

OSWEGO TOWNSHIP ROAD DISTRICT

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ORDINANCE NO. RD 2018 - 10

AN ORDINANCE ADOPTING WINTER PARKING RESTRICTIONS  
FOR ROADS UNDER THE JURISDICTION OF  
OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS

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APPROVED AND ADOPTED BY  
THE HIGHWAY COMMISSIONER  
OF THE  
OSWEGO TOWNSHIP

This 10<sup>th</sup> day of July, 2018

**ORDINANCE NO. RD 2018- 10**

**AN ORDINANCE ADOPTING WINTER PARKING RESTRICTIONS  
FOR ROADS UNDER THE JURISDICTION OF  
OSWEGO TOWNSHIP, KENDALL COUNTY, ILLINOIS**

**WHEREAS**, the Highway Commissioner of Oswego Township is charged with the maintenance of roads within unincorporated areas in Oswego Township pursuant to Sections 5/2-103 and 5/6-201.8 of the Illinois Highway Code; and

**WHEREAS**, the Highway Commissioner of Oswego Township has authority as permitted by Sections 5/1-140 and 5/11-208(a)(1) of the Illinois Vehicle Code to regulate traffic, including the standing or parking of vehicles, upon roads within the unincorporated areas of Oswego Township; and

**WHEREAS**, regulation of traffic and the use of roads, streets, alleys, and highways within the Highway Commissioner's jurisdiction is necessary in order to provide for the safety of those persons using such roads, streets, or highways, and for the orderly flow of traffic particularly in winter months when snow must be removed from township roadways; and

**WHEREAS**, the Highway Commissioner and township board deem it in the best interests of the township road district and its residents to adopt and enforce reasonable winter parking restrictions for township roads.

**NOW, THEREFORE, BE IT ORDAINED** by the Highway Commissioner that the following provisions shall govern the use of all roads within the jurisdiction of the Oswego Township Road District, as follows:

**SECTION ONE:** The Highway Commissioner shall work together with the Kendall County Highway Department to obtain written consent to post signage on township roads to inform the public about the restriction imposed by this ordinance.

**SECTION TWO:** When signs are erected along a township road giving notice of the winter parking restrictions, no person shall park or leave standing or unattended a

motor vehicle upon any such street or part of street or alley during or after a snowfall in which there is an accumulation of two inches of snow or more as measured by the National Weather Service for the Aurora Municipal Airport reporting location.

**SECTION THREE:** That this parking prohibition shall remain in effect until such time as the street or alley has been plowed or the snow has been removed therefrom.

**SECTION FOUR:** That an unincorporated road, street, alley, or highway within the Highway Commissioner's jurisdiction shall not be deemed to have been plowed until the lane of traffic nearest the curb has been plowed or the snow has been removed therefrom.

**SECTION FIVE:** The Highway Commissioner shall work with the Office of the Kendall County Sheriff to coordinate enforcement of this ordinance.

**SECTION SIX:** When an unattended motor vehicle is found parked or stopped in violation of the restrictions imposed by this Ordinance, the law enforcement officer finding such vehicle shall take its registration number and may take other information displayed on the vehicle that may identify its user and shall conspicuously affix to such vehicle a traffic citation.

**SECTION SEVEN:** When a law enforcement officer finds a vehicle parked in violation of the restrictions imposed and where such vehicle constitutes an obstruction of traffic, interferes with the use of streets or in any other manner creates a dangerous or unsafe condition, the officer is hereby authorized to remove such vehicle from a road to the nearest garage or other place of safety, or to a garage designated or maintained by law enforcement during snow removal operations of the township on such roads, streets, alleys, or highways within the Highway Commissioner's jurisdiction:

**SECTION EIGHT:** Whenever a law enforcement officer removes a vehicle from a road as authorized by this Ordinance, the expense of such removal and storage in such garage, place of safety, or garage designated or maintained by law enforcement shall be



paid by the owner or operator of the vehicle in addition to any other penalties imposed here or by this chapter.

**SECTION NINE:** In any prosecution of a charge for violation of this Ordinance, the standing or parking of a vehicle, proof that the particular vehicle described in the complaint or traffic citation was parked in violation of such law or regulation, together with proof that the defendant named in the complaint or traffic citation 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.

**SECTION TEN:** Violators of this Ordinance may be assessed a fine not to exceed the sum of Two Hundred and Fifty Dollars (\$250.00). Fines shall be assessed and collected as jointly determined by the Highway Commissioner and Kendall County.

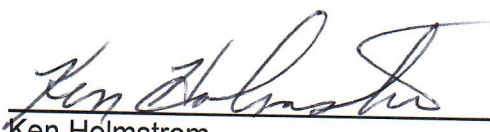
**SECTION ELEVEN:** All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION TWELVE:** This Ordinance shall be in full force and effect from and after its passage and approval according to law.

**APPROVED AND ADOPTED** by the Highway Commissioner of Oswego Township held on this 10<sup>th</sup> day of July, 2018.



  
Bob Rogerson  
Highway Commissioner, Oswego Township

  
Ken Holmstrom,  
Road District Clerk, Oswego Township

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF KENDALL        )

**CLERK'S CERTIFICATE**

I, Ken Holmstrom, the duly qualified Road District Clerk of Oswego Township, Kendall County, Illinois, do hereby certify that the attached hereto is a true and correct copy of Ordinance Number RD 2018 – 10 entitled:

**ORDINANCE NO. RD 2018 - 10**

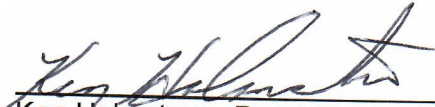
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which was duly adopted by Highway Commissioner of Oswego Township on the 10<sup>th</sup> day of July, 2018.

**IN WITNESS WHEREOF**, I have hereunto set my hand in the County of Kendall and State of Illinois this 10<sup>th</sup> day of July, 2018.

(SEAL)



  
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Ken Holmstrom, Road District Clerk  
Oswego Township