

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE VILLAGE OF CHERRY VALLEY, ILLINOIS TO ADOPT SECTION 5/1-2.1-1 OF THE ILLINOIS MUNICIPAL CODE AND TO AMEND SECTION 70-68 OF THE VILLAGE OF CHERRY VALLEY'S CODE OF ORDINANCES TO REFLECT SUCH ADOPTION

WHEREAS, the Village of Cherry Valley, Illinois ("Village") has adopted a Code of Ordinances ("Code") for the Village; and

WHEREAS, the Village is a non-home rule municipality; and

WHEREAS, the Village has adopted provisions of the Illinois Vehicle Code as its own traffic regulations in the Village; and

WHEREAS, the Village desires to amend its traffic ordinances to include violations for parking in violation of posted time limits; and

WHEREAS, the Village Board finds that adopting these additional parking violations by ordinance is in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees for the Village of Cherry Valley, Illinois, as follows:

SECTION 1: The foregoing recitals are incorporated herein and made a part hereof.

SECTION 2: Sec. 70-68. – Parking time limited: vehicles in violation to be removed, of the Village's Code shall be amended to read as follows (additions shown as bolded and underlined and deletions as strikethroughs):

Sec. 70-68. Parking time limited: vehicles in violation to be removed.

(a) It shall be unlawful to park any motor vehicle for more than 20 consecutive hours on one side of a municipal street in the same block within the village.

(b) It shall be unlawful to park any motor vehicle in any designated parking location on any municipal street in the Village where said designated parking location has a sign posted containing a limitation on the amount of time that the same motor vehicle may be parked in the posted, designated parking location. Any person violating this subsection (b) may be charged with a non-moving violation and pay a fine of \$25.00 for a first offense, \$50.00 for a second offense and \$75.00 for a third and each subsequent offense, in addition to any court costs associated with prosecution of the violation. For the purposes of this subsection (b), "person" shall mean the registered owner of the motor vehicle.

(b) Any vehicle which is in violation of subsections (a) **or (b)** of this section may be removed by a towing service at the vehicle owner's expense upon the order of the chief of police.

SECTION 3: Repeal of Conflicting Provisions. All ordinances, resolutions, and policies or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of the conflict, expressly repealed on the effective date of this Ordinance.

SECTION 4: Severability. If any provision of this Ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.

SECTION 5: The Clerk is directed by the corporate authorities to publish this Ordinance in pamphlet form. This Ordinance shall be in full force and effect after its passage and publication in accordance with 65 ILCS 5/1-2-4.

PASSED UPON MOTION BY: MIKE NEVILLE

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 16TH DAY OF APRIL, 2024,

AS FOLLOWS:

VOTING "AYE": JEFF FUSTIN, SALLY HOLLEMBEAK, MIKE NEVILLE,
BRANDI PEARSE, CARL WEDIG

VOTING "NAY": NANCY BELT

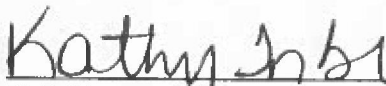
ABSENT, ABSTAIN, OTHER: NONE

APPROVED: APRIL 16, 2024



DAVID SCHROEDER, VILLAGE PRESIDENT

ATTEST:



KATHY TRIMBLE, VILLAGE CLERK