

CHAPTER 52

TRAFFIC

ARTICLE I - DEFINITIONS AND GENERAL PROVISIONS

52.101 **DEFINITIONS.** Terms used in this Chapter have the meanings respectively ascribed to them by Article I of the Illinois Uniform Act Regulating Traffic on Highways, as amended, being **Chapter 625, Illinois Compiled Statutes, Sections 5/1-100 to 5/1-190**, inclusive.

52.101A **CLASSIFICATION OF VEHICLES.** For the purposes of this Chapter, motor vehicles shall be divided into **two (2) divisions**, to-wit: First division, vehicles which are designed for the carrying of not more than **seven (7) persons**; second division, those vehicles which are designed and used for pulling or carrying freight and also vehicles designed and used for carrying more than **seven (7) persons**

52.102 **OBEDIENCE TO POLICE.** Members of the Police Department, special police, auxiliary police and marshals assigned to traffic duty are hereby authorized to direct all traffic in accordance with the provisions of this Article, or in emergencies as public safety or convenience may require, and it shall be unlawful for any person to fail or refuse to comply with any lawful order, signal or direction of a policeman. Except in case of emergency, it shall be unlawful for any person not authorized by law to direct or attempt to direct traffic.

52.103 **SCENE OF FIRE.** The Fire Department officer in command or any fireman designated by him, may exercise the powers and authority of a policeman in directing traffic at the scene of any fire and where the Fire Department has responded to an emergency call for so long as Fire Department equipment is on the scene in the absence of or in assisting the police.

52.104 **SIGNS AND SIGNALS.** 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 or in accordance with the laws of the State of Illinois, excepting on direction of a police officer.

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52.104-A TRAFFIC CONTROL SIGNAL LOCATIONS.

(A) The locations described in **Schedule A** attached hereto are hereby designated traffic signal control locations.

(B) The locations described in **Schedule A-1** attached hereto are hereby designated school traffic signal control locations.

(C) When traffic signals or school traffic signals are erected and in operation at any such location the driver of a vehicle shall obey such signals as provided in this Chapter.

(D) The Superintendent of Streets is hereby empowered to erect and maintain traffic control signals in conformity with state law at the locations described in **Schedules A** and **A-1**.

52.105 TRAFFIC CONTROL SIGNAL LEGEND. Whenever traffic is controlled by traffic control signals exhibiting the words "Go," "Caution," or "Stop," or exhibiting different colored lights successively the following colors only shall be used and said terms and lights shall indicate as follows:

(A) **Circular Green or the Word "Go".**

- (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 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.

(B) **Steady Yellow or the Word "Caution".**

- (1) Vehicular traffic facing the signal is thereby warned that the red indication will be exhibited immediately thereafter or the related green movement is being terminated, and shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.
- (2) Unless otherwise directed by a pedestrian signal, pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and no pedestrian shall cross except upon a green light or go sign.

(C) **Steady Red or the Word "Stop".**

- (1) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line; if there is no such line then vehicles shall stop before entering such crosswalk and shall remain standing until the green indication is shown, unless otherwise directed by a sign or arrow.

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(2) No pedestrian facing such signal shall enter the roadway, shall cross until receiving a green light or go sign or unless and until a separate "Walk" indication is shown.

(D) **Green Turn Arrow** (Alone or 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 or 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 right-of-way to pedestrians lawfully within a crosswalk and to other traffic lawfully using the intersection.

(E) In the event that an official traffic control signal or flashing red signal is erected and maintained at a place other than an intersection, the provisions of this Section or of **Section 52.106** shall be applicable except as to provisions which by their nature can have no application. Any stop required shall be at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

(F) In the event an official traffic control signal or flashing red 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 sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking, the stop shall be made at the signal.

52.106 FLASHING SIGNALS. Whenever flashing red or yellow signals are used, they shall require obedience by vehicular traffic as follows:

(A) **Flashing Red (Stop Signal).** When a red lens is illuminated by rapid intermittent flashes drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, or if none, then 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.

52.107 TEMPORARY SIGNS AND SIGNALS. The Chief of Police is hereby empowered to have erected and maintained at dangerous or other hazardous locations, temporary stop, slow, danger or warning signs or signals.

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52.108 **PEDESTRIAN CONTROL SIGNALS.** Whenever special pedestrian control signals exhibiting the words "Walk" or "Don't Walk" are in place, such signals shall indicate as follows:

(A) **Walk.** Pedestrian facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by the driver of all vehicles.

(B) **Don't Walk.** While the "Don't Walk" signal is illuminated, either steady or flashing, no pedestrian shall start to cross the roadway in the direction of the signal, but pedestrian who has partly completed his crossing during the "Walk" indication shall proceed to a sidewalk or safety island, if one is provided.

52.109 **UNAUTHORIZED SIGNS.** No person shall place, maintain or display upon or in view of any street any unauthorized sign, signal, marking, light, reflector or device which purports to be or is an 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. No tree, bush or foliage of any kind shall be so placed, maintained, allowed to remain, or displayed upon either public or private property in such a manner as to hide from view or interfere with the movement of traffic or the effectiveness of any traffic control devices, sign or signal.

All such unauthorized devices are hereby declared to be nuisances and may be removed by any policeman or under his direction and supervision.

52.110 **INTERFERENCE WITH SIGNS OR SIGNALS.** It shall be unlawful for any person to deface, injure, move or interfere with any official traffic sign or signal.

52.111 **ADVERTISING SIGNS.** It shall be unlawful to maintain anywhere in the City any sign, signal, marking or device, other than a traffic sign or signal authorized by the City Council or the Illinois State Department of Public Works and Buildings, which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, in view of any street or highway, and it shall be unlawful to place or maintain any sign which hides from view any lawful traffic control device.

It shall be unlawful to maintain or operate in view of any street or highway any flashing or rotating beacon of light.

52.112 **AMBULANCES, OPERATION OF.** No person shall operate an ambulance, which shall include any motor vehicle primarily designed and used for conveyance of sick or injured persons, in a manner not conforming to a provision of the motor vehicle laws and regulations of this State or ordinance of this City as such provision applies to motor vehicles in general, except in compliance with the following conditions:

(A) The person operating the ambulance shall be either responding to a bona fide emergency call or specifically directed by a licensed physician to disregard traffic laws in operating the ambulance during and for the purpose of the specific trip or journey that is involved.

(B) The ambulance shall be equipped with a siren producing an audible signal of an intensity of **one hundred (100) decibels** at a distance of **fifty (50) feet** from said siren, and with a lamp emitting an oscillating, rotating or flashing red beam directed in part toward the front of the vehicle and containing a power rating of at least **one hundred (100) amps**;

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(C) The aforesaid siren and lamp shall be in full operation at all times during such trip or journey; and

(D) Whenever the ambulance is operated at a speed in excess of **forty (40) miles per hour**, the ambulance shall be operated in complete compliance with every other motor vehicle law and regulation of this State and ordinances of this City in which the ambulance is operated, relating to the operation of motor vehicles, as such provision applies to motor vehicles in general, except laws and regulations pertaining to compliance with official traffic control devices or to vehicular operation upon the right half of the roadway.

52.113 EXEMPTIONS. The provisions of this Chapter regulating the movement or parking of vehicles shall not apply to the driver of any authorized emergency vehicle when responding to an emergency call, but such driver when approaching shall slow down as necessary for safety but may proceed cautiously past a red or stop sign or signal. At other times, drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.

No driver of any authorized emergency vehicle shall assume any special privileges except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law.

The provisions of this Chapter regulating the movement and parking of vehicles shall not apply to persons, equipment or vehicles while actually engaged in installing, repairing, or otherwise improving streets or street pavements.

52.114 BICYCLE REGULATIONS.

(A) No person shall ride a bicycle on a street with another person on the handlebars or in a position in front of the operator.

(B) Persons riding bicycles shall observe all traffic signs and stop at all stop signs and obey traffic signals and the orders of the traffic officers and school patrols.

(C) No person shall ride a bicycle upon any street abreast of more than **one (1)** other person riding a bicycle.

(D) Every person riding a bicycle upon any street shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, signal for all turns, ride at the right hand side of the street, pass to the left when passing overtaken vehicles and individuals that are slower moving, and pass vehicles to the right when meeting.

(E) No person riding a bicycle on a street shall hold on, or hitch such bicycle to any other vehicle.

(F) No person shall ride a bicycle at night without a light on the front and reflector or lamp on the rear.

(G) No person riding a bicycle on the street shall engage in any trick riding or weaving in and out.

(H) No person shall ride or propel a bicycle out of alleys and driveways, or from behind parked cars, without stopping and looking to see that sidewalks or streets are clear of traffic.

(I) No person shall ride a bicycle on a sidewalk. This Section shall not apply to City of Belleville Police Officers on duty. **(Ord. No. 5148; 11-01-93)**

(J) Any person so riding a bicycle in addition to the above regulations shall be subject to the provisions of this Chapter applicable to drivers of vehicles, except those parts which have no application to one riding a bicycle.

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52.115 SKATEBOARD REGULATIONS.

(A) Persons riding skateboards or rollerblades shall observe all traffic signs and stop at all stop signs and obey traffic signals and the orders of the traffic officers and school patrols.

(B) No person shall ride a skateboard or rollerblades upon any street abreast of more than one (1) other person riding a skateboard or rollerblading.

(C) Every person riding a skateboard or rollerblading upon any street shall observe all traffic rules and regulations applicable thereto, and shall turn only at intersections, and ride or skate at the right hand side of the street.

