

VILLAGE OF BRADFORD
ORDINANCE NO. 15/16-25

**AN ORDINANCE OF UNAUTHORIZED USE OF PARKING SPACES
RESERVED FOR HANDICAPPED**

ADOPTED BY THE VILLAGE BOARD
OF THE
VILLAGE OF BRADFORD

Published in pamphlet form by authority of the Village Board in the Village of Bradford,
Stark County, Illinois, this 13th day of MAY 2016.

[NOTE: When an ordinance is published in pamphlet form, the following certificate should be filled out by the Municipal Clerk.]

STATE OF ILLINOIS)
) SS
County of STARK)

CERTIFICATE

I, Diana Cobb, certify that I am the duly appointed and acting
Municipal Clerk of the Village of Bradford, Stark
County, Illinois.

I further certify that on May 9, 2016, the Corporate Authorities of
such municipality passed and approved Ordinance No. 15/16-25, entitled

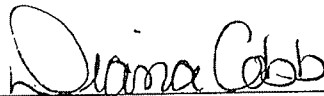
An Ordinance Of Unauthorized use of Parking Spaces Reserved
for Handicapped

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. #15/16-25, including the Ordinance and a
cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal
building, commencing on 5/13/2016, 2016 and continuing for at least ten days
thereafter. Copies of such Ordinance were also available for public inspection upon request in the
office of the Municipal Clerk.

DATED at Bradford, Illinois, this 13th day of May,
2016.

(SEAL)



Municipal Clerk

"This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law."

ORDINANCE NO. 15-16-25

Village of Bradford

Stark County, Illinois

UNAUTHORIZED USE OF PARKING SPACES RESERVED FOR HANDICAPPED

Whereas, the Village of Bradford has determined that vehicle operation should be regulated for the public safety.

Therefore, be it ordained, by the Board of Trustees of the Village of Bradford, Stark County, Illinois, As Follows:

SECTION ONE.

(A) (1) It shall be prohibited to park any motor vehicle which is not properly displaying registration plates or decals issued to a person with disabilities pursuant to ILCS Ch. 625, Act 5, §§ 3-616, 11-1301.1 or 11-1301.2, or to a disabled veteran pursuant to ILCS Ch. 625, Act 5, §§ 3-609, as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public off-street parking facility, specifically reserved, by the posting of an official sign as designated under ILCS Ch. 625, Act 5, § 11-301, for motor vehicles displaying such registration plates. It shall be prohibited to park any motor vehicle in a designated access aisle adjacent to any parking place specifically reserved for persons with disabilities, by the posting of an official sign as designated under ILCS Ch. 625, Act 5, § 11-301, for motor vehicles displaying such registration plates. When using the parking privileges for persons with disabilities, the parking decal or device must be displayed properly in the vehicle where it is clearly visible to law enforcement personnel, either hanging from the rearview mirror or placed on the dashboard of the vehicle in clear view. Disability license plates and parking decals and devices are not transferable from person to person. Proper usage of the disability license plate or parking decal or device requires the authorized holder to be present and enter or exit the vehicle at the time the parking privileges are being used. It is a violation of this section to park in a space reserved for a person with disabilities if the authorized holder of the disability license plate or parking decal or device does not enter or exit the vehicle at the time the parking privileges are being used. Any motor vehicle properly displaying a disability license plate or a parking decal or device containing the International symbol of access issued to persons with disabilities by any local authority, state, district, territory or foreign country shall be recognized by state and local authorities as a valid license plate or device and receive the same parking privileges as residents of this state.

(2) An individual with a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under ILCS Ch. 625, Ch. 5, §§ 3-616, 11-1301.1 or 11.1301.2 or to a disabled veteran under ILCS Ch. 625, Ch. 5, §§ 3-609 is a violation of this section if:

(a) The person using the disability license plate or parking decal or device is not the authorized holder of the disability license parking decal or device or is not transporting the

authorized holder of the disability license plate or parking decal or device to or from the parking location; and

(b) The person uses the disability license plate or parking decal or device to exercise any privileges granted through the disability license plate or parking decals or devices under this code.

