

§ 71.01 APPLICABILITY.

(A) The Lake County Superintendent of Highways and the Township Highway Commissioners in each of the various townships in Lake County, in addition to the authority to place all other traffic control devices, may place signs or markings prohibiting or restricting the stopping, standing or parking of vehicles on any highway in their respective jurisdictions where in their opinion such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing, or parking of vehicles would unduly interfere with the free movement of traffic. Any such prohibition or restriction regarding the stopping, standing, or parking of vehicles upon any specific highway becomes effective at the time of the erection of appropriate signs or markings in conformance with the *Illinois Manual on Uniform Traffic Control Devices* indicating such prohibition or restriction.

(B) The Township Highway Commissioner shall before posting any signs or markings secure the written permission of the Lake County Superintendent of Highways as provided by law.

(1977 Code, § 4:1-4) (Ord. passed 11-19-1985)

§ 71.02 PARKING AND STANDING REGULATIONS.

Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall stand or park a vehicle whether occupied or not, except momentarily to pick up or discharge passengers:

(A) In front of a public or private driveway;

(B) Within 15 feet of a fire hydrant;

(C) Within 20 feet of a crosswalk at an intersection;

(D) Within 30 feet upon the approach to any traffic control signal, flashing signal, stop sign, or yield sign located at the side of a roadway;

(E) Within 20 feet of the driveway entrance or exit to any place where Police or Fire Department apparatus or other emergency equipment is kept or housed and on the side of the street opposite said entrance or exit, within 75 feet of said entrance or exit;

(F) In front of the emergency entrance to any hospital;

(G) At any place designated by the Illinois Department of Transportation or the Lake County Superintendent of Highways or the Township Highway Commissioner after appropriate signs restricting or prohibiting stopping or parking at that place are erected;

(H) In a subdivision where the Township Highway Commissioner has posted signs at the entrances to said subdivision; and/or

(I) Within 50 feet of the nearest rail or a railroad crossing.

[\(J\) Parking in a parking space reserved for persons with a disability \(Handicap Parking\) without displaying a properly issued Handicap Placard.](#)

(1977 Code, § 4:1-4) (Ord. passed 11-19-1985) Penalty, see § [71.99](#)

§ 71.07 MISCELLANEOUS PARKING REGULATIONS.

(A) Outside a business or residence district, no person shall stop, park or leave standing any vehicle, whether attended or unattended, upon the roadway when it is practicable to stop, park or so leave such vehicle off the roadway, but in every event an unobstructed width of the highway opposite a standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle shall be available from a distance of 200 feet in each direction upon such highway.

(B) This section shall not apply to the driver of any vehicle which is disabled in such manner and to such extent that it is impossible to avoid stopping and temporarily leaving the vehicle in such position. ~~However, at least one door of any motor vehicle permitted to stand unattended on the roadway shall be left unlocked.~~

(1977 Code, § 4:1-4) (Ord. passed 11-19-1985) Penalty, see § [71.99](#)

§ 71.09 ENFORCEMENT.

(A) *Removing vehicles.*

(1) Whenever any police officer finds a vehicle standing upon a state, county, township, or other public highway in violation of any of the provisions of this chapter, such officer is authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main-traveled part of such highway.

(2) Whenever a member of the Lake County or Township Highway Department finds an abandoned or disabled vehicle standing upon the paved or main-traveled part of a highway, in violation of §§ [71.04](#) and [71.05](#) of this chapter, which vehicle is or may be expected to interrupt the free flow of traffic on the highway or interfere with the maintenance of the highway, said member has the authority, but not the duty, to move the vehicle to a position off the paved or improved or main-traveled part of the highway.

(B) *Parking tickets.* The Lake County Sheriff [or his or her designee\(s\)](#) shall issue an arrest ticket in the case of each motor vehicle stopping, standing or parking in violation of the provisions of this chapter. Such arrest ticket shall be placed upon the motor vehicle and shall constitute service of a notice to appear on the owner and operator thereof.

~~Violations of §71.02 shall be enforced and proceed either through a notice to appear before the 19th Judicial Circuit Court or pursuant to the Lake County Administrative Adjudication Ordinance. (§§94.50 – 94.66).~~

(C) *Impoundment.*

(1) Any police officer is hereby authorized to immediately remove or cause to be removed and impounded at the expense of the owner any vehicle found upon any state, county, township, or other public highway or bridge when:

(a) Report has been made that such vehicle has been stolen or taken without the consent of the owner;

(b) When the person driving or in control of such vehicle is arrested for an alleged offense for which the officer is required by law to take the person arrested before the proper judicial official without unnecessary delay;

(c) Said vehicle is creating an unsafe condition on the state, county, township, or other public highway or bridge; and

(d) Said vehicle significantly hinders the efficient movement of traffic.

(2) Any police officer may order the removal and impoundment, at the expense of the owner, of any other vehicle found upon any state, county, township or other public highway and bridge:

(a) When the vehicle lacks license registration ~~and city registration~~ and the police officer places upon the vehicle a notice informing the owner of the vehicle that the vehicle will be towed and impounded by a certain date; and

(b) When the vehicle possesses current license registration ~~or city registration~~, notice shall be given by registered or certified mail to the owner of said vehicle as reflected in the license ~~or city registration~~. Such notice shall inform the owner of the vehicle that the vehicle will be towed and impounded upon a certain date should the owner not remove the vehicle prior to that time.

