Court Street	Elizabeth Street	North	E

(Ord. No. 1462-A345-15/16 04/25/16)

H. **SNOW EMERGENCY ROUTES**

1. **PARKING ON SNOW EMERGENCY ROUTES**

Whenever the City Manager or his designated representative finds, on the basis of falling snow, sleet or freezing rain, or on the basis of a forecast by the United States Weather Bureau or other weather service of snow, sleet or freezing rain, that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on City streets be prohibited or restricted for snow plowing or other purposes, the City Manager or his designated representative shall put into effect a parking prohibition on part or all snow emergency routes as is necessary by declaring said prohibition in the manner prescribed in subsection 8-4-1. H.1.e.

- a. Notwithstanding the provisions of this Chapter, a parking prohibition shall automatically go into effect on any part of any snow emergency route on which there has been an accumulation of ice or of two (2) inches of snow and an additional one (1) or more inches is forecasted. (Ord. No. 1462-A268-07/08 1-14-08)
- b. Regardless of weather or not the snow emergency route has been plowed, a prohibition under this Section shall remain in effect for 48 hours unless the City Manager or his designated representative, by declaration prior to the end of such 48 hour period and in the manner prescribed in Subsection 8-4-1. H.1.e., extends such prohibition beyond the initial 48 hour period.
- c. Whenever the City Manager or his designated representative shall find that some or all of the conditions which give rise to a parking prohibition in effect pursuant to this Section no longer exist, he may declare the prohibition terminated, in whole or in part. The termination of a parking prohibition pursuant to this subsection shall be effective immediately upon declaration, such declaration to be made in the manner prescribed in subsection 8-4-1. H.1.e.
- d. Snow emergency routes are set forth on the attached map entitled City of Pekin Snow Emergency Routes. The map shall be available to the public in the offices of the City Clerk. On each street designated by this Section as a snow emergency route, the City shall post special signs at intervals indicating that this is an emergency snow route. These signs shall be distinctive and uniform in appearance and shall be plainly readable to persons traveling on the street or highway.
- e. The City Manager or his designated representative shall cause each declaration of a snow emergency made by him pursuant to this Section to be publicly announced through the news media. Each declaration shall describe the action taken by the City Manager or his designated representative, including the time such action became or will become effective (which time shall be between the hours of 7 a.m. and 7 p.m.), and shall specify the streets affected.

The Manager or his designated representative shall make or cause to be made a record of each time and date when any declaration is announced to the public in accordance with this section. (Ord. No.2237 04-23-01)

## **2. PARKING PROHIBITED ON STREETS NOT DESIGNATED SNOW EMERGENCY ROUTES**

Whenever the City Manager or his designated representative shall find, on the basis of accumulated snow, sleet or ice, that it is necessary that parking on streets not designated “snow emergency routes” be prohibited or restricted, he may put into effect a parking

prohibition on parts of or on all of the streets by declaring that parking be prohibited. Such declaration shall be made in the manner prescribed in subsection 8-4-1.H.1.e. In the declaration, the City Manager or his designated representative shall state the date and time on which such parking prohibition shall take effect, provided said time shall not be less than (3) hours after such declaration. Regardless of whether or not such streets have been plowed, said parking prohibition shall remain in effect until terminated by declaration of the City Manager or his designated representative.

### **3. EFFECT OF CONFLICTING PROVISION OF LAW**

Any provision of this ordinance shall, while temporarily in effect, take precedence over any conflicting provisions of law normally in effect, with the exception of provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles and emergency traffic directions of a police officer.

### **4. CONDITION OF MOTOR VEHICLE OPERATED IN SNOW EMERGENCY ROUTE**

No person operating a motor vehicle on a part of a snow emergency route on which there is a covering of snow, sleet or ice, or on which there is a parking prohibition in effect, shall allow such vehicle to become stalled wholly or partly because the drive wheels thereof are not equipped with effective tire chains, snow tires or radial tires, or to become stalled because the motor fuel supply is exhausted or the battery has become inoperative.

### **5. STALLED VEHICLE ON SNOW EMERGENCY ROUTE**

Whenever a vehicle becomes stalled for any reason, whether or not in violation of the Chapter, on any part of a snow emergency route on which there is a covering of snow, sleet or ice, or on which there is a parking prohibition in effect, the person operating such vehicle shall take immediate action to have the vehicle towed or pushed off the roadway of such snow emergency route onto the first cross street which is not a snow emergency route. No person shall abandon or leave his vehicle in the roadway of a snow emergency route regardless of weather he indicated, by raising the hood or otherwise, that the vehicle is stalled.

### **6. REMOVAL**

Whenever any motor vehicle shall be found parked, abandoned or stalled on a street in violation of subsection 8-4-1.H.1 through 8-4-1.H.5 inclusive, such vehicle may be removed and conveyed by means of towing and impounding or towing and removing to the nearest available parking space on the nearest cross street which is not a street on which parking pursuant to this or any other ordinance is prohibited, or towing and removing to an available off-street location. The owner of such vehicle shall be responsible for all such towing, impounding and storage charges.

## **7. PARKING VIOLATION NOTICE, PENALTY**

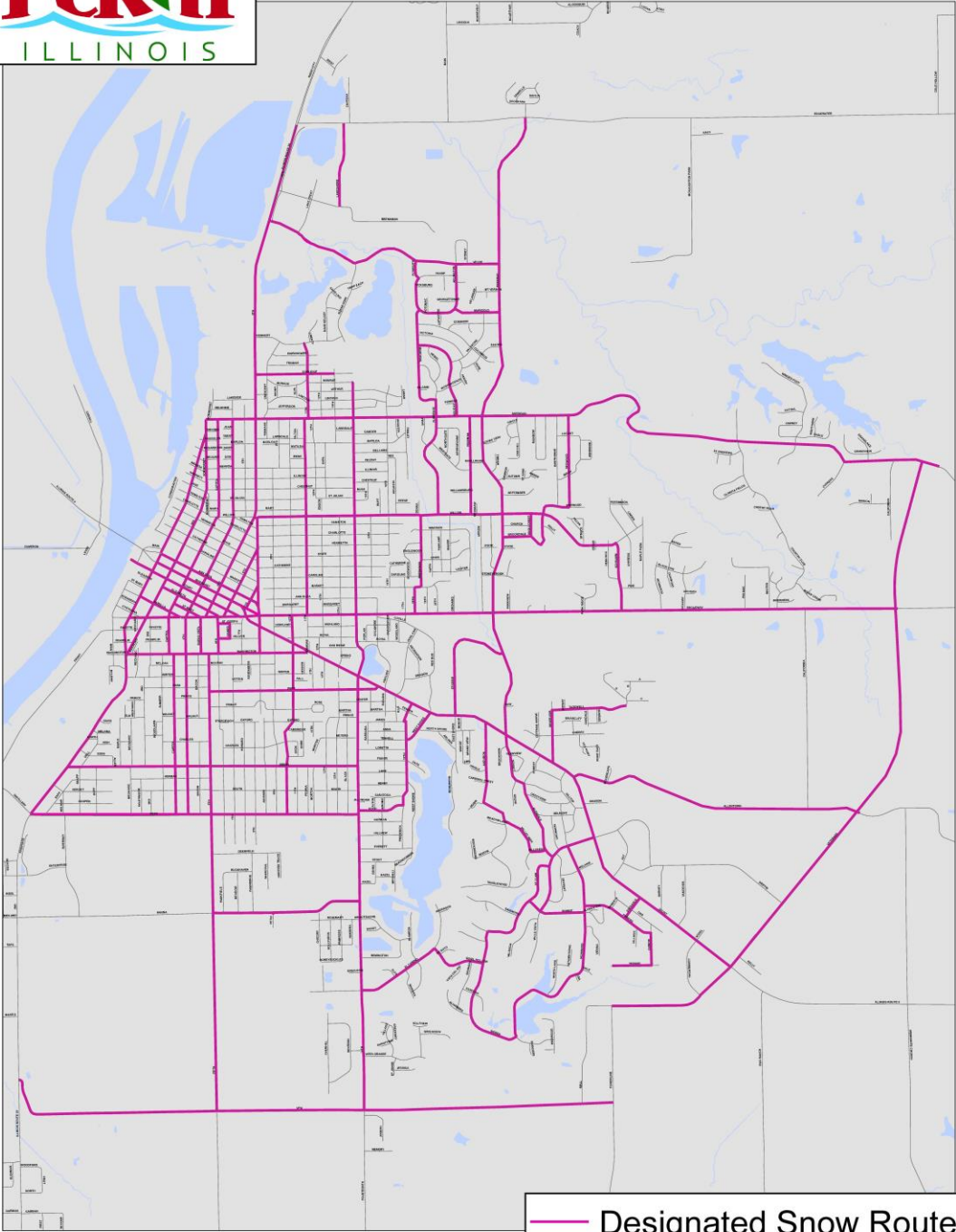
Whenever any motor vehicle shall be found illegally parked, abandoned or stalled in violation of Sections 8-4-1.H.1. through 8-4-1 H.6. inclusive, the police shall notify the owner or driver of such vehicle by handing to him or fixing on the vehicle a parking violation notice. The owner or driver of the vehicle may appear in person or mail the sum of \$100.00 dollars to the parking collection office within seven (7) days of the issuance of said notice excluding Saturdays, Sundays and holidays in full satisfaction of said violation. Upon failure to pay such penalty within seven (7) days, the owner of the vehicle shall pay the penalty described in Section 8-4-7-9.1-2 of this Code.

(Ord. No. 2237 04-23-01)

See Attached Map of Snow Routes



# Designated Snow Routes



Updated November 12, 2014

## **I. PARKING OF TRUCKS RESTRICTED**

1. No person shall stand or park any truck, road tractor, semitrailer, trailer, house trailer, motor home or bus on any street in a residential district for a longer period than is necessary for the reasonably expeditious loading or unloading of such vehicles; except

a. A driver of a bus or school bus may park such bus or school bus in a designated bus zone or stand, as is provided otherwise in this Chapter.

b. A person may park a trailer in a residential district, except during the period from sunset to sunrise.

c. A person may park a motor home in a residential district for a period not to exceed 72 hours.

This restriction shall not apply to any pickup truck or van whose extreme overall length does not exceed 235 inches and whose body width, excluding mirrors or similar accessories, does not exceed 80 inches.

2. Any vehicle parked in violation of this section is subject to a fine of \$10.00 per day, and is further hereby declared to be a nuisance, which may be abated by order of the Chief of Police by impounding such vehicle. In the case of such impoundment, the procedure used for impounding abandoned vehicles described in Chapter 8 of this Title 8 shall apply.

(Ord. No. 1462-A213 07-28-03)

### **8-4-2: MANNER OF PARKING:**

#### **A. Generally:**

1. Except as otherwise provided in this subsection, every vehicle stopped or parked upon a two-way roadway shall be so stopped or parked with the right-hand wheels parallel to and within twelve inches (12") of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder. In the case of angled parking, the front right wheel shall be within twelve inches (12") of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder.

2. Every vehicle stopped or parked upon a one-way roadway shall be so stopped or parked parallel to the curb or edge of the roadway, in the direction of authorized traffic movement, with its right-hand wheels within twelve inches (12") of the right-hand curb or as close as practicable to the right edge of the right-hand shoulder or with its left-hand wheels within twelve inches (12") of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder. IN the case of angled parking, the front right wheel shall be within twelve inches (12") of the left-handed curb or as close as practicable to the right edge of the right-hand shoulder; or the front left wheel shall be within twelve inches (12") of the left-hand curb or as close as practicable to the left edge of the left-hand shoulder.

- B. Outside of Business or Residence District: Outside of a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or so leave such vehicle off the roadway, but in every event, an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available for a distance of two hundred feet (200') in each direction.

(Ord. No. 1462-A259 Lights in Vehicles 02-26-07)

- C. Exemptions:

- 1. This Section shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position.

- 2. This section shall not apply to vehicles properly parked in marked diagonal stalls.  
(Ord. No. 1462-A316-12/13 08/27/12)

#### **8-4-3: AUTHORITY TO REGULATE PARKING AND TRAFFIC:**

- A. Handicapped Parking: Motor vehicles displaying handicapped person identification devices as issued by the Secretary of State (including handicapped person parking permits, transporter of handicapped person parking permits, handicapped person vehicle registration plates and disabled veteran vehicle registration plates) and all vehicles displaying handicapped person parking permits as issued by any municipal corporation in the State of Illinois may be parked at specially designated handicapped parking spaces within the City and may further park in conformity with Chapter 625 ILCS 5/11-1301.1. Nothing herein, however, shall be interpreted as permitting any vehicle to be parked at any metered parking space without paying the required fee.
- B. Designation of Handicapped Parking Areas: The City Traffic Safety Committee is hereby authorized to determine and designate, upon public property, by proper signs places which shall be reserved for the parking of vehicles displaying handicapped person parking devices as set forth in Section 8-4-3-B herein and the owners or lessees of private property within the City are hereby authorized to determine and designate by proper signs places which shall be reserved for the parking of vehicles displaying handicapped person parking devices as set forth in Section 8-4-3-B herein.
- C. Authority to Contract: The Corporate authorities of the City may by contract empower the City to regulate parking and traffic of motor vehicles in accordance with the provisions of Chapter 625 ILCS 5/11-209. The Chief of Police is hereby given authority to enter into and bind the City to contracts under this Section.



D. Violation of Handicapped Parking: No vehicle shall be parked in a space designated for vehicles for handicapped persons unless such vehicle shall have displayed thereon a handicapped person parking device as set forth in 8-4-3-A.

E. Regulation of Handicapped Parking Areas: The City may regulate Handicapped Parking Areas on private property if such area is properly designated with a sign in the form and manner prescribed in 625 ILCS 5/11-301. This authority is granted regardless of whether the City has entered into a contract with the property owner.

F. The following areas are designated as handicapped parking areas:  
 (Ord No. 1462-A249 02-13-06) (Ord No. 1462-A262 06-11-07) (Ord. No. 1462-A286 11-24-08)  
 (Ord No. 1462-A289 12-22-08) (Ord No. 1462-A320 11-26-12) (Ord. No. 1462-A332 03-24-14)  
 (Ord. No. 1462-A333 04-28-14) (Ord. No. 1462-A334 05-27-14) (Ord. No. 1462-A335 07-28-14)  
 (Ord. No. 1462-A339 10-27-14) (Ord No. 1462-A342 09-14-15)

<b>Control</b>	<b>On Street</b>	<b>At or From</b>	<b>To</b>	<b>Direction</b>	<b>Location</b>
Handicapped	Buena Vista	Washington Street	96' N of Washington	South	(1 space) St Paul's Church
Handicapped	Buena Vista	Washington Street	61' N of Washington	South	(1 space) St Paul's Church
Handicapped	Court Street	N. Fifth Street	N. Fourth Street	West	1st space east of N 4th St.
Handicapped	Court Street	N. Third Street	N. Second Street	West	1st space E of Second St.
Handicapped	Court Street	S. Capitol Street	S. Fourth Street	East	1st space west of apron Courthouse parking lot
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	1st space west of apron Courthouse parking lot
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	1st space west of S. Fourth St
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	2 <sup>nd</sup> space west of S. Fourth St
Handicapped	Elizabeth Street	S. Fourth Street	Capitol Street	West	3 <sup>rd</sup> space west of S. Fourth St
Handicapped	Elizabeth Street	S. Capitol Street	S. Fourth Street	East	4 <sup>th</sup> space E of S Capitol
Handicapped	N. Nineteenth St	South of Sidewalk	Housing Authority	East Side	19 <sup>th</sup> St 1 space
Handicapped	N. Nineteenth St	Broadway Road	Market Street	North	1st space appr. center of blk
Handicapped	N. Nineteenth St.	Broadway Road	Market Street	North	2 <sup>nd</sup> space appr center of blk
Handicapped	Park Avenue	105' E. of 13 <sup>th</sup> St	135' E. of 13 <sup>th</sup> St	West	1 space by Pekin Hospital
Handicapped	S. Capitol Street	323 S. Capitol Street	323 S. Capitol Street	North	323 S. Capitol Street east side of street across
Handicapped	S. Capitol Street	Sabella Street	by City Hall	North	(2 spaces) 195' and 225' West
Handicapped	S. Capitol Street	Elizabeth Street	by Justice Center	South	(1 space) 20' South
Handicapped	S. Capitol Street	352 S. Capitol Street	352 S. Capitol Street	North	352 S. Capitol Street
Handicapped	S. Sixth Street	Broadway Road	St. Joseph Place	South	1 spaces W side str by PO
Handicapped	Sabella Street	Broadway Road	S. Capitol Street	West	1st space E of S Capitol/Elks
Handicapped	Sabella Street	Capitol Street	by City Hall	West	(2 spaces) 90' and 120' North
Handicapped	St. Mary Street	S. Fourth Street	S. Capitol Street	West	1st space W of S 4th/Herget
Handicapped	State Street	Rotary Park Shelter	1115 State St	West	1 <sup>st</sup> space west of driveway
Handicapped	Vienna Court	1825 Vienna Court	1825 Vienna Court	South	1 space 10' west of walkway West side
<b>PARKING LOTS</b>					
Handicapped	Water Street	Foot of Court Street		North-South	as marked in parking lot
Handicapped	Parking Lot A				3 spaces #800, 835, 836
Handicapped	Parking Lot B				1 space #313
Handicapped	Parking Lot E				3 spaces #21, 22, 23

8-4-4: **SELLING VEHICLES ON STREETS; PEDDLING FROM VEHICLES:** It shall 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.

8-4-5: **UNATTENDED VEHICLES:** No person driving or in charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, removing the key from the ignition, effectively setting the brake and when standing upon any perceptible grade, turning the front wheels to the curb or side of the highway.

8-4-6: **PRIMA FACIE PROOF:** Whenever any vehicle shall have been parked in violation of the provisions prohibiting or restricting parking, the person in whose name such vehicle is registered shall be prima facie responsible for such violation and subject to the penalty thereafter.

8-4-7: **PENALTIES:**

## **1. PURPOSE**

The stated purpose of this Ordinance is to provide a fair and efficient enforcement of Municipal vehicular standing, parking, and condition of vehicle regulation violations(s) and other Municipal regulation violations(s) as may be allowed by law, Through an administrative adjudication of violations(s) of Municipal Ordinances regulating the standing, parking, and condition of vehicles within the geographic boundaries of this Municipality and a schedule of uniform times and penalties and authority and procedures for collection of unpaid fines and penalties.

For purposes of this Ordinance “compliance violation” means a violation of a municipal regulation governing the condition or use of equipment on a vehicle or governing the display of a municipal wheel tax license.

## **2. ADMINISTRATIVE COMPOSITION**

The system of administrative adjudication of vehicular standing, parking, and compliance, regulation violations(s) shall provide for a Traffic Compliance Administrator, Hearing Officer, Computer Operator/System Coordinator and Hearing Room Personnel (Deputy), with the power, authority and limitations as are hereinafter set forth:

**2.1 Traffic Compliance Administrator** - shall be empowered and is hereby authorized and directed to:

- A) Operate and manage the system of administrative adjudication of vehicular standing, parking, and compliance regulation violations(s).

- B) Adopt, distribute and process standing, parking, and compliance violation notices and other notices as may be required under this Ordinance or as may be reasonably required to carry out the purpose of this Ordinance.
- C) Collect moneys paid as fines and/or penalties assessed after a final determination of vehicular standing, parking, or compliance regulation violation(s) liability.
- D) Conduct hearings, as a Hearing Officer with the same power and authority as is hereinafter set forth, during the absence of the appointed Hearing Officer.
- E) Certify copies of final determinations(s) of standing, parking, and compliance regulation violation(s) liability and factual report(s) verifying that the final determination of standing, parking, and compliance regulation violation(s) liability was issued in accordance with this Ordinance and 625 ILCS 5/11-208.3.
- F) Certify reports to the Secretary of State concerning initiation of suspension of driving privileges in accordance with the provisions of this Ordinance, hereinafter set forth, and those of Chapter 625 ILCS 5/6-306.5.
- G) Review final determinations(s) of vehicular standing, parking, and compliance regulation violation(s) liability, validity of notices of impending impoundment or validity of notice of impending drivers license suspension, in an administrative review capacity in accordance with the provisions of this Ordinance, hereinafter set forth.
- H) Promulgate rules and regulations reasonably required to operate and maintain the administrative adjudication system hereby created.
- I) Collect unpaid fines and penalties by filing Complaints in the Circuit Court or selecting or appointing an individual or agency to act on behalf of this Municipality in filing Complaints seeking Judgments for unpaid fines or penalties and pursuit of all post-judgment remedies available by current law.
- J) To select or appoint an individual, agency or firm to tow and impound vehicles in accordance with the provisions of this Ordinance, hereinafter set forth.

**2.2 Hearing Officer-** shall be empowered and is hereby authorized and directed to:

- A) Preside over the administrative hearings, established herein, as the adjudicator.
- B) Administer oaths.

- C) Issue subpoenas to secure the attendance of witnesses and production of relevant papers or documentation.
- D) Assess fines and penalties for the violation of vehicular standing, parking, or compliance regulation violation(s) as are established in Section 9 hereof.
- E) Make final determination of:
  - 1) Vehicular standing, parking and compliance regulation violation(s) liability.
  - 2) Validity of Notice of impending impoundment.
  - 3) Validity of Notice of impending drivers license suspension in accordance with the provisions of this Ordinance, hereinafter set forth.
- F) Provide for the accurate recordation of the administrative adjudication hearing(s).

**2.3 System Coordinator/Computer Operator**- are hereby authorized and directed to operate and maintain the computer program(s) for the administrative adjudication system hereby created, on a day to day basis, including but not limited to:

- A) Input of violation notice information.
- B) Hearing date(s) and notice dates.
- C) Fine and penalty assessments and payment(s).
- D) Issue payment receipts.
- E) Issue succeeding notices of Hearing dates, final determination of liability, notice of impending impoundment, and notice of impending drivers license suspension, as directed by the Traffic Compliance Administrator in accordance with the provisions hereinafter set forth.
- F) Keep accurate records of appearances and non-appearances at administrative hearing, pleas entered, fines and penalties assessed and paid.

**2.4 Hearing Room Personnel** - are hereby authorized and directed to:

- A) Maintenance hearing room decorum.
- B) Have and execute authority as is granted to courtroom deputies of the Circuit Court.

C) Perform such other duties or acts as may reasonably be required and as directed by the Hearing Officer or Traffic Compliance Administrator

D) This position is limited to off-duty, full-time, part-time or auxiliary police officers.

**2.5 Appointments** - The Mayor is hereby authorized to appoint persons to hold the positions above set forth. One person may hold and fulfill the requirements of one or more of the above stated positions.

**2.6 Compensation** to be paid for each of the above stated positions shall be as determined by the Mayor and approved by the City Council.

### **3. PROCEDURE**

The system of administrative adjudication of vehicular standing, parking, and compliance regulation violation(s) shall be in accordance with the following procedures and final determination(s) of vehicular standing, parking, and compliance regulation violation(s) liability, validity of notice of impending impoundment, validity of notice of impending drivers license suspension, impoundment of vehicle and collections shall be made only in accordance with the provisions set forth below:

**3.1 Violation Notice** - vehicular standing, parking, and compliance regulation violation(s) ("violation notice"(s)) shall be issued by the person(s) authorized herein and shall contain information and shall be served, certified and have evidentiary admissibility as is hereinafter set forth.

**3.2 Authorization** - All full-time, part-time, auxiliary police and community service officers, as well as, other specifically appointed individuals shall have the authority to issue violation(s) notices.

**3.3 Detection of Violations** - Any individual authorized hereby to issue violations(s) notices and who detects a violation of any section of any applicable Municipal Ordinance, shall issue a notice of violation thereof and shall make service thereof as is hereinafter set forth.

**3.4 The vehicular standing, parking, and compliance regulation "Violation Notice" shall contain**, but shall not be limited to, the following information:

A) The date, time and place of the violation (date of issuance).

B) The particular vehicular standing, parking, or compliance regulation violated.

C) Vehicle make and state registration number.

- D) The fine and any penalty which may be assessed for late payment.
- E) The signature and identification number of the person issuing the notice.
- F) A section entitled "Request for Hearing" which shall clearly set forth that the registered owner or lessee may appear at the initial administrative hearing to contest the validity of the violation notice on the date and at the time and place as specified in the violation notice by:
  - 1) Checking or placing a mark in a space provided and clearly identified, "Request for Hearing".
  - 2) Placing his/her name and current address in the place provided.
  - 3) Signing his/her name and current address in the place provided.
  - 4) Filing the violation notice with the "Request for Hearing" portion fully completed; with the Traffic Compliance Administrator postmarked within 10 days of the violation notice issuance. The request shall be deemed filed upon receipt by the Traffic Compliance Administrator.
- G) The date, time and place of an administrative hearing at which the violation may be contested on its merits.
- H) That payment of the indicated fine and any late payment penalty shall operate as a final disposition of the violation.
- I) A section entitled, "Non-Resident Request for Hearing - Non-Appearance", which clearly sets forth that a non-resident registered owner or lessee may appear at the initial administrative hearing to contest the validity of the violation notice without personally appearing by:
  - 1) Checking or placing a mark in a space provided and clearly identified, "Non-Resident Request for Hearing - Non-appearance".
  - 2) Placing his/her name and current address in the place provided.
  - 3) Signing his/her name in the appropriate indicated place.
  - 4) Filing the violation notice with the "Non-Resident Request for Hearing" portion fully completed, with the Traffic Compliance Administrator postmarked within 10 days of the violation notice issuance. The request shall be deemed filed upon receipt by the Traffic Compliance Administrator.

- 5) Filing a notarized statement of facts specifying the grounds for challenging the violation notice which must be filed with the traffic Compliance Administrator postmarked within 10 days of the violation notice issuance. The request shall be deemed filed, if post marked by the due dates herein specified.
- 6) A clearly marked statement that execution of the Non-Resident Request for Hearing is a waiver of the non-resident's right to a personal appearance and that the adjudication will be made based upon the notarized statement of facts submitted by the non-resident and the facts contained in the violation(s) notice(s).

**3.5 Service of the violation(s) notice(s)** shall be made by the person issuing such notice by:

- A) Affixing the original or a facsimile of the notice to an unlawfully standing or parked vehicle, or
- B) Handing the notice to the registered owner, operator or lessee of the vehicle, if present

**3.6 The correctness of facts** contained in the vehicular standing, parking, or compliance regulation violation(s) notice(s) shall be certified by the person issuing said notice by:

- A) Signing his/her name to the notice(s) at the time of service, or
- B) In the case of notice produced by a computer device, by signing a single certificate, to be kept by the Traffic Compliance Administrator, attesting to the correctness of all notices produced by the device while under his/her control.

**3.7 The original or a facsimile** of the violation(s) notice(s) shall be retained by the Traffic Compliance Administrator and kept as a record in the ordinary course of business.

**3.8 Prima Facia Evidence of Correctness** - Any violation(s) notice(s) issued, signed and served in accordance herewith, or a copy of the notice, shall be prima facia correct and shall be prima facia evidence of the correctness of the facts shown on the notice.

**3.9 Admissibility** - The violation(s) notice(s) or a copy(s) shall be admissible in any subsequent administrative or legal proceeding.

#### **4. ADMINISTRATIVE HEARINGS**

An administrative hearing to adjudicate the alleged standing,, parking, or compliance regulation violation(s) on its merits;

- 4.1 Shall be granted to - the registered owner or operator of the “cited vehicle”,** pursuant to Chapter 625 ILCS 5/11-208.3 **or the lessee** of the “cited vehicle”, pursuant to Chapter 625 ILCS 5/11-1306, incorporated herein by reference.
- 4.2 Hearing Dates** - shall be at the date, time and place as is set forth in the violation notice issued and served, or such additional notices issued in accordance with this Ordinance. Violators shall be given no less than three (3) opportunities to appear and failure to appear by the third (3rd) scheduled hearing date will result in a “Final Determination of Liability” as hereinafter set forth.
- 4.3 Shall be tape recorded.**
- 4.4 Shall culminate in a determination of liability or non-liability,** made by the Hearing Officer, who shall consider testimony and other evidence without the application of the formal or technical rules of evidence. The Hearing Officer shall, upon a determination of liability, assess fines and penalties in accordance with Section 9 hereof.
- 4.5 Representation by Attorney** - Persons appearing to contest the alleged standing, parking, or compliance violation on it’s merits may be represented by counsel at their own expense.
- 4.6 Review** - The final determination of any matter which may be decided by the Hearing Officer may be reviewed as is hereinafter set forth.

#### **5. ADDITIONAL NOTICES**

**Upon failure** of the registered owner or lessee of the “cited vehicle” **to appear** at the administrative hearing indicated in the vehicular standing, parking, or compliance regulation violation(s), **or upon final determination of violation liability**, the Traffic Compliance Administrator shall **send or cause to be sent additional notices which:**

- 5.1** Shall be sent to the registered owner or lessee of the “cited vehicle” at the address as is recorded with the Secretary of State.
- 5.2** Shall be sent to the lessee of the “cited vehicle” at the address last known to the lessor of the “cited vehicle” at the time of the lease.
- 5.3** Shall be sent by first class mail, postage prepaid.



**5.4** Service of additional notices sent in accordance herewith shall be complete as of the date of deposit in the United States mail.

**5.5** The additional notices sent in accordance herewith shall be in the following sequence and contain, but not be limited to, the following information:

- A) Upon the failure of the registered owner or lessee of the “cited vehicle” to appear at the hearing set forth in the vehicular standing, parking, or compliance regulation violation(s) notice(s), additional notice(s) shall be sent, as above set forth, and shall contain, but not be limited to the following information:
- parking, or
- 1) Date and location of violation cited in the vehicular standing, compliance regulation violation(s) notice(s).
  - 2) Particular standing, parking, or compliance regulation violated.
  - 3) Vehicle make and state registration.
  - 4) Fine and any penalty that may be assessed for late payment.
  - 5) Notice to the registered owner or lessee of their current status, other than paid in full.
  - 6) Date, time and place of the administrative hearing at which the alleged violation may be contested on it’s merits.
  - 7) Statement that failure to either pay fine and any applicable penalty or failure to appear that the hearing on it’s merits on the date and at the time and place specified will result in a final determination of vehicle standing, parking, or compliance regulation violation(s) liability for the “cited” violation in the amount of the fine and penalty indicated.
  - 8) Statement that upon the occurrence of a final determination of vehicular standing, parking, or compliance violation(s) liability for the failure, and the exhaustion of, or the failure to exhaust, available administrative or judicial procedures for review, any unpaid fine or penalty will constitute a debt due and owing the Municipality.
- B) A notice of final determination of vehicular standing, parking, or compliance regulation violation(s) liability shall be sent following an appearance by the violator and a determination of liability, or the failure to appear by the violator by the third (3rd) and final hearing date upon conclusion of any administrative and/or judicial review, as is hereinafter set forth, and the

notice shall contain, but not be limited to, the following information and warnings:

- 1) A statement that the unpaid fine and any penalty assessed is a debt due and owing the Municipality.
  - 2) A warning that failure to pay the fine and any penalty due and owing the Municipality within the time specified may result in the Municipality's filing a Complaint in the Circuit Court to have the unpaid fine or penalty rendered a Judgement in accordance with Chapter 625 ILCS 5/11-208.3 (f), incorporated herein by reference.
  - 3) A warning that the vehicle owned by the person and located within the Municipality may be impounded for failure to pay fines or penalties for five (5) or more vehicular standing, parking, or compliance regulation violations.
  - 4) A warning that the person's drivers license may be suspended for failure to pay fines or penalties for ten (10) or more vehicular standing or parking violations under Chapter 625 ILCS 5/6-306.5, incorporated herein by reference.
- C) A notice of impending suspension of a person's's drivers license shall be sent to any person determined to be liable for the payment of any fine or penalty that remains due and owing on ten (10) or more vehicular standing or parking regulation violation(s):
- 1) The notice shall state that the failure to pay the fine or penalty owing within forty-five (45) days of the date of the notice will result in the Municipality's notifying the Secretary of State that the person is eligible for initiation of suspension proceedings under Chapter 625 ILCS 5/6-306.5 incorporated herein by reference.
  - 2) The notice of impending drivers license suspension shall be sent by first class mail, postage prepaid, to the address recorded with the Secretary of State.

## **6. FINAL DETERMINATION OF LIABILITY**

A final determination of vehicular standing, parking, or compliance regulation violation(s) liability shall:

**6.1** Occur following the failure to pay the total assessed fine or penalty after the Hearing Officer's determination of vehicular standing, parking, or compliance regulation violation(s) liability and the exhaustion of or the failure to exhaust any administrative review procedures hereinafter set forth, or

**6.2** Where a person fails to appear at a prior hearing or by the third (3rd) and final administrative hearing provided to contest the alleged violation(s) on the date and at the time and place specified in a prior served or mailed notice, the hearing officer's determination of vehicular standing, parking, or compliance regulation violation(s) liability shall become final;

- A) Upon denial of a timely petition to set aside that determination, or
- B) Upon the expiration of the period for filing petition without a filing having been made.