(3) A driver of a vehicle displaying disability license plates or a parking decal or device issued to a qualified person with a disability under ILCS Ch. 625, Ch. 5, §§ 3-616, 11-1301.1 or 11.1301.2 or to a disabled veteran under ILCS Ch. 625, Ch. 5, § 3-609 is a violation of this section if:

(a) The person to whom the disability plate or parking decal or device was issued is deceased;

(b) The driver uses the disability plate or parking decal or device to exercise any privileges granted through a disability license plate or parking decal or device under this code.

(B) Any person or local authority owning or operating any public or private off-street parking facility may, after notifying the Police Department, remove or cause to be removed to the nearest garage or other place of safety any vehicle parked within a stall or space reserved for use by a person with disabilities which does not display person with disabilities registration plates or a special decal or device as required under this section.

(C) (1) Any person found guilty of violating the provisions of division (A)(1) shall be fined as set forth in See Ordinance 15-16-08 in addition to any costs or charges connected with the removal or storage of any motor vehicle authorized under this section. It shall not be a defense to a charge under this section that either the sign posted pursuant to this section or the intended accessible parking place does not comply with the technical requirements of ILCS Ch. 625, Act 5, § 11-301, Department regulations, or local ordinance if a reasonable person would be made aware by the sign or notice on or near the parking space that the place is reserved for a person with disabilities.

(2) Any person found guilty of violating the provisions of division (A)(2) a first time shall be fined \$600. Any person found guilty of violating division (A)(2) a second or subsequent time shall be fined \$1,000. Any person who violates division (A)(3) is guilty of a Class A misdemeanor and shall be fined \$2,500. The Circuit Clerk shall distribute 50% of the fine imposed on any person who is found guilty of or pleads guilty to violating this section, to the law enforcement agency that issued the citation or made the arrest. If more than one law enforcement agency is responsible for issuing the citation or making the arrest, the 50% of the fine imposed shall be shared equally. If an officer of the Secretary of State Department of Police arrested a person for a violation of this section, 50% of the fine imposed shall be deposited into the Secretary of State Police Services Fund.

(D) Local authorities shall impose fines as established in division (C) for violations of this section.

(E) As used in this section, AUTHORIZED HOLDER means an individual issued a disability license plate under ILCS Ch. 625, Act 5, § 3-616 of this Code or an individual issued a parking

decal or device under ILCS Ch. 625, Act 5, § 11-1301.2 of this code or an individual issued a disabled veteran's license plate under ILCS 625, Act 5, §§ 3-609 of this code.

(F) Any person who commits a violation of (A)(2) of this ordinance or a similar provision of a local ordinance may have his or her driving privileges suspended by the Secretary of State for a period of time determined by the Secretary of State. Any person who commits a violation of (A)(3) of this ordinance or a similar provision of a local ordinance shall have his or her driving privileges revoked by the Secretary of State. The Secretary of State may also suspend or revoke the disability license plates or parking decal or device for a period of time determined by the Secretary of State.

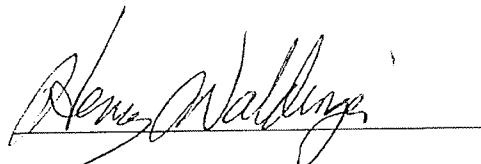
(ILCS Ch. 625, Act 5, § 11-1301.3) Penalty, See Ordinance 15-16-08

SECTION TWO. All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION THREE. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each sections, subsections, sentences, clauses, phrases, or words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

SECTION FOUR This ordinance shall be in full force and effect on September 1st, 2016.

Presented, passed and approved on a roll call vote this 9th day of May, 2016.



President of the Village Board

ATTEST:



Village Clerk