(D) No person riding a skateboard or rollerblading on a street shall hold on, or hitch such skateboard or rollerblades to any vehicle.

(E) No person riding a skateboard or rollerblading on the street shall engage in any trick riding or weaving in or out.

(F) No person shall ride or propel a skateboard or rollerblade out of alleys and driveways, or from behind parked cars, without stopping and looking to see that sidewalks or streets are clear of traffic.

(G) No person shall ride a skateboard or rollerblade on a sidewalk in a territory described as follows:

Starting from a point at the intersection of the centerlines of North Oak Street and East "B" Street, thence westerly along the centerline of "B" Street to its intersection with Richland Creek;

Thence southwesterly along the centerline of Richland Creek to its intersection with the centerline of West Main Street;

Thence easterly along the centerline of West Main Street to its intersection with the centerline of South 6th Street;

Thence southward along the centerline of South 6th Street to its intersection with the centerline of West Lincoln Street;

Thence easterly along the centerline of Lincoln Street and its easterly projection to its intersection with the southerly projection of the centerline of South Oak Street;

Thence northward along the centerline and projection of the centerline of South Oak Street to its intersection with the centerline of East Main Street;

Thence easterly along the centerline of East Main Street to its intersection with the centerline of North Oak Street;

Thence northward along the centerline of North Oak Street to its intersection with the centerline of East "B" Street, to the point of beginning.

(Ord. No. 5657; 12-02-97)

ARTICLE II

THROUGH, ONE-WAY, YIELD RIGHT-OF-WAY
STREETS, AND STOP INTERSECTIONS

52.201 **THROUGH STREETS.** The streets described in **Schedule B** attached hereto are hereby designated through streets and the intersections described in **Schedules C-1** and **C-2** attached hereto are hereby designated four-way stop and school stop intersections as described in such schedules. The Chief of Police with the aid of the Superintendent of Streets is hereby directed to erect and maintain stop signs in conformity with state law at the entrances to the through streets and stop intersections described in such schedules.

The streets and parts of streets of the City designated by ordinance as through streets are hereby declared to be through streets. The driver of a vehicle shall stop at the entrance to a through street and shall yield the right-of-way to other vehicles which have entered the intersection or which are approaching so close on a through street as to constitute an immediate hazard unless directed otherwise by the traffic officer or a traffic control signal.

52.202 **ONE-WAY STREETS OR ALLEYS.** The streets described in **Schedule D** attached hereto are hereby designated one-way streets.

It shall be unlawful to operate any vehicle on any streets or alleys designated as one-way streets or alleys by ordinance, in any direction other than that so designated.

52.203 **STOP STREETS.** The driver of a vehicle shall stop in obedience to a stop sign at an intersection where a stop sign is erected pursuant to ordinance, at one or more entrances thereto, and shall proceed cautiously, yielding to the vehicles not so obliged to stop which are within the intersection or approaching so close as to constitute an immediate hazard, unless traffic at such intersection is controlled by a police officer on duty, in which event the directions of the police officer shall be complied with.

52.204 **YIELD RIGHT-OF-WAY STREETS.** The intersections described in **Schedule C-3** attached hereto are hereby designated yield right-of-way intersections. Where yield right-of-way signs are erected the driver of a vehicle shall be in obedience to such sign reduce the speed of his vehicle to not more than **twenty miles per hour (20 MPH)** and shall yield the right-of-way to other vehicles which have entered the intersecting street either from

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the right or left or which are approaching so closely on said intersecting street as to constitute an immediate hazard; but said driver having so yielded may proceed at such time as a safe interval occurs.

If a driver is involved in a collision at an intersection or interferes with the movement of other vehicles after driving past a yield right-of-way sign, such collision shall be deemed prima facie evidence of the driver's failure to yield right-of-way.

52.205 TURNS PROHIBITED.

(A) No person operating a vehicle on Main Street shall turn left onto High Street. No person operating a vehicle on High Street shall turn left onto Main Street. **(4828)**

(B) No person operating a vehicle traveling south on North Illinois Street between "A" Street and Public Square shall turn left into the Boatmen's Bank. No person operating a vehicle traveling south on North Illinois Street shall turn left onto Lebanon Avenue.

(C) There shall be no turns allowed on red lights at the intersections listed in **Schedule "R"**.

(D) No driver of a vehicle shall make a "U-turn" on any street or at any intersection of any streets in the City of Belleville. **(Ord. No. 5820; 12-01-97)**

52.206 NO TURNS. It shall be unlawful for the operator of any vehicle to turn left or right at any place where such turns are prohibited by ordinance. Such prohibition shall be indicated by appropriate signs.

52.207 POSTING SIGNS. Appropriate signs shall be posted to show all through, stop and yield right-of-way streets; all one-way streets and alleys, and all stop intersections.

52.208 PLACEMENT OF TRAFFIC CONTROL DEVICES. When official traffic control devices are required to be erected by this Chapter or by law, it shall be the duty of the Chief of Police and the Superintendent of Streets to cause suitable devices to be erected in such areas, if not erected by State Department of Public Works and Buildings.

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52.218 **HANDICAP PARKING.** No person shall park a car in a Parking Zone set forth in **Schedule "O"** below unless they have a Handicap Parking Sticker issued pursuant to **Chapter 625 of the Illinois Compiled Statutes. (#4802)**

ED. NOTE: Schedule "J" had to be changed to "O" because there is a Schedule "J" in existence.

52.219 **PENALTY.** Any person found guilty of wrongfully parking in a handicapped parking space, shall be fined not less than **Two Hundred Fifty Dollars (\$250.00)** nor more than **Five Hundred Dollars (\$500.00)** and shall pay any costs and charges connected with the removal or storage of the motor vehicle. (**Ord. No. 6945; 01-02-07**)

ARTICLE III

RULES FOR DRIVING

52.301 **REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTION.** The driver of a vehicle intending to turn at an intersection shall do so as follows:

(A) Both the approach for a right turn and a left turn shall be made as close as practical to the right-hand curb or edge of the roadway, or as indicated by traffic markers or signs.

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(B) 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 of the center line of the roadway being entered. Whenever practicable, the left turn shall be made in that portion of the intersection to the left of the center of the intersection, or as indicated by traffic markers or signs.

(C) 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 lane lawfully available to traffic moving in such direction upon the roadway being entered, or as indicated by traffic markers or signs.

The driver of a vehicle about to enter or cross a highway from a private road or driveway shall yield the right-of-way to all vehicles approaching on said highway.

52.301A STOP BEFORE EMERGING FROM ALLEY OR PRIVATE DRIVEWAY. The driver of a vehicle emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or driveway, and shall yield the right-of-way to all vehicles approaching on said roadway.

52.302 STARTING PARKED VEHICLE. No person shall start a vehicle which is stopped, standing, or parked unless and until such movement can be made with reasonable safety.

52.303 LIMITATIONS ON BACKING. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic.

52.304 OBSTRUCTION TO DRIVER'S VIEW OR DRIVING MECHANISM. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding **three (3)**, 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.

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52.305 DRIVER'S SIGNAL. No driver of a vehicle shall suddenly start, slow down, stop or attempt to turn without first giving a suitable signal in such a manner as to apprise others who might be affected by his action.

(A) No person shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding the horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.

(B) A signal or intention to turn right or left shall be given during not less than the last **one hundred (100) feet** traveled by the vehicle before turning.

The signals herein required shall be given either by means of the hand and arm, or by a signal lamp or signal device, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to front and rear of such vehicle, then said signals must be given by such a lamp or device.

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.

52.306 SIGNALS AND TURNING. No person may turn a vehicle at an intersection unless the vehicle is in the lane next to the direction in which the turn is to be made 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.

A signal of intention to turn right or left when required must be given continuously during not less than the last **one hundred (100) feet** 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 (200) feet** traveled by the vehicle before turning outside a business or residence district.

No person may stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided in this Chapter to the driver of any vehicle immediately to the rear when there is opportunity to give such a signal.

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The electric turn signal device required in this Chapter must be used to indicate an intention to turn, change lanes or start from a parallel parking 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.

52.307 SIGNAL LAMPS AND SIGNAL DEVICES. Every vehicle operated in this City shall be equipped with a stop lamp or lamps on the rear of the vehicle which shall display a red light visible from a distance of not less than **five hundred (500) feet** to the rear in normal sunlight, and which shall be actuated upon application of the service (foot) brake, and which may be but need not be incorporated with other rear lamps.

Every motor vehicle 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 light.

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 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 as widely spaced laterally as practicable.

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

52.308 DRIVING FROM ALLEYS, DRIVEWAYS OR GARAGES. The driver of a vehicle emerging from an alley, driveway or garage shall stop such vehicle immediately prior to driving onto a sidewalk, or across a sidewalk line projected across such alley, and shall exercise extreme care in driving upon said sidewalk or across such lines.

52.309 VEHICLE NOT TO BE DRIVEN ON SIDEWALKS. No driver of a vehicle shall drive within any sidewalk area except at a permanent or temporary driveway.

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52.310 **RIGHT-OF-WAY.** Excepting as otherwise herein provided, 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 highway; and when **two (2) vehicles** entering an intersection from different highways 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.

52.311 **VEHICLE TURNING LEFT.** The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within an intersection or so close thereto as to constitute an immediate hazard, but said driver, having so yielded and having given a signal when and as required, may make such left turn and the drivers of all other vehicles approaching the intersection from said opposite direction shall yield the right-of-way to the vehicle making the left turn.