## **7. ADMINISTRATIVE REVIEW**

A petition to set aside a determination of vehicular standing, parking, or compliance regulation violation(s) liability may be filed by a person owing an unpaid fine or penalty in the manner and subject to the restrictions and grounds hereinafter set forth:

**7.1** A written petition to set aside a determination of liability must be filed in the office of the Traffic Compliance Administrator within, but not later than, fourteen (14) days from the date the determination of liability is made.

**7.2** The Traffic Compliance Administrator shall act upon the petition(s) timely filed and render a decision thereon within fourteen (14) days of the date filed.

**7.3** The grounds for setting aside a determination of liability shall be limited to the following:

- A) The person against whom the determination of liability is made was not the owner or lessee of the "cited vehicle" on the date the vehicular standing, parking, or compliance regulation violations(s) notice(s) were issued.
- B) The person's having paid the fine or penalty prior to the determination of liability for the violation(s) in question.
- C) Excusable failure to appear at or request a new date for a hearing.

**7.4** Should the determination of liability be set aside, the Traffic Compliance Administrator shall:

- A) Notify the registered owner, or lessee, as the case may be, that the determination of liability has been set aside.
- B) Notify the registered owner, or lessee, as the case may be, of a date, time and place for a hearing on the merits of the violation for which determination of liability has been set aside.

- C) Notice of setting aside of the determination of liability and the notice of the hearing date shall be by first class mail, postage prepaid to the address set forth on the petition to set aside the determination of liability.
- D) Service of the notice shall be complete on the date the notice(s) are deposited in the United States mail.

## **8. NON-RESIDENT PROCEDURES**

Non-residents of this Municipality who have been served vehicular standing, parking, or compliance regulation violation(s) notice(s), in accordance with this Ordinance, may contest the alleged violation on it's merits, as could a resident, or may contest the validity without personally appearing at an administrative hearing by:

- 8.1** Completing, in full, the "Non-Resident Request for Hearing" section of the Violation Notice, served upon him/her pursuant to this Ordinance.
- 8.2** Signing the Non-Resident Request for hearing in the space specified in the Violation Notice, and acknowledging that his/her personal appearance is waived and submitting to an adjudication based upon the notarized statement filed by him/her and the facts contained in the Violation Notice.
- 8.3** Filing the Violation Notice with the "Request for Hearing" section fully completed with the Traffic Compliance Administrator postmarked within 10 days of the violation notice issuance. The request shall be deemed filed upon receipt by the Traffic Compliance Administrator.
- 8.4** Filing a notarized a statement of facts specifying the grounds for challenging the violation notice which must be filed with the Traffic Compliance Administrator postmarked within 10 days of the violation notice issuance. The request shall be deemed filed upon receipt by the Traffic Compliance Administrator. The acceptance of a "Non-Resident Request For Hearing" after the due date or with cause, at the discretion of the Traffic Compliance Administrator, be accepted for Hearing consideration and decision.
- 8.5** The Hearing Officer shall make an adjudication based upon the facts set forth in the notarized statement of facts filed by the non-resident as is contained in the violation notice.
- 8.6** Notice of the determination of the Hearing Officer shall be served upon the non-resident by first calls mail, postage prepaid, addressed to the non-resident at the address set forth in the statement of facts submitted.
- 8.7** Service of the notice shall be complete on the date the notice is placed in the United States mail.

**8.8** All other provisions of this Ordinance shall apply equally to non-residents of this Municipality.

## **9. SCHEDULE OF FINES/PENALTIES**

**9.1** The fines and penalties which shall be imposed for the violation of vehicular standing, parking, or compliance regulation violations) shall be as follows:

### **FINE PAYMENT SCHEDULE**

1. Except as hereinbelow specifically provided, the penalty for violations of any provision of this Chapter shall be as follows:

- A) Ten dollars (\$10.00) if paid within seven (7) days;
- B) Ten dollars (\$10.00) if paid prior to or at the first hearing date;
- C) Twenty-five dollars (\$25.00) if paid after the first hearing date but prior to or at the second hearing date;
- D) Fifty dollars (\$50.00) if paid after the second hearing date but prior to or at the third hearing date; and
- E) Eighty-five dollars (\$85.00) if paid after the third hearing date;

provided, however, that anyone charged with having violated any of the aforesaid provisions of this Section, shall have the right to request a Hearing on the validity of said charge within ten (10) days of the receipt thereof before the Chief of Police or his designated representative who shall have the authority to deny the relief sought thereby, the authority to amend the charge or the authority to amend the charge or the authority to dismiss the charge.

2. The penalty for violations of "Handicapped Parking Zones," "Fire Hydrant Zones" and "Fire Lane Zones" shall be as follows:

- A) Two Hundred Fifty dollars (\$250.00) if paid within seven (7) days;
- B) Two Hundred Fifty dollars (\$250.00) if paid prior to or at the first hearing date;
- C) Three Hundred dollars (\$300.00) if paid after the first hearing date but prior to or at the second hearing date;

D) Three Hundred Fifty dollars (\$350.00) if paid after the second hearing date but prior to or at the third hearing date;

D) Four Hundred dollars (\$400.00) if paid after the third hearing date.

(Ord. No. 1462-A247 01-23-06)

3. The penalty for violations of Sections 8-4-4 and 8-4A-3 of the Code shall be not less than seventy-five dollars (\$75.00) nor more than five hundred dollars (\$500.00).

**9.2** The fines and penalties herein set forth shall be uniformly applied for each violation of any applicable Municipal Ordinance.

**9.3** The Municipality adopts by reference all current and future local standing, parking or condition of vehicle ordinances, and those provisions of the Illinois Compiled Statutes governing the standing, parking, or condition of vehicles, for its enforcement and adjudication within the geographical boundaries of the Municipality and in those areas subject to off-street parking agreements.

**10. CERTIFIED REPORT AND CONTESTING CERTIFIED REPORT**

A) Upon a failure to pay fines and penalties deemed due and owing the City after the exhaustion of administrative procedures set forth herein for ten (10) or more vehicular parking regulation violations, the Traffic Compliance Administrator shall make a Certified Report to the Secretary of State stating that the owner of a registered vehicle has failed to pay any fine or penalty due and owing the City as a result of ten (10) or more violations of Municipal vehicular standing or parking regulations and thereby cause the suspension of that person's drivers license.

B) The Traffic Compliance Administrator shall take no further action unless and until the fines and penalties due and owing the City are paid or upon determination that the inclusion of the person's name on the Certified Report was in error. At such time, the Traffic Compliance Administrator shall submit to the Secretary of State a notification which shall result in the halting of a driver's license suspension proceedings. The person named therein shall receive a certified copy of such notification upon request and at no charge.

C) Persons may challenge the accuracy of the Certified Report by completing a form provided by the Office of the Traffic Compliance Administrator. The form shall specify the grounds on which such challenge is based. Grounds for challenge shall be limited to the following:

1. The person was neither the owner nor the lessee of the vehicle (so receiving ten (10) or more violation notices on the date or dates such notices were issued; or

2. The person has paid the fine and/or penalty for the ten (10) or more violations indicated on the Certified Report.
- D) The Traffic Compliance Administrator shall render a determination within fourteen (14) business days of receipt of the objection form and shall notify the objector of the determination.

## **11. IMMOBILIZATION/TOWING & IMPOUNDMENT**

**11.1** Any motor vehicle whose registered owner has been determined to be liable for five (5) or more vehicular standing, parking, or compliance regulation violation(s), for which the fines or penalties assessed remain unpaid, may be immobilized or towed and impounded if:

- A) The Traffic Compliance Administrator has determined that a person has been determined to be liable for five (5) or more vehicular standing, parking, or compliance regulation violation(s), the fines or penalties for which remain unpaid.
- B) The person determined to be liable for five (5) or more violations is the registered owner of a motor vehicle located within the Municipality geographical boundaries.
- C) A Pre-Towing Notice has been sent to the registered owner of the motor vehicle located within the geographical boundaries of the Municipality which contains, but shall not be limited to the following:
  - 1) That a final determination has been made on five (5) or more vehicular standing, parking, or compliance regulation violation(s), the fines and penalties for which remain unpaid.
  - 2) A listing of the violation(s) for which the person has been determined to be liable, which shall include for each violation:
    - a) The vehicular standing, parking, or compliance regulation violation notice number.
    - b) Date of issuance.
    - c) Total amount of fine(s) and penalty(s) assessed.
  - 3) That the motor vehicle(s) owned by the person and located within

the

Municipality is subject to immobilization and/or towing and impoundment the fines and penalties are not paid within fourteen (14) days of the date of the notice.

4) That the registered owner may contest by the person and located within the Municipality is subject to immobilization and/or towing and impoundment if the fines and penalties are not paid within fourteen (14) days of the date of the notice.

- D) The motor vehicle(s) of the registered owner to whom notice is sent has failed to make payment of the fines or penalties as specified in the notice is sent has failed to make payment of the fines or penalties as specified in the notice and no time request for hearing has been filed with the Traffic Compliance Administrator to contest the validity of the notice.
- E) Upon the receipt of the request for hearing to contest the validity of the notice of impending immobilization or towing and impoundment, the Traffic Compliance Administrator shall schedule and administrative hearing to contest the validity of said notice, by disproving liability for the unpaid Final Determinations of parking, standing, or compliance violation liability listed on the Notice, on the next available hearing date, but in no case shall the hearing be schedule later than sixty (60) days after the request for hearing is filed.
- 1) The Traffic Compliance Administrator shall serve notice of the hearing date upon the registered owner.
  - 2) Notice shall be sent by first class mail, postage prepaid to the address as is set forth on the request for hearing.
  - 3) Service of the notice shall be complete on the date it is placed in the United States mail.

**11.2**The registered owner of a vehicle(s) immobilized or towed and impounded under this section, shall have the right to a prompt administrative hearing without the requirement of payment of outstanding fines and penalties for which final determination has been made.

- A) The Traffic Compliance Administrator shall serve a post-towing notice upon the registered owner of a vehicle immobilized or towed and impounded under this section which notice shall contain, but not limited to the following information:
- 1) Date of immobilization or towing and date of impoundment.
  - 2) Location of vehicle.
  - 3) That the vehicle was immobilized under this section of this Ordinance for non-payment of fines or penalties assessed for the violation of five (5) or more violation(s) of vehicular standing, parking, or compliance



regulation(s) for which the registered owner has been determined liable and notified of impending immobilization or towing and impoundment.

- 4) Date of notice of impending immobilization or towing and impoundment.
  - 5) That the registered owner may contest the validity of the immobilization or towing and impoundment by completing and signing the request for hearing portion of the notice and filing the request for hearing with the Traffic Compliance Administrator within, but not later than, fourteen (14) days of the date of the notice which shall be deemed filed upon receipt by the Traffic Compliance Administrator.
- B) Upon the receipt of the request for hearing to contest the validity of the immobilization or towing and impoundment, the Traffic Compliance Administrator shall schedule an administrative hearing to contest the validity of the immobilization or towing and impoundment on the next available hearing date or is sooner scheduled by the Traffic Compliance Administrator for good cause shown, but in no case shall the hearing be scheduled later than sixty (60) days after the request for hearing is filed.
- 1) The Traffic Compliance Administrator shall serve notice of the hearing date upon the registered owner.
  - 2) Notice shall be sent by first class mail, postage prepaid to the address as is set forth on the request for hearing.
  - 3) Service of the notice shall be complete on the date it is placed in the United States mail.
- C) An order entered after the hearing to contest the validity of the immobilization or towing and impoundment is a final administrative decision within the meaning of 735 ILCS 5/3-01 et.seq., incorporated herein by reference.

