

ORDINANCE NO. 2025-05

**AN ORDINANCE AMENDING CHAPTER 14, SECTION 14-159 OF THE MUNICIPAL CODE,
VILLAGE OF STICKNEY, ILLINOIS REGARDING HANDICAPPED PARKING.**

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, the Village has an existing process for reviewing and evaluating requests for designated handicapped parking spaces on Village streets (the "Regulations"); and

WHEREAS, the Corporate Authorities recognize the need to update and clarify the Regulations from time to time; and

WHEREAS, the Corporate Authorities have determined that Chapter 14, Section 14-159 of the Municipal Code, Village of Stickney (the "Village Code") should be amended to update and clarify the Regulations; and

WHEREAS, traffic enforcement on Village streets is a valid exercise of the police powers held by the Village; and

WHEREAS, the Corporate Authorities desire to exercise their home rule authority to amend the Regulations as contemplated herein; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable, and in the best interests of the Village and its residents to amend Chapter 14, Section 14-159 of the Village Code regarding handicapped parking on Village streets;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 14, Section 14-159 of the Village Code to update and clarify the Regulations as provided for herein and to authorize the President or his designee to take all action necessary to carry out the intent of this Ordinance.

ARTICLE II.

AMENDMENT OF CHAPTER 14, SECTION 14-159 OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS

SECTION 3.0. AMENDMENT OF CHAPTER 14, SECTION 14-159.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by striking Chapter 14, Section 14-159 in its entirety, and replacing such Section as follows:

Sec. 14-159. Handicapped parking only for persons with disabilities.

- (a) The reservation of on-street parking spaces for persons with disabilities or disabled veterans as defined under state law shall be pursuant to the provisions of this section and the applicable portions of the Illinois Vehicle Code.
 - (1) Handicapped parking shall be allowed curbside of a public street within residentially-zoned areas.
 - (2) The handicapped space shall be marked by the posting of one sign, erected by the Public Works Department in the form and manner prescribed under section 11-1301 of the Illinois Vehicle Code (625 ILCS 5/11-1301), and a 20-foot blue curb.
 - (3) The handicapped parking space shall be located within the limits of the individual's residence and as close as possible to the frontage of the residence where the disabled person resides. The Village reserves the right to post signs at its discretion based on existing conditions, but shall not be permitted to unduly harm or cause hardship to other residents residing in the area.
 - (4) The on-street handicapped parking space shall be placed, if so approved by the Village, provided that all criteria in the application process have been met.
- (b) The Village shall accept all applications from residents with disabilities as defined under § 1-159.1 of the Illinois Vehicle Code (625 ILCS 5/1-159.1) or from a member of the household having direct care of the disabled person. Applicants must agree to participate in a site visit. Applications shall be reviewed to determine whether criteria in the Illinois Vehicle Code and the following requirements have been met:
 - (1) An application on a form to be prescribed by the Village has been completed, and verified by the signature of the applicant;
 - (2) The applicant is an owner of a motor vehicle for which the Illinois handicapped or disabled veteran license plate or handicapped placard has been issued and which plate or placard is valid at the time of the application (or renewal application);

- (3) The person who is disabled or is a disabled veteran as defined under state law is a lawful resident of the Village at the address for which the handicapped parking space is requested. Written evidence of residency must be provided to the Village at the time the application is submitted;
- (4) The applicant has verified that the disabled person or veteran does not have reasonable access to a garage, or driveway adjacent to a garage, at the residence where the disabled person or veteran resides;
- (5) If the applicant is not the owner of the property at which the disabled or disabled veteran resident resides, the applicant has obtained written approval and a notarized letter from the owner or property manager of the property for the installation of the handicapped parking space sign, and provided same at the time of application. If the property is transferred, a new application, investigation process and approval letter from the new owner shall be required.
- (c) Applications shall be reviewed by the Stickney Police Department. The Police Department shall determine whether or not additional information or investigation is necessary, and shall report recommendations for approval or denial of the application and the reasons upon which the recommendation is based to the Village, if extenuating circumstances exist. The Village shall have final determination to decide whether to grant or deny the application.
- (d) Subject to the discretion of the Police Department and the Village, there shall be parking for persons holding a disabled parking placard for a sign adjacent to the property the applicant resides. Village of Stickney disabled parking signs expire every June 30 and applicants must re-apply by paying a \$5.00 renewal fee.
 - (1) Persons who park a vehicle in a handicapped parking space and do not display a valid and current disabled plate or permanent handicapped placard are subject to a \$250.00 fine and tow.
 - (2) Only one disabled parking sign shall be issued per property.
 - (3) The superintendent of public works shall develop the appropriate signage, in compliance with this section and 625 ILCS 5/11-1301 et seq., clearly designating the disabled parking on the sign, so as to highlight the restricted nature of the spot.
 - (4) The disabled plate or permanent handicapped placard is not transferable. The authorized holder of the disabled plate or permanent handicapped placard must be present and must enter or exit the vehicle at the time the handicapped parking privileges are being used.
- (e) All handicapped parking signs under this Section shall expire on June 30 of each year, but may be renewed upon the submission of a renewal application form to be prescribed by the Village, verified by the signature of the renewal applicant meeting the requirements herein and submitted to the Village, along with any verification documentation called for by the renewal application form and the payment of a \$5.00 fee. The Village Police Department shall review each disabled parking sign previously

issued and all renewal applications, and determine whether or not the need for the sign still exists.

