

ORDINANCE NO. 2023-10-039

**AN ORDINANCE AMENDING CHAPTER 23,
ARTICLE XII – Stopping, Standing, or Parking Prohibited in Specified Places**

WHEREAS, the City of Urbana (“City”) is a home rule unit of local government pursuant to Article VII, Section 6, of the Illinois Constitution, 1970, and may exercise any power and perform any function pertaining to its government and affairs, including the power to regulate for the protection of the public health, safety, and welfare; and

WHEREAS, the City Council established the Bicycle and Pedestrian Advisory Commission (BPAC) to address issues and concerns involving or affecting pedestrians and bicyclists within the community; and

WHEREAS, BPAC held open discussions to address the concern of vehicles driving, stopping, standing, and parking within bike lanes; and

WHEREAS, BPAC determined that the City does not have an ordinance prohibiting driving, stopping, standing, or parking within bike lanes; and

WHEREAS, BPAC adopted a Resolution requesting the City Council amend the City Code to include a prohibition on driving, stopping, standing, and parking within bike lanes; and

WHEREAS, Article XII of the City Code provides regulations prohibiting stopping, standing, and parking in specified places; and

WHEREAS, Article XII of the City Code does not address or prohibit driving, stopping, standing or parking within bike lanes within the City; and

WHEREAS, the Urbana City Council desires to amend Chapter 23, Article XII of the City Code (and related sections) to specifically prohibit stopping, standing, and parking within bike lanes within the City, as well as provide the penalties therefor.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Urbana, Champaign County, Illinois, as follows:

Section 1.

Urbana City Code Chapter 23, “Local Traffic Code”; Article XII, “Stopping, Standing or Parking Prohibited in Specified Places” shall be and hereby is amended by adding Section 23-161 as set forth hereinafter:

Sec. 23-161. – No stopping, standing or parking in bike lanes.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer, no person shall stand or park a vehicle, whether occupied or not, within a marked on-street bicycle lane.

Section 2.

Urbana City Code Chapter 23, "Local Traffic Code"; Article XIX, "Towing" shall be and hereby is amended by amending Subsection 23-273(b) as set forth hereinafter (added language is underlined):

Sec. 23-273. – Traffic hazards – Parking.

- (b) Any vehicle parked in violation of any of the provisions of sections 23-151, 23-152, 23-158, 23-161, or 23-187 of this traffic code, as amended, shall be presumed to be creating a traffic hazard and may be ordered to be towed away and impounded at the expense of the registered owner, regardless of whether tow away signs are erected. Nothing in section 23-271 of this traffic code pertaining to inoperable or abandoned vehicles shall be applicable to vehicles parked in violation of the above said sections.

Section 3.

Urbana City Code Chapter 1, "General Provisions"; Section 1-10, "General penalty; continuing violations"; Subsection (j) shall be and hereby is amended by amending the "Schedule of Fines for Certain Local Traffic Code Violations" as set forth hereinafter:

	<u>Fine Amount</u>		
	if paid within 7 days	if paid after 7 days	if paid after 30 days
<u>Prohibited Parking</u>	\$30.00	\$40.00	\$50.00

Article XII, Section 23-161

Section 4.

Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 5.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 6.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

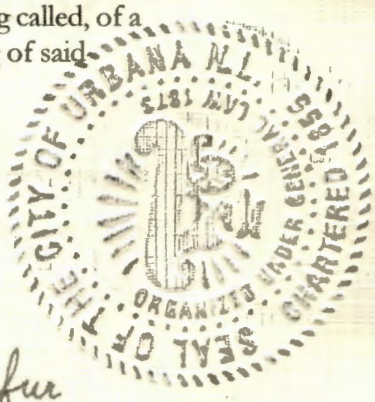
This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this 23rd day of October, 2023.

AYES: Wu, Evans, Hursey, Kolisetty, Bishop, Wilken, Quisenberry

NAYS: None

ABSTENTIONS: None


Darcy E. Sandefur
Darcy E. Sandefur, City Clerk

APPROVED BY THE MAYOR this 13th day of November, 2023.

Diane Wolfe Martin
Diane Wolfe Martin, Mayor



CERTIFICATE OF PUBLICATION IN PAMPHLET FORM



I, Darcy E. Sandefur, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the 23rd day of October 2023 the City Council of the City of Urbana passed and approved Ordinance No. 2023-10-039 entitled:

An Ordinance Amending Chapter 23, Article XII – Stopping, Standing, or Parking Prohibited in Specific Places (Bike Lanes)

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2023-10-039 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 13th day of November, 2023, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 13th day of November, 2023.



Darcy E. Sandefur
Darcy E. Sandefur, City Clerk