

MILTON TOWNSHIP ROAD DISTRICT

DUPAGE COUNTY, ILLINOIS

ORDINANCE

NUMBER HW O- 15 -2

AN ORDINANCE ADOPTING PARKING RESTRICTIONS
ON BRIARCLIFF ROAD, UNDER
THE JURISDICTION OF MILTON TOWNSHIP

GARY MUEHLFELT, Highway Commissioner
GAIL P. HINKLE, Road District Clerk

Approved and adopted by the Highway Commissioner on _____, 2015

ORDINANCE NO. HW O-15-2

**AN ORDINANCE ADOPTING PARKING RESTRICTIONS
ON PORTIONS OF BRIARCLIFF ROAD, A ROAD UNDER THE
JURISDICTION OF MILTON TOWNSHIP**

WHEREAS, Section 11-107 *et seq.* of the Illinois Motor Vehicle Code, 625 ILCS 5/11-207 *et seq.*, permits local authorities, including but not limited to Township Highway Commissioners, to adopt rules and regulations not in conflict with the Motor Vehicle Code, including the regulation of parking and traffic on streets and highways under their jurisdictions; and

WHEREAS, the Milton Township Highway Commissioner is charged with the duty of maintaining streets, roads, highways, bridges and right of ways in the unincorporated areas of the Township, as they are defined in the Illinois highway Code, 605 ILCS 5/2-103; and

WHEREAS, the Milton Township Highway Commissioner has been advised that vehicular parking on Briarcliff Road in unincorporated Lombard, immediately sought of Butterfield Elementary School causes a safety hazard to pedestrian and vehicular traffic, including the buses transporting children to and from the elementary school; and

WHEREAS, the Milton Township Highway Commissioner has determined that it is in the best interest of the Township and the residents residing therein that parking be restricted on both sides of Briarcliff Road, west of Gray Ave., approximately 300', so as to provide safe passage to pedestrian and vehicular traffic; and

WHEREAS, Milton Township and the Milton Township Highway Commissioner have adopted a uniform Parking Violation and Notification System for purposes of enforcing said parking restrictions.

**NOW THEREFORE, BE IT ORDAINED BY THE HIGHWAY
COMMISSIONER OF MILTON TOWNSHIP, AS FOLLOWS:**

Section 1. That the recitals set forth are incorporated herein and made apart hereof.

Section 2. All provisions of this Ordinance shall be in full force and effect from and after the date of adoption of this Ordinance and publication as required by law.

Section 3. Signs in conformance with the provisions of this Ordinance shall be erected by the Highway Commissioner upon written approval of the County Superintendent of Highways, pursuant to the Illinois Highway Code, 605 ILCS 5/6-201.16.

Section 4. When signs are erected along Briarcliff Road, west of Gray Ave., approximately 300', giving notice thereof, no person shall park or leave standing or unattended a

motor vehicle upon the designated portion of Briarcliff Road on Monday through Friday from 7:00 a.m. to 4:30 p.m.

Section 5.

- A. Whenever any motor vehicle without driver is found parked or stopped in violation of the restriction imposed by this Ordinance, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to such vehicle a traffic citation for the driver to answer to the charge against him as set forth therein.
- B. A violator of the restrictions on stopping, standing or parking under this Ordinance and all others as referred to herein, and all other Ordinances restricting Parking as heretofore adopted, but not named herein, is provided ten (10) days from the date of issuance to pay the fine set forth herein of Fifty and 00/100 Dollars (\$50.00) to the Clerk of the Circuit Court for the Eighteenth Judicial Circuit.
- C. If a violator so chooses, he/she may request a court hearing within seven (7) days of the infraction to contest the matter. Failure to request a court hearing, or to pay the fine as stated within ten (10) days, and before an arrest warrant shall issue, shall result in an increase of the fine by an additional sum of Fifty and 00/100 Dollars (\$50.00).
- D. If an arrest warrant shall issue, the fine shall thereafter be increased by an additional sum of Seventy Five and 00/100 Dollars (\$75.00), and the matter shall be turned over to a collection agency or a complaint shall be filed therefore in the Circuit Court of the Eighteenth Judicial Circuit.

Section 6. In any prosecution of a charge for violation of this Ordinance governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of such vehicle, shall constitute in evidence a *prima facie* presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which such violation occurred. The foregoing stated presumption shall apply only when the procedure as prescribed herein has been followed.

Section 7. Violators of this Ordinance, and all other Township Parking Ordinances specifically named herein or referred to by reference, may be assessed a fine not to exceed the sum of Five Hundred and 00/100 Dollars (\$500.00). The payment of fines for violations shall be made to the Clerk of the Circuit Court, 505 N. County Farm Road, Wheaton, Illinois 60187.

Section 8. All Ordinances or parts of Ordinances in conflict herewith are, to the extent of

such conflict, hereby repealed.

Section 9. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

ADOPTED by the Highway Commissioner on this ____ day of March, 2015.

Gary Muehlfelt
HIGHWAY COMMISSIONER

ATTEST:

Gail Hinkle
ROAD DISTRICT CLERK

cc: DuPage County Sheriff

STATE OF ILLINOIS)
) ss.
COUNTY OF DUPAGE)

CERTIFICATION

I, Gail P. Hinkle, Clerk of Milton Township Road District, County of DuPage and State of Illinois, DO HEREBY CERTIFY that the attached is a true and correct copy of Ordinance Number HW O-15-2, “**AN ORDINANCE ADOPTING PARKING RESTRICTIONS ON PORTIONS OF BRIARCLIFF ROAD, UNDER THE JURISDICTION OF MILTON TOWNSHIP**”, which was adopted by the Milton Township Highway Commissioner on _____, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand in the County of DuPage and State of Illinois, on _____, 2015.

Gail P. Hinkle
Road District Clerk

(SEAL)