(3) Whenever any vehicle shall be ordered removed and impounded, it shall become the duty of the Lake County Sheriff's Office to take possession of and safely keep the same until any such vehicle shall have been repossessed by the owner or other person legally entitled to possession thereof or otherwise disposed of as hereinafter provided.

(4) The Lake County Sheriff's Office shall keep an accurate record of the description of any such vehicle, including the name of the officer ordering the removal and impoundage, the person, firm, or corporation, if any, employed to tow or deliver the same, and the charges, if any, therefore, the date, time and place of the removal and impoundage, the make and color of car, style of body, vehicle identification number, year built, state license number, city vehicle license number, equipment, and general description of condition. Such record shall be a public record and shall be available for public inspection.

(D) *Redemption.*

(1) Whenever a motor vehicle is removed and impounded, the Lake County Sheriff's Office shall promptly notify the owner or other person legally entitled to possession of such vehicle of the fact. Said notice shall be made by certified or registered mail.

(2) When a vehicle is removed from either public at private property as authorized by the Lake County Sheriff's Office, the owner of the vehicle will be responsible for all towing and storage costs.

(3) Before the owner or person entitled to possession of any ~~stolen-towed~~ vehicle shall be permitted to redeem the same from the Lake County Sheriff's Office or its towing designee, he or she shall :

~~(a) F~~urnish sufficient evidence of his or her ~~identify-identity~~ and ownership of the vehicle; present a receipt for towing and storage charges and expenses; and shall sign a receipt for the vehicle :

~~1. Towing and removal charges for a First Division Vehicle as described in § 1-217 of the Illinois Vehicle Code (625 ILCS 5/1-217) shall not exceed the sum of \$50. The storage costs for a First Division Vehicle shall not exceed \$5 per day.~~

~~2. Towing and removal charges for a Second Division Vehicle as described in § 1-217 of the Illinois Vehicle Code (625 ILCS 5/1-217) shall not exceed the sum of \$60. The storage costs for a Second Division Vehicle shall not exceed \$7 per day.~~

(b) Alternatively, request that an immediate hearing be set for determination of whether or not his or her vehicle was properly towed and impounded. Said hearing shall be set before the Circuit Court within 24 hours of request, not including weekends or court holidays. If the Court shall determine that the vehicle was towed without cause the vehicle shall be returned immediately to the owner without cost or charge. Should the Court determine that the vehicle was towed and impounded correctly under this chapter, the vehicle shall not be released without payment of towing and storage charges.

(4) Notification shall be made to the proper state authorities of the impoundment and intent of sale at public auction should legal owners fail to make claim for the impounded vehicle. All notifications and any sale at public auction of impounded vehicles shall coincide and conform with §§ 5/4-201 through 5/4-215 of the Illinois Vehicle Code (625 ILCS 5/4-201 through 5/4-215) and as amended from time to time. No person may make claim or reimbursement for an auctioned vehicle against the County of Lake if said owner or other person legally entitled to possession of said vehicle fails to respond to proper notification.

(5) Said vehicle shall be disposed of in accordance with the provisions of the Illinois Vehicle Code as amended from time to time.

(1977 Code, § 4:1-4) (Ord. passed 11-19-1985)

§ 71.99 PENALTY.

(A) Any person who violates or assists in the violation of any provision of this ordinance shall be deemed to have committed an ordinance violation and shall

be fined as set forth below. Each twenty-four hour period in which, or during which, a violation occurs shall constitute a separate offense.

(B) The penalty for any violation of this ordinance shall be as follows:

(1) Lake County Sheriff's Office Parking Citation (Notice to Appear)

~~Penalty--~~Thirty-Five Dollars (\$35.00) provided, however, that in the event that the owner or operator makes payment to the County of Lake within seven (7) calendar days after the date of the arrest ticket, the penalty shall be fifteen dollars (\$15.00) for any such violation. All such payments shall be made payable to the County of Lake at the Office of the Lake County Sheriff, 40 North County Street-25 South Martin Luther King Jr. Avenue, Waukegan, Illinois 60085.

(2) -Lake County Administrative Adjudication Citation of Violation.

Any violation of § 71.02 of this ordinance (except §71.02(J) Handicapped Parking) shall be fined a minimum of \$40.00 for each offense. A violation of §71.02 (handicapped parking) shall be fined a minimum \$250.00 for each offense.

(C) As it pertains to any fines authorized by this ordinance, by any other Lake County ordinance, or by State of Illinois Statute, whoever suffers or permits any violation specified in this ordinance to exist or continue in violation of this ordinance shall be subject to a separate fine for each offense. Each day that a violation of this ordinance exists or continues shall be considered a separate offense and shall be assessed fines in accordance with applicable State of Illinois Statutes and this ordinance.

~~The County Board shall have the authority to change at any time the amount of the penalties provided herein.~~

~~(A) Except for the towing and removal charges set forth in § 71.09(D) of this chapter, the penalty for any violation of this chapter shall be \$35; provided, however, that in the event that the owner or operator makes payment to the County of Lake within seven calendar days after the date of the arrest ticket, the penalty shall be \$15 for any such a violation. All such payments shall be made payable to the County of Lake at the office of the Lake County Sheriff, Waukegan, Illinois.~~

~~(B) The County Board shall have the authority to change at any time the amount of the penalties provided herein.~~