52.312 **FIRE DEPARTMENT VEHICLES; FIRES.** Upon the approach of a Fire Department vehicle, drivers of vehicles shall comply with the provision of this Article relating to the approach of authorized emergency vehicles.

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 **one (1) block**, or to park any vehicle within the block where fire apparatus has stopped to answer a fire alarm.

It shall be further unlawful for the driver of any vehicle to drive over an unprotected hose of the Fire Department without the consent of the Fire Chief or the assistant in command.

52.313 **DRIVING ON RIGHT SIDE OF ROADWAY.** 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 another vehicle proceeding in the same direction under the rules governing such movement;
2. When the right half of a roadway is closed to traffic while under construction or repair;

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3. Upon a roadway divided into **three (3) marked lanes** for traffic under the rules applicable thereon; or
4. Upon a roadway designated and sign posted for one-way traffic.
5. Whenever there is a single track paved road on **one (1) side** of the public highway and **two (2) vehicles** meet thereon, the driver on whose right is the wider shoulder shall give the right-of-way on such pavement to the other vehicle.

52.314 **PASSING VEHICLES.** Drivers of vehicles proceeding in opposite directions shall pass each other to the right and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least **one-half (1/2)** of the main traveled portion of the roadway as nearly as possible. Tractor trailer trucks are prohibited from operating on West "F" Street between North 17th Street and North 21st Street. **(4792)**

52.315 **OVERTAKING VEHICLES.** The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to these limitations, exceptions and special rules hereinafter stated:

(A) 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 safety clear of overtaken vehicle.

(B) 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.

52.316 **OVERTAKING VEHICLES ON THE RIGHT.**

(A) 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.

(B) 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 on a roadway with unobstructed pavement of sufficient width for **four (4)** or more lines of moving traffic when such movement can be made in safety. No person shall drive off the pavement or upon the shoulder of the roadway in overtaking or passing on the right.

(C) The driver of a vehicle may overtake and pass another vehicle upon the right on a one-way street or on any street on which traffic is restricted to **one (1) direction** of movement where the roadway

is free from obstruction and of sufficient width for **two (2)** or more lanes of moving vehicles.

52.317 **LIMITATIONS ON OVERTAKING ON THE LEFT.**

(A) 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 the 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 (100) feet** of any vehicle approaching from the opposite direction.

(B) 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:

- (1) When approaching the crest of a grade or upon a curve in the highway where the driver's view is obstructed within sufficient distance as to create a hazard in the event another vehicle might approach from the opposite direction.
- (2) When approaching within **one hundred (100) feet** of or traversing any intersection or railroad grade crossing.
- (3) When official signs are in place directing that traffic keep to the right, or a distinctive line also so directs traffic as declared in the sign manual adopted by the Illinois State Department of Public Works and Buildings.
- (4) The limitations in subparagraphs (1) and (2) of this paragraph (B) shall not apply upon a one-way street, or upon a street with unobstructed pavement or sufficient width for **two (2)** or more lanes of moving traffic in each direction when such movement can be made with safety.

52.318 **ONE-WAY ROADWAYS.** Upon a roadway designated and sign posted for one-way traffic a vehicle shall be driven only in the direction designated.

52.319 **DRIVING ON ROADWAYS LANED FOR TRAFFIC.** Whenever any roadway has been divided into **two (2)** or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

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(a) A vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety.

(b) Upon a roadway which is divided into **three (3) lanes** a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center line is at the time allocated exclusively to traffic moving in the direction that the vehicle is proceeding and is sign-posted to give notice of such allocation.

(c) Official signs may be erected directing specific traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of such signs.

52.320 OPERATION OF VEHICLES ON APPROACH OF AUTHORIZED EMERGENCY VEHICLES. Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible sign by siren or bell, the driver of every other vehicle 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 and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

52.321 CARELESS DRIVING.

(a) **Reckless, Negligent or Careless Driving.** Any person who drives any vehicle with a willful or wanton disregard for the safety of persons or property is guilty of reckless driving. **(3475; 01-30-78)**

(b) **Intentional Vehicular Damage To Private Property.** Any person who drives any vehicle with an intentional disregard for the safety of the property of another and causes damage to the property of another is guilty of intentional vehicular damage to private property. Every person convicted of intentional vehicular damage to private property shall be fined not less than **Two Hundred Dollars (\$200.00)** nor more than **Five Hundred Dollars (\$500.00)**. **(#4151; 03-04-85)**

52.322 SPEED RESTRICTIONS.

(a) No person shall drive any vehicle upon any public street at a speed which: (1) is greater than is reasonable and proper with regard to traffic conditions and the use of the street or endangers the safety of any person or property; or (2) is greater than the applicable maximum speed limit established by law

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or ordinance. The fact that the speed of the vehicle does not exceed the applicable maximum speed limit 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 hill crest, when traveling upon any narrow or winding roadway, or when special hazard exists with respect to pedestrians or other traffic or by reason of weather or street conditions; and speed shall be decreased as may be necessary to avoid colliding with any person or vehicle on or entering the street in compliance with legal requirements and the duty of all persons to use due care.

(b) The maximum speed limit for a vehicle of the first division, unless some other such limit is established is as follows:

1. Outside of an urban district the maximum is **sixty-five (65) miles per hour**.
2. In an urban district the maximum is **twenty-five (25) miles per hour**, except that in an alley the maximum is **fifteen (15) miles per hour**.

(c) The maximum speed limit for a vehicle of the second division, unless some other such limit is established, is as follows:

1. If the vehicle is designed and used for pulling or carrying freight and has a gross weight of **eight thousand (8,000) pounds** or less (including the weight of the vehicle and maximum load), and is equipped with pneumatic tires, the maximum is **fifty-five (55) miles per hour** outside an urban district, **thirty (30) miles per hour** in an urban district, and **fifteen (15) miles per hour** in an alley; but if such vehicle is equipped with **two (2)** or more solid tires, the maximum is **ten (10) miles per hour** at all times and in all locations.
2. If the vehicle is designed and used for pulling or carrying freight and has a gross weight of more than **eight thousand (8,000) pounds** (including the weight of the vehicle and maximum load), and is equipped with pneumatic tires, the maximum is **fifty (50) miles per hour** outside of an urban district, **thirty (30) miles per hour** in an urban district, and **fifteen (15) miles per hour** in an alley; but if such vehicle is equipped with **two (2)** or more solid tires, the maximum is **ten (10) miles per hour** at all times and in all locations.
3. If the vehicle is designed and used for carrying more than **seven (7) passengers**, and is equipped with pneumatic tires, the maximum is **sixty (60) miles per hour**.

52.323 **SPEED LIMITS.** When it has been determined upon the basis of an engineering and traffic investigation that the prima facie speed limit of motor vehicles as provided by statutory enactment on any street is greater than is reasonable and safe under the conditions found to exist, the City Council may designate the speed limit. Those speed limits designated in **Schedule H** for the areas stated therein are hereby determined to be reasonable for safe travel under conditions found to be existing in such areas.

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52.323-A MINIMUM SPEED REGULATION. 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 law.

52.324 SPECIAL SPEED LIMIT WHILE PASSING SCHOOLS.

(a) 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) This Section shall not be applicable unless appropriate official signs are posted upon streets where the school zone is located. Such signs shall indicate the school zone and the maximum speed limit in effect during school days when school children are present.

(c) Appropriate signs shall be posted to indicate this restriction.

52.325 HOSPITAL QUIET ZONES.

(a) The following areas are designated as Hospital Quiet Zones:

1. Lincoln Street between Third Street and Centerville Avenue.
Third Street between Lincoln and Harrison.
2. **One (1) block** from Memorial Hospital in all directions on the following streets: North Park Drive, Suzanne Court, Park Drive, East Park Drive, West Park Drive, Memorial Drive.

(b) No person shall drive a vehicle at a speed greater than **fifteen (15) miles per hour** in the above hospital zones. No person shall operate a vehicle which makes unusually loud or unnecessary noise in the above established hospital zones. Appropriate signs shall be placed in the above zones indicating these restrictions.

52.327 GENERAL SPEED REGULATION. It shall be unlawful to drive any vehicle on any street or highway within the City under the jurisdiction of the State Department of Public Works and Buildings, or of the county, at a speed exceeding that lawfully set for such street.

52.328 TRAFFIC NOT TO BE OBSTRUCTED. No vehicle or train shall be operated or allowed to remain upon any street in such a manner as to form an unreasonable obstruction to the traffic thereon and not longer than the amount of time allowed by state statute. The provisions of this Section shall also apply to railway crossing gates.

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52.329 BICYCLES AND MOTORCYCLES. It shall be unlawful for more than **one (1) person** to ride upon any bicycle propelled by human power upon any street, or for any person to ride upon any motorcycle other than upon a seat permanently attached to said vehicle to the right or rear of the operator.

52.330 UNATTENDED VEHICLES. No vehicle shall be left unattended while the motor of such vehicle is running; and no vehicle shall be left without a driver on any hill or incline unless the vehicle is secured against moving.

Whenever any police officer finds a vehicle unattended upon any bridge or roadway where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle to the nearest garage or other place of safety.

52.331 MOVING PARKED VEHICLE. No person other than a police officer, as provided in this Chapter, shall move a vehicle into any prohibited area or away from a curb such distance as is unlawful, 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 motor vehicle to a position other than that in which it was left by the owner or driver thereof, or attempt to do so.

52.332 UNATTENDED ANIMALS. It shall be unlawful to leave any horse or other draft animal unattended in any street without having such animal securely fastened.

