

6/27/2006
6/21/2006
6/20/2006

75-O-06

AN ORDINANCE

**Amending Title 10, Chapter 4, "Stopping, Standing Or Parking"
of the Evanston City Code, 1979, to Add a New Section
Regulating the Standing or Parking of Idling Motor Vehicles.**

WHEREAS, pursuant to Chapter 11, Section 208 of the Illinois Vehicle Code, the City of Evanston as a home rule unit may enact local Police regulations regulating the standing and parking of vehicles.

WHEREAS, the standing and parking of idling motor vehicles releases particles which can cause lung damage and aggravate existing lung diseases such as asthma; and

WHEREAS, children and the elderly are particularly susceptible to the negative health effects of motor vehicle pollution; and

WHEREAS, the standing and parking of idling motor vehicles for extended periods of time is generally unnecessary, contributes to noise pollution and wastes fuel;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: That the Evanston City Code, 1979, as amended, be and hereby is further amended by adding to Title 10, Chapter 4, a new section, Section 18-1, which reads as follows:

10-4-18-1: REGULATION OF STANDING OR PARKED IDLING MOTOR VEHICLES:

No standing or parked motor vehicle with a gross vehicle weight rating of eight thousand pounds (8,000 lbs.) or greater shall be allowed to idle for more than a total of five (5) minutes within a sixty (60) minute period except under the following circumstances:

1. the motor vehicle is an official City of Evanston vehicle being utilized for official City of Evanston business;
2. the motor vehicle idles while forced to remain motionless because of traffic, an official traffic control device or signal, or at the direction of a law enforcement official;
3. the motor vehicle idles when operating defrosters, heaters, air conditioners, or other equipment solely to prevent a safety or health emergency;
4. a police, fire, ambulance, public safety, other emergency or law enforcement motor vehicle, or any motor vehicle used in an emergency capacity, idles while in an emergency or training mode and not for the convenience of the vehicle operator;
5. the motor vehicle is owned by an electric utility and is operated for electricity generation or hydraulic pressure to power equipment necessary in the restoration, repair, modification or installation of electric utility service;
6. when the motor vehicle idles due to mechanical difficulties over which the operator has no control;
7. a bus idles a maximum of fifteen (15) minutes in any sixty (60) minute period to maintain passenger comfort while non-driver passengers are on board;
8. an armored motor vehicle idles when a person remains inside the vehicle to guard the contents, or while the vehicle is being loaded or unloaded;
9. when idling of the motor vehicle is required to operate auxiliary equipment to accomplish the intended use of the vehicle (such as loading, unloading, mixing, or processing cargo; controlling cargo temperature; construction operations), provided that this exemption does not apply when the vehicle is idling solely for cabin comfort or to operate non-essential equipment such as air conditioning, heating, microwave ovens, or televisions;

10. a motor vehicle idles as part of a government inspection to verify that all equipment is in good working order, provided idling is required as part of the inspection;

11. the primary propulsion engine idles for maintenance, servicing, repairing, or diagnostic purposes if idling is necessary for such activity.

SECTION 2: That the Evanston City Code, 1979, as amended, be and hereby is further amended by adding to Title 10, Chapter 4, a new section, Section 18-2, which reads as follows:

10-4-18-2: PENALTY: Any person who violates the provisions of Section 10-4-18-1 of this title shall be guilty of an offense punishable by a fine of one-hundred and fifty dollars (\$150.00).

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: _____, 2006 Approved:
Adopted: _____, 2006 _____, 2006

Lorraine H. Morton, Mayor

Attest:

Mary P. Morris, City Clerk

Approved as to form:

Corporation Counsel