

An Ordinance of the Township of Milton, County of DuPage, Illinois

**AN ORDINANCE PROHIBITING PARKING ON A DESIGNATED PORTION OF  
STREETS AND AVENUES IN GARY AVENUE GARDENS  
IN UNINCORPORATED MILTON TOWNSHIP**

WHEREAS, the Statutes of the State of Illinois to such matters pertaining provide that local authorities, such as the Milton Township Board of Trustees, shall have the power to regulate parking on streets and highways under the jurisdiction of the Milton Township Highway Commissioner; and

WHEREAS, Morse Street, Farwell Street, Purnell Street, Fanchon Street, Ellis Avenue, Papworth Street, Darling Street, Della Avenue and Mellor Road are streets or highways under the jurisdiction of the Milton Township Highway Commissioner; and

WHEREAS, the Milton Township Highway Commissioner has determined that it is in the best interest of the health, safety and welfare of the residents of Milton Township, particularly of those children attending school in the immediate vicinity of these streets and avenues to prohibit parking, standing and stopping on both sides of the aforementioned streets and/or avenues under the jurisdiction of the Milton Township Highway Commissioner between the hours of 7:00 a.m. and 4 p.m. Monday through Friday when school is in session; and

WHEREAS, when signs are erected giving notice thereof, no person shall park, stand or leave standing or unattended a motor vehicle between the hours and days specified, upon Morse Street, Farwell Street, Purnell Street, Fanchon Street, Ellis Avenue, Papworth Street, Darling Street, Della Avenue and Mellor Road; and

WHEREAS, the Milton Township Highway Commissioner shall provide reasonable notice of the restrictive parking on the street named hereinabove by posting signs on this street which shall read as follows: "NO PARKING, STOPPING OR STANDING 7:00 A.M. TO 4 P.M. MON – FRI ON SCHOOL DAYS"; and

WHEREAS, violation of this Ordinance shall result in penalty as provided herein below.

NOW, THEREFORE, BE IT ORDAINED by the Supervisor and the Board of Trustees of the Milton Township Board, DuPage County, Illinois, as follows:

Section 1. That the recitals set forth above are incorporated herein and made a part hereof.

Section 2. That it is necessary and desirable that the Milton Township Highway Commissioner restrict parking on the streets and avenues referenced herein between the hours of 7:00 a.m. and 4 p.m. Monday through Friday on days when school is in session.

Section 3. That the Milton Township Highway Commissioner shall provide reasonable notice of the restrictive parking on the streets named hereinabove by posting signs on this street which shall read as follows: "NO PARKING, STOPPING OR STANDING 7:00 A.M. TO 4 P.M. MON – FRI ON SCHOOL DAYS."

Section 4. 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 within ten (10) days during the hours and at a place specified in the citation.

Section 5. If a violator of the restrictions on stopping, standing or parking under this Ordinance does not appear in response to a traffic citation affixed to such motor vehicle within a period of ten (10) days, the Clerk of the Township shall send to the owner of the motor vehicle to which the traffic citation was affixed a letter informing the owner of the violation and warning that in the event such letter is disregarded for a period of ten (10) days, the fine for such violation shall increase as set forth hereinbelow, and could, after the required period of time, result in turning the matter over for collection or prosecution.

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. (A) Law enforcement officers are hereby authorized to remove a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police, or otherwise maintained under the following circumstances: