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Cook County Recorder 29.00
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FOR RECORDER'S USE ONLY

TRAFFIC AND PARKING ENFORCEMENT AGREEMENT
BETWEEN
WILLIAM P. HARDING, JR., LESSEE, AND
DIMITRIOS LETSOS, LANDLORD, AND
NORTHFIELD POLICE DEPARTMENT

Addresses: 383 Central Avenue, Northfield, IL 60093 (Lot 22)
385-391 Central Avenue, Northfield, IL 60093 (Lots 23-25)

Permanent index numbers: 05-19-117-004 (Lot 22)
05-19-117-001, 002, and 003 (Lots 23-25)

Legal Description:

Lots 22, 23, 24 and 25 in Block 15 in United Realty Company's Willowcrest, being a Subdivision of the West Half of the Northwest Quarter of Section 19, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

This document prepared by: Village of Northfield Police Department
350 Walnut, Northfield, IL 60093

AFTER RECORDING, PLEASE MAIL TO: RECORDER'S BOX 324 (NFK)

TRAFFIC AND PARKING ENFORCEMENT AGREEMENT

I, William Harding, the ~~landlord~~/lessee of the parking area located at 383 Central Avenue, Northfield, Illinois, and I, Dimitrios Letsos, the landlord/~~lessee~~ of the parking area located at 385 and 391 Central Avenue, Northfield, Illinois, hereby enter into this agreement with the Northfield Police Department pursuant to 625 ILCS 5/11-209 of the Illinois Vehicle Code, as attached hereto and made a part hereof, authorizing the Northfield Police Department to enforce all traffic and parking regulations of the Village of Northfield and the State of Illinois in said parking area.

It is further agreed that appropriate signage, as determined by the Chief of Police, will be posted at the landlord/lessee's expense.

This agreement shall be recorded pursuant to statute in the Office of the Recorder of Cook County, and no regulation made pursuant to this contract shall be effective or enforceable until 3 days after the contract is so recorded.

This agreement is unconditionally cancelable by any party upon 30 days written notice to the other parties.

In agreement, this 20TH day of JANUARY 1999.

Landlord/~~lessee~~: _____ Signature

Name: DIMITRIOS LETSOS

Address: 511 EARL DR
NORTHFIELD ILL
60093

~~Landlord~~/lessee: _____ Signature

Name: William P. Harding Jr.

Address: 1780 Maple St. Suite 30
Northfield, IL 60093

_____
Chief of Police
Northfield Police Department

Approved: _____
Village Manager

(10) A schedule of civil fines for violations of vehicular standing, parking, and compliance regulations enacted by ordinance pursuant to this Section, and a schedule of penalties for late payment of the fines, provided, however, that the total amount of the fine and penalty for any one violation shall not exceed $250.

(11) Other provisions as are necessary and proper to carry into effect the powers granted and purposes stated in this Section.

(c) Any municipality establishing vehicular standing, parking, and compliance regulations under this Section may also provide by ordinance for a program of vehicle immobilization for the purpose of facilitating enforcement of those regulations. The program of vehicle immobilization shall provide for immobilizing any eligible vehicle upon the public way by presence of a restraint in a manner to prevent operation of the vehicle. Any ordinance establishing a program of vehicle immobilization under this Section shall provide:

(1) Criteria for the designation of vehicles eligible for immobilization. A vehicle shall be eligible for immobilization when the registered owner of the vehicle has accumulated the number of unpaid final determinations of parking, standing, or compliance violation liability as determined by ordinance.

(2) A notice of impending vehicle immobilization and a right to a hearing to challenge the validity of the notice by disproving liability for the unpaid final determinations of parking, standing, or compliance violation liability listed on the notice.

(3) The right to a prompt hearing after a vehicle has been immobilized or subsequently towed without payment of the outstanding fines and penalties on parking, standing, or compliance violations for which final determinations have been issued. An order issued after the hearing is a final administrative decision within the meaning of Section 3-101 of the Code of Civil Procedure.[1]

(4) A post immobilization and post-towing notice advising the registered owner of the vehicle of the right to a hearing to challenge the validity of the impoundment.

(d) Judicial review of final determinations of parking, standing, and compliance violations and final administrative decisions issued after hearings regarding vehicle immobilization and impoundment made under this Section shall be subject to the provisions of the Administrative Review Law.[2]

(e) Any fine, penalty, or part of any fine or any penalty remaining unpaid after the exhaustion of, or the failure to exhaust, administrative remedies created under this Section and the conclusion of any judicial review procedures shall be a debt due and owing the municipality and, as such, may be collected in accordance with applicable law. Payment in full of any fine or penalty resulting from a standing, parking, or compliance violation shall constitute a final disposition of that violation.

(f) After the expiration of the period within which judicial review may be sought for a final determination of parking, standing, or compliance violation, the municipality may commence a proceeding in the Circuit Court for purposes of obtaining a judgment on the final determination of violation. Nothing in this Section shall prevent a municipality from consolidating multiple final determinations of parking, standing, or compliance violation against a person in a proceeding. Upon commencement of the action, the municipality shall file a certified copy of the final determination of parking, standing, or compliance violation, which shall be accompanied by a certification that recites facts sufficient to show that the final determination of violation was issued in accordance with this Section and the applicable municipal ordinance. Service of the summons and a copy of the petition may be by any method provided by Section 2-203 of the Code of Civil Procedure[3] or by certified mail, return receipt requested, provided that the total amount of fines and penalties for final determinations of parking, standing, or compliance violations does not exceed $2500. If the court is satisfied that the final determination of parking, standing, or compliance violation was entered in accordance with the requirements of this Section and the applicable municipal ordinance, and that the registered owner or the lessee, as the case may be, had an opportunity for an administrative hearing and for judicial review as provided in this Section, the court shall render judgment in favor of the municipality and against the registered owner or the lessee for the amount indicated in the final determination of parking, standing, or compliance violation, plus costs. The judgment shall have the same effect and may be enforced in the same manner as other judgments for the recovery of money.

P.A. 76-1586, § 11-208.3, added by P.A. 85-876, § 2, eff. Nov. 6, 1987. Amended by P.A. 86-947, § 2, eff. Nov. 13, 1989; P.A. 87-181, § 1, eff. Sept. 3, 1991; P.A. 88-415, § 10, eff. Aug. 20, 1993; P.A. 88-437, § 5, eff. Jan. 1, 1994; P.A. 88-670, Art. 2, § 2-59, eff. Dec. 2, 1994; P.A. 89-190, § 5, eff. Jan. 1, 1996.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-208.3.

1 735 ILCS 5/3-101.

2 735 ILCS 5/3-101 et seq.

3 735 ILCS 5/2-203.

5/11-208.4. § 11-208.4. Repealed effective Dec. 31, 1994

The repealed section, relating to a uniform traffic ordinance numbering system was repealed by its own terms, in the last sentence, eff. Dec. 31, 1994.

5/11-209. Powers of municipalities and counties—Contract with school boards, hospitals, churches, condominium complex unit owners' associations, and commercial and industrial facility, shopping center, and apartment complex owners for regulation of traffic

§ 11-209. Powers of municipalities and counties—Contract with school boards, hospitals, churches, condominium complex unit owners' associations, and commercial and industrial facility, shopping center, and apartment complex owners for regulation of traffic.

(a) The corporate authorities of any municipality or the county board of any county, and a school board, hospital, church, condominium complex unit owners' association, or owner of any commercial and industrial facility, shopping center, or apartment complex which controls a parking area located within the limits of the municipality, or outside the limits of the municipality and within the boundaries of the county, may, by contract, empower the municipality or county to regulate the parking of automobiles and the traffic at such parking area. Such contract shall empower the municipality or county to accomplish all or any part of the following:

1. The erection of stop signs, flashing signals, person with disabilities parking area signs or yield signs at specified locations in a parking area and the adoption of appropriate regulations thereto pertaining, or the designation of any intersection in the parking area as a stop intersection

or as a yield intersection and the ordering of like signs or signals at one or more entrances to such intersection, subject to the provisions of this Chapter.

2. The prohibition or regulation of the turning of vehicles or specified types of vehicles at intersections or other designated locations in the parking area.

3. The regulation of a crossing of any roadway in the parking area by pedestrians.

4. The designation of any separate roadway in the parking area for one-way traffic.

5. The establishment and regulation of loading zones.

6. The prohibition, regulation, restriction or limitation of the stopping, standing or parking of vehicles in specified areas of the parking area.

7. The designation of safety zones in the parking area and fire lanes.

8. Providing for the removal and storage of vehicles parked or abandoned in the parking area during snowstorms, floods, fires, or other public emergencies, or found unattended in the parking area, (a) where they constitute an obstruction to traffic, or (b) where stopping, standing or parking is prohibited, and for the payment of reasonable charges for such removal and storage by the owner or operator of any such vehicle.

9. Providing that the cost of planning, installation, maintenance and enforcement of parking and traffic regulations pursuant to any contract entered into under the authority of this paragraph (a) of this Section be borne by the municipality or county, or by the school board, hospital, church, property owner, apartment complex owner, or condominium complex unit owners' association, or that a percentage of the cost be shared by the parties to the contract.

10. Causing the installation of parking meters on the parking area and establishing whether the expense of installing said parking meters and maintenance thereof shall be that of the municipality or county, or that of the school board, hospital, church, condominium complex unit owners' association, shopping center or apartment complex owner. All moneys obtained from such parking meters as may be installed on any parking area shall belong to the municipality or county.