**11.3A** vehicle impounded pursuant to this section shall be released to the registered owner thereof, or his agent, upon payment of the fines and penalties due and owing the Municipality as specified in the notice sent in accordance with section 11.1 (C) hereof and the payment of towing charges and accrued daily impound charges or upon order of the hearing officer following hearing contesting the validity of the impoundment.

**11.4**The Traffic Compliance Administrator shall appoint or retain the services of an individual agency or company to tow and impound vehicles in accordance herewith, provided:

- A) The individual, agency or company is fully licensed according to local and state law.
- B) The individual, agency or company is fully insured.
- C) The individual, agency or company has available a secured impound area within which to retain vehicles impounded hereunder. For the purpose of this Section a secured area shall mean an area bounded by a fence, chainlink or otherwise, of a sufficient height and with locking gates so as to minimize or prevent unauthorized entry into the impounded vehicles.

## **12. JUDICIAL REVIEW**

Judicial Review of final determinations of vehicular standing, parking, or compliance regulation violation(s) and final administrative decisions issued after hearing(s) regarding vehicle immobilization or towing and impoundment made under this section shall be subject to the provisions of the Administrative Review Law as is set forth in 735 ILCS 5/301, et seq. Incorporated herein by reference.

## **13. DEBT TO MUNICIPALITY**

Any fine, penalty or part of any fine or any penalty assessed in accordance with the provisions of this Ordinance and remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Ordinance and the conclusion of any judicial review procedures shall be a debt due and owing the Municipality and, as such, may be collected in accordance with the applicable law. Payment in full of any fine or penalty resulting from a standing, parking, or compliance violation shall constitute a final disposition of that violation.

## **14. JUDGMENT**

**14.1**The Traffic Compliance Administrator shall, following the expiration of the period within which administrative or judicial review may be sought for a final determination of violation, take all necessary action(s), execute all required documents and appoint or retain any individual or agency deemed appropriate to obtain a Judgment against and collect moneys from the person(s) who have been assessed fines or penalties which remain unpaid and have become a debt due and owing the Municipality in accordance with the provisions of this Ordinance and 625 ILCS 5/11-208.3 by:

- A) Filing a Complaint in the Circuit Court praying for the entry of a Judgment against the person for whom a final determination of standing, parking, or compliance regulation

violation(s) liability has been made.

- B) The Complaint filed by the Traffic Compliance Administrator or individual or agency on behalf of the Municipality seeking entry of a Judgment against an individual for unpaid fines and/or penalties pursuant to a final determination of standing, parking, or compliance regulation violation(s) shall have appended:
  - 1) A certified copy of the final determination of the standing, parking, or compliance regulation violation(s).
  - 2) A certification that recites facts sufficient to show that the final determination of standing, parking, or compliance regulation violation(s) was issued in accordance with this Ordinance and 625 ILCS 5/11-208.3.
- C) Nothing shall prevent the Municipality from consolidating multiple final determinations of standing, parking, or compliance regulation violation(s) liability in an action in the Circuit Court against and individual.
- D) Pursuing all available remedies, allowed by law, to collect money Judgments.

**14.2** Service of Summons and a copy of the Complaint may be served upon the person against whom a Judgment is sought under the provisions of this Ordinance by any method provided under 735 ILCS 5/2-203, incorporated by reference, or by certified mail, return receipt requested, provided the total amount of fines determination of standing, parking, or compliance regulation violation(s) does not exceed \$2,500.00.

## **15. SEVERABILITY**

Should a Court of competent jurisdiction determine that one or more sections or subsections of this Ordinance is or are invalid, the remaining sections and subsections hereof shall remain in full force and effect.



## CHAPTER 4

### STOPPING, STANDING AND PARKING

#### ARTICLE A. METERED PARKING

##### SECTION:

8-4A-1: Parking Meter Zones

8-4A-2: Placement of Meters; Marking Spaces

8-4A-3: Placing Coins in Meters; Use of Slugs

8-4A-1: **PARKING METER ZONES:** It shall be unlawful to park any vehicle or to permit a vehicle to remain parked in any parking meter zone for a period longer than designated on such meter between the hours of six o'clock (6:00) A.M. and six o'clock (6:00) P.M. Monday Through Saturday, excepting official holidays declared by the City.

##### 8-4A-2: **PLACEMENT OF METERS; MARKING SPACES:**

- A. Parking meters shall be installed in the parking meter zones as established. Each parking meter shall be placed or set in such manner as to show or display by a signal whether or not the parking space adjacent to such meter is legally in use.
- B. The Traffic Safety Committee shall have markings painted or placed upon the curb or street adjacent to each parking meter for the purpose of designating the parking space and the angle at which vehicles are to be parked to the curb. It shall be unlawful to park any vehicle across any metered parking space line or marking or to park said vehicle in such position that the same shall not be entirely within the area designated by such lines or markings, at any time.

##### 8-4A-3: **PLACING COINS IN METERS; USE OF SLUGS:**

- A. Any person desiring to park any vehicle within such parking meter space shall deposit the proper coins for the time as designated on the meter.
- B. It shall be unlawful for any person to deposit any slug, device or metallic or other substitute for a coin of the United States in any parking meter.
- C. Nothing herein contained shall be construed as permitting a vehicle in a parking meter zone for any period longer than designated on the meter adjacent to said parking place regardless of what coins may be place in the meter, and said time may not be extended by the deposit of additional coins beyond the maximum period designated on said meter.

## **ARTICLE B. MUNICIPAL PARKING LOTS**

### SECTION:

- 8-4B-1: Use of Municipal Parking Lots
- 8-4B-2: Manner of Parking
- 8-4B-3: Leased Parking Stalls on Streets

8-4B-1: **USE OF MUNICIPAL PARKING LOTS:** The Traffic Safety Committee shall determine the use of the Municipal parking lots and shall maintain a record thereof.

8-4B-2: **MANNER OF PARKING:** All persons parking vehicles in off-street parking lots shall follow the directions indicated on the signs erected in connection with said parking lots, and cars shall be parked with the front of the cars facing the parking meter or parking sign installed for that parking space, and no one shall park a vehicle with the rear of said vehicle adjacent to the parking meter or parking sign for said parking space.

8-4B-3: **LEASED PARKING STALLS ON STREETS:** The Chief of Police may, with the advice and consent of the Traffic Safety Committee, lease parking spaces on any street in the City, to any firm or business entity for such a daily, weekly or monthly fee as set by the Traffic Safety Committee. Parking spaces so leased shall be limited for the use of the said firm or business entity between the hours of six o'clock (6:00) A.M. and six o'clock (6:00) P.M., Monday Through Saturday, and any violation of said use shall be subject to the penalty provisions of Section 8-4-7 hereof.

## ARTICLE C. OTHER PARKING

### SECTION:

#### 8-4C-1: Other Parking

8-4C-1: **PARKING SPACE:** It shall be unlawful to park any vehicle or to permit a vehicle to remain parked in any parking space for a period longer than designated in the parking zone between the hours of six o'clock (6:00) A.M. and six o'clock (6:00) P.M. Monday Through Saturday, excepting official holidays declared by the City. Nothing herein contained shall be construed as permitting a vehicle in a parking space for any period longer than designated in the parking zone.

## CHAPTER 5

### PEDESTRIANS

#### SECTION:

- 8-5-1: Right-of-Way
- 8-5-2: Pedestrians' Use of Roadways
- 8-5-3: Blind Pedestrians
- 8-5-4: Pedestrian-Control Signals
- 8-5-5: Pedestrians and Drivers to Exercise Due Care

#### 8-5-1: **RIGHT-OF-WAY:**

- A. When traffic-control signals are not in place or not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.
- B. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass such stopped vehicle.
- C. Where stop signs or flashing red signals are in place at an intersection or at a plainly marked crosswalk between intersections, drivers of vehicles shall stop before entering the nearest crosswalk, and pedestrians within or entering the crosswalk at either edge of the roadway shall have the right-of-way over vehicles so stopped. Drivers of vehicles having so yielded the right-of-way to pedestrians entering or within the nearest crosswalk at an intersection shall also yield the right-of-way to pedestrians within any other crosswalk at the intersection.

#### 8-5-2: **PEDESTRIANS' USE OF ROADWAY:**

- A. Generally:
  - 1. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a marked crosswalk.
  - 2. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a moving vehicle which is so close as to constitute an immediate hazard.
- B. Prohibited Crossings; Use of Pedestrian Crossings:



1. Whenever, upon the bases of an engineering or traffic investigation upon any street, it is determined that pedestrian crossings between intersections shall be prohibited in the interest of public safety, pedestrians shall not cross between intersections except where there may be a marked crosswalk. Such regulations against pedestrians crossing between intersections shall become effective when appropriate signs giving notice thereof are erected.

2. No pedestrians shall cross a roadway other than in a crosswalk in any business district.

3. No pedestrian shall cross the roadway of a limited-access street or highway other than by means of those facilities which have been constructed as pedestrian crossings or at those points where marked crosswalks have been provided.

4. No pedestrian shall cross a roadway where a public pedestrian tunnel or bridge has been provided other than by said tunnel or bridge and to be so designated by the erection of appropriate signs or fencing.

5. No pedestrian shall pass Through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closing or is being opened or closed.

C. Use of Sidewalks:

1. Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway except at a crosswalk.

2. Persons shall move, whenever practicable, upon the right half of crosswalks and sidewalks.

3. Where sidewalks are not provided, any pedestrian walking along and upon a roadway shall, when practicable, walk only on the left side of the roadway or its shoulder, facing traffic which may approach from the opposite direction.

D. Soliciting Rides: No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle, and no person operating a private vehicle shall pick up any person standing in a roadway for the purpose of soliciting a ride.

E. Pedestrians Under Influence of Liquor or Drugs: A pedestrian who is under the influence of alcohol or any drug to a degree which renders himself a hazard shall not walk or be upon a roadway.

8-5-3: **BLIND PEDESTRIANS:** Any blind person who is carrying in a raised or extended position a cane or walking stick which is white in color or white-tipped with red or who is being guided by a dog shall have the right-of-way in crossing any street or

highway, whether or not traffic on such street or highway is controlled by traffic signals, anything in this Title to the contrary notwithstanding. The driver of every vehicle approaching the place where a blind person, so carrying such a cane or walking stick or being so guided, is crossing a street or highway shall bring his vehicle to a full stop and before proceeding, shall take such precautions as may be necessary to avoid injury to the blind person. The provisions of this Section shall not apply to a blind person who is not carrying a white cane or walking stick or guided by a dog, but the other provisions of this Title relating to pedestrians shall then be applicable to such person.

8-5-4: **PEDESTRIAN-CONTROL SIGNALS:** A pedestrian shall obey the instructions of any official traffic-control device specifically applicable to him unless otherwise directed by a police officer.

