

## CHAPTER 23 – STREETS, SIDEWALKS AND PUBLIC IMPROVEMENTS

Sec. 23-76. Parking Lots; Unpaved Roads; Vacant Lots; particulate reduction; nuisance, abatement

(a) From and after June 10, 2000, the existence of any Parking Lot, Unpaved Road or Vacant Lot within any portion of the City that is within a Non-Attainment Area that is not paved in compliance with Section 23-75 or been approved by the Engineering Director or designee for use of an alternative dust control or gravel particulate reducing measure is deemed to be a public nuisance subject to abatement pursuant to Article I, Section 3 (14) of the Peoria City Charter.

(b) The unlawful maintenance of a Parking Lot, Unpaved Road or Vacant Lot in violation of Section 23-75 is declared to be a nuisance. The City Attorney, on behalf of the City or any person affected by the nuisance, may bring a civil action in the municipal court to abate the nuisance and to enforce or recover penalties for violations thereof.

(c) It shall be unlawful for any owner or person in control of any parcel or property to permit or continue to permit the parcel or property to be used as a parking lot, unpaved road, vacant lot with a disturbed surface area or vacant lot with a disturbed surface area due to vehicle trespass without compliance with the provisions of Section 23-75. If the Engineering Director or designee determines that such parcel of property is being used without compliance with the provisions of Section 23-75, the City may order the property owner to install signs indicating that parking is prohibited, install such barriers as approved by the Engineering Director or designee to prevent access to any public or private Street, and or apply a surface stabilizer (i.e. pave or apply an alternative dust control or gravel particulate reducing measure). It shall be unlawful for any person to refuse to comply with an order issued by the City under this section, however the issuance of such an order may be appealed in the manner provided by Sections 23-82 through 23-83 of this code.

(Ord. No. 97-38, 7/15/97, section reserved)

(Ord. No. 98-20, 4/7/98, enacted)

(Ord. No. 00-14, 3/7/00, Amended) SUPP 2000-1

(Ord. No. 02-41, 6/7/02, amended) SUPP 2002-2