

ORDINANCE NO. 729

AN ORDINANCE AMENDING TITLE 10 OF THE VILLAGE CODE WITH
RESPECT TO HANDICAP PARKING

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF
GREENUP, IL
THIS 1ST DAY OF JULY 2024

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF GREENUP,
CUMBERLAND COUNTY, ILLINOIS
THIS 2nd DAY OF July, 2024

ORDINANCE NO. 729

AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE
VILLAGE OF GREENUP BY THE ADDITION OF 10.04.66
ESTABLISHING A HANDICAP PARKING ORDINANCE

WHEREAS, the Village of Greenup (the "Village") is a duly organized and existing municipal corporation organized and operating under the Constitution of the State of Illinois of 1970 and laws of the State of Illinois; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations governing the use of public right-of-way and that protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Village uses the public rights-of-way within its corporate limits to provide essential public services to its residents and businesses, including traffic control signals and the regulation of parking; and

WHEREAS, the corporate authorities of the Village find and determine that it is necessary to and in the best interests of the public health, safety and general welfare to establish uniform standards and regulations for Handicap parking and

WHEREAS, the Village hereby finds that it is in the best interest of the Village, its residents and the public to establish an ordinance regarding handicap parking.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Greenup as follows:

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Adoption. Title 10 of the Municipal Code of the Village of Greenup shall be amended by the addition of 10.04.66 that will read as follows:

10.04.66 HANDICAPPED AND DISABLED PARKING RESTRICTIONS:

A. **Parking Prohibited:** It shall be unlawful for any person to park a motor vehicle in any parking zone which is restricted to handicapped or disabled parking only, and which is situated upon Village property or other property upon which the Village is empowered, by contract, to regulate parking, and specifically the following locations:

1. Southwest corner of Kentucky Street and IL RT 121/Cumberland St. intersection.
2. Northwest corner of Mill Street and IL RT 121/Cumberland St. intersection.
3. Southwest corner of Delaware and IL RT 121/Cumberland St. intersection.

unless such parking is permitted by subsection B of this section.

Any person found guilty of violating this subsection A shall be fined three hundred fifty dollars (\$350.00) in addition to any costs or charges connected with the removal or storage of any motor vehicle as authorized under subsection E of this section.

B. **Parking Permitted:** A person may park a motor vehicle in a parking zone restricted to disabled or handicapped parking only if such vehicle is occupied, when arriving in such zone, or intended to be occupied when leaving such zone, by at least one person who is "physically disabled" within the definition contained in 625 Illinois Compiled Statutes 5/1-159.1 of the Illinois vehicle code, or is physically handicapped so as to qualify for a handicapped parking identification card issued by any township government within Cook County, Illinois.

C. **Display Of Special Registration License Plate Or Handicapped Identification Card:** If any motor vehicle parked in a zone restricted to disabled and handicapped parking only displays special registration license plates issued for the benefit of disabled or physically handicapped persons by the state of Illinois, or any other state or territory of the United States, or displays a handicapped parking identification card issued by any township government within Cook County, Illinois, upon the driver's visor so as to be visible when the visor is in the down position, it may be presumed by any police officer that the vehicle is lawfully parked in such restricted zone. However, such presumption may be overcome by a showing that such motor vehicle was neither used to transport a disabled or handicapped person to such restricted zone nor intended to be used to transport such person from such restricted zone, in which case the person parking such motor vehicle shall be guilty of a violation of subsection A of this section.

D. **Improper Use Of Special Plates Or Identification Card:**

1. It shall be unlawful for any person to lend to another any special registration license plate or plates or handicapped parking identification card issued to him if the person desiring to borrow the same would not be entitled to the use thereof, nor shall any person knowingly permit the use of any of the same by one not entitled thereto, nor shall any person display upon the vehicle any special registration license plate or handicapped parking identification card not issued for such vehicle or not otherwise lawfully used thereon under this section.

2. No person shall duplicate, alter or attempt to reproduce in any manner a handicapped parking identification card issued by any township government within Cook County, Illinois, and use the same or such card which has been so duplicated, altered or reproduced by another, within the Village.

4. Violation of this subsection D is meant to constitute a separate and distinct violation from a violation of subsection A of this section, and any person found guilty of violating this subsection D shall be fined not less than fifty dollars (\$250.00) nor more than five hundred dollars (\$750.00) for each offense.

E. **Removal Of Unauthorized Vehicles:** The police department, with regard to any public parking facility, or any person or other entity operating any private off street parking facility and after prior notice to the police department, 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 which does not display handicapped registration plates or a special decal or device as required under this chapter.

F. Enforcement: Nothing in this Chapter shall be construed as limiting any additional or further remedies that the Village may have for enforcement.

Section 3: SEVERABILITY – In the event that any section, clause, provision or part of this ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all parts that are severable shall remain in full force and effect. If any part of this ordinance is found to be invalid in any one or more of its several applications, all valid applications that are severable from the invalid applications shall remain in effect.

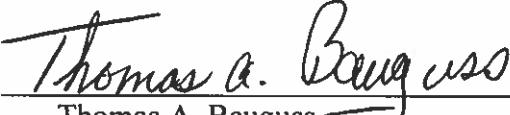
Section 4: CONFLICTING ORDINANCES – All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed; provided however that nothing herein contained shall affect any rights, actions, or causes of actions which shall have accrued to the village prior to the effective date of this ordinance.

Section 5: EFFECTIVE DATE – This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Present and passed this 1st day of July 2024.

	PRESENT	ABSENT	AYE	NAY	ABSTAIN
Alene Blade	X		X		
April Harris	X		X		
Josh Kingery	X		X		
Max McCullough	X		X		
Sherry Parker		X			
Tony Wright	X		X		
President, Thomas Bauguss	X				
TOTAL	6	1	5		

Approved this 2nd day of July, 2024.



Thomas A. Bauguss
President of the Village Board

ATTEST:



Jill Kimble, Village Clerk

STATE OF ILLINOIS)
) SS.
COUNTY OF CUMBERLAND)

CERTIFICATE

I, Jill Kimble, certify that I am the duly elected and acting Municipal Clerk of the Village of Greenup, Cumberland County, Illinois.

I further certify that on July 1, 2024, the Corporate Authorities of such municipality passed and approved Ordinance No. 729 entitled “AN ORDINANCE AMENDING TITLE 12 OF THE VILLAGE CODE WITH RESPECT TO STREETS AND SIDEWALKS”, which provided by its terms that it should be published in pamphlet form.

The pamphlet form or Ordinance No. 729, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Municipal Building, commencing on July 2, 2024 and continuing for at least ten days thereafter.

Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Greenup, Illinois this 2 day of July, 2024.

(SEAL)



Jill Kimble, Village Clerk