8-5-5: **PEDESTRIANS AND DRIVERS TO EXERCISE DUE CARE:**

- A. Nothing in this Title shall relieve a pedestrian from the duty of exercising due care.
- B. Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and shall give warning by sounding a horn when necessary and shall exercise proper precaution upon observing any child or any obviously confused or incapacitated person upon a roadway.

## CHAPTER 6

### VEHICLE EQUIPMENT AND CONDITION

#### SECTION:

8-6-1: Obstruction to Driver's View or Viewing Mechanism

8-6-2: Lights

8-6-3: Signal Lamps and Signal Devices

8-6-4: Horn

8-6-5: Muffler

8-6-6: Brakes

8-6-7: Nonskid Devices

8-6-8: Projecting Loads

8-6-9: School Buses

8-6-10: Towing or Pushing Vehicles

8-6-11: Prohibited Conditions

8-6-12: Inspections

#### 8-6-1: **OBSTRUCTION TO DRIVER'S VIEW OR VIEWING MECHANISM:**

- A. No person may drive a vehicle when it is so loaded or when there are in the front seat such number of persons as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.
- B. No passenger in a vehicle may ride in such position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle.
- C. No passenger on a school bus may ride or stand in a position as to interfere with the driver's view ahead or to the side or to the rear or to interfere with his control of the driving mechanism of the bus.

#### 8-6-2: **LIGHTS:**

##### A. General Requirements:

1. It shall be unlawful to operate or park on any street any vehicle not equipped with adequate lights conforming to the requirements of this Title, except as allowed by special ordinance.
2. All motor vehicles shall, during the period from sunset to sunrise, or at any other time when visibility is so limited as to require the use of lights for safety, exhibit two (2) lighted driving lamps; except, that a motorcycle need exhibit only one such driving lamp, showing white lights, or lights of a yellow or amber tint, visible for at

least five hundred feet (500') in the direction the motor vehicle is proceeding. Parking lamps may be used in addition to but not in lieu of any such driving lamps. Every motor vehicle, trailer, or semi-trailer shall also exhibit at least two (2) lighted lamps, commonly known as tail lamps, which shall be mounted on the left rear and right rear of the vehicle so as to throw a red light visible for at least five hundred feet (500') in the reverse direction; except, that a motorcycle or a truck tractor or road manufactured before January 1, 1968, need be equipped with only one such lamp.

3. Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light a rear registration plate when required and render it clearly legible from a distance of fifty feet (50') to the rear. Any tail lamp or taillamps, together with any separate lamp or lamps for illuminating a rear registration plate, shall be so wired as to be lighted whenever the driving lamps or auxiliary driving lamps are lighted.

B. Duty to Dim Headlights:

1. Whenever the driver of any vehicle equipped with an electric driving headlamp or headlamps is within five hundred feet (500') of another vehicle approaching from the opposite direction, the driver shall dim or drop such headlamp or headlamps.

2. The driver of any vehicle equipped with an electric driving headlamp or headlamps shall dim or drop headlamp or headlamps when there is another vehicle traveling in the same direction less than three hundred feet (300') to the front of him.

**8-6-3: SIGNAL LAMPS AND SIGNAL DEVICES:**

A. Signal Lamps: Every vehicle other than an antique vehicle displaying an antique plate operated in this City shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red or amber light visible from a distance of not less than five hundred feet (500') to the rear in normal sunlight and which shall be actuated upon application of the service (foot) brake, and which may but need not be incorporated with other rear lamps. During times when lighted lamps are not required, an antique vehicle may be equipped with a stop lamp or lamps on the rear of such vehicle of the same type originally installed by the manufacturer as original equipment and in working order.

B. Turn Signals:

1. Every motor vehicle other than an antique vehicle displaying an antique plate shall be equipped with an electric turn signal device which shall indicate the intention of the driver to turn to the right or to the left in the form of flashing lights located at and showing to the front and rear of the vehicle on the side of the vehicle toward which the turn is to be made. The lamps showing to the front shall be mounted on the same level and as widely spaced laterally as practicable and, when

signaling, shall emit a white or amber light, or any shade of light between white and amber.

The lamps showing to the rear shall be mounted on the same level and as widely spaced laterally as practicable and, when signaling, shall emit a red or amber light. An antique vehicle shall be equipped with a turn signal device of the same type originally installed by the manufacturer as original equipment and in working order.

2. Every trailer and semi-trailer shall be equipped with an electric turn signal device which indicates the intention of the driver in the power unit to turn to the right or to the left in the form of flashing red or amber lights located at the rear of the vehicle on the side toward which the turn is to be made and mounted on the same level and as widely spaced laterally as practicable.

3. Turn signal lamps must be visible from a distance of not less than three hundred feet (300') in normal sunlight.

4. Motorcycles and motor-driven cycles need not be equipped with electric turn signals; antique vehicles need not be equipped with turn signals unless such were installed by the manufacturer as original equipment.

8-6-4: **HORN:** Every motor vehicle of the first and second division, when operated upon a street or highway, shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred feet (200'), but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle.

No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle or bell, except as otherwise permitted by this Code.

The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn, but shall not otherwise use the horn when upon a street or highway.

8-6-5: **MUFFLER:** Every motor vehicle driven or operated upon the streets and highways of this City shall at all times be equipped with an adequate muffler or exhaust system in constant operation and properly maintained to prevent any excessive or unusual noise. No such muffler or exhaust system shall be equipped with a cutoff, bypass or similar device. No person shall modify the exhaust system of a motor vehicle in a manner which will amplify or increase the noise of such vehicles above that emitted by the muffler originally installed on the vehicle, and such original muffler shall comply with all the requirements of this Section.

As used in this Section, "muffler" means a device consisting of a series of chambers or baffle plates or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine and effective in reducing noise.

8-6-6: **BRAKES:** It shall be unlawful to drive any motor vehicle upon a City street unless such vehicle is equipped with brakes in good working condition or to operate any vehicle which is so loaded that the operator does not have ready access to the mechanics operating the brakes of such a vehicle.

A. Brake Equipment Required:

1. Every motor vehicle, other than a motor-driven cycle and an antique vehicle displaying an antique plate, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least one (1) wheel on a motorcycle and at least two (2) wheels on all other first division and second division vehicles. If these two (2) separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes.
2. Every motor-driven cycle, when operated upon a highway, shall be equipped with at least one brake which may be operated by hand or foot.
3. Every antique vehicle shall be equipped with the brakes of the same type originally installed by the manufacturer as original equipment and in working order.
4. Every trailer or semi-trailer of a gross weight of three thousand (3,000) pounds or more, when operated upon a highway, must be equipped with brakes adequate to control the movement of, to stop and to hold such vehicle and designed so as to be operable by the driver of the towing vehicle from its cab. Such brakes must be so designed and connected that, in case of an accidental breakaway of a towed vehicle five thousand (5,000) pounds or more, the brakes are automatically applied.
5. Every motor vehicle, trailer, pole trailer or semi-trailer operated upon the streets or highways shall be equipped with service brakes upon all wheels of every such vehicle, except any motor-driven cycle, and except that any trailer, pole trailer or semi-trailer of less than three thousand (3,000) pounds gross weight need not be equipped with brakes, and except that any trailer or semi-trailer with gross weight of three thousand (3,000) pounds but under five thousand (5,000) pounds need be equipped with brakes on only one wheel on each side of the vehicle. Any motor vehicle and truck tractor having three (3) or more axles need not have brakes on the front wheels, except when such vehicles are equipped with at least two (2) steerable axles, the wheels of one such axle need not be equipped with brakes. However, a vehicle that is more than thirty (30) years of age and which is driven on the highways only in going to and returning from an antique auto show or for servicing or for a demonstration need be equipped with two (2) wheel brakes only.

B. Performance Ability of Brakes:

1. Performance Ability: The service brakes upon any motor vehicle or combination of vehicles operating on a level surface shall be adequate to stop such vehicle or vehicles when traveling twenty (20) miles per hour within a distance of thirty feet (30) when upon dry asphalt or concrete pavement surface free from loose material.

Under the above conditions, the hand brake shall be adequate to stop such vehicle or vehicles, except any motorcycle, within a distance of fifty five feet (55') and the hand brake shall be adequate to hold such vehicle or vehicles stationary on any grade upon which operated.

Under the above conditions, the service brake upon an antique vehicle shall be adequate to stop the vehicle within a distance of forty feet (40') and the hand brake adequate to stop the vehicle within a distance of fifty five feet (55').

All braking distances specified in this Section apply to all vehicles mentioned, whether such vehicles are unloaded or are loaded to the maximum capacity permitted under this Title.

2. Maintenance of Brakes: All brakes shall be maintained in good working order and shall be so adjusted as to operate as equal as practicable with respect to the wheels on opposite sides of the vehicle.

3. Mobile Homes: Brake assembly requirements for mobile homes shall be the standards required by the United States Department of Housing and Urban Development.

8-6-7: **NONSKID DEVICES:** No farm tractor, tractor engine, motor truck or other similar vehicle shall be operated across, over or along any improved or oil-treated street if any such vehicle has on the periphery of any of the road wheels any block, stud, flange, cleat, ridge, lug, or any projection of metal or wood which projects radially beyond the tread or traffic surface of the road wheel; except, that this prohibition shall not apply to tractors or traction engines equipped with what is known as "crawler-type" tractors when the same does not contain any projection of any kind likely to injure the surface of the street or to tractors, traction engines and similar vehicles which have upon their road wheels V-shaped diagonal or other cleats arranged in such manner as to be continuously in contact with the roadway surface. In no event shall the oil mat surface of any oil-treated street be used as an area or space for turning any farm tractor or other farm machinery in carrying on or performing any farming operations upon the adjacent land.

8-6-8: **PROJECTING LOADS:** No passenger-type vehicle shall be operated on any highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches (6") beyond the line of the fenders on the right side thereof.

8-6-9: **SCHOOL BUSES:**

- A. Identification: Each school bus shall have the sign "SCHOOL BUS" painted on the front and rear of the bus as high as practicable in letters at least eight inches (8") high. The rated seating capacity and vehicle weight shall be painted on the body to the left of the service door in letters at least two inches (2") high. The name of the owner or the entity for which the school bus is operated or both shall be painted in a contrasting color on both sides, centered as high as practical below the window line, in letters at least four inches (4") high. A school bus identification number shall be painted as high as practical on both the front and rear of the bus in letters at least four inches (4") high. Decals may be used instead of painting.
- B. Stop Signal Arm: Each school bus shall be equipped with a stop signal arm on the driver's side of the school bus which may be operated either manually or mechanically. The arm shall be a rectangular or a hexagon shaped semaphore and on buses purchased after December 31, 1975, shall be a hexagon-shaped semaphore approximately eighteen inches (18") wide and eighteen inches (18") long and of 16-gauge metal. "STOP" shall be painted on both sides in white letters at least six inches (6") high with a brush stroke approximately seven-eighths of an inch (7/8") wide and on a red background approximately eight inches by sixteen inches (8" x 16"). Decals may be used instead of painting. The remaining area of the stop signal arm shall be painted white and shall either be reflectorized or shall have two (2) double faced lamps with plain, red lens approximately four inches (4") in diameter located one at the topmost and one at the bottommost position of the arm. Such lamps shall light and flash when the arm is extended and shall turn off and stop flashing when the arm is closed.

