

VILLAGE OF DOWNERS GROVE
Report for the Village
2/12/2019

SUBJECT:	SUBMITTED BY:
Resident and Commuter Parking Permit Provisions	Enza Petrarca Village Attorney

SYNOPSIS

An ordinance has been prepared to amend parking permit provisions for commuter lots.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the February 5, 2019 Village Council meeting. Staff recommends approval on the February 12, 2019 Active Agenda.

BACKGROUND

The proposed ordinance clarifies eligibility requirements for the Main Street Station Lots (A, B, C, D, F and L) and Lot R (overnight parking in the parking deck). The proposed ordinance includes the following amendments to Chapter 14 of the Downers Grove Municipal Code.

Eligibility by class of permit

Language has been added to clarify that Lots A, B, C, D, F and L shall be for Downers Grove residents only.

Resubmit proof of residency

Permit holders who wish to apply for a permit or renew a permit for Lot A, B, C, D, F and L, must submit proof of residency in the Village of Downers Grove.

Establish permit requirements for parking Lot R

Permit holders who wish to apply for a permit or renew a permit for Lot R, must submit qualifying proof of residency within the DC Downtown Core District, DB Downtown Business District or DT Downtown Transition District. Lot R permits are not available for residents residing in recently constructed developments required to provide on-site parking.

ATTACHMENTS

Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Village Attorney DATE: February 12, 2019
(Name)

RECOMMENDATION FROM: _____ FILE REF: _____
(Board or Department)

NATURE OF ACTION:

STEPS NEEDED TO IMPLEMENT ACTION:

- Ordinance
- Resolution
- Motion
- Other

Motion to Adopt "AN ORDINANCE AMENDING
PARKING PERMIT PROVISIONS FOR
RESIDENTS", as presented.



SUMMARY OF ITEM:

Adoption of the attached ordinance shall amend parking permit provisions for residents.

RECORD OF ACTION TAKEN:

Residency-Parking

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
PARKING PERMIT PROVISIONS FOR RESIDENTS**

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by shading/underline; deletions by ~~strikeout~~):

Section 1. That Section 14.123. is hereby amended to read as follows:

14.123. Issuance, sale, renewal and fees for permits.

(a) The Village Manager shall cause that suitable permits be prepared and made available for issuance and sale.

Notwithstanding anything in this Code to the contrary, the number of permits sold shall not exceed the number of parking spaces actually available for parking of vehicles in such lot (or such portion thereof) unless the Village Manager determines, on the basis of surveys of parking space vacancy rates and other relevant criteria, that the sale of an additional amount of permits is justified, in which event, an additional amount of permits may also be sold at the direction of the Village Manager.

Permits shall designate the permit parking lot for which issued and shall be issued and sold for a minimum three month period and a maximum of one (1) year, except that permits for Lot W and Lot Z shall only be issued annually.

(b) Under the direction of the Village Manager, permits shall be offered for sale during regular business hours at the Village offices in advance of the commencement of each such three-month period and shall be sold to applicants in accordance with the chronological priority of applications for such permits, subject to the following:

(1) Permit renewal notices shall be mailed to existing permit holders, and renewal permits may be issued and sold to such permit holders, in advance of the time when such permits are made available for sale at the Village offices provided payment is made prior to the established deadline for renewal; and further provided that:

i. for Lots A, B, C, D, F and L resubmission of proof of residency within the corporate limits of the Village of Downers Grove is provided;

ii. however, for downtown employee parking permits shall require resubmission of proof of employment at a DB Downtown Business or DC Downtown Core Districts business is provided in accordance with as provided for in paragraph (g) of this section on a yearly basis; and

iii. for Lot R qualifying proof of residency within the DC Downtown Core District, DB Downtown Business District or DT Downtown Transition District is provided.

(2) At the discretion of the Village Manager, permits may be offered for sale at the Village offices only to persons residing within the corporate limits of the Village or persons who own or are employed by businesses within the DB Downtown Business or DC Downtown Core Districts of the Village, as defined in the Comprehensive Zoning Ordinance of the Village, prior to any offer of such permits for sale to the general public and nonresidents. To be eligible for a permit for Lots A, B, C, D, F, and L pursuant to this Section, the applicant must either be actually residing and living within the corporate limits of the Village of Downers Grove. To be eligible for a downtown employee parking permit, or the applicant must be employed by, or be an owner of, a business within the DB Downtown Business or DC Downtown Core Districts at the time of application. To be eligible for a Lot R permit, the applicant must provide qualifying proof of residency within the DC Downtown Core District, DB Downtown Business District or DT Downtown Transition District.

(c) The fee for each such permit for each three-month period shall be determined by the rate class assigned

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to the permit parking lot for which such permit is to be issued. Such fees shall be set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule". Such fee shall be reduced, based on a daily proration of the number of days that have expired prior to the date of sale of such permit.

(d) If payment for a Rate Class I, II, III or VI parking permit is not received forty-five (45) days following the date of the issued invoice, a late fee will be assessed in addition to the cost of the permit. Such late fee shall be as set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule".

(e) A late notice will be sent for a Rate Class I, II, III, or VI parking permit. If payment for permit and late fee are not received ten (10) days following the date of the late notice, the Rate Class I, II, III, or VI parking permit will no longer be valid and the holder will no longer be eligible to park in the previously assigned lot/space.