52.333 CLINGING TO VEHICLES. It shall be unlawful for any person on any street riding a bicycle, motorcycle, sled or any toy vehicle to cling to or attach himself or his vehicle to any moving vehicle or wagon.

52.334 TOY VEHICLES. It shall be unlawful for any person upon skates, a coaster, sled or other toy vehicle, to go upon any roadway other than at a crosswalk.

52.335 RIDING ON RUNNING BOARDS. It shall be unlawful for any person to ride upon the fenders, running board, bumpers, top or outside step of any vehicle.

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52.336 **TRAIN SIGNALS.** The driver of a vehicle approaching a railroad grade crossing when a signal device gives warning of the immediate approach of a train, shall stop within **fifty (50) feet** but not less than **ten (10) feet** from the nearest track of such railroad and shall not proceed until he can do so safely.

The driver of a vehicle shall stop at and not traverse such grade crossing when a crossing gate is lowered or when a flagman, or automatic signal warns of the approach of a train.

The driver of any motor vehicle carrying passengers for hire, or any school bus carrying any school children, or any vehicle carrying explosives or flammable liquid cargo shall stop such vehicle within **fifty (50) feet** but not less than **ten (10) feet** from the nearest rail of the tracks and shall listen and look in both directions along such track from which a train might come before proceeding across such tracks at a grade crossing. Provided that no such stop need be made at any such crossing where a police officers or a traffic control signal directs traffic to proceed.

52.337 **DRIVING THROUGH FUNERAL OR OTHER PROCESSION.** No driver of a vehicle shall drive between vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required in this Chapter.

52.338 **DRIVERS IN A PROCESSION.** Each driver in a funeral or other procession shall drive as near to the right-hand side of the roadway as close as practical and shall follow the vehicle ahead as close as practical and safe.

52.339 **FUNERAL PROCESSIONS.** Funeral processions have the right-of-way at intersections when vehicles comprising such procession have their headlights lighted, subject to the following conditions and exceptions:

Operators of vehicles in a funeral procession shall yield the right-of-way upon the approach of an authorized emergency vehicle giving an audible or visible signal.

Operators of vehicles in a funeral procession shall yield the right-of-way when directed to do so by a traffic officer.

The operator of the leading vehicle in a funeral procession shall comply with stop signs and traffic control signals but when the leading vehicle has proceeded across an intersection in accordance with such signal or

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after stopping as required by the stop sign, all vehicles in such procession may proceed without stopping, regardless of the sign or signal and the leading vehicle and the vehicles in procession shall proceed with due caution.

The operator of a vehicle not in the funeral procession shall not drive his vehicle in the funeral procession except when authorized to do so by a traffic officer or when such vehicle is an authorized emergency vehicle giving audible or visible signal.

Operators of vehicles not a part of a funeral procession may not form a procession or convoy and have their headlights lighted for the purpose of securing the right-of-way granted by this Chapter to funeral processions.

The operator of a vehicle not in a funeral procession may overtake and pass the vehicles in such procession if such overtaking and passing can be accomplished without causing a traffic hazard or interfering with such procession.

The lead vehicle in the funeral procession may be equipped with a flashing amber light which may be used only when such vehicle is used as a lead vehicle in such procession. Vehicles comprising a funeral procession may utilize funeral pennants or flags or windshield stickers to identify the individual vehicles in such a procession.

52.340 **BACKING.** The driver of a vehicle shall not back the same unless movement can be made with reasonable safety and without interference with other traffic.

52.341 **TRUCKS PROHIBITED ON CERTAIN STREETS.** It shall be unlawful to operate a truck upon any street where truck operation is prohibited by ordinance and where such signs of prohibition are posted, except that a truck may be driven on such street for not more than the minimum distance necessary for the purpose of making deliveries or picking up loads. **(See Schedule J)**

52.342 **LIMITED LOAD STREETS.** It shall be unlawful to operate any vehicle on any street in the City when the gross weight on the surface of the road through any axle of such vehicle exceeds **sixteen thousand (16,000) pounds**. Where lower limits are imposed in **Schedule "P"** entitled **"Load Limits"** and signs indicating such limitations are posted, it shall be unlawful to operate a vehicle in excess of such weight on such street, except for the purpose of making delivery or picking up a load, in which case such vehicle may be driven on such street for not more than the minimum distance necessary for the purpose.

It shall be unlawful for person, firm or corporation to park any motor vehicle, including a tractor or trailer having a gross weight of more than **four (4) tons** or having the width of more than **seven (7) feet** upon, along or over any street or thoroughfare within the City, except for any motor vehicle in the process of loading or unloading, and except for any municipal vehicle owned or used by the City in the performance of municipal functions. **(Ord. No. 5600; 06-18-96)**

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52.343 **SCHOOL BUSES.** The driver of a vehicle on any street or highway upon meeting or overtaking from either direction any school bus which has stopped on the highway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus when there is in operation on the bus a visual signal directing that a stop be made; provided that the driver of a vehicle upon a street or highway of which the roadway for traffic moving in opposite directions are separated by a strip of ground at least **four (4) feet** wide which is not surfaced or suitable for vehicle traffic, or on a controlled access highway where pedestrians are not permitted to cross, need not stop his vehicle upon meeting or passing a school bus which is on the opposite roadway.

52.344 **FOLLOWING TOO CLOSELY.**

(A) 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 street.

(B) The driver of any motor vehicle of the second division or motor vehicle drawing another vehicle when traveling upon a street outside of a business or residence district shall not follow within **three hundred (300) feet** of another motor vehicle of the second division or motor vehicle drawing another vehicle. The provisions of this subdivision shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specifically designated for use by motor vehicles of the second division.

(C) Motor vehicle being driven upon any street outside of a business or residence district in a caravan or motorcade to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

52.345 **DISREGARDING TRAFFIC ORDERS.** It shall be unlawful for any person to willfully fail or refuse to comply with any lawful order or direction of any police officer invested by law with authority to direct, control or regulate traffic.

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52.346 REFUSAL TO STOP VEHICLE. It shall be unlawful for the driver or operator of any motor vehicle who having been given a visual or audible signal by a police 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 otherwise flee or attempt to evade the police officer. The signal given by the police officer may be by hand, voice, siren, red or blue light.

52.347 LIGHT ON MOTOR VEHICLES. 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, every motorcycle shall carry and exhibit one lighted lamp commonly known as a driving light and every other motor vehicle **two (2)** such lighted driving lamps showing white lights, or lights of a yellow or amber tint, visible at least **five hundred (500) feet** in the direction toward which each motorcycle or motor vehicle is proceeding. Parking lamps may be used in addition to but not in lieu of any such driving lamps. Each motor vehicle, trailer, or semi-trailer shall also exhibit at least **two (2) lighted 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 (500) feet** in the reverse direction, except that a motorcycle need be equipped with only **one (1)** such lamp.

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

52.348 DISOBEYING TRAFFIC CONTROL DEVICES. No driver of a vehicle shall disobey the instructions of any official traffic control device unless at the time otherwise directed by a police officer.

It shall be unlawful for any person to leave the roadway and travel across private property to avoid a traffic control device.

52.349 OPENING DOOR INTO TRAFFIC LANE. It shall be unlawful to open any door of a motor 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 motor vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers.

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52.350 **DRAG RACING.** It shall be unlawful for the operator of any motor vehicle to participate in drag racing. "Drag racing" means the act of **two (2)** or more individuals competing or racing on any street or highway in this 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 in this City.

52.351 **ALCOHOLIC LIQUOR IN MOTOR VEHICLES.** It shall be unlawful for any person to transport, carry, possess or have any alcoholic liquor in, upon or about any motor vehicle except in the original package and with the seal unbroken.

52.352 **SEAT SAFETY BELTS.** It shall be unlawful for any person to operate any **1961** or later model motor vehicle of the first division that is titled or licensed by the Secretary of State unless the front seat of such motor vehicle is equipped with **two (2) sets** of seat safety belts.

52.353 **PUTTING GLASS, ETC., ON STREETS.**

(a) No person shall throw or deposit upon any street any glass bottle, glass, nails, tacks, wire, cans, or any other substance likely to injure any person, animal or vehicle upon such street.

(b) Any person who drops, or permits to be dropped or thrown, upon any street any destructive or injurious material shall immediately remove the same or cause it to be removed, nor shall any person deposit or allow to be deposited dirt and/or mud upon any street. **(#4437; 08-17-87)**

(c) Any person removing a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped upon the street from such vehicle.

52.354 **LIGHTS ON EMERGENCY VEHICLES.** No oscillating, rotating or flashing lights are permitted on any motor vehicle except as follows:

(a) Red oscillating, rotating or flashing lights are permitted only on:

1. Local law enforcement vehicles and police vehicles of the state or federal government;
2. Vehicles of local fire departments and firefighting vehicles of the state or federal government; and

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- (3) Vehicles which are designed as ambulances and while responding to an emergency call for the purpose of conveying sick or injured persons.
- (B) Amber oscillating, rotating or flashing lights are permitted only on:
- (1) Second division vehicles designed for towing or hoisting disabled vehicles while actually being used for such purposes;
 - (2) Motor vehicles or equipment of the State of Illinois, local authorities and contractors while engaged in maintenance or construction operations within the limits of construction projects;
 - (3) Vehicles or equipment used by engineering or survey crews while actually engaged in work on a highway;
 - (4) Vehicles of public utilities and municipal departments while engaged in maintenance or construction operations within the limits of construction projects;
 - (5) Oversized vehicle or load moving under permit issued by the Department of Public Works and Buildings of the State of Illinois;
 - (6) The front and rear of motorized equipment owned and operated by the State of Illinois or any political subdivision thereof, which is designed and used for removal of snow and ice from highways; and
 - (7) Such other vehicles as may be authorized by local authorities.
- (C) Blue oscillating, rotating or flashing lights are permitted only on:
- (1) The front of any motor vehicle owned by or fully operated by a volunteer fireman, paid fireman, part-paid fireman or call fireman while responding to a fire call; and
 - (2) Police Department vehicles in cities having a population of **five hundred thousand (500,000)** or more inhabitants.

