

ORDINANCE NO. 21 - _____

**AN ORDINANCE
TERMINATING THIRTY-MINUTE ON-STREET PARKING IN THE CENTRAL
BUSINESS DISTRICT**

Recitals

1. **WHEREAS**, on January 30, 2020, the World Health Organization declared the COVID-19 outbreak to be a public health emergency of international concern; and
2. **WHEREAS**, on March 13, 2020, the President of the United States issued a proclamation on declaring a national emergency concerning the COVID-19 outbreak, and
3. **WHEREAS**, on March 9, 2020 Governor Pritzker issued a disaster proclamation for the State of Illinois due to the highly contagious and dangerous nature of COVID-19, which disaster proclamation has been extended from time to time, is currently pending (hereinafter “Gubernatorial Disaster Proclamation” or “Disaster”); and
4. **WHEREAS**, on March 17, 2020, at an emergency Naperville City Council meeting a local state of emergency and disaster related to the COVID-19 outbreak was declared and on April 21, 2020 at a Naperville City Council meeting the local state of emergency and disaster was extended for as long as the Gubernatorial Disaster Proclamation remains in effect (see, *Mayor of Naperville’s Declaration of a Local State of Emergency and Disaster*, *City of Naperville Ordinance 20-028 pertaining to a local state of emergency and disaster*, and *City of Naperville Ordinance 20-040 pertaining to a local state of emergency and disaster*); and
5. **WHEREAS**, since the onset of the local state of emergency and disaster related to the COVID-19 outbreak was declared, the Mayor of the City of Naperville, has issued multiple executive orders and amendments to prior executive orders pursuant to emergency authority granted to the Mayor of the City of Naperville; and
6. **WHEREAS**, the previously issued mayoral executive orders have expired or been terminated, however, on June 15, 2021, the Naperville City Council extended some temporary regulations that were deemed helpful and important to the community, including continuing to limit on-street parking in the Downtown to thirty (30) minutes; and
7. **WHEREAS**, the City has determined that limiting all on-street parking in the Downtown to thirty (30) minutes is no longer in the best interest of the City; and

8. **WHEREAS**, the City of Naperville is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare, including taking measures to protect the public welfare and the City's economic stability in response to the COVID-19 outbreak; and
9. **WHEREAS**, the City of Naperville, DuPage and Will Counties, Illinois ("City"), is a home rule unit of government and, pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution, may exercise any power and perform any function pertaining to its government and affairs.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority that:

SECTION 1: The foregoing Recitals are hereby incorporated in this Section 1 as though fully set forth herein.

SECTION 2: Termination of 30-Minute Central Business District On-Street Parking.

1. Section 11-2A-3:1 and 11-2A-3:2 of the Naperville Municipal Code were temporarily amended by Section 3 of Ordinance No. 21-63, such that no person shall park a vehicle on certain streets in the Central Business District for more than thirty minutes, unless otherwise limited by signs posted, between the hours of six o'clock (6:00) a.m. and nine o'clock (9:00) p.m., seven days per week.
2. Section 3 of Ordinance No. 21-63 is hereby deemed terminated and no longer in effect, effective November 10, 2021. All amendments, activities, and authorizations previously permitted pursuant to Section 3 of Ordinance No. 21-63 shall cease and become void as of November 10, 2021. Any action or

prosecution of a violation of Section 3 of Ordinance No. 21-63 and any Code section impacted by that Section shall continue in full force and effect.

SECTION 3: Savings Clause. If any provisions of this Ordinance or its application to any person or circumstance is held invalid or unenforceable by any court of competent jurisdiction, this invalidity or unenforceability does not affect any other provisions or application of this Ordinance, which can be given effect without the invalid or unenforceable provision or application. To achieve this purpose, the provisions of this Ordinance are declared to be severable.

SECTION 4: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

ADOPTED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVAL this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk