

ORDINANCE 2024 - \_\_\_\_\_

AN ORDINANCE AMENDING THE BARTLETT MUNICIPAL CODE REGARDING  
PERMIT PARKING

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**WHEREAS**, the Village of Bartlett (“**Village**”) is an Illinois home rule municipal corporation organized and operating pursuant to Article VII of the Illinois Constitution of 1970, and has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

**WHEREAS**, the Village is authorized to regulate the use of its streets and other Village property (65 ILCS 5/11-80-2), and regulate the standing or parking of vehicles with respect to streets and highways under its jurisdiction (625 ILCS 5/11-208(a)(1)); and

**WHEREAS**, the Village is authorized to restrict parking in residential areas for residents parking only (65 ILCS 5/11-80-2a); and

**WHEREAS**, the corporate authorities of the Village desire to amend the regulations for permit parking in the Village of Bartlett Municipal Code (“**Village Code**”); and

**WHEREAS**, the corporate authorities of the Village find that amending the Village Code, as provided in this Ordinance, is in the best interests of the health, safety, and welfare of Village residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Village Board of Trustees of the Village of Bartlett, DuPage, Kane, and Cook Counties, Illinois, pursuant to its home rule authority, as follows:

**SECTION 1. Recitals.** The recitals set forth above are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2. Amendment to Section 6-11-1304.8 of the Village Code.** That Section 6-11-1304.8, “Permit Parking,” of Part 11-3000, “Stopping, Standing and Parking,” of Title 6, “Motor Vehicles and Traffic,” of the Village of Bartlett Municipal Code is hereby amended as follows (additions in **bold and underline**, deletions in ~~strikethrough~~) (omitted language is not intended to be amended):

“6-11-1304.8: **COMMUTER** PERMIT PARKING

The following regulations shall govern **commuter permit parking in the commuter permit parking areas described in section 6-11-1305.5, schedule IX of this Part.** ~~on Village streets, in off-street parking facilities owned, leased, controlled or operated by the Village, or in parking areas comprised of both Village~~

~~streets and off street parking facilities owned, leased and controlled or operated by the Village.~~

[...]"

**SECTION 3. Amendment to Section 6-11-1304.8.1 of the Village Code.** That Section 6-11-1304.8.1, "Residential Permit Parking Area," of Part 11-3000, "Stopping, Standing and Parking," of Title 6, "Motor Vehicles and Traffic," of the Village of Bartlett Municipal Code is hereby amended as follows (additions in **bold and underline**, deletions in ~~strikethrough~~) (omitted language is not intended to be amended):

~~"6-11-1304.8.1: RESIDENTIAL PERMIT PARKING AREA~~ **VILLAGE PARKING LOT PERMITS:**

- A. ~~"Residential area" shall mean a contiguous or nearly contiguous area containing public highways or parts thereof primarily abutted by residential property or residential and nonbusiness property (such as: schools, parks and churches).~~ **"Parking Lot Permit Zone" will mean the following residential areas of the Village:**
- i. **The area north of the railroad tracks and south of Oneida Avenue between S. Elroy Avenue on the west and Prospect Avenue on the east.**
  - ii. **The area along S. Chase Avenue between North Avenue and Oneida Avenue.**
  - iii. **The area along S. Hale Avenue between North Avenue and Oneida Avenue.**
  - iv. **The area along the west side of S. Prospect Avenue between North Avenue and Oneida Avenue.**
- B. All ~~Only~~ residents **who reside within the Parking Lot Permit Zone** shall be deemed eligible for a **Village parking lot permit** ~~residential permit parking~~ when the residents would otherwise park the vehicles on the street in violation of the two o'clock (2:00) A.M. to six o'clock (6:00) A.M. prohibition.
- C. ~~"Residential permit parking area~~ **Village Parking Lot Permit Area**" shall mean the residential area west of Berteau Avenue, the north side of East Bartlett Avenue, first ten (10) spaces to the permit parking area known as Lot 7, and the east side of Berteau Avenue north of East Bartlett Avenue south of West Oneida Avenue. The northern ~~six (6)~~ **ten (10)** spaces of Lot 14 where parking shall be allowed for vehicles owned or leased by a Village resident who has procured and displays a ~~residential parking permit~~ **Village parking lot permit**. This permit parking area is reserved for the use of Village residents who have ~~residential parking permits~~ **Village parking lot permits** issued one per **residence** property on a first come, first issued basis. **A maximum of twenty (20) Village parking lot permits may be issued.**
- D. The application for a permit shall contain the name of the owner or operator of the motor vehicle, proof **of residency within the Parking Lot Permit**

**Zone**, ~~residential address~~, the motor vehicle's make, model, **and** registration number, ~~and proof of residency.~~

- E. The permit shall be renewed quarterly on or before the first day of the new quarter, January 1, April 1, July 1 and October 1. The permit shall display the quarter number for which it is issued. This permit shall entitle the permittee to park in the **Village Parking Lot Permit Area** ~~residential permit area~~ twenty four (24) hours daily.
- F. The parking permit hanger will be displayed hanging from the rear view mirror inside of the vehicle in such a manner that it is clearly visible from the outside of the motor vehicle.
- G. No person shall display a parking permit hanger on any vehicle other than the vehicle described in the application for which the **Village parking lot permit** ~~residential parking permit~~ hanger has been made and parking permit hanger issued. Any such use or display of a parking permit hanger on a vehicle as described above shall constitute a violation of the regulation by the permittee and by the person who so used or displayed such parking permit hanger.
- H. It shall constitute a violation of this regulation for any person to make representation of eligibility for a **Village Parking Lot Permit** ~~residential parking permit~~ or to furnish any false information in an application in order to obtain a ~~residential parking~~ permit.
- I. Any person who shall violate any provision of this regulation shall, upon conviction, be subject to a fine of twenty five dollars (\$25.00) and if not paid within a period of ten (10) days from the date appearing on the violation notice, said person shall be subject to an additional fine of twenty five dollars (\$25.00).

**SECTION 4. Amendment to Part 11-300 of the Village Code.** That Part 11-3000, "Stopping, Standing and Parking," of Title 6, "Motor Vehicles and Traffic," of the Village of Bartlett Municipal Code is hereby amended to add a new subsection 6-11-1304.8.2 as follows:

"6-11-1304.8.2: OVERNIGHT PERMIT PARKING:

A. Definitions:

- 1. "Overnight Permit Parking Area" will mean the following on-street parking areas:
  - i. The parking areas on the east side of the street on S. Hale Avenue between North Avenue and Oneida Avenue.
  - ii. The parking areas on the east side of the street on S. Chase Avenue between North Avenue and Oneida Avenue.
  - iii. The parking areas on the South side of the street on Oneida Avenue between Prospect Avenue and S. Elroy Avenue.

2. "Overnight Permit Parking Zone" will mean the following residential areas of the Village:
    - i. The area north of the railroad tracks and south of Oneida Avenue between S. Elroy Avenue on the west and Prospect Avenue on the east.
    - ii. The area along S. Chase Avenue between North Avenue and Oneida Avenue.
    - iii. The area along S. Hale Avenue between North Avenue and Oneida Avenue.
    - iv. The area along the west side of S. Prospect Avenue between North Avenue and Oneida Avenue.
- B. Only residents who reside within the Overnight Permit Parking Zone will be eligible to apply for an overnight parking permit pursuant to this subsection.
- C. An overnight parking permit will allow a vehicle to be parked anywhere within the Overnight Permit Parking Area between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. of any day, without violating the overnight parking prohibition contained in Section 6-11-1304.2 of this Part.
- D. Application Requirements:
1. The application for an overnight parking permit shall contain the name of the owner or operator of the motor vehicle, proof of current residency within the Overnight Permit Parking Zone, the motor vehicle's make, model, registration number, and registration address.
  2. Applicants must provide evidence that the vehicle to be permitted is owned, leased, or otherwise under the control of the applicant.
  3. Applicants must pay an application fee of fifty dollars (\$50.00) per permit.
- E. A maximum of 135 overnight parking permits may be issued for use in the Overnight Permit Parking Area. All overnight parking permits will be issued on a first-come, first-issued basis, subject to the maximum numbers per residence set forth in this subsection.
- F. Every residence with a driveway or off-street parking area within the Overnight Permit Parking Zone will be allowed a maximum of one (1) overnight parking permit.
- G. Every residence without a driveway or off-street parking area within the Overnight Permit Parking Zone will be allowed a maximum of three (3) overnight parking permits.