(f) At the discretion of the Village Manager, permit holders may return permits prior to the expiration of the three-month period covered by such permit and may receive a refund of all or a portion of the fee paid for such permit, without interest, such refund to be determined on the basis of number of unexpired full days remaining in such three-month period. Class III permits shall be returned to the Village for such refund immediately upon the termination of permit holder's employment with a business located in the DB Downtown Business or DC Downtown Core Districts as defined in the Comprehensive Zoning Ordinance of the Village. Permits issued to permit holders pursuant to this Section shall not be transferable to another person, motor vehicle, or parking lot, ~~except as provided in subsection (k).~~ Such returned permits may be resold in chronological priority to those on waiting lists kept by the Village for that quarter and not valid past the next sale of permits, but such waiting list for Lots A, B, C, D, F, L, and R shall include Downers Grove residents only.

(g) Class of Permit. The following permit parking lots, as such lots are designated in Section 14-85, shall have the following rate classes and provisions:

(1) Rate Class I: Lots A, B, C, D, F, G, H, I, and L. Lots A, B, C, D, F and L shall be for Downers Grove residents only.

(2) Rate Class II: A portion of Level 2 of the Parking Deck. Rate Class II permits shall be issued for reverse overnight commuter parking and shall be valid from 3:00 p.m. to 9:00 a.m. daily.

(3) Rate Class III: Lots A, B, C, D, F and L after 8:30 a.m., ~~in the Main & Maple Lot,~~ Level 2 of the Parking Deck and Forest Lot North. Rate Class III permits, also referred to as "downtown employee parking permits", shall be issued only to employees of businesses located in the DB Downtown Business or DC Downtown Core Districts, as defined in the Comprehensive Zoning Ordinance of the Village, upon their providing evidence of such employment. Such permit shall be available for purchase at Village Hall only for those DB Downtown Business District employees who provide a current pay stub from a DB Downtown Business or DC Downtown Core District employer; and a written letter on letterhead from the DB Downtown Business or DC Downtown Core District employer requesting permission for said employee to obtain a downtown employee parking permit along with the employee's general work schedule.

Said downtown employee parking permit may only be used by a DB Downtown Business or DC Downtown Core District employee during the employee's working hours at the DB Downtown Business or DC Downtown Core District employer's place of business. Any violation of these requirements or misuse of this permit may result in a forfeiture of said permit and inability to apply for another permit for a period of one (1) year as well as a parking citation issued pursuant to this Code. Downtown employee parking permits shall be valid in Lots A, B, C, D, F and L from 8:30 a.m. to 11:00 a.m., Monday through Friday and in Forest Lot North, ~~a portion of the Main and Maple Avenue lot~~ and Level 2 in the Parking Deck from 5:00 a.m. to 3:00 p.m., Monday through Friday.

(4) Rate Class IV: Lots W and Z. Rate Class IV permits for Lot W shall only be issued to students of Downers Grove North High School. Rate Class IV permits for Lot Z shall only be issued to students of Downers Grove South High School. Said permits are non-transferable.

(5) Rate Class V: Lot L. Rate Class V permits shall be issued for multi-day and overnight parking.

(6) Rate Class VI: Lot R in the Parking Deck shall be for qualifying residents residing within the DC Downtown Core District, DB Downtown Business District or DT Downtown Transition District. Rate

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Class VI permits shall be issued for resident overnight parking.

(7) Rate Class VII:

i. Daily fee parking shall be available for Levels 3, 4 and 5 of the Parking Deck, Lots G, H, J and K and the Chase Avenue Lot.

ii. One day parking permits shall be sold at the discretion of the Village Manager on the day the permit may be used. Such permit shall be valid in any Village permit parking lot except in the Parking Deck, Lot L, Lot R and Village Employee Lot V.

Daily parking fees and one day parking permit fees shall be set forth in Administrative Regulation entitled "User-Fee, License and Fine Schedule".

After 10:59 a.m. Monday through Friday, the Village permit parking lot spaces are free, except Lot R and Village Employee Lot V.

(h) Notwithstanding any contrary provision in this division, the Village Manager shall be authorized to refuse to issue any such permit, or renewal thereof, to any permit holder who is convicted of more than three (3) violations of any of the provisions of this division within any consecutive period of six (6) months, except for Section 14-127.

(i) Transfers between Village permit parking lots shall be made only at the start of a three-month permit period. If a permit holder desires to transfer to another Village permit parking lot, the permit holder shall remit to the Village the following:

- (1) the parking permit renewal form;
- (2) a request that the permit be transferred to another lot as specified by the permit holder; and
- (3) payment of the appropriate parking permit fee in the manner specified by the Village.

Transfers shall be made by the Village after permit renewals are completed, but prior to sale to the general public, and shall be made in accordance with the chronological order such requests for transfers were received; however, non-resident permit holders shall not be allowed to transfer into Lots B, C, D, F and L.

(Ord. No. 1542, § 4; Ord. No. 1737, §§ 8, 9; Ord. No. 1820, § 2; Ord. No. 1861, § 1; Ord. No. 1989, § 3; Ord. No. 2346, § 1; Ord. No. 2375, § 2; Ord. No. 2531, § 4; Ord. No. 2906, § 1; Ord. No. 3118, §§ 15, 16; Ord. No. 3127, §§ 10, 11; Ord. No. 3195, § 2; Ord. No. 3202, § 1; Ord. No. 3348, § 1; Ord. No. 3353, § 1.)

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:

Published:

Attest: _____

Village Clerk