



Memorandum

TO: Kevin J. Jackson, Village Manager 

FROM: Robert H. Anderson, Director of Adjudication 

FOR: Village President and Board of Trustees

DATE: April 20, 2022

SUBJECT: Re-Launch of Immobilization Program

The purpose of this memo is to provide information regarding the 2022 re-launch of the immobilization program for unpaid parking citations.

Background

Since 2004, the Village of Oak Park has conducted an immobilization program in conjunction with the parking citation process. The program was paused as the citation process moved from the Village maintained database into the Passport parking system. The intention was to move forward with the immobilization program after addressing a few technical issues with the new system. Once the COVID-19 pandemic occurred the transition was put on hold.

Immobilization is a tool to encourage vehicle owners to pay outstanding parking citations. Payment plans are generally available to vehicle owners that owe more than \$500.00 in parking fines to the Village. Vehicle owners with immobilized, towed or impounded vehicles are ineligible to participate in a payment plan.

The Village is now planning to re-launch the immobilization program April 25, 2022.

Community Awareness

The Village's Communication Department will provide information to residents to alert them of the re-launch of the immobilization program. An item will appear in the May/June OP/FYI newsletter and then the message will be communicated using other platforms. Additionally, all vehicle owners that are eligible to have a vehicle immobilized will receive a notice indicating how much is owed to avoid an immobilization. Also, the notice will alert the vehicle owner that they have an opportunity for a hearing as described below. The payment of the amount owed or the request for a hearing must be made within 21 days of the date of the notice.

Operational Process

Vehicle owners with five (5) or more unpaid parking citations that have become final, are eligible to be immobilized.

Prior to being immobilized, a vehicle owner will receive a notice indicating that the owner has 21 days from the date of the notice to pay all outstanding citations or request a hearing to present evidence why the vehicle should not be immobilized. If after 21 days the citations remain unpaid and a hearing is not requested; or, a hearing is held and the immobilization status is affirmed; the vehicle is placed on the immobilization list.

Owners with vehicles on the immobilization list are subject to having any vehicle owned by them immobilized if the vehicle is parked on any public street or in any public lot in the Village. Currently, the Village employs a wheel-locking device commonly referred to as a boot. Once immobilized, vehicle owners must pay all outstanding citations and an immobilization fee to have the device removed. The payment can be made online or at Village Hall. Owners that pay to have the device removed and that have not previously requested a hearing, may seek a hearing to contest the immobilization and reimbursement of fees paid.

Immobilization hearings are conducted by the Village's adjudicators. The adjudicators are licensed independent attorneys that have been contracted to conduct hearings for parking and other local ordinance violations. All of the adjudicators have over 20 years of experience as licensed attorneys and are experienced hearing officers.

Owners of immobilized vehicles that fail to pay in full or successfully contest the immobilization may have their vehicles towed and impounded. Traditionally, the Village has not towed vehicles until three (3) days, not counting weekends, has elapsed since the date of the immobilization. Immobilization and towing are authorized by 29-2-13 ("Immobilization Program") of the Village Ordinances. After being towed and impounded, if a vehicle is not claimed within 30 days, it may be disposed of or sold.

Planned Next Steps

Beginning April 25, 2022, the Village will begin transmitting immobilization notices to vehicle owners that have 20 or more unpaid citations. Focusing on individuals with a high number of unpaid citations will give citizens another opportunity to recognize the process is in place and staff a chance to make any necessary adjustments to the process.

Eventually, the threshold will be lowered to 15 or more unpaid citations, 10 or more unpaid citations and finally to 5 or more unpaid citations.

cc: Lisa Shelly, Deputy Village Manager
Ahmad Zayyad, Deputy Village Manager
Christina Waters, Village Clerk
All Department Heads