11. Causing the installation of parking signs in accordance with Section 11-301 in areas of the parking lots covered by this Section and where desired by the person contracting with the appropriate authority listed in paragraph (a) of this Section, indicating that such parking spaces are reserved for persons with disabilities.

12. Contracting for such additional reasonable rules and regulations with respect to traffic and parking in a parking area as local conditions may require for the safety and convenience of the public or of the users of the parking area.

(b) No contract entered into pursuant to this Section shall exceed a period of 20 years. No lessee of a shopping center or apartment complex shall enter into such a contract for a longer period of time than the length of his lease.

(c) Any contract entered into pursuant to this Section shall be recorded in the office of the recorder in the county in which the parking area is located, and no regulation made pursuant to the contract shall be effective or enforceable until 3 days after the contract is so recorded.

(d) At such time as parking and traffic regulations have been established at any parking area pursuant to the contract as provided for in this Section, then it shall be a petty offense for any person to do any act forbidden or to fail to perform any act required by such parking or traffic regulation. If the violation is the parking in a parking space reserved for persons with disabilities under paragraph (11) of this Section, by a person without special registration plates issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Section 3-616 of this Code, or to a disabled veteran pursuant to Section 3-609 of this Code, the local police of the contracting corporate municipal authorities shall issue a parking ticket to such parking violator and issue a fine in accordance with Section 11-1301.3.

(e) The term "shopping center", as used in this Section, means premises having one or more stores or business establishments in connection with which there is provided on privately-owned property near or contiguous thereto an area, or areas, of land used by the public as the means of access to and egress from the stores and business establishments on such premises and for the parking of motor vehicles of customers and patrons of such stores and business establishments on such premises.

(f) The term "parking area", as used in this Section, means an area, or areas, of land near or contiguous to a school, church, or hospital building, shopping center, apartment complex, or condominium complex, but not the public highways or alleys, and used by the public as the means of access to and egress from such buildings and the stores and business establishments at a shopping center and for the parking of motor vehicles.

(g) The terms "owner", "property owner", "shopping center owner", and "apartment complex owner", as used in this Section, mean the actual legal owner of the shopping center parking area or apartment complex, the trust officer of a banking institution having the right to manage and control such property, or a person having the legal right, through lease or otherwise, to manage or control the property.

(g-5) The term "condominium complex unit owners' association" as used in this Section, means a "unit owners' association" as defined in Section 2 of the Condominium Property Act.[1]

(h) The term "fire lane", as used in this Section, means travel lanes for the fire fighting equipment upon which there shall be no standing or parking of any motor vehicle at any time so that fire fighting equipment can move freely thereon.

(i) The term "apartment complex", as used in this Section, means premises having one or more apartments in connection with which there is provided on privately-owned property near or contiguous thereto an area, or areas, of land used by occupants of such apartments or their guests as a means of access to and egress from such apartments or for the parking of motor vehicles of such occupants or their guests.

(j) The term "condominium complex", as used in this Section, means the units, common elements, and limited common elements that are located on the parcels, as those terms are defined in Section 2 of the Condominium Property Act.

(k) The provisions of this Section shall not be deemed to prevent local authorities from enforcing, on private property, local ordinances imposing fines, in accordance with Section 11-1301.3, as penalties for use of any parking place reserved for persons with disabilities, as defined by Section 1-159.1, or disabled veterans by any person using a motor vehicle not bearing registration plates specified in Section 11-1301.1 or a special decal or device as defined in Section 11-1301.2 as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran.

(*l*) The term "commercial and industrial facility", as used in this Section, means a premises containing one or more commercial and industrial facility establishment in connection with which there is provided on privately-owned property near or contiguous to the premises an area or areas of land used by the public as the means of access to and egress from the commercial and industrial facility establishment on the premises and for the parking of motor vehicles of customers, patrons, and employees of the commercial and industrial facility establishment on the premises.

This amendatory Act of 1972 is not a prohibition upon the contractual and associational powers granted by Article VII, Section 10 of the Illinois Constitution.

P.A. 76-1586, § 11-209, eff. July 1, 1970. Amended by P.A. 77-1191, § 1, eff. Aug. 6, 1971; P.A. 77-2298, § 1, eff. Oct. 1, 1972; P.A. 77-2720, § 1, eff. Jan. 1, 1973; P.A. 78-255, § 26, eff. Oct. 1, 1973; P.A. 81-171, § 1, eff. Jan. 1, 1980; P.A. 83-358, § 67, eff. Sept. 14, 1983; P.A. 83-1058, § 1, eff. July 1, 1984; P.A. 83-1316, § 1, eff. Jan. 1, 1985; P.A. 83-1362, Art. II, § 99, eff. Sept. 11, 1984; P.A. 86-1119, § 2, eff. Aug. 17, 1990; P.A. 88-685, § 5, eff. Jan. 24, 1995; P.A. 89-551, § 5, eff. Jan. 1, 1997; P.A. 90-106, § 5, eff. Jan. 1, 1998; P.A. 90-145, § 15, eff. Jan. 1, 1998; P.A. 90-481, § 30, eff. Aug. 17, 1997.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-209.