ARTICLE IV - PEDESTRIANS

52.401 **RIGHT-OF-WAY.** Where traffic control signals or pedestrian control signals provided for in **Article I** of this Chapter are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping, if need be, to a pedestrian crossing the roadway or street within any marked crosswalk or within any unmarked crosswalk.

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Whenever stop signals or flashing red signals are in place at an intersection or a marked crosswalk between intersections the pedestrian shall have the right-of-way over drivers of vehicles; and at such marked places drivers of vehicles shall stop before entering the nearest crosswalk and any pedestrian within or entering the crosswalk at either edge of the roadway shall have the right-of-way over any vehicle so stopped.

The driver of a vehicle shall stop before entering any crosswalk when any vehicle proceeding in the same direction is stopped at such crosswalk for the purpose of permitting a pedestrian to cross.

52.402 PEDESTRIANS CROSSING ROADWAY. No pedestrian shall stand or loiter in such street or roadway other than in a safety zone.

No pedestrian shall cross any street except at designated and marked crosswalks.

52.403 SIGNALS. At intersections where traffic is directed by a policeman or by a stop and go signal, it shall be unlawful for any pedestrian to cross the roadway other than with released traffic, if such crossing interferes with the lawful movement of traffic.

52.404 STANDING ON SIDEWALK. It shall be unlawful for a pedestrian to stand upon any sidewalk except as near as reasonably possible to the building line or curb line, if such standing interferes with the use of said sidewalk by other pedestrians.

52.405 PEDESTRIAN CROSSING. Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any street or roadway and shall give warning by sounding the horn when necessary and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a street or roadway.

52.406 PEDESTRIANS WALKING ALONG ROADWAYS.

(A) Where sidewalks are provided, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

(B) Where sidewalks are not provided, any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic, and upon meeting a vehicle shall step off to the left.

(C) No person shall solicit a ride from a driver of any motor vehicle.

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52.407 **BLIND PEDESTRIANS, RIGHT-OF-WAY.** 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 Chapter 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 such a cane or walking stick or is not guided by a dog, but the other provisions of this Chapter relating to pedestrians shall be applicable to such person. However, the failure of a blind person to use or so carry such a cane or walking stick or to be guided by a guide-dog when walking on streets, highways or sidewalks, shall not be considered evidence of contributory negligence.

52.408 **WALKING ON HIGHWAYS.** Any person walking along and upon improved highways shall keep on the left of the paved portion, or on the left shoulder thereof, and upon meeting a vehicle when walking on such paved portion shall step off to the left.

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

It is unlawful for any pedestrian who is under the influence of intoxicating liquors to be upon any street or roadway of this City.

ARTICLE V - PARKING RULES

52.501 **PARKING RESTRICTIONS.** The parking restrictions set forth in this Section apply whether such areas are posted with signs or not, but if official signs or markings are located in such areas the instructions of the signs and markings shall take precedence over the terms of this Section.

52.502 **NO PARKING RULES.** It shall be unlawful to permit any vehicle to stand at any time in any of the following places, except when necessary to avoid conflict with other traffic or in compliance with the directions of a policeman or traffic control device:

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- (1) In any intersection.
- (2) In a crosswalk.
- (3) Upon a bridge, viaduct, in any subway or tunnel or the approach thereto.
- (4) Within **thirty (30) feet** of traffic signal, beacon or sign on the approach side.
- (5) Within **twenty (20) feet** of any intersection or crosswalk.
- (6) Any place reducing roadway to usable width of less than **eighteen (18) feet**.
- (7) Within **fifteen (15) feet** of fire hydrant.
- (8) Within **six (6) feet** of a driveway. **(Ord. #3344; 03-15-76)**
- (9) Within **fifty (50) feet** of nearest rail or railroad crossing grade.
- (10) Within **twenty (20) feet** of the driveway entrance to any Fire Department station and on the side of the street opposite the entrance to any such station within **seventy-five (75) feet** of such entrance, when properly signposted, or where curb is painted yellow, except that parking shall be permitted within **twenty-five (25) feet** of fire house on the East side of 12th Street.
- (11) On sidewalk or parkway.
- (12) At any place where official signs prohibit parking or where the curb is painted yellow. **(Ord. No. 3049; 01-07-72)**
- (13) Fire lane.

(Ord. No. 3029; 09-07-71)

52.503 **STREET CLEANING.** It shall be unlawful to park any vehicle on any public street or portion thereof in the City at any time when such street is being cleaned or snow removed. Signs indicating such cleaning or snow removal shall be posted before such work is done.

52.504 **TOWING VEHICLES.** The Police Department and all members thereof are hereby authorized to have removed and towed away any car or other vehicle parked, or any vehicle or trailer for hauling items including boats, lawn equipment, campers, etc. which has been parked in the same vicinity on any public street or other public place for a period of **seventy-eight (78) consecutive hours**. Cars or trailers, etc. so towed away shall be stored on any City property or in a public garage or parking lot and shall be restored to the owner or operator thereof after payment of the expense incurred by the City in removing or storing such vehicles. **(Ord. No. 6685; 10-18-04)**

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52.505 **TIME LIMIT PARKING.** It shall be unlawful to park any vehicle for a period of time in excess of the amount of time designated by ordinance and so posted.

52.506 **PARKING AT CURB.** No vehicle shall be parked with the left side of such vehicle next to the curb, except on one-way streets, and it shall be unlawful to stand or park any vehicle in a street other than parallel with the curb and with the **two (2)** right wheels of the vehicle within **twelve (12) inches** of the regularly established curb line, except that upon those streets that have been marked for angle parking, vehicles shall be parked at the angle to the curb indicated by such marks. See exceptions to this regulation in **Schedule "V"**. (**Ord. No. 6385**)

52.507 **VEHICLES FOR SALE OR LEASE AND PEDDLING FROM A VEHICLE.** It shall be unlawful to park any vehicle upon any street for the purpose of displaying it for sale or lease, or to park any vehicle upon any street from which vehicle merchandise is peddled or sold.

It shall be unlawful for any person, persons, partnership, corporation or any other legal entity in the business of selling, leasing or renting automobiles, trucks or other motor vehicles, to allow any automobile, truck or other motor vehicles owned or possessed by them to be parked on any street in front of, to the rear of, or adjacent to their place of business for a period of time longer than **thirty (30) minutes**. (**#3179; 11-30-73**)

52.508 **LOADING ZONES.** When signs are erected or the area otherwise marked giving notice thereof, the following areas are designated Loading Zones in **Schedule "K"** and no person shall park a vehicle on such Loading Zones except for loading or unloading merchandise or material. (**#3344; 03-15-76**)

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52.509 BUS STOPS AND TERMINALS.

(a) The following areas are hereby designated as bus stops or bus terminals:

1. North Illinois Street, west side, from the south curb line of W. "C" St. to a point **seventy (70) feet** south of the curb line. **(#3302)**

(b) No person other than a bus driver of a bus line designated shall park in any bus zone or bus terminal, except that a taxicab driver may stop on the North side of Main St., east of the Public Square when there is no interference with a bus.

(c) Whenever it shall be determined by the City Council to be in the best interest of public safety to establish loading and unloading area for school buses, or any other vehicles transporting students to the local schools or other special education classes, such regulations and restrictions may be imposed on such areas relating to parking and traffic regulation as may be deemed necessary by the City Council.

The following areas are designated as Loading Zones for school buses or other vehicles transporting students:

South 23rd St., west side, from 107 S. 23rd St., **one hundred ninety (190) feet** south.

52.510 TAXICAB STANDS. The following areas are designated open taxicab stands:

(a) All open taxicab stands are for the convenience of the general public and are reserved exclusively for the use of taxicabs having a Certificate of Convenience and Necessity from the City. No person shall park any vehicle other than a taxicab in any open taxicab stand.

(b) Taxicabs shall be parked in the taxicab stands by heading them directly toward the curb at right angles with the curb.

(c) Signs designating taxicab stands shall be erected at the expense of the taxicab company.

52.511 CAB STANDS, BUS STANDS. No vehicle other than a licensed taxicab shall be parked in any area designated by ordinance as a cab stand; and no vehicle other than a bus shall be parked in a place so designated as a bus loading zone.

52.512 ALLEYS. No person shall park a vehicle within an alley except for the purpose of loading and unloading merchandise and then in such a manner or under such conditions as to leave available less than **ten (10) feet** of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

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52.513 PARKING MOTOR VEHICLES ON PRIVATE PROPERTY. It shall be unlawful to park any motor vehicle on any private property without the consent of the owner of the property.

52.514 PARKING PROHIBITED AT TIMES ON CERTAIN STREETS. When signs are erected or the area otherwise marked giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets described in **Schedule "E"** attached hereto. (**#3344; 03-15-76**)

52.515 LIMITED PARKING. When signs are erected or the area otherwise marked giving notice thereof, no person shall park a vehicle upon any of the streets described in **Schedules "F" and "G"** attached hereto, at the times or for a longer time than that set forth in the Schedules. (**#3344; 03-15-76**)

52.516 SIGNS - NOTICE. Appropriate notice by way of signs or other markings shall be given in all areas where parking is limited or prohibited indicating such limitations or prohibitions. (**#3344; 03-15-76**)

52.517 COMMERCIAL TRUCKS.

(A) It shall be unlawful for any person to park a commercial truck having a gross weight of more than **four (4) tons** within **five hundred (500) feet** of any residence in the City for longer than **thirty (30) minutes** except as for the purpose of loading or unloading.

(B) It shall be unlawful for any person, firm or corporation to park any motor vehicle having a gross weight of more than **four (4) tons** or having a width of more than **seven (7) feet** or a motor vehicle with the rate capacity of **one (1) ton** or more, or a motor vehicle with a length of over **twenty (20) feet** upon, along or over any street or thoroughfare within the City, except for any motor vehicle in the process of loading or unloading and except for any municipal vehicle owned or used by the City in the performance of municipal functions. (**Ord. No. 5833; 01-20-98**)

(C) It shall be unlawful to run any motor, refrigeration compressor, or any other type of mechanical device or any engine within **five hundred (500) feet** of an occupied residential structure during the hours of **8:00 P.M.** and **8:00 A.M.** the following day. Such motor, refrigeration compressor, or any other type of mechanical device or any engine may not be connected to electricity, water, gas or sanitary sewer facilities, and at no time shall this equipment be used for living or housekeeping purposes.

(D) It shall be unlawful, in a predominantly residential area, for any semi-truck or semi-trailer to be stored in any off-street parking area except when loading or unloading, or unless in an approved loading or unloading area, or in a motel-hotel lot when its owner or driver is registered as a guest.

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(E) It shall be unlawful, in a predominantly residential area, to park any trucks, trailers and motor vehicles having a gross weight in excess of **four (4) tons** which is designed, manufactured or used predominantly for commercial purposes in any residential district except for the process of loading or unloading.

(F) Notwithstanding anything contained in this Section, trucks, trailers and motor vehicles designed, manufactured or used predominantly for commercial purposes, including but not limited to, wreckers, dump trucks, tracked vehicles, buses, construction vehicles, septic tank trucks, equipment vehicles and carriers, bottling works, delivery trucks, grain trucks, and refrigerated trucks, are prohibited from parking on public streets in residential districts unless they are loading, unloading or are being used for the purpose for which it was built. **(Ord. No. 5717; 03-17-97)**

52.518 HANDICAPPED PARKING.

(A) It shall be prohibited to park any motor vehicle which is not bearing registration plates or decals issued to a handicapped person, as defined in **Section 1-159.1 of the "Illinois Vehicle Code"** pursuant to **Sections 3-616 or 11-1301.2 of the "Illinois Vehicle Code"**, or to a disabled veteran pursuant to **Section 3-609 of the "Illinois Vehicle Code"**, as evidence that the vehicle is operated by, or for a handicapped person, or a disabled veteran, in any parking place, including any private or public off-street parking facility specifically reserved for motor vehicles bearing such registration plates or decals.

(B) The parking privileges for motor vehicles bearing registration plates or decals issued to a handicapped person or a disabled veteran shall also include motor vehicles registered in another jurisdiction upon which is displayed a registration plate, special decal or device issued by another jurisdiction designating the vehicle as operated by, or for a handicapped person.

(C) The police may remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by the handicapped or disabled veterans, which does not display handicapped registration plates or a special decal or device as required under this paragraph.

(D) Any person found guilty of wrongfully parking in a handicapped parking space, shall be fined **One Hundred Dollars (\$100.00)** in addition to any costs or charges connected with the removal or storage of the motor vehicle. **(Sec. 52.515 was renumbered to 52.518.) (Ord. No. 5726; 04-07-97)**

(See Sec. 52.218)

ARTICLE VI

CONDITION AND EQUIPMENT OF VEHICLES

52.601 **CLEAR VISION.** It shall be unlawful to operate any vehicle which is so loaded or in such a condition that the operator does not have a clear vision of all parts of the roadway essential to the safe operation of the vehicle.

52.602 **GAS AND SMOKE.** It shall be unlawful to operate any vehicle which emits dense 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.

52.603 **UNNECESSARY NOISE.** It shall be unlawful to operate a vehicle which makes unusually loud or unnecessary noise.

52.604 **DRIVING UNSAFE VEHICLES PROHIBITED.** It is unlawful for any person to drive or move or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle which is in such unsafe condition as to endanger any person or property, or which is in violation of any provisions of this Chapter or any laws of the State of Illinois.

52.605 **SPILLING LOADS.** No vehicle shall be so loaded that any part of its load spills or drops on any street or alley in the municipality.

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52.606 BRAKES. It shall be unlawful to drive any motor vehicle upon a street unless such vehicle is equipped with good and sufficient brakes in good working condition, as required by the state traffic law, 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 vehicles.

52.607 HORN. Every motor vehicle shall be equipped with a good and sufficient audible signaling device in efficient working condition. Such signaling device shall be sounded when necessary to give timely warning of the approach of a vehicle, but such horn or other signaling device shall not be sounded for any purpose other than as a warning of impending danger.

No motor vehicle other than an emergency vehicle shall be equipped with a siren or gong signaling device.

52.608 LAMPS ON VEHICLES OWNED BY FIREMEN. Any motor vehicle owned or fully operated by a fireman may be equipped with not to exceed **two (2) lamps** which shall emit a blue light without glare, which lights shall only be used when actually going to a fire.

52.609 LIGHTS. It shall be unlawful to operate or park on any street any vehicle not equipped with adequate lights conforming to the requirements of the state law, provided that vehicles may be parked at nighttime without lights on any street or portion thereof.

52.610 MUFFLER. No motor vehicle shall be operated on any street unless such vehicle is provided with a muffler in efficient actual working condition; and the use of a cutout is prohibited.

52.611 WIDTH, LENGTH AND HEIGHT; PROJECTING LOADS. The maximum length and height of any vehicle and its load shall not exceed the limits expressed in the Uniform Act Regulating Traffic on Highways.

No first division vehicle shall be operated on the streets with a load extending beyond the line of the fenders on the left side of the vehicle nor extending more than **six (6) inches** beyond the line of the fenders on the right side thereof.

No combination of vehicles of the second division coupled together shall consist of more than **two (2) units**, but such limitation shall not apply to vehicles operated in daytime when transporting pipes, poles, machinery and other objects which cannot be readily dismembered, nor to such ve-

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hicles operated at nighttime by a public utility when engaged in emergency repair work; but such load carried at night shall be clearly marked with sufficient lights to show the full dimensions of the load.

No part of the load of a vehicle shall extend more than **three (3) feet** in front of the extreme front portion of the vehicle.

52.612 **TIRES.** It shall be unlawful to operate on any street any motor vehicle which is not equipped with tires conforming to the requirements of the Uniform Act Regulating Traffic on Highways.

52.613 **WEIGHT.** It shall be unlawful to drive on any street any motor vehicle with a weight, including load, in excess of that permitted by the Uniform Act Regulating Traffic on Highways for driving on improved highways or with weight distributed in a manner not conforming to such law, or in violation of a special weight limits provided for by ordinance and signposted.

52.614 **WEIGHT, LIMITS ON PUBLIC STREETS.** No vehicle shall be operated or allowed to stand upon the streets listed in **Schedule "L"** if the vehicle, together with the load thereon, weighs in excess of designated weight, except when and to the extent necessary for the receiving or delivery of goods and materials.

52.615 **MOTORCYCLES, TRAILERS, LIGHTS REQUIRED.** 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, every motorcycle operated on any street or other public place in the City shall carry and exhibit **one (1) lighted lamp** commonly known as a driving light, and every motor vehicle **two (2)** such lighted lamps showing white lights or lights of a yellow or amber tint, visible at least **five hundred (500) feet** in the direction toward which each motorcycle or motor vehicle is proceeding, and each motor vehicle, trailer, or semi-trailer shall also exhibit at least **one (1) lighted lamp** which shall be so situated as to throw a red light visible for at least **five hundred (500) feet** in the reverse direction. That every trailer having a gross weight of **three thousand (3,000) pounds** or less including the weight of the trailer and maximum load shall be equipped with **two (2) lighted lamps, one (1)** on each side of the rear of such trailer which shall be so situated as to throw a red light visible for at least **five hundred (500) feet** in the reverse direction.

ARTICLE VII

DRIVERS

52.701 LIQUOR OR DRUGS. No person who is under the influence of intoxicating liquor may drive or be in actual physical control of any vehicle within this State.

No person who is a habitual user of or under the influence of any narcotic drug who is under the influence of any other drug to a degree which renders him incapable of safely driving a vehicle may drive or be in actual physical control of any vehicle within this State. The fact that a person charged with a violation of this subsection is or has been entitled to use such drug under the laws of this State does not constitute a defense against any charge of violation of this subsection.

Upon the trial of any 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 amount of alcohol in the person's blood at the time of the act alleged as shown by a chemical analysis of his breath, blood, urine, saliva or other bodily substance is admissible, as provided hereinafter in this paragraph and the results of any such analysis shall give rise to the following presumptions:

1. If there was at the time of such analysis **0.05 percent** or less by weight of alcohol in the person's blood, it shall be presumed that the person was not under the influence of intoxicating liquor;
2. If there was at the time of the said analysis in excess of **0.05 percent** but less than **0.10 percent** by weight of alcohol in the person's blood, 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;

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3. If there was at the time of such analysis **0.10 percent** or more by weight of alcohol in the person's blood, 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.