- (1) The recipient of a requested handicapped parking sign shall have 30 days from the date of the termination final notice to object to the action taken and submit to the Village proof of the continuing need for the handicapped parking privilege. All objections to the final termination notice must be made in writing and received within the 30-day period of final notice.
- (2) Upon expiration of the 30-day period of final notice, the Village shall cancel and recall the disabled parking sign previously issued. The superintendent of public works, upon expiration of the 30-day objection period, unless otherwise notified by the Village, shall remove all "handicapped parking only" signs posted and erected to accommodate the disabled parking previously issued.
- (f) It shall be the affirmative duty of the person with a permanent disability, their resident family member or caretaker to immediately notify the Village if the individual in question no longer meets the requirements under this section or no longer resides at such location. Upon investigation by the Village, the superintendent of public works or his designee shall cause the signs indicating handicapped parking to be removed. There will be no refunds issued.
- (g) Section 11-1301.1 of the Illinois Vehicle Code (625 ILCS 5/11-1301.3) is hereby incorporated into this section by reference.
- (h) The Village reserves the right to limit the number of handicapped spaces on a block.
- (i) Village staff has the right and authority to review and reevaluate the current use of parking spaces for the disabled person pursuant to this Section and shall make recommendations to the Village as to any such handicapped parking spaces which may no longer be appropriate. The Village shall have the right to revoke any handicapped parking spaces previously approved.
- (j) Applicable portions of this Section shall be applied to traffic warning signs for handicapped or disabled residents. These requests shall follow the same application, payment, review and renewal processes described herein. Alternate solutions will be considered prior to the installation of these signs.
- (k) No person shall sell, assign, rent or lease any disabled parking sign or charge a fee for the use thereof. No person shall file a sworn affidavit, as required herein, which the person knows to be false or believes to be false at the time of filing.
- (l) No person shall continue to display a handicapped placard which has been terminated, cancelled and recalled.
- (m) It shall be unlawful for any person to park a motor vehicle or stop a motor vehicle for the purpose of loading or unloading persons or thing, other than persons with disabilities, in any public parking area posted as a drop off zone for persons with disabilities.
- (n) Drop-off zones for persons with disabilities. If a disabled resident or Village institution desires a drop-off zone for disabled persons, the application for such a zone shall follow

the procedures of this section and criteria listed below. Drop-off zones for persons with disabilities shall meet the following criteria:

- (1) The person or entity seeking the drop-off zone for persons with disabilities must demonstrate the need for such a zone. Factors to be considered in determining the need for such a drop-off zone shall include the following: the number of persons with disabilities traveling to and from the proposed drop-off zone location, the frequency of this activity, the difficulties encountered without the proposed drop-off zone and the alternate solutions available.
- (2) The proposed drop-off zone for persons with disabilities shall not have a substantial negative impact on existing parking and traffic conditions in the area.
- (3) The need which must be demonstrated under this section must not be the need for parking for persons with disabilities, but rather the need for a location to stop a vehicle which carries a person or persons with disabilities only long enough to drop off or pick up such person or persons from a designated place. The regular use of special motor vehicles or buses for the transport of persons with disabilities to and from a designated place shall be considered as evidence indicating the need for a drop-off zone for persons with disabilities, rather than the need for parking for persons with disabilities.
- (4) Drop-off zones can be up to four feet in length, based on the review and procedures described herein.
- (o) Whoever violates any of the provisions of this section shall be fined not more than \$250.00.

SECTION 3.1. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance, and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance and to install any necessary signage in accordance with this Ordinance.

ARTICLE III. HEADINGS, SAVINGS CLAUSES, PUBLICATION, EFFECTIVE DATE

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective ten (10) days after its passage and approval in accordance with Illinois law.

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PASSED this 15th day of April, 2025.

AYES: Trustees White, Milenkovic, Torres, Kapolnek & Hrejsa

NAYS: None

ABSENT: Trustee Savopoulos

ABSTENTION: None

APPROVED by me this 15th day of April, 2025.

Jeff Walik, President

ATTESTED AND FILED in my
office this 15th day of April, 2025.

Audrey McAdams, Village Clerk