#### 8-6-10: **TOWING OR PUSHING VEHICLES:**

##### A. Towing Vehicles:

1. When one vehicle is towing another, the drawbar or other connection shall be of sufficient strength to pull all the weight towed thereby, and the drawbar or other connection shall not exceed fifteen feet (15') from one vehicle to the other, except for the connection between any two (2) vehicles transporting poles, pipes, machinery or other objects of a structural nature which cannot readily be dismembered.
2. Outside a business, residential or suburban district or on any controlled-access highway, no vehicle other than a pole trailer or a semi-trailer which is being towed by a truck trailer and is connected by the means of a fifth wheel shall be towed on a roadway except by a drawbar, and such vehicle so towed shall, in addition, be coupled with two (2) safety chains or cables to the towing vehicle. Such chains or cables shall be of sufficient size and strength to prevent the towed vehicle from parting from the drawing vehicle in case the drawbar should break or become disengaged.
3. When one vehicle is towing another and the connection



consists of a chain, rope or cable, there shall be displayed upon such connection a yellow flag or cloth not less than sixteen inches (16") square.

- B. Pushing Vehicles: No person shall push a vehicle with another vehicle upon any public way for a distance greater than six hundred feet (600').
- C. Warning Lights: Every disabled vehicle being pushed or towed on any public way between the hour of sunset and the hour of sunrise shall display a red light plainly visible from a distance of at least five hundred feet (500') to the sides and rear thereof. Said red light shall be in addition to any other lights required by any law or ordinance.
- D. No person shall drive any vehicle pushing or towing a disabled vehicle at a rate of speed greater than is reasonable and proper having regard to the traffic and the use of the way or so as to endanger life or limb or injure the property of any person.

**8-6-11: PROHIBITED CONDITIONS:**

- A. Driving Unsafe Vehicles: It is unlawful for any person to drive or move or for the owner to cause or to knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required by this Title or which is equipped in any manner in violation of this Title.
- B. Gas and Smoke Emissions: It shall be unlawful to operate any vehicle which emits dense clouds of gas or smoke or such an amount of smoke or fumes as to be dangerous to the health of persons or as to endanger the drivers of other vehicles.
- C. Spilling Loads; Mud Deposits:
  - 1. No vehicle shall be driven or moved on any City street unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, shifting, leaking, or otherwise escaping therefrom; except, that sand may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway in cleaning or maintaining such roadway.
  - 2. No person shall operate on any City streets any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the streets.
  - 3. No person shall operate on any public street within the City any truck or other vehicle when mud, sand or other like substance is likely to be thrown off the tires or treads of such vehicle and deposited on the streets in noticeable quantities.

8-6-12: **INSPECTIONS:** The Chief of Police or his duly appointed agent is empowered at all times to inspect any vehicle to determine its compliance with the equipment and other provisions of this Chapter.

## CHAPTER 7

### BICYCLES

#### SECTION:

- 8-7-1: Scope
- 8-7-2: Application of Traffic Laws
- 8-7-3: Operation of Bicycles
- 8-7-4: Equipment
- 8-7-5: Inspections

#### 8-7-1: **SCOPE:**

- A. It shall be unlawful for any person to do any act forbidden or fail to perform any act required in this Chapter.
- B. The regulations applicable to bicycles shall apply whenever any bicycle is operated upon any street or highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

8-7-2: **APPLICATION OF TRAFFIC LAWS:** Every person riding a bicycle upon a roadway shall be subject to the provisions of the Title, except as changed by special regulations contained in this Chapter and except as to those provisions of this Title which by their nature can have no application.

#### 8-7-3: **OPERATION OF BICYCLES:**

##### A. Riding on Bicycles:

1. A person propelling a bicycle shall not ride other than upon the permanent and regular seat attached thereto nor carry any other person upon such bicycle other than upon a firmly attached and regular seat thereon nor shall any person ride upon a bicycle other than above authorized.

2. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

- B. **Riding on the Right:** Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- C. **Riding on Sidewalks:** Bicycles may be ridden on sidewalks, except where prohibited by action of the Traffic Safety Committee. When permitted to ride on sidewalks, bicycle riders shall use the right side of sidewalks insofar as practical. A person riding a bicycle on a sidewalk shall yield the right-of-way to every pedestrian and

when approaching a pedestrian from the rear, shall give audible warning signal when at least twenty five feet (25') distant from the pedestrian.

- D. Speed: No person riding a bicycle shall ride faster than is reasonable and proper in regard to the safety of the rider and others.
- E. Clinging to Vehicles: No person riding upon any bicycle shall hold on or cling to another vehicle powered by a motor.
- F. Carrying Articles: No person riding a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handlebars.
- G. Trick Riding; Racing: No rider of a bicycle shall remove both hands from the handlebars or feet from the pedals, ride on one wheel or practice any acrobatic riding on any street nor shall any person operating a bicycle upon a public highway participate in any race for speed or endurance contest with any other vehicle except under permit from and under supervision of the Police Department.
- H. Parking Bicycles: No person shall park a bicycle in such a manner as to interfere with pedestrians entering or exiting their vehicles.

**8-7-4: EQUIPMENT:**

- A. Brakes: Every bicycle, when operated upon a highway, shall be equipped with a brake adequate to control the movement of and to stop such bicycle whenever necessary.
- B. Lights and Reflectors: Every bicycle operated after sunset shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least three hundred feet (300') to the front and with a red reflector on the rear. Every such reflector shall be so designed and maintained as to be visible at night from all distances within two hundred feet (200') to fifty feet (50') from such bicycle when directly in front of a motor vehicle displaying lawfully lighted headlamps. A lamp exhibiting a red light visible from a distance of two hundred feet (200') to the rear may be used in addition to the rear reflector.
- C. Audible Signal: No person shall ride a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet (100'); except, that no bicycle shall be equipped with nor shall any person use upon a bicycle any siren or whistle.

**8-7-5: INSPECTIONS:** All police officers shall have authority to inspect all bicycles for mechanical fitness.

## CHAPTER 8

### ABANDONED, WRECKED VEHICLES

#### SECTION:

- 8-8-1: Definitions
- 8-8-2: Abandonment of Vehicles
- 8-8-3: Police Notified of Vehicle Possession
- 8-8-4: Removal of Abandoned, Wrecked Vehicles
- 8-8-5: Notification of Owner of Towed Vehicle
- 8-8-6: Reclamation of Vehicle by Owner
- 8-8-7: Sale, Disposal of Vehicles
- 8-8-8: Nonliability of City or Towing Service

8-8-1: **DEFINITIONS:** As used in this Chapter, the following terms shall have the meanings as indicated below:

**ABANDONED VEHICLE:** Any motor vehicle or any other vehicle in a state of disrepair rendering it incapable of being driven in its condition, or any motor vehicle or other vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted.

**ANTIQUÉ VEHICLE:** A motor vehicle that is more than twenty-five (25) years of age or a bona fide replica thereof and which is driven on the highways only going to and returning from an antique auto show or an exhibition or for servicing or demonstration, or a firefighting vehicle more than twenty (20) years old which is not used as firefighting equipment, but is used only for the purpose of exhibition or demonstration.

8-8-2: **ABANDONMENT OF VEHICLES:** It shall be unlawful to abandon any vehicle, or part thereof, on any street or highway, and it shall be unlawful to abandon any vehicle upon any private or public property which is located in the view of the general public.

Any person who violates or aids and abets in the violation of this Section shall be guilty of an offense (civil or criminal) and shall be required by the court to make a disposition of the abandoned or unclaimed vehicle.

8-8-3: **POLICE NOTIFIED OF VEHICLE POSSESSION:** When an abandoned, lost, stolen or unclaimed vehicle comes into the temporary possession or custody of any person who is not its owner, he shall immediately notify the Police Department if such vehicle is located within the City limits. Upon the receipt of such notification, the Chief of Police shall authorize a towing service to remove and take possession of such vehicle and its contents until it is disposed of as provided by law. The towing service will safely keep the impounded vehicle until it has been disposed of as provided in this Chapter.

#### 8-8-4: **REMOVAL OF ABANDONED, WRECKED VEHICLES:**

##### A. Authority:

###### 1. Vehicle on Public Property:

a. When a vehicle is abandoned or left unattended on a toll highway, interstate highway, or expressway for two (2) hours or more, its removal by a towing service may be authorized by the Chief of Police.

b. When a vehicle is abandoned or left unattended upon a street or highway in an urban district or on public property for ten (10) hours or more, the Chief of Police may authorize a towing service to remove and impound it.

c. When a vehicle is abandoned or left unattended on a street or highway other than a toll highway, interstate highway, or expressway outside of an urban district for twenty-four (24) hours or more, its removal by a towing service may be authorized by the Chief of Police.

2. When an abandoned, unattended, wrecked, burned or partially dismantled vehicle is creating a traffic hazard because of its position in relation to the street or highway or, because of its physical appearance, is impeding traffic, the Chief of Police may authorize its immediate removal from the street or highway by a towing service and its subsequent impoundment.

3. The Chief of Police is hereby authorized to order the removal and impoundment of any vehicle illegally abandoned upon private property after said vehicle has remained upon said property for a period of seven (7) days.

4. Upon the written request of a property owner or a tenant or lessee of the owner, the Chief of Police may authorize the removal and impoundment of any vehicle illegally abandoned upon private property. The Chief of Police shall require a cash deposit from such owner, tenant or lessee as will pay for the costs of removal and impoundment.

B. Costs: Whenever a vehicle is lawfully removed from either public or private property by order of the Chief of Police, the owner of the vehicle will be responsible for all towing costs.

C. Records Kept: Whenever the Chief of Police authorizes a motor vehicle to be removed, the Police Department and the towing service shall keep a record of the vehicle towed, listing its color, year, model, manufacturer's trade name, series name, body style, vehicle identification number and license plate year and number. The record shall also include the date and hour of tow, location towed from, location towed to, reason for towing.

**8-8-5: NOTIFICATION OF OWNER OF TOWED VEHICLE:**

- A. When the Police Department does not know the identity of the registered owner or other person legally entitled to possession of any vehicle impounded under the provisions of this Chapter, it shall request the Secretary of State to search his registration records for the purpose of obtaining the required ownership information. The Police Department shall cause the State Police to make the searches required by law by a communication to them requesting stolen or wanted information on the vehicle.
- B. If the registered owner or other person legally entitled to the possession of such vehicle cannot be identified from the registration files of this or any other state, the Police Department shall request the State Police to make an investigation as to who is the registered owner or other person legally entitled to possession of said vehicle.

**8-8-6: RECLAMATION OF VEHICLE BY OWNER:** At any time before a vehicle is sold at public sale or disposed of as provided in this Chapter, the owner or other person legally entitled to its possession may reclaim it by presenting to the Police Department proof of ownership or proof of the right to possession of the vehicle. No vehicle shall be released to the owner or other person under this Section until all towing and storage charges are paid.

**8-8-7: SALE, DISPOSAL OF VEHICLES:**

A. Owner Notified; Public Sale:

1. Public Auction: Whenever a vehicle which has been removed and impounded under the terms of this Chapter and which is seven (7) years old or newer remains unclaimed by the registered owner or other person legally entitled to its possession for thirty (30) days after notice of such impoundment has been given, the Police Department shall cause it to be sold at public auction to the highest bidder.