- H. In the event that the maximum number of overnight parking permits is not issued within the first two weeks of open permit registration of any given year, the remaining permits may be issued on a first-come, first-issued basis, with a maximum of two (2) additional overnight parking permits per residence.
- I. The overnight parking permit must be renewed annually and will remain valid for one calendar year.
- J. The overnight parking permit decal must be affixed to the upper left side (driver's side) of the vehicle's windshield in such a manner that it is clearly visible from the outside of the motor vehicle.
- K. The overnight parking permit decal shall not be transferrable between vehicles. No person shall display an overnight parking permit decal on any vehicle other than the vehicle described in the application for which the overnight parking permit was issued. Any prohibited use or display of an overnight parking permit decal on a vehicle shall constitute a violation of this subsection by the permittee and by the person who impermissibly used or displayed such overnight parking permit decal.
- L. Overnight parking permits do not exempt vehicles or permittees from compliance with all other parking restrictions in the Village Code, including but not limited to, blocking a fire hydrant, blocking a crosswalk/driveway, and parking on the street after 2 inches of snowfall.
- M. The issuance of an overnight parking permit does not reserve any specific parking space or area for the permittee. The issuance of an overnight parking permit does not guarantee that a parking space within the Overnight Permit Parking Area will always be available for the permittee.
- N. The overnight parking regulations in Section 6-11-1304.2 of this Part, including the temporary overnight parking regulations, will continue to apply to the Overnight Permit Parking Area.

**SECTION 5. Amendment to Section 6-11-1305.5 of the Village Code.** That Section 6-11-1305.5 "Schedule IX, Permit Parking," of Part 11-3000, "Stopping, Standing and Parking," of Title 6, "Motor Vehicles and Traffic," of the Village of Bartlett Municipal Code is hereby amended as follows (additions in **bold and underline**, deletions in ~~strikethrough~~) (omitted language is not intended to be amended):

"6-11-1303.5: SCHEDULE IX, **COMMUTER** PERMIT PARKING:

The following described areas, depicted in appendix 1 on file in the Village, are hereby designated as **commuter** permit parking areas:

The parking area on the south side of West Bartlett Avenue from the east line of Western Avenue easterly to the west line of Oak Avenue consisting of 45 spaces (Lot 3).

The parking lots (Lots 5, the west 1/2 of Lot 6, 7, 12, and 14) located north of the Metra railroad tracks, south of Oneida Avenue, from the east line of Eastern Avenue easterly to the east line of Berteau Avenue excluding the east 1/2 of Lot 6 and Lot 13 (39 spaces) the east side of Berteau Avenue north of East Bartlett Avenue south of West Oneida Avenue the northern ~~10~~ 6 spaces of Lot 14, and the north side of East Bartlett Avenue, first 10 spaces to the permit parking area known as Lot 7.”

**SECTION 6. Amendment to Section 6-11-1304.2 of the Village Code.** That Section 6-11-1304.2 “Overnight Parking” of Part 11-3000, “Stopping, Standing and Parking,” of Title 6, “Motor Vehicles and Traffic,” of the Village of Bartlett Municipal Code is hereby amended as follows (additions in **bold and underline**, deletions in ~~strikethrough~~) (omitted language is not intended to be amended):

“6-11-1304.2: OVERNIGHT PARKING:

No person shall park any vehicle on any street for a period of time longer than thirty (30) minutes between the hours of two o'clock (2:00) A.M. and six o'clock (6:00) A.M. of any day, except **pursuant to a validly issued Village parking lot permit or overnight parking permit,** ~~in a residential permit parking area pursuant to a validly issued residential parking permit issued pursuant to section 6-11-1304.8.1 of this part,~~ or physicians on emergency calls; provided, however, that in the event of an emergency, or in the event of mechanical malfunction of a vehicle, such vehicle may be parked on the street between such hours; provided that the owner or person responsible for the parking of such vehicle on the Village street shall notify the Bartlett Police Department as to the existence of such emergency situation, the location where such vehicle shall be parked, the identity of the owner of the premises in front of which such vehicle shall be parked, the identity of the owner and driver of such vehicle and such additional information as the Bartlett police may require.

The provisions of this section shall not apply to vehicles owned by the United States, State of Illinois, any county or municipality which may be subject to call twenty four (24) hours a day. The Chief of Police is authorized to grant special permission: a) in emergency situations, or b) on a temporary basis, however, overnight parking permission is limited to three (3) nights per calendar month.”

**SECTION 7. Severability.** The various provisions of this Ordinance are to be considered as severable, and if any Court of competent jurisdiction shall hold any part or portion of this Ordinance invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance.

**SECTION 8. Repeal and Saving Clause.** All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein

contained shall affect any rights, actions, or cause of action which shall have accrued to the Village of Bartlett prior to the effective date of this Ordinance.

**SECTION 9. Effective Date.** This Ordinance shall be in full force and effect after its passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

\_\_\_\_\_  
Kevin Wallace, Village President

ATTEST:

\_\_\_\_\_  
Lorna Giles, Village Clerk

#### CERTIFICATION

I, the undersigned, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2024- \_\_\_\_\_ enacted on December 17, 2024, and approved on December 17, 2024, as the same appears from the official records of the Village of Bartlett.

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Lorna Giles, Village Clerk