52.702 ACCIDENTS. The driver of a vehicle which has collided with, or been in an accident with any vehicle, person or property in such a manner as to cause injury to or damage, shall stop immediately and render such assistance as may be possible, and give his true name and residence to the injured person or any other person requesting the same on behalf of the injured person, or the owner of the property damaged, and to a policeman, if one is present. The driver of each vehicle concerned in accident involving bodily injury or death or damage to the property of any **one (1) person** in excess of **One Hundred Dollars (\$100.00)** shall report such accident to the Police Department in writing on forms provided for such purpose as soon after the accident as may be practicable, but in no event less than **twenty-four (24) hours** after such accident.

ARTICLE VIII - PARKING AT METERS AND IN OTHER DESIGNATED SPACES

52.801 PARKING.

(A) **Chief of Police's Authority.** The Chief of Police at the direction of the Mayor is hereby authorized and directed to promulgate rules and regulations for on-street parking and for off-street parking in City-owned lots. Further, s/he shall issue orders for signage and for painting of lines denoting regulations for parking and for no parking. Rules, regulations, and directions shall be in accordance with State law and the Federal Manual for Uniform Traffic Control Devices (MUTCD).

(B) **Parking Meters and Other Parking Spaces.** The Chief of Police at the direction of the Mayor is directed to cause parking meters to be installed and parking spaces, along with where parking is **not** permitted, to be designated upon such streets and in off-street areas of the City as s/he shall select. From time to time s/he may add to, change, or abandon parking meters and areas. In making changes to parking designations, s/he shall be guided and governed by location, amount of traffic, the demand for parking spaces, the congestion of traffic, the use of the street, and other pertinent conditions and demands.

(C) **Maintenance.** The Chief of Police at the direction of the Mayor shall maintain parking meters in good workable condition. S/he further is authorized to enter into contracts for such parts and maintenance of parking meters as may be necessary to maintain the same in good operating condition and to pay for such parts and maintenance from the general fund with advice and guidance from the City Finance Director. All receipts, funds and revenues from the operation of the parking meters shall be deposited into the City's general fund.

(D) **Installation and Operation.** Parking meters shall be placed immediately adjacent to the individual parking spaces. Each parking meter shall be placed or set in such a manner as to show or display a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter shall be installed and set to display, upon the deposit of a **Twenty-Five Cent (25¢)** coin of the United States, a signal indicating legal parking for a period of time allowed for such respective amount, and shall continue to operate from the time allotted for such respective coin or coins. Each meter also shall be so arranged that upon the expiration of the allotted time it will signal that the lawful parking period has expired.

(E) **Parking Spaces.** The Chief of Police shall have lines or markings painted or placed adjacent to each parking meter for the purpose of designating the parking space for which the meter is to be used, and each vehicle parked alongside of or next to any parking meter shall park within the lines or markings so established.

(F) **Parking Position.** When a parking space is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be alongside of and next to the parking meter. When a parking space is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle directed at and next to such meter.

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(G) **Operation of Meter.** When any vehicle enters a metered parking space, the operator of said vehicle shall immediately deposit in such parking meter a **twenty-five-cent coin (25¢)** or coins of the United States, and at once shall put the meter into operation; the parking space may then be lawfully occupied by the vehicle during the period of time which has been prescribed for the amount so deposited. If the vehicle remains parked in any such parking space beyond the parking time limit allotted for the coin or coins inserted in the meter, the parking meter shall display a sign or signal showing illegal parking, and in that event such vehicle shall be considered as parked overtime and beyond the period of legal parking time and in violation of this Section.

(H) **Parking Time.** The insertion of coins of the United States as herein provided into any parking meter shall allow the occupancy by a vehicle of the parking space in conjunction therewith up to the limit of parking time which has been prescribed for the part of the street in which parking space is located and the parking meter shall be so set or adjusted that it shall indicate the elapsing of said time.

(I) **Disposition of Receipts.** The coins to be deposited in parking meters are levied and assessed as fees to cover the cost of the supervision, inspections, installation, operation, maintenance, control and use of the parking meters and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby.

(J) **Parking Beyond Metered Time Period.** It shall be unlawful for any person or operator to cause, allow, permit or suffer any vehicle to be parked overtime or beyond the period for which the coin or coins s/he has inserted in the parking meter entitles the vehicle to occupy said parking space. It shall be unlawful for any person or operator to permit a vehicle to remain in any parking space adjacent to any parking meter while the meter is displaying a signal indicating that the vehicle occupying parking space has already been parked beyond the period for which the coin inserted in the meter entitled it to remain in the parking space.

(K) **Ticketing Violations.** Any law enforcement officer of the Belleville Police Department shall be authorized to affix to vehicles parked in violation of any of the provisions of this Section a "Parking Violation Notice" that such vehicle has been so illegally parked and instruct the operator to report to the Police Department in regard to such violation. Each such person may, within **five (5) business days** of the time when such notice was attached to such vehicle, pay as the penalty for and in full satisfaction of such violation the sum which is printed on the Parking Violation Notice (Parking Ticket). The penalty for non-payment after **five (5) business days** shall be at a rate of double the applicable rate for each violation as indicated on the face of the "Parking Violation Notice" affixed to the vehicle by a law enforcement officer. **Five (5) business days** shall be defined as Monday through Friday from **8:00 a.m.** until **5:00 p.m.**, excluding legal holidays.

(L) **Hours of Operation.** The parking meters shall control parking only between the hours of **8:00 A.M.** and **5:00 P.M.** on Mondays through Fridays, except legal holidays. When parking meters are not controlling parking as this Section provides, vehicles may be parked without inserting any coin or coins in the meter, but

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the parking line adjacent to the meters shall be adhered to in such parking in the same manner as is required during other times.

(M) **Off-Street Parking.** No person shall park a vehicle adjacent to any parking meter or in any gated lot in any of the off-street municipal parking lots at any time for a period in excess of the time provided via the posted signage.

(N) **Parking in Designated Spaces.** When parking meters are controlling parking in any lot, block or street, it shall be illegal to park except at a meter. When there are no meters, but parking spaces are denoted by lines and/or signage, it shall be illegal to park except as so specified.

(O) **Penalty.** It shall be illegal to park beyond the time limit indicated on the dial of each parking meter or by the signage. Police officers are authorized to mark tires of any vehicle parked at a meter or in a designated space. Any vehicle found to be over the time limit at that meter or in the space after having been so marked shall be issued a ticket. The amount of the fee to be assessed for the various violations hereunder shall be as set forth on the Parking Violation Notice, a copy of which is attached hereto as **Exhibit "A"** and by reference made a part hereof.

52.802 RESERVED.

52.803 MARKING PLACES. Suitable markings shall be 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 parked to the curb. Each vehicle parking within any parking meter zone shall park within the line or markings so established. It shall be unlawful to park any vehicle across any such line or marking or to park said vehicle in such a position that the same shall not be entirely within the area designated by such line or markings.

52.804 ISSUANCE OF PARKING PERMITS. The Chief of Police shall be authorized to issue permits at the cost of **One Hundred Forty-Four Dollars (\$144.00)** per year or **Twelve Dollars (\$12.00)** per month to allow parking at **ten (10) hour** meters on the street and in parking lots, excluding both City Hall Lots; "A" and North Second Street; and "A" and Jackson Street. When the person has so purchased and so displayed the permit, s/he shall not have to place any coins in said parking meters.

52.805 TAMPERING WITH METERS. It shall be unlawful for any person not authorized by the Mayor or Chief of Police to deface, injure, tamper with, open, or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Article. It shall be unlawful to deposit any slug, device or metallic or other substitute for a coin in any parking meter.

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52.806 PARKING AND MISCELLANEOUS VIOLATIONS
(PENALTIES). Any person accused of a violation of an ordinance prohibiting parking of a vehicle may settle the claim against them for such illegal parking by paying the sum as indicated on the face of the "Parking Violation Notice" (Parking Ticket) affixed to the vehicle by a law enforcement officer, provided that if such violation is paid within **five (5) business days** from the date of the violation. Any violation(s) not settled after **five (5) business days** shall be deemed to be in "Default". The penalty for non-payment after **five (5) business days** shall be at a rate of double the applicable rate for each violation as indicated on the face of the "Parking Violation Notice" (Parking Ticket) affixed to the vehicle by a law enforcement officer. **Five (5) business days** shall be defined as Monday through Friday from **8:00 a.m.** until **5:00 p.m.**, excluding legal holidays. Provided further, that the above penalties shall constitute minimum fines for violations enumerated and shall not prohibit any court of law from assessing a fine up to **Five Hundred Dollars (\$500.00)** for said violation.

Provided further, that if, after the expiration of the said **five (5) business day** period herein designated, the Chief of Police notifies the person accused of the said violation, and said person fails to make payment as requested, and the vehicle owned by said person is found to be illegally parked while payment is still due and owing as a result of said pending violation(s), then the Chief of Police shall be authorized to remove and tow away or have removed and towed away by a commercial towing service, said illegally parked vehicle. Vehicles so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner of such vehicle and upon the payment of Police Department Tow Release Fees; reasonable charges for such removal and storage by the owner or operator of any such vehicle and the payment of all penalties due under this Section.

52.807 PARKING WITHOUT PAYING. It shall be unlawful to park in any municipal parking lot, where a fee is required, without paying such fee. It shall also be unlawful to operate, without paying, or attempt to operate without paying, any mechanical device, such as a gate, which controls traffic either entering or leaving a municipal parking lot.

52.808 PARKING PROHIBITED DURING A SNOW EMERGENCY. An emergency is automatically declared to exist within the City whenever there is an accumulation of snow and ice of **two (2) inches** or more; at which time a parking prohibition shall automatically become effective throughout the City in accordance with the provisions of this Section.

(A) It shall be unlawful for any person to park, or allow any parked or unattended vehicle, or any vehicle to remain on any designated snow route set forth in **Schedule "Q"** until the streets have been cleared of snow.

(B) A vehicle that is parked and/or unattended when there is an accumulation of snow or ice of **two (2) inches** or more shall be prima facie evidence of violation of this Section by the person in whose name said vehicle is registered.

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(C) Officers of the Police Department are hereby authorized to ticket, pursuant to this Section, any vehicle parked and/or unattended in violation of this Section, and if the Superintendent of Streets or Chief of Police deems it necessary to effectuate snow removal operations, they shall have the vehicle removed.

(D) The penalty for violating this Section shall be **Fifty Dollars (\$50.00)** per violation and if it becomes necessary for the Police to have a vehicle removed and relocated, the violator shall not be deemed to have complied with this Section and shall remain liable for the fine provided, Police Department Tow Release Fees, plus all costs resulting from the removal, relocation and storage of said vehicle.

(E) When the parking prohibition of this Section becomes effective upon the occurrence of certain weather conditions, it shall take precedence over provisions of law normally in effect; except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency vehicles, or emergency traffic direction by a police officer.

52.809 PARKING OF RECREATIONAL VEHICLES.

(A) **Definitions.**

"Recreation Vehicle". A "recreational vehicle" is any motor vehicle or trailer designed and used as a travel trailer, camper, motor home, tent, trailer, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer or for any other similar purpose.

"Yard Front". A yard which is bounded by the sides of the residence, front lot line, and the front of the residence.

"Yard Side". A yard which is bounded by the rear of the residence, front of the residence and side lot line.

"Yard Rear". A yard which is bounded by the sides of the residence, rear lot line, and the rear of the residence.

(B) **Storage.** In an area zoned for single family residential purposes a recreational vehicle may be stored in a garage. Storage outside of the garage, in the front yard or side yard of a residence shall only be allowed in the driveway and the vehicle must be stored **ten (10) feet** from the curb line. Outside storage shall also be allowed in the rear yard if the rear yard is not adjacent to a street. Outside storage shall not be allowed in the side yard.

(C) **Parking on the Street.** It shall be unlawful to park any recreational vehicle on a City street unless it is connected to a motor vehicle and for the purpose of loading and unloading of personal property for a period not to exceed **forty-eight (48) hours**.

(D) **Towing a Vehicle.** If the owner of a recreational vehicle is violating this Section and fails to move said recreational vehicle after **seven (7) days** from the issuance of a notice from the Police Department, said vehicle shall be subject to removal and towing by an authorized tow service. The said recreational vehicle shall be stored by the tow service in a secure area until all penalties, fines and storage costs permitted by State Statute or City Ordinance have been satisfied by payment.

(E) **Vehicle Registration.** All recreational vehicles that are permitted to be parked under this Article must have current registration, title and insurance.

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52.810 **EMPLOYEE PARKING ON PARKING LOT A.** Parking Lot A is a free parking lot. It is bordered by North High, North Jackson, and East "A" Streets. Parking in Lot A shall be restricted to members of the general public who are there to conduct business and/or to visit the area of "downtown". Individuals who work in the downtown area are prohibited from parking in Lot A Monday through Friday between the hours of **8:00 A.M.** and **5:00 P.M.** Any person issued a "Parking Violation Notice" (Parking Ticket) for violating this Section shall pay as the penalty for full satisfaction of such violation the sum which is printed on the Parking Violation Notice (Parking Ticket). The penalty for non-payment after **five (5) business days** shall be at a rate of double the applicable rate for each violation as indicated on the face of the "Parking Violation Notice" affixed to the vehicle by a law enforcement officer. **Five (5) business days** shall be defined as Monday through Friday from **8:00 a.m.** until **5:00 p.m.**, excluding legal holidays.

(Ord. No. 7483; 04-18-11)

ARTICLE IX - PENALTY

52.901 **PENALTY.** Any person, firm or corporation violating any provisions of this Chapter shall be fined not less than **Ten Dollars (\$10.00)** nor more than **Five Hundred Dollars (\$500.00)** for each offense.

52.902 **ARRESTS.** Any person arrested for a violation of any provision of this Chapter shall be released upon proper bail being furnished as required by law.

52.903 **PRIMA FACIE PROOF.** The fact that an automobile which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the automobile at the time of such violation.

(Chapter 52 from Ord. No. 2928 adopted January 20, 1970)

ARTICLE X - IMPOUNDMENT OF MOTOR VEHICLE

52.10.1 REDEMPTION OF VEHICLE.

(A) Before the owner or person entitled to possession of any vehicle impounded for any traffic violation, misdemeanor criminal offense or warrant arrest, which requires a custodial arrest, as defined by the State of Illinois, a fee of **One Hundred Dollars (\$100.00)** per vehicle shall be payable to the City. A fee of **Five Hundred Dollars (\$500.00)**, per vehicle, shall be paid in connection with the custodial or warrant arrest of any driver of a vehicle for any felony level offense or the following offense(s), as defined by the State of Illinois or the United States of America.

- (1) **720 ILCS 550/Cannabis Control Act**
- (2) **720 ILCS 507/Illinois Controlled Substances Act**
- (3) **720 ILCS 600/Drug Paraphernalia Control Act**
- (4) **720 ILCS 602/Ephedra Prohibition Act**
- (5) **720 ILCS 635/Hypodermic Syringes and Needles Act**
- (6) **720 ILCS 646/Methamphetamine Control and Community Protection Act**
- (7) **720 ILCS 5/12-2(a)(1)/Aggravated Assault on a Police Officer**
- (8) **720 ILCS 5/31-1(a)/Resisting or Obstructing a Peace Officer, Firefighter, or Correctional Employee**
- (9) **720 ILCS 5/31-4.5/Obstructing Identification**
- (10) **625 ILCS 5/11-204/Fleeing or Attempting to Elude Police Officer**
- (11) **625 ILCS 5/11-501/Driving Under the Influence**
- (12) **625 ILCS 5/11-503/Reckless Driving**
- (13) **625 ILCS 5/11-506/Street Racing (Drag)**
- (14) **625 ILCS 5/6-206.2/Violations Relating to an Ignition Interlock Device**
- (15) **625 ILCS 5/6-303/Driving While Driver's License, Permit or Privilege to Operate a Motor Vehicle is Suspended or Revoked**

A fee of **Fifty Dollars (\$50.00)** per vehicle shall be paid for any vehicle impounded for a violation of, and in accordance with, any City Ordinance. Said fees shall be paid at the Police Department prior to the release of the vehicle, and shall reimburse the Police Department in compensation for the time and resources spent by the department regarding the impoundment and release of said vehicles. The above fees are to be paid by the registered owner or person seeking the vehicle's release regardless of whether the owner of said vehicle or any other authorized person was driving the vehicle at the time of the arrest and impoundment by the Police Department. For all other vehicles towed by the Police Department, for any reason other than the above listed offenses, a tow release will be issued by the Police Department free of charge.

(B) It shall be the duty of the towing or storage company in possession of the vehicle to obtain documentation issued by the Police Department confirming

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compliance with the foregoing requirements and to retain photocopies of that documentation in their files for a period of not less than **six (6) months** following release of the vehicle. The foregoing information shall be made available to the authorities of the City for inspection and copying, upon their request, by the towing or storage company. The towing or storage company is prohibited from releasing any vehicle they may tow within the City until and unless they obtain the documentation as aforesaid.

(C) The towing or storage company shall be entitled to receive a fee from the owner or person entitled to possession of any such vehicle prior to the release of the vehicle. The fee shall be to cover the cost of removing said vehicle and, in addition thereto, the cost of storage of said vehicle for each day or fraction thereof that said vehicle shall have remained stored.

(D) The foregoing fees shall be in addition to any fee levied or assessed against the owner or operator of said vehicle by reason of violation of any ordinance or statute and any arrest which may have resulted from such violation.

52.10.2 DEPARTMENT ADMINISTRATIVE TOW FEE WAIVER. The owner or person entitled to possession of any vehicle impounded for offenses identified in **Section 52.10.1** of this Article may request a waiver of the assessed administrative department fee for a bona fide financial hardship only once regardless of the number of vehicles owned or number of times towed under the provisions of this Article to the Patrol or other Division Commander. No waiver shall be considered or granted for any "forcible felony" arrests as defined by the Illinois Criminal Code. Forcible felony means treason, first degree murder, and second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, robbery, burglary, residential burglary, aggravated arson, arson, aggravated kidnapping, kidnapping, aggravated battery resulting in great bodily harm or permanent disability or disfigurement and any other felony which involves the use or threat of physical force or violence against any individual. The Division Commander shall be responsible for reviewing the waiver request and considering all relevant information before rendering a decision. If the waiver request is denied by the Division Commander, the owner or person entitled to possession of the vehicle may appeal the decision to the Chief of Police. The Chief of Police will review the request and issue a decision which shall be final.

(Ord. No. 7481; 04-04-11)

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