2. Notice to Owner:

a. Whenever an abandoned, lost, stolen or unclaimed motor vehicle is to be sold at public auction, a notice of the time and place of the sale shall be posted in a conspicuous place for at least ten (10) days prior to the sale on the premises where the vehicle has been impounded.

b. At least ten (10) days prior to such sale, the Police Department shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner or other person known by the Police Department or towing service to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled person to reclaim the vehicle.

In those instances where the certified notification specified herein has been returned by the postal authorities to the Police Department due to the addressee having moved, or being unknown at the address obtained from registration records, the sending of a second certified notice will not be required.

B. Owner Unknown, Vehicle Sold or Junked; Exception:

1. If the identity of the registered owner or other person legally entitled to the possession of any vehicle removed and impounded under the terms of this Chapter which is seven (7) years old or newer cannot be determined by any means provided for in this Chapter, it may be sold as provided herein or disposed in the manner authorized by law without notice to the registered owner of the vehicle.

2. Whenever an abandoned vehicle of more than seven (7) years of age is impounded under the terms of this Chapter, it shall be kept in custody for a minimum of ten (10) days for the purpose of determining ownership, and contacting the registered owner by mail or in person for a determination of disposition and examining the State Police stolen motor vehicle files for theft and wanted information. At the expiration of the ten (10) day period, without the benefit of any disposition information being received from the registered owner, the Chief of Police shall authorize the disposal of the vehicle as junk only.

A vehicle classified as an antique vehicle may, however, be sold to a person desiring to restore it.

C. Record of Sale, Reclamation or Disposal: When a vehicle in the custody of the Police Department is reclaimed by the registered owner or other legally entitled person or when the vehicle is sold at public sale or otherwise disposed of as provided in this Chapter, a report of the transaction shall be maintained by the Police Department for a period of one year from the date of the sale or disposition.

D. Any abandoned vehicle impounded under this Chapter may be kept in private storage or may be kept in the City of Pekin impound lot. If kept in the City impound lot, the City shall charge a reasonable storage fee.

E. Proceeds of Sale: Whenever a vehicle is authorized to be towed away and disposed of by this Chapter, the proceeds of the public sale or disposition after the deduction of towing, storage and processing charges shall be deposited with the Director of Finance.

**8-8-8: NONLIABILITY OF CITY OR TOWING SERVICE:** No police officer, police agency, towing service owner, operator or employee shall be held liable for damages in any action brought by the registered owner, former registered owner or any other person legally entitled to the possession of a motor vehicle when the vehicle was processed and sold or disposed of as provided by this Chapter.



## CHAPTER 9

### ADMINISTRATION AND ENFORCEMENT

#### SECTION:

- 8-9-1: Violations
- 8-9-2: Enforcement
- 8-9-3: Bail
- 8-9-4: Penalties

#### 8-9-1: **VIOLATIONS:**

- A. Generally: Owning or driving any vehicle within the City limits of Pekin shall be taken and deemed to be constructive notice to said person of the rules and regulations applicable thereto, and failure to conform to such regulations shall be deemed to be a violation of this Code.
- B. Every person who commits, attempts to commit, conspires to commit or aids or abets in the commission of any act declared in this Title to be unlawful or which is prohibited by this Title, whether individually or in connection with one or more other persons or a principal, agent or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly or willfully induces, causes, coerces, requires, permits or directs another to violate any provision of this Title is likewise guilty of such offense.
- C. It shall be unlawful for the owner of any other person employing or otherwise directing the driver of any vehicle to require or knowingly permit the operation of such vehicle upon the streets and highways of this City in any manner contrary to the provisions of this Title.

8-9-2: **ENFORCEMENT:** The Pekin Police Department shall patrol the public highways and streets of this City and make arrests for violations of this Title. The City Attorney or any attorney at law duly appointed by the City Council to assist him shall prosecute the violators of this Title.

#### 8-9-3: **BAIL:**

- A. Purpose and Interpretation of Provisions: It is hereby declared by the City Council that:
  - 1. This Section is intended to codify herein the applicable rules of the Illinois Supreme Court as set forth in rules 501 Through 556, effective April 1, 1977, as said rules effect and pertain to bail and bail procedure for traffic offenses charged under this Title.

2. This Section is intended by its provisions to require compliance with said rules and to inform police officers and future offenders of the specific application of said rules to offenses charged under this Title.

3. Nothing in this Chapter shall be constructed as an attempt to enlarge, change or limit the powers of any court or rights of the accused with regard to bail or bail procedures as now or might hereafter be provided by State law or the rules of the Illinois Supreme Court.

B. Purpose of Bail: The purpose of bail is only to assure the appearance of the defendant in court. In a serious case where the arresting officer believes the preset amount of bail is inadequate for that purpose, the offender shall be brought before a judge without unnecessary delay.

C. Bail Schedule:

1. Minor Traffic Offenses: Except as provided in Subsections C2, C3 and C4 of this Section, a person arrested for a traffic offense under this Title and personally served a ticket shall post bail in the amount of seventy-five dollars (\$75.00) in one of the following ways:

a. By depositing, in lieu of such amount, his current Illinois driver's license;  
or

b. By depositing, in lieu of such amount, an approved bond certificate; or

c. By posting seventy-five dollars (\$75.00) cash bail.

2. Specific Offenses: The persons charged with violations of the following Sections of this Title shall post bail in the amount specified:

<u>SECTION</u>	<u>DESCRIPTION</u>	<u>BAIL</u>
a. 8-3-3	Speeding, between 21 to 30 mph or more over posted limit	\$75.00 cash
b. 8-3-3	Speeding, 31 mph or more over posted limit	\$100.00 cash
c. 8-1-4B	Fleeing or Eluding Police	\$1,000.00
d. 8-3-19	Drag Racing	\$1,000.00

e. 8-3-18 Reckless Driving  
\$1,000.00

f. 8-3-20 Driving Under Influence of  
Liquor or Drugs  
\$3,000.00

3. Driver's License in Lieu of or in Addition to Bail: An offender may deposit his current Illinois driver's license in lieu of the bail specified in subsections C2a, C2b, C2c, C2d and C2e above.

D. Cash Deposit: Whenever the bail specified for any violation of this Title is five hundred (\$500.00) dollars or more, in lieu of posting the total amount specified, an offender may elect to deposit ten (10%) of the amount specified and his current Illinois driver's license.

E. Offenses for Which Court Appearances Required: A court appearance is required for violation of the following provisions of this Title:

<u>SECTION</u>	<u>DESCRIPTION</u>
8-1-4b	Fleeing or Eluding Police
8-1-6A1	Duty on Striking Unattended Vehicle
8-1-6A2	Duty on Striking Fixtures or Other Property
8-3-3	Speeding more than 30 mph
8-3-18	Reckless Driving
8-3-19	Drag Racing
8-3-20	Driving Under Influence of Intoxicating Liquor or Drugs

F. Multiple Violations: When a person has been arrested for more than one offense arising out of the same occurrence, bail shall be set at an amount equal to the bail on the charge for which the highest bail is required.

G. Bail for Minors: Persons under seventeen (17) years may be released by giving individual bond (in the amount required by this Section) if the authorities cannot, within a reasonable time, locate a parent or an adult standing in the place of a parent to execute the bond as surety.

H. Procedures:

1. Method of Bail: The defendant may select the method of bail he will use. The arresting officer shall not require the deposit of a bond certificate or driver's license instead of cash.

a. If the defendant options for this method of providing bail, the defendant shall accompany the officer either in the defendant's own vehicle or in the

police vehicle, at the officer's discretion, to such place where a person authorized pursuant to subsection H of this Section will receive the cash bail. If no authorized person is available, the officer will place the appropriate portions to the ticket in a stamped envelope addressed to the Circuit Clerk of Tazewell County which the officer shall provide. The defendant, in the officer's presence, will then place the cash bail in the envelope, seal it and in the presence of the arresting officer, mail same to the Circuit Clerk.

b. Driver's License or Bond Certificate: The arresting officer shall supply a sealable envelope and will place the appropriate portions of the ticket in the envelope. The defendant will then place his driver's license, bond certificate or both in the envelope, seal it in the officer's presence and return the envelope to the officer. The arresting officer shall transmit the sealed envelope to the Circuit Clerk of Tazewell County within forty eight (48) hours or the time set for court appearance, whichever is earlier.

## 2. Receipts:

a. Cash Bail: A carbon copy of the bond or an official receipt showing the amount of cash bail posted, specifying the time and place of court appearance, shall be furnished to the accused and shall constitute a receipt for bail.

b. Driver's License or Bond Certificate: If a defendant deposits a driver's license with the arresting officer in lieu of bail or in addition to bail, or deposits a bond certificate, the arresting officer shall note that fact on the violator's copy of the ticket and shall constitute receipt for bail.

3. Court Appearance: In any instance, the arresting officer shall fix an appearance date on the defendant's ticket or notice to appear. This date shall be not less than ten (10) days nor more than forty five (45) days from the date of arrest, whenever practicable.

If a court appearance is required and if the defendant fails to appear, the bail may be forfeited and the court may order a complaint filed and a summons or arrest warrant issued.

The arresting officer's failure to appear on the date and at the time fixed for the defendant's appearance shall not be considered good cause for continuance. If the arresting officer shall be unable to appear on the date fixed, he shall notify the proper prosecutor beforehand so that a new date may be set and the defendant notified. In such case, a new appearance date shall be set. All appearances of a person charged with more than one offense arising out of the same occurrence shall be set at the same time whenever practicable.

4. Court appearance Not Required: If a ticket does not require a court appearance, the defendant may elect either:

a. To appear for hearing on the date fixed by the arresting officer for the defendant's appearance; or

b. If he does not wish to appear, he may mail his plea of guilty on the form supplied to him by the arresting officer to the Clerk not earlier than five (5) days after his arrest or later than three (3) days before his appearance date, excluding Saturdays, Sundays and holidays. The Clerk shall apply the cash bail to the payment of the fine and costs and will deliver or mail to the defendant the balance, if any. If the defendant has not posted cash bail, he shall enclose the total of the fine and costs with his plea of guilty.

5. Cash Bail to Recover Driver's License or Bond Certificate: Not sooner than five (5) days after arrest (excluding Saturdays, Sundays, and holidays) and not later than three (3) days before the date set for the appearance in court (excluding Saturdays, Sundays and holidays), the defendant who has deposited his driver's license or a bond certificate in lieu of cash bail may recover either by substituting cash bail in the appropriate amount with the clerk of the Circuit Court of Tazewell County. The Clerk may waive the time limit specified by this subsection.

I. Persons to Whom Bail is Made: Bail for any offense under this Code may be taken by the Circuit Clerk, his deputies and also by certain law enforcement officers. A list of these officers is available in the Circuit Clerk's office of Tazewell County. They may take the bail at any police station, or any other government office designated by the Chief Judge of the Tenth Judicial Circuit.

8-9-4: **PENALTIES:** Every person convicted of a violation of any provision of this Title, for which another penalty is not provided, shall be subject to a fine of not less than seventy five dollars (\$75.00) nor more than five hundred dollars (\$500.00).