[1] 765 ILCS 605/2.

P.A. 90-106 added subsec. (k).

The amendments by P.A. 90-145 and P.A. 90-481, which were identical, in the section heading, inserted "commercial and industrial facility,"; in subsec. (a), in the first sentence, inserted "commercial and industrial facility,"; and added the material contained in subsec. (*l*).

See 5 ILCS 70/6 as to the effect of (1) more than one amendment of a section at the same session of the General Assembly or (2) two or more acts relating to the same subject matter enacted by the same General Assembly.

5/11-209.1. Powers of local authorities—Enforcing the provisions of this Code on private streets and roads

§ 11-209.1. Powers of local authorities—enforcing the provisions of this Code on private streets and roads. (a) Any person or board of directors owning, operating or representing a residential subdivision, development, apartment house or apartment project, containing a minimum of 10 apartments or single family residences may file a written request, with the appropriate local authority wherein such property is situated, requesting their law enforcement agency enforce the provisions of this Code on all private streets or roads open to or used by the tenants, owners, employees or the public for the purposes of vehicular traffic by permission of such person or board of directors and not as a matter of public right. Notwithstanding Section 1-126 and Section 1-201 of this Code, if the local authority grants such request by the adoption of an enabling ordinance then all such private streets or roads shall be considered "highways" only for the enforcement purposes of this Code.

(b) All regulations adopted and traffic control devices employed by a local authority in the enforcement of this Code on such streets or roads within any private area, pursuant to this Section, shall be consistent with the provisions of this Code and shall conform to the Illinois Manual on Uniform Traffic Control Devices.

A local authority may require that any person who files a request for the installation of traffic signs pay for the cost of such traffic signs. Such traffic signs shall be in conformity with Section 11-604 of this Code.

(c) Any person or board of directors which has filed such a request under this Section, may rescind that request by filing with the appropriate local authority a written request for such rescission. Upon receipt of the written request, the local authority shall subsequently repeal the original enabling ordinance. Such repeal shall not take effect until the first day of January following any such action by the local authorities. However, no such rescission request may be filed within 12 months of the date of the original written request.

(d) The filing of a written request or the adoption of the enabling ordinance under this Section in no way constitutes a dedication to public use of any street, road, driveway, trail, terrace, bridle path, parkway, parking area, or other roadway open to or used by vehicular traffic, nor does it prevent such person or board of directors, as owners of such property, from requiring additional regulations than those specified by the local authorities or otherwise regulating such use as may seem best to such person or board of directors as long as they do not conflict with the powers granted to local authorities under Section 11-208 of this Code.

(e) This amendatory act of 1972 is not a prohibition upon the contractual and associational powers granted by Article VII, Section 10 of the Illinois Constitution.

P.A. 76-1586, § 11-209.1, added by P.A. 77-2296, § 1, eff. Oct. 1, 1972. Amended by P.A. 83-1473, § 3, eff. Jan. 1, 1985; P.A. 84-986, § 1, eff. Sept. 25, 1985; P.A. 86-521, § 1, eff. Sept. 1, 1989.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-209.1.

5/11-210. This Chapter not to interfere with rights of owners of real property with reference thereto

§ 11-210. This Chapter not to interfere with rights of owners of real property with reference thereto. Nothing in this Chapter shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as matter of right from prohibiting such use, or from requiring other or different or additional conditions than those specified in this Chapter, or otherwise regulating such use as may seem best to such owner.

P.A. 76-1586, § 11-210, eff. July 1, 1970.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-210.

5/11-211. Local laws

§ 11-211. Local laws. No owner of a motor vehicle shall be limited as to speed upon any public place, at any time when the same is or may hereafter be opened to the use of persons having or using other vehicles, nor be required to comply with other provisions or conditions as to the use of such motor vehicles except as in this Chapter provided, and except as is provided in this Act.

P.A. 76-1586, § 11-211, eff. July 1, 1970. Amended by P.A. 77-1344, § 1, eff. Aug. 27, 1971.

Formerly Ill.Rev.Stat.1991, ch. 95 ½, ¶ 11-211.

ARTICLE III. TRAFFIC SIGNS, SIGNALS AND MARKINGS

5/11-301. Department to adopt sign manual

§ 11-301. Department to adopt sign manual.

(a) The Department shall adopt a State manual and specifications for a uniform system of traffic-control devices consistent with this Chapter for use upon highways within this State. Such manual shall include the adoption of the R 7-8