



## Village of River Forest

Village Administrator's Office

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### MEMORANDUM

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Date: August 4, 2021

To: Catherine Adduci, President Adduci  
Village Board of Trustees

From: Michael D'Onofrio, Consultant  
Kurt Bohlmann, Fire Chief  
Lisa Scheiner, Acting Village Administrator

Subj: Update of River Forest Building Codes from 2003 to 2018 Edition

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**Issue:** At its August 9, 2021 meeting, Staff will introduce the matter of updating the Village's building codes from the 2003 edition to the 2018 edition. Updates to more current editions of the building codes are common among municipalities. The Village retained the services of a consultant, Michael D'Onofrio of GovHR, to oversee the project. Mr. D'Onofrio is unable to attend the meeting on August 9<sup>th</sup> but will return in September to review the matter with the entire Village Board of Trustees.

The purpose of the discussion on August 9 will simply be to introduce this matter to the public. These updates will be publicized via the Village's communication channel and questions/comments will be accepted. No Village Board action is required on August 9. The Village Board will be asked to approve these updates in September prior to the Fire Chief's retirement. Although adopted, the codes would not take effect until January 1, 2022. Any permit applications filed prior to the effective date would be reviewed under the existing code and any permits filed on or after the effective date would be reviewed under the new code. The Village will distribute this information to the residents and building community well in advance of the change.

**Analysis:** The purpose of building codes is to ensure that the built environment is constructed in such a manner so as to protect the health, safety and welfare of the public. Building codes can be traced back to 1772 BC, when Babylonian Emperor Hammurabi, enacted the Code of Hammurabi, a portion of which regulated building construction. It goes without saying that in the intervening years building codes have evolved to cover the many facets of building construction. Fast forwarding to today, there are model building codes that cover all aspects of construction. Throughout the region and the nation, these model building codes are developed and promulgated by the International Code Council (ICC). The ICC is an international

organization of model codes and standards and building safety that also provides product evaluation, accreditation, technology, training and certification.

In order to achieve its goal, the ICC issues an updated model code series every three years. The codes are updated in order ensure that construction is performed in such a fashion as to take advantage of most recent improvements in the building industry.

Currently, the village operates under the ICC Code Series, 2003 Edition. In that there have been five model code updates since the 2003 Code Series was issued, it is being proposed that the village update and adopt the ICC 2018 Code Series. The code series itself includes a number of individual codes, each covering a specific type of construction. Following is a list of individual codes that make up the ICC Code Series, 2018 Edition.

- International Building Code (IBC)
- International Existing Building Code (IEBC)
- International Fire Code (IFC)
- International Fuel Gas Code (IFGC)
- International Mechanical Code (IMC)
- International Property Maintenance (IPM)
- International Residential Code (IRC)
- International Solar Energy Code (ISEC)
- International Swimming Pool and Spa Code (ISPSC)
- International Wildlife-Urban Interface Code (IWUIC)

In addition to the ICC codes, the village also operates under several other model and state codes. The other model code that the village operates under is the National Electrical Code (NEC), 2005 Edition. The State of Illinois has also issued several building related codes that it requires municipalities to adopt, including the following:

- State of Illinois Accessibility Code, 2019 Edition
- State of Illinois Plumbing Code, 2014 Edition
- State of Illinois Energy Conservation Code

While the ICC has issued a code for 2021, recommendation of the most recent code is not adopted. There are typically questions that arise when codes are issued. The 2018 code has been vetted and revised. It is a generally accepted practice for municipalities to adopt “one code behind”.

*Code Update Process:* Updating the village building codes involved a number of steps, including the input of a number of parties. First, the village engaged the services of two consultants, B&F Construction Code Services, Inc. and GovTemps, both of whom have been recently involved with building and development activities in the village. Rich Piccolo of B&F, was responsible for the technical aspects of the code update, including drafting of the original amendments. Michael D’Onofrio of GovTemps, coordinated with B&F and also worked with village staff to review the proposed amendments, ensuring they cover local building code related matters. He also was responsible for reviewing, editing and preparing the final draft of the code amendments.

A major component of the update was involving staff to have them review the existing adopted codes and the proposed 2018 ICC and state codes. This included staff from the building division, as well as the Village Engineer, Fire Marshal, Fire Chief and Acting Village Administrator.

In addition to obtaining staff input, the update process included a detailed review of the village's current building code amendments, which is based on the 2003 ICC Code Series. Based on these reviews, a second document was developed and includes adoption and amendments to the 2018 ICC code series and associated building codes, which is attached.

## **Updated Building Codes**

Prior to identifying the proposed building code adoptions and amendments, there are several format items that need mentioning and are as follows:

### Format

- Included in the agenda packet is a marked up copy of all the building codes (ICC 2018 Code Series, 2017 NEC and state of Illinois codes) proposed to be adopted. This copy represents the codes to be adopted and proposed amendments to each. It does not include the individual codes themselves, which comprise 13 individual publications and thousands of pages of text.
- Within the document there are edits and notes. The edits are highlighted within in the text. In the right margin of the document, there are a series of notes. These notes identify whether or not the proposed 2018 amendments were in the 2003 adopted codes.
- The document includes all 18 Chapters of Title 4 Building Regulations of the Village Code.
  - The actual building codes are found in Chapter 1, Building Codes. It is in this part of the document where the vast majority of amendments are found.
  - Chapters 2 thru 18 are related to the building codes in a more ancillary way, in that they regulate building in some fashion other than building codes, i.e. building permits, signage, floodplain regulations, grading permits, etc. Because of this and the fact that language in these chapters ties back to Chapter 1, it is necessary to include them.
- In Chapter 1, in each of Sections 4-1-3 thru 4-1-16, the first amendment – item “A” - has language adopting the individual code – *“The 2018 Edition of the International Building Code is hereby adopted by reference ...”*. Item “B” which follows, identifies the amendments to the particular code – *“The following are amendments to the...Building Code, 2018 Edition”*. In tandem, items A and B, result in adoption of the individual codes and amendments to them.

Adoption of New Codes – since the adoption of the 2003 ICC Code series, several new ICC codes have been developed and promulgated. It is recommended that the 2018 Edition of the these be adopted and include the following:

- International Existing Building Code
- International Solar Energy Code
- International Swimming Pool and Spa Code
- International Wildlife-Urban Interface Code

General Amendments – these are amendments that are found throughout Chapter 1, Sections 4-1-3 thru 4-1-16. Following are a number of the more significant amendments:

- Enforcement Agency - all ICC codes require identification of an “enforcement agency”. In the 2003 ICC code amendments, the department of public works was identified as the agency. In the 2018 ICC code amendments, the Department of Public Works and Development Services is listed as the enforcement agency.
  - The head of the department of is also identified as the building official.
- Appeals Process - all ICC codes require an appeals process for building permit applicants who disagree with code interpretations by the building official. In 2011, the Village Board adopted an appeals process and as such, this appeals language has been included as an amendment.
- Title – all ICC codes require the insertion of the Village of River Forest in order for the codes to be identified as the “code for the Village of River Forest.”

Specific Significant Amendments – there are a number of types of amendments that fall under this category and include the following:

- Work Exempt from Permit - in the 2003 ICC codes, the number of types of permits exempted from permits was reduced from ten to four. This amendment will remain in place. The rationale behind this change is to address the actual types of improvements made in the village exempting those that are either: (1) regulated by other village regulations (such as fences, or retaining walls); (2) not the type of improvement found in the village (such as oil derricks, or water tanks); or (3) not necessary to regulate based on the fact that they have little or no impact on residents to of the use and enjoyment of their property.
- Automatic Fire Sprinkler Systems – when the village adopted the 2003 ICC codes (IBC, IFC and IRC) it amended and adopted its own requirements for installation of automatic fire sprinkler systems. Subsequently, in November 2018, it adopted revised standards for single family residences. These new standards are included in the 2018 amendments (Section R3.1.3 Automatic Fire Sprinkler Systems).
- Prefabricated Wood I Joists – the use of this type of construction material was prohibited in the 2003 ICC amendments by the village. It is proposed to be allowed in the 2018 ICC amendments.
- Smoke Alarms – as part of the adopted revised automatic fire sprinkler system amendments adopted in November, 2018, a number of regulations pertaining to smoke alarms were also adopted. These requirements are included in the 2018 amendments (Section R3.4 Smoke Alarms).
- Deletion/Update of Outdated References – there are a small number of references in Chapters 2 thru 18 which need to be modified in that they are no longer in effect, or do not reflect current practice. These include the following types of items:
  - Reference is made in the Director of Public Works and Development Services being the responsible individual, when it should be the building official.
  - Deleting amendments in certain sections of the village code and relocating them to the appropriate sections.
  - Eliminating references to the village clerk or health commissioner and replacing with the appropriate Village staff.

- Updating references to outdated codes and replacing with current ones.
- Although not a specific building code amendment, Chapter 5 Sign Regulations, has been significantly modified. This change is necessary due to the fact that on November 9, 2020 the Village Board adopted all new sign regulations. Therefore, the previous sign regulations found in Chapter 5, have been deleted and will be replaced by the recently adopted new sign regulations (attached).

Miscellaneous Amendments – there are a number of types of amendments that fall under this category and include the following:

- Thickness of Gypsum – in several sections of the ICC codes, the reference to the thickness of gypsum has been changed from 1/2 to 5/8 inches. This amendment is being proposed for two reasons; first, to have consistency throughout all the ICC codes, which in certain code sections, requires 1/2 inch and in others, 5/8 inch. Second, and more importantly, 5/8 inch provides more fire safety, than does 1/2. To this point, when a fire separation wall is required in the ICC codes, it requires the installation of 5/8-inch drywall.
- International Property Maintenance Code – several amendments were made to in effect “fill in the blanks”, i.e., maximum allowable heights of weeds, or add “to and from dates” i.e., when insect screens are required.
- Permit Applications - added the requirement that email addresses be provided on permit applications.
- ICC Plumbing Code – deleted all references to this code and replaced with: State of Illinois Plumbing Code, 2014 Edition.

### **Conclusion**

Upon adoption of the ICC Code Series, 2018 Edition, along with the NEC and three other codes promulgated by the state of Illinois, the Village will have an updated building code that allows for construction to occur which is current with today’s standards, materials and safety requirements. Additionally, with the proposed amendments, it will allow for construction that takes into account the built environment in the village and requires that those current standards be met. Finally, with the adoption of the model codes and amendments, it ensures that the public’s health, safety and welfare in the built environment will be achieved and maintained.

### **Attachments**

- Proposed Building Code and Amendments
- Sign Regulations (previously approved by the Village Board of Trustees and incorporated into the revised code)

## ATTACHMENT B – PROPOSED BUILDING CODE AND AMENDMENTS

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# Title 4

## BUILDING REGULATIONS

### Chapter 1 BUILDING CODES

#### 4-1-1: INTENT AND PURPOSE:

The village wishes to provide modern, safe and generally accepted building codes. As such, the building codes as adopted herein provide for use of nationally accepted codes with minimal modifications. These building codes include performance based regulations which make possible the acceptance of new materials and methods of construction that may not be specifically recognized in the most recently adopted editions of these national codes, provided such materials and methods satisfy nationally recognized standards as the criteria for evaluation of minimum safe practice and further provided that such use of alternative materials or practices are recognized and approved by a licensed professional architect, engineer or structural engineer in the state.

The village recognizes that alterations and repairs to existing structures represent the overwhelming majority of building activity within the village and that such activity may occur without requiring the existing structure to comply with all the requirements of the code, providing the existing structure is maintained in a safe and sanitary condition. (Ord. 2503, 6-22-1992)

#### ~~4-1-2: FIRE LIMITS ESTABLISHED, REGULATIONS: Chapter 2 – Held in reserve~~

~~The fire limits of the village are hereby established with the boundaries of the fire limits being all commercially zoned property, including all C1, C2, C3 and ORIC use property and any lot, block, piece, parcel or tract of land lot included in the C1, C2, C3 and ORIC use areas and which shall hereafter be included in said area or areas.~~

~~No combustible exterior wall building or structure shall be erected within the fire limits, except as follows:~~

~~A. Fence not exceeding seven feet in height.~~

~~B. Builders' sheds not more than one story in height, for use only in connection with a duly authorized building operation and located on the same lot with such building operation, or on a lot immediately adjoining, or on an upper floor of the building under construction. (Ord. 2503, 6-22-1992)~~

Commented [MD1]: Per discussions with fire marshal, it was his decision that this section was no longer necessary.

#### 4-1-3: INTERNATIONAL BUILDING CODE, ~~2015~~ 2018 Edition:

- A. The ~~2015-2018 edition~~ Edition of the ~~international International building Building code Code~~ is hereby adopted by reference as the building code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection Subsection~~ B of this ~~section section~~.
- B. The following are amendments to the International Building Code, ~~2015~~ 2018 Edition:

**101.1 Title.** Insert "the Village of River Forest".

**101.4.4-3 Plumbing.** Delete the words "International Plumbing Code" from this section and substitute "current edition of the State of Illinois ~~plumbing Plumbing code Code~~".

Add the following sections:

**101.4.8 NFPA 101 Life Safety Code.** For all buildings and structures which are subject to this code, the means of egress must also comply with the requirements of the ~~life-Life safety-Safety codeCode~~, the same edition as currently enforced by the Illinois ~~office-Office~~ of the ~~state-State fire-Fire marshal-Marshall~~.

~~101.4.9 NFPA Standards.~~ For any and all conditions and situations, which are not regulated by this code, or by the codes listed in sections 101.4.1 through 101.4.7, the NFPA standards listed in the numerical listing of NFPA technical committee documents, as shown in the 2012 directory of the National Fire Protection Association, shall govern.

**103.1 Creation of enforcement agency.** Delete the entire section and replace with the following: ~~The Department of Administration~~ The Department of Public Works and Development Services shall be the enforcement agency of this code and the official in charge shall be known as the Building Official.

Commented [MD2]: Per discussions with B&F and the fire marshal, it was determined that this section, could be removed. This is due to the fact that these standards are in Chapter 35, Referenced Standards of this code.

Add the following section:

**104.10.1 Areas Prone To Flooding.** Construction within areas prone to flooding shall be in accordance with ~~sections-Sections~~ 4-12-1 through ~~4-12-16-4-12-7~~ of this title.

**105.1.1 And 105.1.2** Delete these sections in their entirety.

**105.2 Work Exempt From Permit.** Delete the entire list following the subsection entitled "~~buildingBuilding~~" and replace with the following list:

1. Prefabricated sheds with a floor area less than 100 square feet.
2. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
3. Prefabricated swimming pools that are less than 24 inches deep.
4. Swings and other playground equipment accessory to the residence.

Commented [MD3]: The same language is in the 2003 IBC code amendments. The 2015 IBC amendments called for the same language.

Add the following paragraph to the subsection entitled "~~electricalElectrical~~."

**4. Replacement Of Electrical Equipment:** Electrical equipment may be replaced in-kind or repaired without a permit provided that no modifications to the system is required and that such work is performed by a qualified person as defined by the ~~national-National electric-Electrical codeCode (NEC)~~.

Commented [MD4]: The same language is in the 2003 IBC code amendments. The 2015 IBC amendments called for the same language.

Delete the entire list following the subsection entitled "~~mechanicalMechanical~~" and replace with the following list:

1. Portable heating, ventilating or cooling appliances.
2. Replacement of mechanical equipment in-kind shall not require a permit, provided such equipment is connected to the same electric or fuel source that the old equipment was connected to, the replacement equipment is the same capacity or rating as the old equipment and further provided that such work is performed by qualified personnel.

Commented [MD5]: The same language is in the 2003 IBC code amendments. The 2015 IBC amendments called for the same language.

**105.2.3-2Public Service Agencies.** Delete the entire paragraph after the section heading and replace with: A permit shall not be required for the ordinary repairs of above grade facilities and for the ordinary repairs of below grade facilities that are located entirely on private property. Any repair requiring an excavation within the public right of way shall require a permit and shall be performed in accordance with the village's standards for construction of facilities on public rights of way contained in ~~title-5Title 5~~ of the ~~municipal-Village codeCode~~. Any installation of new facilities regardless of location shall require a permit.

Commented [MD6]: The same language is in the 2003 IBC code amendments. The 2015 IBC amendments called for the same language.

**105.3 Application For Permit.** Add the following to the list of application requirements:

8. All plans for projects shall be prepared, signed and sealed by a licensed architect in the state of Illinois except for miscellaneous permits, detached garages, sheds, other minor accessory structures and interior remodeling projects not involving structural modifications.
9. All applications shall list the name, address, email and phone number of all contractors involved in the project.

Commented [MD7]: The same language is in the 2003 IBC code amendments. The 2015 IBC amendments called for the same language.

**105.5 Expiration.** Delete the entire paragraph after the section heading and replace with: Permit expirations shall be in accordance with section-Section 4-2-3 of this titleTitle.

Commented [MD8]: The same language is in the 2003 IBC code amendments. The 2015 IBC amendments called for the same language.

**106.7.2.5-107.2.6Site Plan.** Rename this section **Site, Grading And and Drainage Plan** and replace the existing paragraph with: The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of all structures and paved surfaces (paved surfaces includes driveways, sidewalks, patios, etc.) on the subject lot as well as on adjacent lots. The setbacks to all lot lines shall be included on the plan. Included on the site plan or on a separate plan shall be a grading plan which shows the proposed top-of-foundation elevation for all structures, exterior grade elevation at all structures on the subject property as well as adjacent properties. The elevation of the public walks adjacent to the property shall be shown. When construction within the public right-of-way is required, the plan shall also show the specific location of parkway trees, light poles, fire hydrants, sign poles, etc. The grading plan should also show sufficient existing and proposed spot elevations to show direction of all surface water flow. All elevations shall be shown using the Chicago city datum (CCD). The building officialVillage Engineer may accept the use of a local datum elevation if a convenient benchmark is not available. The building official mayVillage Engineer shall require that the grading plan be prepared by a registered professional engineer in accordance with Title 4, Chapter 17 of the Village Code.

Commented [MD9]: The same language is in the 2003 IBC amendments. with two minor modifications. The 2015 IBC amendments called for the same language. Two changes are made to the 2018 IBC amendments. First, based on discussion with village engineer "Chicago city datum" has been removed in that it is no longer used. Second, a change was made from the building official to village engineer.

**109.2 Schedule Of Permit Fees.** Delete the entire paragraph after the section heading and replace with: A fee for each plan examination, building permit and inspection shall be paid as set forth in the River Forest village-Village code Code under building-Building permits-Permits feesFees, title 4, chapter 2Title 4, Chapter 2, section-Section 1.

Commented [MD10]: This was not in the 2003 IBC amendments; however, it was proposed in the 2015 IBC amendments. The amendment specifies where current building permit fees are found in the village code.

**112-113 Board of Appeals.** Delete the entire section and replace with: **Appealing Decisions Of Of The the Village's Building Official.**

**112.113.1 General.** A building code appeal shall be based on a claim that the true intent of the code, or the rules legally adopted thereunder, have been incorrectly interpreted, the provisions of the code do not fully apply, or that an equally good or better form of construction is proposed.

**112.113.2 Appeal Process.**

- A. The applicant shall file a written appeal addressed to the village's-Village's building-Building officialOfficial, identifying the particular condition or portion of the work, and the applicable provision(s) of the code which have been interpreted.
- B. The village's-Village's building-Building officialOfficial shall submit a request for written interpretation to the organization responsible for the writing, publishing, and promulgation of the code of which requirements are being appealed. The request for interpretation shall include a complete description of all conditions of the work which are relevant to the application of the code.
- C. Upon receipt of the written interpretation from the code organization, the village's-Village's building-Building official-Official shall enforce the code in accordance with the interpretation with regard to the applicant's building code appeal.
- D. The applicantappellant has the right to appeal to the Village Administrator, Village board-Board and a higher judicial jurisdiction.  
(Ord. 3353, 1-10-2011)

Commented [MD11]: This appeal process was not in the 2003 IBC code amendments. The process was adopted by the village board in 1/2011. It was included in the 2015 IBC amendments.

**114.4 Violation Penalties.** Delete the words "shall be subject to penalties as prescribed by law" from this section and substitute "shall be guilty of a misdemeanor, punishable by a fine of not more than \$750.00".

Commented [MD12]: The same language is in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**115.3 Unlawful Continuance.** Delete the words "shall be subject to penalties as prescribed by law" from this section and substitute "shall be liable to a fine of not less than \$100.00 or more than \$750.00".

**201.3 Terms Defined In Other Codes.** Add the following paragraph: The following terms as defined in ~~section~~ Section 10-3-1 of the ~~River Forest Village zoning Zoning code Code and~~ shall supersede the definitions in this chapter: Accessory Structure (Building), Basement, Building, Dwelling, Grade, Height (Of) Building, Lot, Story, Structure, Yard.

**406.3.1.4 406.3.2.1 Dwelling Unit Separation** : Delete ~~item 1,~~ and replace as follows: The private garage shall be separated from the dwelling unit and its attic area by means of minimum  $\frac{5}{8}$  inch type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms by not less than  $\frac{5}{8}$ " type X gypsum board. Walls supporting a floor-ceiling separation shall be protected to the same level of protection. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors, or solid or honeycomb core steel doors not less than  $1\frac{3}{8}$  inches (34.9 mm) thick, or doors in compliance with section 715.3.3. Doors shall be ~~self-closing~~ self-closing, and shall be weather-stripped. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

Commented [MD13]: The same language is in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**504.3 Height in feet Table 504.3 Allowable building height in feet above the grade plane** — Delete all rows in the Table for ~~sprinkler-protected buildings.~~

Commented [MD14]: This language was not in the 2003 IBC amendments. The 2015 IBC amendments called for the same language. After discussions with village staff and B&F, it was decided to not amend this table. The reason for leaving it in is that given the village's fire sprinkler requirements, there is no need to amend the Table.

**504.4 Number of stories Table 504.4 Allowable number of stories above the grade plane** — Delete all rows in the Table for ~~sprinkler-protected buildings.~~

**510.4 Parking Beneath Group R.** Delete this section in its entirety.

Commented [MD15]: See previous comment.

**705.6.2-706.6 (Fire wall) Vertical Continuity.** Delete ~~exceptions~~ Exceptions 2, 3, and 4, of this section entirely.

Commented [MD16]: The same language is in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**706.6.1 Stepped Buildings.** Delete the ~~exception~~ Exception entirely.

Commented [MD17]: The same language is in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**711.2.4.3 (Horizontal assemblies) Fire-Resistance Rating Dwelling and sleeping units.** Delete the ~~exception~~ Exception entirely.

Commented [MD18]: The same language is in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**714.4.1 Through Penetrations.** Delete ~~exceptions~~ Exceptions 1 and 2 of this section entirely.

~~Delete 903.2, and 903.2.1 through 903.2.12. Delete these in their entirety,~~ and replace as follows:

Commented [MD19]: The same language is in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**903.2 Where Required.** An approved automatic fire suppression sprinkler system shall be installed and maintained throughout all new buildings and structures, and shall also be provided in every addition to or renovation of an existing building, in accordance with the following:

Commented [MD20]: The same language is in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**903.2.1 Definitions ~~And~~ Calculations:**

Commented [MD21]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

1. The calculation of the areas of existing construction and new construction shall be calculated as follows: The areas to be included in the calculation shall include the gross area on floors of the building above grade. The base area of the existing building shall include only those areas of the existing building which are to remain, and the area of new construction shall include the gross area of all additions, without deductions.
2. For the purpose of calculating the percentage of the addition to the building, the area of the addition and renovation shall be construed to be the total area of all additions and renovations made within any 3 year period, and the area of the existing building shall be the existing area (as defined above) prior to that 3 year period.

Commented [MD22]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

Commented [MD23]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

3. The area of "substantial renovation" shall be defined to include the total area of each room where 50% or more of the wall and ceiling finishes (plaster, plaster board, gypsum board, suspended ceiling systems, etc.) is being removed down to the framing.

**903.2.2 Where Required ~~in~~ Existing Buildings ~~And~~ Structures.** An approved automatic fire suppression sprinkler system shall be provided in every addition to or renovation of an existing building, in accordance with the following:

1. In the newly constructed portion of any addition which adds 50% or more square footage to the area of an existing building.
2. In the renovated portion of any building where 50% or more of the existing area of the building is being substantially renovated.
3. In the renovated and newly constructed portions of any building where the sum total of the area of the addition and the area of the portion being substantially renovated exceeds 50% of the area of an existing building.

**903.2.3 Exceptions:** Add the following Exceptions:

Exception ~~no~~-1. Spaces and areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system monitored by the local jurisdiction, and separated from the remainder of the building by a wall with a fire resistance rating of not less than 1 hour and a floor/ceiling assembly with a fire resistance rating of not less than 2 hours.

Exception ~~no~~-2. Detached accessory buildings shall be exempt from the requirement for automatic sprinkler protection subject to all of the following conditions:

The building is an accessory to primary building on the same site, and the building has a gross area of 500 square feet or less, and the building is protected with an automatic fire detection system, monitored by the local jurisdiction, no High Hazard occupancy, no basements or below grade areas, no sleeping or dwelling units and the primary and accessory buildings are in compliance with ~~table~~ Table 602 Fire Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance ~~for fire separation distance.~~

**905.3.1 Building Height.** Delete the entire paragraph after the section heading and replace with: Standpipe systems shall be installed in all buildings where the most distant occupied floor is more than 20 feet above or below the point of fire department vehicle access, or is more than 2 stories in height. All standpipe systems shall be installed as ~~class~~ Class III systems.

~~1008.1.8.7~~ **1010.1.9.12 Stairway Doors.** Delete item 3 from the list of ~~exceptions.~~

**1015.4 Opening Limitations:** Add the following section:

**1015.4.1 Ladder Effect.** Where the guard protects an open-sided floor surface which is 72 inches or more above the floor or grade below, the guard shall not have an ornamental pattern that would provide a ladder effect. For this purpose, the guard shall be considered to include all construction from the floor surface up to the top of the required height of the guard.

**1101.1 Scope.** Add the following sentence: When there is a conflict between the Illinois Accessibility Code and this Code, the stricter ~~—~~ of the requirements will be required.

**1809.5 Frost Protection.** Delete the three conditions for the exception and add the following condition: 1. Single story accessory structures with an area 500 square feet or less, with non-masonry, or other non-rigid wall construction shall not be required to be protected.

~~2303.1.2 Prefabricated Wood I Joists.~~ Delete the entire paragraph after the section heading and replace as follows:

Commented [MD24]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

Commented [MD25]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

Commented [MD26]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

Commented [MD27]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

Commented [MD28]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

Commented [MD29]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

Commented [MD30]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language. After discussions with building and fire staff and B&F, it was agreed that given the fire sprinkler requirements, it is no longer necessary to prohibit the use of prefabricated wood I joists.

~~The use of prefabricated wood I-joists shall not be permitted for buildings regulated by the international building code in the village of River Forest.~~

**2506.1 General.** Add the following: The minimum gypsum board thickness shall be  $\frac{5}{8}$  inch. References to thickness and application of gypsum board less than  $\frac{5}{8}$  inches thick are hereby deleted.

Commented [MD31]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

~~Delete sections Sections 3001 through 3006 (Elevators and Conveying Systems). Delete all sections in their entirety and add new section Sections 3001 and 3001.1 as follows:~~

**3001 Scope General:** All elevators and other conveyances in new and existing buildings shall be designed, permitted, constructed, inspected, certified, and maintained in accordance with the Illinois ~~elevator-Elevator safety-Safety~~ and ~~regulation-Regulation act-Act~~, and rules promulgated in accordance with said act as may be amended from time to time.

Commented [MD32]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**3001.1 Scope.** Change the text as follows: Where elevators are provided in buildings two stories or more stories above grade or one or more stories below grade, all elevators shall be sized, at a minimum, to allow a 24 inch x 84 inch stretcher in a horizontal position.

~~Add the following sections~~**Chapter 31, Special Construction:** Add the following Sections:

**3107.2 Limitations:** The types and sizes of signage are regulated by ~~title 4, chapter 5~~Title 4, Chapter 5 of the ~~village Village codeCode. In no case shall any sign exceed 80 square feet.~~

Commented [MD33]: Note: this section of the IBC code regulates Signs. The same language in the 2003 & 2015 IBC amendments, with one modification. In the 2018 IBC amendments the last sentence regarding the 80 s.f. maximum is deleted.

**3108.1.1 General:** Height restrictions and setback requirements for radio and television towers shall be governed by the limits established for all other structures in each zoning district as put forth in the ~~River Forest v~~Village ~~codeCode~~. Refer to ~~title 4, chapter 15~~Title 4, Chapter 15 for regulation of radio and television antennas.

Commented [MD34]: Note: this section of the IBC code regulates Telecommunication and Broadcast Towers. The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language.

**Chapter 33, Safeguards During Construction.** Add the following Section:

**3301.3 Safety Violations:**

Commented [MD35]: The same language in the 2003 IBC amendments. The 2015 IBC amendments called for the same language. One amendment to the 2018 IBC is being proposed that being the director of public works is replace with the Building Official.

1. The injury to any person or damage to any property adjacent to a project site shall be prima facie evidence of a violation of ~~international-International building-Building code-Code (,20032018 Edition), chapter Chapter 33, sections Sections 3306 and 3307.~~
2. Any such injury or damage shall be reported immediately to the ~~director of public works Building Official.~~
3. No further work shall be performed until: (A) the ~~director-Building Official~~ has inspected the site and is satisfied that adequate safety measures are in place, and; (B) the contractor provides a written program, or other assurances satisfactory to the director, that any property damage will be repaired or replaced.

Chapter 35 Referenced standards

~~ICC~~ Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

Adopt the following ~~appendices-Appendices~~ C, D, F, G, I, J

#### 4-1-4: INTERNATIONAL PROPERTY MAINTENANCE CODE ~~/,20152018 Edition:~~

- A. The ~~2015-2018 edition-Edition~~ of the International Property Maintenance Code, is hereby adopted by reference as the property maintenance code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection-Subsection~~ B of this section. (Ord. 3239, 5-12-2008)
- B. The following are amendments to the International Property Maintenance Code ~~/,20032018 Edition:~~



**101.1 Title.** Insert ~~village~~Village of River Forest.

**103.1 Creation of enforcement agency.** Delete the entire section and replace with the following: ~~The Department of Administration~~The Department of Public Works and Development shall Services be shall ~~be~~ the enforcement agency of this code and the official in charge shall be known as the Building Official.

**106.4 Violation Penalties.** Insert the following after the first sentence: Any person, firm or corporation, who shall violate any provision of this code shall, upon conviction thereof, be subject to a fine of not less than \$100.00 nor more than \$750.00.

Add the following sections:

**Section 111 Means of Appeal.** Delete the entire section. Replace with: See amended Section 113 , Appealing Decisions of the Village's Building Official, of the International Building Code, 2018 Edition.

Commented [MD36]: This appeal process was not in the 2003 IPM code amendments. The process was adopted by the village board in 1/2011. It was included in the 2015 IPM amendments.

**201.3.1 Conflicting Definitions.** In case of conflict with definitions found in the River Forest village code, such village code definitions shall apply.

**Section 111 Means of Appeal** Delete the entire section. See section 112.2 of the International Building Code amendments.

**201.3.1 Conflicting Definitions.** In case of conflict with definitions found in the Village Code, such Village Code definitions shall apply.

Commented [MD37]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

**Section 302.4 Weeds.** ~~insert~~Insert 8 inches.

Commented [MD38]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

**304.14 Insect Screens.** Insert "April 1" and "November 30".

Commented [MD39]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

**602.2 Residential Occupancies.** Delete this section in its entirety and reference ~~title 4 chapter 7~~Title 4 Chapter 7 of the ~~River Forest~~Village ~~code~~Code.

Commented [MD40]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

**602.3 Heat Supply.** Delete this section in its entirety and reference ~~title 4 chapter 7~~Title 4 Chapter 7 of the ~~River Forest~~Village ~~code~~Code.

Commented [MD41]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

**602.4 Occupiable Work Spaces.** Delete this section in its entirety and reference ~~title 4 chapter 7~~Title 4 Chapter 7 of the ~~River Forest~~Village ~~code~~Code.

Commented [MD42]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

**602.5 Room Temperature Measurement.** Delete this section in its entirety and reference ~~title 4, chapter 7~~Title 4, Chapter 7 of the ~~River Forest~~Village ~~code~~Code.

Commented [MD43]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

**604.4 Regular Electrical Connection.** Create this section and insert: "If a premises has an electrical system, electricity shall be supplied to the electrical system from an electric supplier, as defined in the Illinois Electric Supplier Act, 220 ILCS 30/1, *et seq.*, as amended.

Commented [MD44]: The same language in the 2003 IPM amendments. The 2015 IPM amendments called for the same language.

Exceptions:

1. If the village issues a building permit which allows a premises with an electrical system to be supplied by electricity from a source other than from an electric supplier, in which case the premises may be supplied electricity by the source other than from an electric supplier approved by the village in the building permit.
2. If the electric supplier is out of service, in which case an electrical generator may be used to supply an electrical system with electricity for the duration of the electric supplier outage, subject to the noise restrictions in section 6-7-1 of the ~~River Forest village~~ Village codeCode.
3. If a licensed contractor is performing work pursuant to a valid and current permit issued by the village, in which case an electrical generator may be used to supply electricity to the licensed contractor's equipment, subject to the noise restrictions in ~~section~~ Section 6-7-1 of the ~~River Forest v~~ Village codeCode." (Ord. 3532, 10-13-2014)

#### Chapter 8 Referenced standards

ICC Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

Adopt the following: ~~appendice~~ Appendix A

#### 4-1-5: INTERNATIONAL MECHANICAL CODE ~~/2015~~ 2018 Edition:

- A. The ~~2015-2018 edition~~ Edition of the International Mechanical Code, is hereby adopted by reference as the mechanical code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection~~ Subsection B of this section.
- B. The following are amendments to the International Mechanical Code ~~/2015~~ 2018 Edition:

**101.1 Title.** Insert ~~village~~ Village of River Forest.

**103.1 Creation of enforcement agency.** ~~Delete the entire section and replace with the following: The Department of Administration-The Department of Public Works and Development shall Services beshall thebe the enforcement agency of this code and the official in charge shall be known as the Building Official.~~

**106.5.2 Fee Schedule.** Delete this section and reference ~~title 4, chapter 2~~ Title 4, Chapter 2 of the ~~River Forest v~~ Village codeCode.

**108.4 Violations Penalties.** Insert misdemeanor as the specific offense, a fine of \$750.00 and delete the imprisonment provision.

**108.5 Stop Work Orders.** Insert fine of not less than \$100.00 nor more than \$750.00.

Add the following section:

**Section 109 Means of Appeal.** ~~Delete~~ the entire section. ~~See section 112.2 of the International Building Code amendments.~~ Replace with: See amended Section 113, Appealing Decisions of the Village's Building Official, of the International Building Code, 2018 Edition.

**303.6.1 Location Of Equipment.** ~~Of~~ Add the following section: The location of all unitary air conditioners, air conditioning compressors, generators, and similar appliances and equipment in outdoor locations, shall be regulated by the sound pressure level they generate. Existing installations may be replaced in the same location, provided there is no increase in capacity or sound pressure rating. The location of new equipment shall be subject to the requirements of the following table when installed on a parcel adjacent to a residential use parcel:

Commented [MD45]: The same language in the 2003 IMC amendments. The 2015 IMC amendments called for the same language.

Commented [MD46]: The same language in the 2003 IMC amendments. The 2015 IMC amendments called for the same language.

Commented [MD47]: The same language in the 2003 IMC amendments. The 2015 IMC amendments called for the same language.

Commented [MD48]: This appeal process was not in the 2003 IMC code amendments. The process was adopted by the village board in 1/2011. It was included in the 2015 IPM amendments.

Commented [MD49]: The same language in the 2003 IMC amendments. The 2015 IMC amendments called for the same language.

#### Side Yard Installation

Side Yard Setback (Feet)	Maximum Sound Pressure Rating db(a)
Less than 3	Installation not allowed
3 or greater	74

#### Rear Yard Installation

Side Yard Setback (Feet)	Maximum Sound Pressure Rating db(a)
Less than 3	Installation not allowed
3 to 10	78
10 or greater	82

The village board shall have the authority to hear requests for and grant relief from any of these location requirements. (Ord. 3239, 5-12-2008)

### Chapter 15 Referenced standards

ICC Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

Adopt the following: ~~appendix~~ Appendix A

#### 4-1-6: INTERNATIONAL FIRE CODE ~~/, 2015~~ 2018 Edition:

- A. The ~~2015-2018 edition~~ Edition of the International Fire Code, is hereby adopted by reference as the fire code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection~~ Subsection B of this section.
- B. The following are amendments to the International Fire Code ~~/, 2015~~ 2018 Edition:

**101.1 Title.** Insert ~~village-Village~~ of River Forest.

~~105.6.21 Hazardous Materials.~~ Add the following at the end of this paragraph: An operational permit may also be required at the discretion of the authority having jurisdictions (AHJ).

~~Section 108-109 Means of Appeal Board of Appeals.~~ Delete the entire section. Replace with amended See section Section 112-2 113, Appealing Decisions of the Village's Building Official, of the International Building Code, 2018 Edition, amendments.

~~409 110.4 Violations Penalties.~~ Insert misdemeanor as the specific offense, a fine of \$750.00 and delete the imprisonment provision.

~~111 112.4 Failure To Comply.~~ Insert fine of not less than \$100.00 nor more than \$750.00.

**407.2 Material Safety Data Sheets.** Add the following at the end of this paragraph: material safety data sheets (MSDS) shall be stored at a location, and in a manner, approved by the fire department for immediate emergency access. Hazardous material inventory statements (HMIS) shall be included. HMIS shall be revised semi-annually unless approved by the fire department.

Delete 903.2, and 903.2.1 through 903.2.12 in their entirety, and replace as follows:

**903.2 Where Required.** An approved automatic fire suppression sprinkler system shall be installed and maintained throughout all new buildings and structures, and shall also be provided in every addition to or renovation of an existing

Commented [MD50]: The same language in the 2003 IMC amendments. The 2015 IMC amendments called for the same language.

Commented [MD51]: This amendment was in the 2003 IFC amendments. The 2015 IFC amendments called for the same language. Per discussions with the fire marshal, he recommended this section can be removed from the 2018 IFC amendments.

Commented [MD52]: This appeal process was not in the 2003 IFC code amendments. The process was adopted by the village board in 1/2011. It was going to be included in the 2015 IFC amendments.

Commented [MD53]: The same language in the 2003 IFC amendments. The 2015 IFC amendments called for the same language.

Commented [MD54]: The same language in the 2003 IFC amendments. The 2015 IFC amendments called for the same language.

Commented [MD55]: The same language in the 2003 IFC amendments. The 2015 IFC amendments called for the same language.

Commented [MD56]: This was not in the 2003 IFC amendments. The 2015 IFC amendments called for the same language. Note: this is the same amendment called for in the 2018 IBC code, which was included in the 2003 and proposed 2015 IBC amendments.

building, in accordance with the following:

#### 903.2.1 Definitions And Calculations:

1. The calculation of the areas of existing construction and new construction shall be calculated as follows: The areas to be included in the calculation shall include the gross area on floors of the building above grade. The base area of the existing building shall include only those areas of the existing building which are to remain, and the area of new construction shall include the gross area of all additions, without deductions.
2. For the purpose of calculating the percentage of the addition to the building, the area of the addition and renovation shall be construed to be the total area of all additions and renovations made within any 3 year period, and the area of the existing building shall be the existing area (as defined above) prior to that 3 year period.
3. The area of "substantial renovation" shall be defined to include the total area of each room where 50% or more of the wall and ceiling finishes (plaster, plaster board, gypsum board, suspended ceiling systems, etc.) is being removed down to the framing.

Commented [MD57]: This was not in the 2003 IFC amendments. The 2015 IFC amendments called for the same language. Note: this is the same amendment called for in the 2018 IBC code, which was included in the 2003 and proposed 2015 IFC amendments.

**903.2.2 Where Required In Existing Buildings And Structures.** An approved automatic fire suppression sprinkler system shall be provided in every addition to or renovation of an existing building, in accordance with the following:

1. In the newly constructed portion of any addition which adds 50% or more square footage to the area of an existing building.
2. In the renovated portion of any building where 50% or more of the existing area of the building is being substantially renovated.
3. In the renovated and newly constructed portions of any building where the sum total of the area of the addition and the area of the portion being substantially renovated exceeds 50% of the area of an existing building.

Commented [MD58]: This was not in the 2003 IFC amendments. The 2015 IFC amendments called for the same language. Note: this is the same amendment called for in the 2018 IBC code, which was included in the 2003 and proposed 2015 IFC amendments.

#### 903.2.3 Exceptions:

Exception ~~no~~-1. Spaces and areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system monitored by the local jurisdiction, and separated from the remainder of the building by a wall with a fire resistance rating of not less than 1 hour and a floor/ceiling assembly with a fire resistance rating of not less than 2 hours.

Commented [MD59]: This was not in the 2003 IFC amendments. The 2015 IFC amendments called for the same language. Note: this is the same amendment called for in the 2018 IBC code, which was included in the 2003 and proposed 2015 IFC amendments.

Exception ~~no~~-2. Detached accessory buildings shall be exempt from the requirement for automatic sprinkler protection subject to all of the following conditions:

The building is an accessory to primary building on the same site, and the building has a gross area of 500 square feet or less, and the building is protected with an automatic fire detection system, monitored by the local jurisdiction, no High Hazard occupancy, no basements or below grade areas, no sleeping or dwelling units and the primary and accessory buildings are in compliance with ~~table~~ Table 602 for fire separation distance.

Exception 3. Single family residential structure, pursuant to Section R313.3, Automatic Fire Sprinkler Systems, of the 2018 Edition of the International Residential Code.

Commented [MD60]: This was not in the 2003 IFC amendments, nor in the proposed 2015 IFC amendments. It is being proposed now to highlight the fact that there a different fire suppression regulations pertaining to single family structures.

**905.3.1 Building Height.** Delete the entire paragraph after the section heading and replace with: Standpipe systems shall be installed in all buildings where the most distant occupied floor is more than 20 feet above or below the point of fire department vehicle access, or is more than 2 stories in height. All standpipe systems shall be installed as a ~~class~~ Class II system.

Commented [MD61]: The same language in the 2003 IBC amendments with one exception. In the 2015 IBC amendments a Class I standpipe system was identified.

**5604 Explosive Materials Storage And Handling.** Delete ~~sections~~ Sections ~~3304~~5604.1 through ~~3304~~5604.10.7, and replace with the following section:

**5604.1 Storage Prohibited.** The storage of explosives and explosive materials, small arms ammunition, small arms primers, propellant-actuated cartridges and smokeless propellants in magazines is prohibited within the ~~village~~ ~~limits of River Forest.~~  
(Ord. 3239, 5-12-2008)

## Chapter 80 Referenced standards

ICC Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

~~NFPA-Delete~~~~NFPA. Delete~~ the listed editions and adopt the entire 2017 ~~edition~~ ~~Edition~~ of the National Fire Code including all annexes to the adopted standards.

The following shall not be adopted NFPA 1, ~~NFPA 101 and all recommended practices~~

Adopt the following ~~a~~Appendices: B, C, D, E, F, G, H, I, K, L

## 4-1-7: PLUMBING CODE:

- A. The current edition of the ~~State of Illinois~~ ~~plumbing-Plumbing code~~Code, as promulgated by the Illinois ~~department~~ ~~Department of public-Public health-Health~~, is hereby adopted by reference as the plumbing code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection-Subsection~~ B of this ~~section~~ ~~Section~~.
- B. The following are amendments to the plumbing code:

Add the following sections:

**890.170 e) Public Systems Available.** A public water main or public sewer system shall be considered available to a structure where the structure is located within 200 feet of the public water main or sewer.

~~890.210 a)1) Type "L" copper tube shall be used for all water distribution piping above grade, and type "K" copper tube shall be used for all water distribution piping below grade in the village of River Forest.~~

Pex pipe shall be allowed for water distribution pipe in residential buildings, above grade and covered with a minimum of a ~~5/8~~ inch thickness of drywall or other approved protective material.

**890.1150 a)4) Water** service piping shall be installed a minimum of 5 feet 0 inches below grade in the ~~village-Village of River Forest.~~

**890.1200 a) Water Service Pipe Sizing.** This section shall be amended by deleting the number "three-fourths ( $\frac{3}{4}$ ) inch" and replacing it with the number "one (1) inch".

**890.1310 a)1) Polyvinyl** chloride (PVC) pipe with cellular core shall not be permitted to be used in the ~~village-Village of River Forest.~~

**890.1320 c)1) Sewer Depth:** All building sewers shall be a minimum of 3 feet 6 inches below grade in the ~~village-Village of River Forest.~~

~~890.1430 d) Location Of Vent Terminal. This section shall be deleted in its entirety. In no case shall vent terminals extend through walls.~~

**890.1440 g) Vent Terminal Size.** This section shall be deleted in its entirety after the section heading and replaced with

Commented [MD62]: This language was in the 2003 and proposed 2015 Plumbing Code amendments. It is being removed in the 2018 amendments due to it being redundant. The State Plumbing Code stipulates that Type L copper is only to be used for above grade piping and Type K below grade.

Commented [MD63]: This language – to allow Pex pipe – was not in the 2003 amendment, in that it did not exist in 2003. This language was included in the 2015 Plumbing Code amendments.

Commented [MD64]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language.

Commented [MD65]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language.

Commented [MD66]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language.

Commented [MD67]: This language was in the 2003 and proposed 2015 Plumbing Code amendments. It is being removed in the 2018 Plumbing Code amendments due to improvements in venting technology.

Commented [MD68]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language.

Commented [MD69]: This language was in the 2003 and proposed 2015 Plumbing Code amendments. It is being removed in the 2018 Plumbing Code amendments due to improvements in venting technology.

Commented [MD70]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language.

the following:

Each vent extension through a roof shall be at least 4 inches in diameter and in no instance shall said vent extension be less than one pipe size larger than the vent stack. The change in diameter shall be made inside the building at least one foot below the roof with an approved fitting.

~~890.1500 Installation Of Wet Venting. This section shall be deleted in its entirety. Wet venting shall not be permitted in the village of River Forest.~~

**890.1950 c) Violation Penalties.** Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction drawings or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$750.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**890.1950 d) Unlawful Continuance.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$750.00.  
(Ord. 3239, 5-12-2008)

~~890. Appendix A, Approved Material Standards, Table A, 12) Polyvinyl Chloride (PVC) Pipe with Cellular Core. Delete this as an approved material.~~

#### 4-1-8: NATIONAL ELECTRICAL CODE, ~~2014~~2017 Edition:

- A. The ~~2014~~2017 National Electrical Code (NEC), published by the National Fire Protection Association, is hereby adopted by reference as the electrical code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection~~ Subsection B of this ~~section~~ Section.
- B. The following are amendments to the electrical code:

##### Article 320 Armored Cable

**Section 320.10 Uses Permitted.** ~~Delete~~ the entire section after the section heading and replace with: Where necessary to pass wire through existing partitions, cable type "AC" may be used in the ~~village of River Forest~~, and to extend not more than 3 feet beyond said partitions. All other uses are prohibited without special permission of the ~~code official~~ Building Official.

**Article 334 Nonmetallic-Sheathed Cable.** Delete this article in its entirety. Nonmetallic sheathed cable types "NM", "NMC", and "NMS" are not permitted to be used in the village ~~of River Forest~~.  
(Ord. 3239, 5-12-2008)

#### 4-1-9: INTERNATIONAL RESIDENTIAL CODE, ~~2015~~2018 Edition:

- ~~C.A.~~ The ~~2015-2018 edition~~ Edition of the International Residential Code, is hereby adopted by reference as the one- and two-family dwelling code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection~~ Subsection B of this section.

- B. —The following are amendments to the International Residential Code, ~~2015-2018 Edition~~ Code:

**R101.1 Title.** Insert the ~~village~~ Village of River Forest.

Commented [MD71]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language. However, given changes in wet venting installation, it is recommended that it should be allowed and therefore this amendment be removed.

Commented [MD72]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language.

Commented [MD73]: The same language in the 2003 Plumbing Code amendments. The 2015 Plumbing Code amendments called for the same language.

Commented [MD74]: This language was not in the 2003, or proposed 2015 Plumbing Code amendments. It is being added as a companion to Section ~~890.1310 a)1~~ above, prohibiting the use of PVC pipe with a cellular core.

Commented [MD75]: The same language in the 2005 NEC code amendments. The 2015 NEC amendments called for the same language.

Commented [MD76]: The same language in the 2005 NEC code amendments. The 2015 NEC amendments called for the same language.

**103.1 Creation of enforcement agency.** Delete the entire section and replace with the following: ~~The Department of Administration~~ The Department of Public Works and Development ~~shall Services be~~ shall be the enforcement agency of this code and the official in charge shall be known as the Building Official.

**R104.10.1 Areas Prone To Flooding.** Delete the entire paragraph after the section heading and replace with: Construction within areas prone to flooding shall be in accordance with ~~sections Sections 4-12-1~~ through ~~4-12-16 4-12-7~~ of this ~~title~~ Title.

**R105.2 Work Exempt From Permit.** Delete the entire list following the subsection entitled "Building" and replace with the following list:

1. Prefabricated sheds not with a floor area less than 100 square feet.
2. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
3. Prefabricated swimming pools that are less than 24 inches deep.
4. Swings and other playground equipment accessory to the residence.

Add the following paragraph to the subsection entitled "Electrical."

Replacement Of Electrical Equipment: Electrical equipment may be replaced in-kind or repaired without a permit provided that no modifications to the system is required and that such work is performed by a qualified person as defined by the ~~national-National electric-Electrical code~~ Code.

Delete the entire list following the subsection entitled "Mechanical" and replace with the following list:

1. Portable heating, ventilating or cooling appliances.
2. Replacement of mechanical equipment in-kind shall not require a permit, provided such equipment is connected to the same electric or fuel source that the old equipment was connected to, the replacement equipment is the same capacity or rating as the old equipment and further provided that such work is performed by qualified personnel.

**R105.2.3 Public Service Agencies.** Delete the entire paragraph after the section heading and replace with: A permit shall not be required for the ordinary repairs of above grade facilities and for the ordinary repairs of below grade facilities that are located entirely on private property. Any repair requiring an excavation within the public right of way shall require a permit and shall be performed in accordance with the village's standards for construction of facilities on public rights of way contained in ~~title 5~~ Title 5 of the ~~municipal-Village e~~ Code. Any installation of new facilities regardless of location shall require a permit.

**R105.3 Application For Permit.** Add the following to the list of application requirements:

8. All plans for projects shall be prepared, signed and sealed by a licensed architect in the state of Illinois except for miscellaneous permits, detached garages, sheds, other minor accessory structures and interior remodeling projects not involving structural modifications.
9. All applications shall list the name, address, email and phone number of all contractors involved in the project.

**R105.3.1.1 Determination of Substantially Improved Or or Substantially Damaged Existing Buildings In in Areas Prone To Flooding Flood Hazard Areas.** Delete this section in its entirety.

**R105.5 Expiration.** Delete the entire paragraph after the section heading and replace with: Permit expirations shall be in accordance with ~~section-Section 4-2-3~~ of this ~~title~~ Title.

**R106.2 Site Plan or Plat Plan.** Rename this section ~~to site "Site, grading-Grading and drainage-Drainage plan-Plan"~~ and

Commented [MD77]: The same language in the 2003 IRC amendments, with one exception, that being the Section numbers being updated. The 2015 IRC amendments called for the same language.

Commented [MD78]: The same language for this entire section – R-105.2 – in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD79]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD80]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD81]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD82]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD83]: The same language in the 2003 IRC amendments, with one exception. The exception being the building official being changed to village engineer. The 2015 IRC amendments called for the same language.

replace the existing paragraph with the following: The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of all structures and paved surfaces (paved surfaces includes driveways, sidewalks, patios, etc.) on the subject lot as well as on adjacent lots. The setbacks to all lot lines shall be included on the plan. Included on the site plan or on a separate plan shall be a grading plan which shows the proposed top-of-foundation elevation for all structures, exterior grade elevation at all structures on the subject property as well as adjacent properties. The elevation of the public walks adjacent to the property shall be shown. When construction within the public right-of-way is required, the plan shall also show the specific location of parkway trees, light poles, fire hydrants, sign poles, etc. The grading plan should also show sufficient existing and proposed spot elevations to show direction of all surface water flow. ~~All elevations shall be shown using the Chicago city datum (CCD).~~ The ~~building official~~Village Engineer may accept the use of a local datum elevation if a convenient benchmark is not available. The ~~building official~~Village Engineer ~~may shall~~ require that the grading plan be prepared by a registered professional engineer.

For new one or two family structures, a survey of the foundation must be submitted to the village evidencing adherence with all applicable zoning requirements prior to proceeding with above grade framing.

**R112 Board of Appeals.** Delete the entire section and replace with the following: ~~Section 112.2 of the international Building code~~

- A. The applicant shall file a written appeal addressed to the Village's Building Official, identifying the particular condition or portion of the work, and the applicable provision(s) of the code which have been interpreted.
- B. The Village's Building Official shall submit a request for written interpretation to the organization responsible for the writing, publishing, and promulgation of the code of which requirements are being appealed. The request for interpretation shall include a complete description of all conditions of the work which are relevant to the application of the code.
- C. Upon receipt of the written interpretation from the code organization, the Village's Building Official shall enforce the code in accordance with the interpretation with regard to the applicant's building code appeal.
- D. The appellant has the right to appeal to the Village Administrator, Village Board and a higher judicial jurisdiction.  
(Ord. 3353, 1-10-2011)

Commented [MD84]: This appeal process was not in the 2003 IRC code amendments. The process was adopted by the village board in 1/2011. It was included in the 2015 IBC amendments.

**R201.3 Terms Defined in in Other Codes.** Add the following paragraph: The following terms as defined in ~~section Section 10-3-1~~ of the ~~River Forest Village zoning Zoning code Code~~ and shall supersede the definitions in this chapter: Accessory Structure(Building), Basement, Building, Dwelling, Grade, Height (Of) Building, Lot, Story, Structure, Yard.

Commented [MD85]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

**Table R301.2(1).** Insert the following data:

**TABLE R301.2(1)**

**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Ground Snow Load	Wind Speed (mph)				Seismic Design Category	SUBJECT TO DAMAGE FROM			Winter Design Temp	Ice Shield Under- layment Required	Flood Hazard	Air Freezing Index	Mean Annual Temp
	Speed (mph)	Topo effects	Special wind region	Wind borne debris		Weathering	Frost Line Depth	Termite					
30 p.s.f.	115 mph	No	No	No	B	Severe	48"	Moderate to heavy	-2°F	Yes	*	1700	49°F

\* Construction in flood prone areas shall be in accordance with ~~sections Sections 4-12-1~~ through ~~4-12-16-4-12-7~~ of this ~~title Title~~.



**R302.1 Exterior Walls.** Add the following: The fire separation distance from a detached garage and the dwelling it is accessory to, shall not be less than 15 feet unless the garage is equipped with an approved supervised heat detection system, in which case, the minimum fire separation distance may be reduced to 10 feet.

Commented [MD86]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Delete in its entirety the third exception in this section pertaining to tool, storage sheds, playhouses and similar structures.

**R302.6 Separation-Required Dwelling-Garage Fire Separation.** Delete the entire paragraph after the section heading and replace with: An attached garage shall be separated from the residence and its attic area by not less than ~~5/8-inch~~ 5/8-inch type X gypsum board or equivalent applied to the garage side. Where the separation is a floor-ceiling assembly, the walls supporting this assembly must be similarly protected.  
(Ord. 3150, 3-13-2006)

Commented [MD87]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD88]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

**R302.7 Under Stair Protection.** Replace "1/2" gypsum board" with "5/8" type X gypsum board".  
(Ord. 3239, 5-12-2008)

Commented [MD89]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

**R309.1 Floor Surface.** Add the following: Attached garages shall be continuously separated from the remainder of the building with a concrete curb, minimum 4" high, and shall be poured integral with the floor slab.  
(Ord. 3239, 5-12-2008)

Commented [MD90]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

**R309.3 Flood Hazard Areas.** Delete this section and following subsections in their entirety.

Commented [MD91]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

**R313 Automatic Fire Sprinkler Systems.** Delete the paragraphs after the section heading and replace with the following:  
Approved automatic fire protection sprinkler systems shall be provided to comply with this section.

Commented [MD92]: Not included in 2003 IRC amendments. Not proposed in 2015 IRC amendments. Village adopted new fire sprinkler regulations for single family structures in the past several years. Those regulations have been incorporated as amendments to the 2018 IRC.

**R302.7 Under Stair Protection.** Replace "1/2" gypsum board" with "5/8" type X gypsum board".  
(Ord. 3239, 5-12-2008)

Commented [MD93]: Relocated above to be in sequential order.

**R313 Smoke Alarms.** Rename this section ~~Smoke Alarms, Carbon Monoxide Detectors And Sprinkler Systems~~. Delete the existing language after the section heading in its entirety and replace with:

Commented [MD94]: This section, R313 Smoke Alarms... has been renumbered and put in sequential order following Automatic Fire Sprinkler Systems section.

**R313.1 Smoke Alarms.** Smoke alarms shall be installed in the following locations:

- ~~1. In each sleeping room.~~
- ~~2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.~~
- ~~3. One each additional story of the dwelling, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.~~

~~When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.~~

~~All smoke alarms shall be listed and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.~~

**R313.1.1 Alterations, Repairs And Additions.** When interior alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be

provided with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hard wired.

**Exceptions:**

1. Smoke alarms in existing areas shall not be required to be interconnected and hard wired where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space, or basement available which could provide access for hard wiring and interconnection without the removal of interior finishes.
2. Repairs to the exterior surfaces of dwellings are exempt from the requirements of this section.

**R313.2 Carbon Monoxide Detectors.** Carbon monoxide detectors shall be installed in the following locations:

1. Outside each separate sleeping area in the immediate vicinity of the sleeping room(s).
2. On every floor on which a fossil fuel burning boiler, water heater, furnace or appliance is located.  
(Ord. 2150, 3-13-2006)

**R313.3 Sprinkler Systems.** Delete the paragraphs after the section heading and replace with the following: Approved automatic fire protection sprinkler systems shall be provided to comply with this section:

**R313.3.1 Definitions And Calculations:**

1. The calculation of the areas of existing construction and new construction shall be calculated as follows:

The areas to be included in the calculation shall include the gross area on the first and second floors of the building, and that portion of any half story which has a headroom of at least 7' 0". The base area shall include the area of all attached garages and finished basements. The base area of the existing building shall include only those areas of the existing building which are to remain, and the area of new construction shall include the gross area of all additions, without deductions.

2. For the purpose of calculating the percentage of the addition to the building, the area of the addition and renovation shall be construed to be the total area of all additions and renovations made within any 3 year period, and the area of the existing building shall be the existing area (as defined above) prior to that 3 year period.

3. The area of "substantial renovation" shall be defined to include the total area of each room where 50% or more of the wall and ceiling finishes (plaster, plaster board, gypsum board, suspended ceiling systems, etc.) is being removed down to the framing.

**R313.3.2-1 Where Required:** Approved automatic fire protection sprinkler systems shall be provided in the following:

1. New construction.
2. All additions per the following criteria. The base area is as defined above. Existing residences where more than 90% of the area of the floor structures of the current structure above the foundation level is demolished and rebuild. Automatic fire protection sprinkler systems shall not be required for additions or alterations to existing single family residences which do not included the demolition and rebuilding of more than 90% of the area of the floor structures of the current structure above the foundation level.

A base area of up to 500 square feet with an addition of 400 or more square feet.

A base area of over 500 sq. ft. and not exceeding 600 sq. ft. with an addition of over 480 square feet.

A base area of over 600 sq. ft. and not exceeding 700 sq. ft. with an addition of over 560 square feet.

A base area of over 700 sq. ft. and not exceeding 799 sq. ft. with an addition of over 639 square feet.

A base area of over 799 sq. ft. and not exceeding 899 sq. ft. with an addition of over 600 square feet.

A base area of over 899 sq. ft. and not exceeding 999 sq. ft. with an addition of over 749.3 square feet.

Commented [MD95]: This section, R313 Carbon Monoxide ... has been renumber and put in sequential order following Automatic Fire Sprinkler Systems section.

Commented [MD96]: This entire section R313.3 Sprinkler Systems and subsequent subsections have been deleted to reflect the new sprinkler requirements adopted in 11/2018.

Commented [MD97]: Language in this section - R313.3.1 -, is consistent with the fire sprinkler requirements adopted in 11/2018.

~~A base area of over 999 sq. ft. and not exceeding 1,000 sq. ft. with an addition of over 700 square feet.  
A base area of over 1,000 sq. ft. and not exceeding 1,249 sq. ft. with an addition of over 874.3 square feet.  
A base area of over 1,249 sq. ft. and not exceeding 1,250 sq. ft. with an addition of over 812.5 square feet.  
A base area of over 1,250 sq. ft. and not exceeding 1,499 sq. ft. with an addition of over 974.4 square feet.  
A base area of over 1,499 sq. ft. and not exceeding 1,500 sq. ft. with an addition of over 900 square feet.  
A base area of over 1,500 sq. ft. and not exceeding 1,749 sq. ft. with an addition of over 1,049.4 sq. ft.  
A base area of over 1,749 sq. ft. and not exceeding 1,750 sq. ft. with an addition of over 962.5 sq. ft.  
A base area of over 1,750 sq. ft. and not exceeding 1,999 sq. ft. with an addition of over 1,099.4 sq. ft.  
A base area of over 2,000 sq. ft. and not exceeding 2,500 sq. ft. with an addition of over 1,000 sq. ft.  
A base area of over 2,500 sq. ft. and not exceeding 3,000 sq. ft. with an addition of over 1,250 sq. ft.  
A base area of over 3,000 sq. ft. with an addition of over 1,500 sq. ft.~~

**R313.3.2 System Requirements.** Add the following section: The system shall be installed meeting the requirements of NFPA 13D, 2016 Edition and NFPA 101, 2018 Edition, Sections 9.7, 24.3.5.1 and 24.3.5.2. as modified herein.

**R313.3.3 Acceptance Requirements:** Add the following section:

All systems shall be inspected, tested, and approved by the fire department in accordance with the requirements of NFPA 13D and NFPA 72, including but not limited to initiating device, notification appliance, and remote station fire alarm connection prior to scheduling final inspection for certificate of occupancy.  
(Ord. 3239, 5-12-2008)

**Amendments to NFPA 13 D (2016 Edition)** are as follows:

**7.6 Alarms.** Delete the entire paragraph after the section heading and replace with: Water flow alarms shall be required on all approved automatic fire protection sprinkler systems. An interior, six (6) inch water flow bell shall be mounted to the return duct of each furnace in the structure. In lieu of the water flow bells an audible alarm horn shall be installed adjacent to each sleeping area, with a minimum decibel rating of 70 db at pillow level in occupiable areas.

A weatherproof horn/strobe audible alarm, for the approved automatic fire protection sprinkler system, shall be mounted on the outside of the structure at a location causing it to be heard and seen from the public.

**8.3.4 Location of Sprinklers.** Delete the entire paragraph after the section heading and replace with: Sprinklers shall be installed in attached garages, carport or any other type of attached structure used to house vehicles to protect common walls, ceilings and openings.

**9.2 Antifreeze Systems.** Delete the entire section heading and replace with: Automatic fire protection sprinkler systems are prohibited from using antifreeze solutions in any portion of said system.

**R314 Smoke Alarms.** Rename this section: **Smoke Alarms, Carbon Monoxide Detectors and Sprinkler Systems**. Delete the existing language after the section heading in its entirety and replace with:

**R314.1 Smoke Alarms.** Smoke alarms shall be installed in the following:

1. In each sleeping room.
2. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
3. One each additional story of the dwelling, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

When more than one smoke alarm is required to be installed within an individual dwelling unit the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise

Commented [MD98]: Language in this section – R313.3.2 - is consistent with the fire sprinkler requirements adopted in 11/2018. Editions of NFPA have been updated to current editions.

Commented [MD99]: Language in this section – 313.3.3 -, is consistent with the fire sprinkler requirements adopted in 11/2018.

Commented [MD100]: Language in Amendments is consistent with the fire sprinkler requirements adopted in 11/2018.

Commented [MD101]: Language is consistent with the fire sprinkler requirements adopted in 11/2018.

Commented [MD102]: Language in this section – R314 - is consistent with the fire sprinkler requirements adopted in 11/2018.

levels with all intervening doors closed.

All smoke alarms shall be listed and installed in accordance with the provisions of this code and the household fire warning equipment provisions of NFPA 72.

**R314.1.1 Alterations, Repairs And Additions.** When interior alterations, repairs or additions requiring a permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be provided with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected.

**Exceptions:**

1. Smoke alarms in existing areas shall not be required to be interconnected and hard wired where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space, or basement available which could provide access for hard wiring and interconnection without the removal of interior finishes.
2. Repairs to the exterior surfaces of dwellings are exempt from the requirements of this section.

**R315 Carbon Monoxide Detectors.** Carbon monoxide detectors shall be installed in the following locations:

1. Within 15 feet of each sleeping area.
2. On every floor on which a fossil fuel burning boiler, water heater, furnace or appliance is located. (Ord. 3150, 3-13-2006)

#### **~~R313~~1450.3.3 System Requirements:**

Amendments to NFPA 13-D (2013 edition) are as follows:

**7.6 Alarms.** Delete the entire paragraph after the section heading and replace with: Water flow alarms shall be required on all approved automatic fire protection sprinkler systems. An interior, six (6) inch water flow bell shall be mounted to the return duct of each furnace in the structure. In lieu of the water flow bells an audible alarm horn shall be installed adjacent to each sleeping area, with a minimum decibel rating of 70 db at pillow level in occupiable areas.

A weatherproof horn/strobe audible alarm, for the approved automatic fire protection sprinkler system, shall be mounted on the outside of the structure at a location causing it to be heard and seen from the public right-of-way, adjacent to the structure.

The approved automatic fire protection sprinkler system shall be monitored, including the water flow and control valve position (tamper switch). The system shall be monitored directly by the village's emergency communication center and not by a private alarm monitoring company.

**8.6.4** Delete the entire paragraph after the section heading and replace with: Sprinklers shall be installed in attached garages to protect common walls, ceilings and openings.

#### **~~R313~~3.4 Acceptance Requirements:**

All systems shall be inspected, tested, and approved by the fire department in accordance with the requirements of NFPA 13D and NFPA 72, including but not limited to initiating device, notification appliance, and remote station fire alarm connection prior to scheduling final inspection for certificate of occupancy. (Ord. 3239, 5-12-2008)

**~~R313.4~~R314.6 Power Source.** Delete the entire paragraph after the section heading and replace with: In new construction, the required smoke alarms ~~or~~ and carbon monoxide detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted,

Commented [MD103]: Language in this section – 314.1.1 - is consistent with the fire sprinkler requirements adopted in 11/2018.

Commented [MD104]: Language in this section – R315 - is consistent with the fire sprinkler requirements adopted in 11/2018.

Commented [MD105]: Language in this section – R314.6 - is consistent with the fire sprinkler requirements adopted in 11/2018.

shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarms ~~or~~ and carbon monoxide detectors shall be permitted to be battery operated when installed in buildings without commercial power or in buildings that undergo alterations, repairs of additions regulated by ~~section~~ Section R313.1.1. (Ord. 3150, 3-13-2006)

**R319.1 Premises Identification Address Identification.** Add the following: Where a garage abuts a public alley, approved house numbers shall be affixed to the face of the garage, minimum 4" high, in a plainly visible location. (Ord. 3239, 5-12-2008)

**R401.1 Application.** Delete the last sentence of this section and replace with: Wood foundations are not allowed and all subsequent references to wood foundations in this chapter are hereby deleted.

**R401.3 Drainage.** Add the following: ~~Grades shall gradually meet existing elevations at all points along lot lines.~~

**R403.1.4.1 Frost Protection.** Delete the reference to ~~section~~ Section R403.3 as an acceptable method of frost protection and delete the exceptions section in its entirety and replace with the following: Exception: Single story accessory structures with an area 500 square feet or less with non-masonry or other non-rigid wall construction shall not be required to be protected.

**R403.1.7.3 Foundation Elevation.** Delete the entire paragraph after the section heading and replace with: The top of any exterior foundation wall shall extend a minimum of 8 inches above exterior finished grade adjacent to the foundation at all points. Elevations shall be established to promote positive drainage without adversely impacting adjoining properties. Where the foundation elevations of adjoining lots vary greatly, the new foundation elevation on the subject lot shall be established as approximately the average of the elevations of the foundation of said adjoining lots. The ~~building official may~~ Village Engineer shall require the submission of a grading plan stamped by a professional engineer prior to the issuance of a permit as well as a submission of an as-built grading certificate prior to the issuance of a certificate of occupancy demonstrating the project has been constructed in accordance with the approved grading plan. The ~~building official~~ Village Engineer may consider unique grading conditions and has the authority to approve a foundation elevation based on sound engineering judgment.

**R403.3 Frost Protected Shallow Foundations.** Delete this section and following subsections in their entirety.

**R502.1.2 Prefabricated Wood I-Joists.** Add the following: Wood I-joists may not remain exposed and shall be protected with a minimum 5/8 inch type "X" gypsum board or equivalent.

**R504 Pressure Preservative-Treated Wood Floors (On Ground).** Delete this section and following subsections in their entirety.

**R610 Insulating Concrete Form Structural Insulated Panel Wall Construction.** Delete this section and following subsections in their entirety.

**R702.3.4 Insulating Concrete Form Walls.** Delete this section in its entirety.

**Table R702.3.5 Minimum Thickness And Application Of Gypsum Board and Gypsum Panel Products.** Minimum gypsum board thickness to be 5/8 inch. References to thickness and application of gypsum board less than 5/8 inches thick are hereby deleted.

**M1702 All Air From Outdoors.** Add the following section: (Ord. 3150, 3-13-2006)

**M1702.1 Location Of Openings.** Combustion air intake openings may not be located within 20 feet of any above grade fuel gas source or piping and shall be located a minimum of 3 feet above the exterior grade.

Commented [MD106]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD107]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD108]: In discussions with village engineer, he felt this requirement was better regulated in Chapter 17, Grading Permits and was not necessary here.

Commented [MD109]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language. In 2018 IRC amendments building official changed to Village Engineer.

Commented [MD110]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD111]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD112]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD113]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD114]: The same language in the 2003 IRC amendments, with a modification to section title. The 2015 IRC amendments called for the same language.

Commented [MD115]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language. However, this section is no longer in the 2018 IRC and as such, the amendment will be removed.

(Ord. 3150, 3-13-2006; and Ord. 3239, 5-12-2008)

ICC Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

Adopt the following appendices A,B, C, D, F, H, I, J, M, O,

#### **4-1-10: INTERNATIONAL FUEL GAS CODE/20152018 Edition:**

The 2015-2018 edition-Edition of the International Fuel Gas Code is hereby adopted by reference as the fuel gas code of the village. (Ord. 3239, 5-12-2008)

B. The following are amendments to the International Fuel Gas Code/20152018:

**101.1 Title.** Insert ~~village-Village~~ of River Forest.

**103.1 General.** Delete the entire section and replace with the following: ~~The Department of Administration-The Department of Public Works and Development shall Services be shall thebe the enforcement agency of this code and the official in charge shall be known as the Building Official.~~

**106.5.2 Fee Schedule.** Delete this section and reference ~~title 4, chapter 2~~Title 4, Chapter 2 of the ~~River Forest v~~Village ~~codeCode~~.

**108.4 Violations Penalties.** Insert misdemeanor as the specific offense, a fine of \$750.00 and delete the imprisonment provision.

**108.5 Stop Work Orders.** Insert fine of not less than \$100.00 nor more than \$750.00.

Add the following section:

**Section 109 Means of Appeal.** Delete the entire section. See section 112.2 of the International Building Code amendments. Replace with: See amended Section 113, Appealing Decisions of the Village's Building Official, of the International Building Code, 2018 Edition.

Commented [MD116]: This appeal process was not in the 2003 IRC code amendments. The process was adopted by the village board in 1/2011. It was included in the 2015 IBC amendments.

**303.6.1 Location ~~Of~~ Equipment.** The location of all unitary air conditioners, air conditioning compressors, generators, and similar appliances and equipment in outdoor locations, shall be regulated by the sound pressure level they generate. Existing installations may be replaced in the same location, provided there is no increase in capacity or sound pressure rating. The location of new equipment shall be subject to the requirements of the following table when installed on a parcel adjacent to a residential use parcel:

##### Side Yard Installation

Side Yard Setback (Feet)	Maximum Sound Pressure Rating db(a)
Less than 3	Installation not allowed
3 or greater	74

##### Rear Yard Installation

Side Yard Setback (Feet)	Maximum Sound Pressure Rating db(a)
Less than 3	Installation not allowed
3 to 10	78
10 or greater	82

The village board shall have the authority to hear requests for and grant relief from any of these location requirements. (Ord. 3239, 5-12-2008)

#### ~~Chapter 8~~ Referenced standards

ICC Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

Adopt the following ~~appendices~~ Appendix: A

#### 4-1-11: INTERNATIONAL WILDLAND URBAN-INTERFACE CODE/~~2015~~ 2018:

The ~~2015-2018 edition~~ Edition of the International ~~Fuel Gas Code~~ Wildlife Urban-Interface Code, is hereby adopted by reference as the ~~fuel gas code wildlife urban interface code~~ of the village. (Ord. 3239, 5-12-2008)

B. The following are amendments to the International Wildland-Urban Interface Code/~~2015~~ 2018:

**101.1 Title.** Insert ~~village~~ Village of River Forest.

**103.1 Title.** Insert ~~village~~ Village of River Forest ~~Building Administration~~ Department.

~~112.2 Fee Schedule~~ 109.2 Schedule of Permit Fees. Delete this section and reference ~~Title title 4, chapter~~ Chapter 2 of the ~~River Forest village~~ Village code Code.

**114.4 Failure to comply.** Insert fine of not less than \$100.00 nor more than \$750.00.

Adopt the following: ~~appendices~~ Appendix A.

#### 4-1-12: ILLINOIS ACCESSIBILITY CODE /~~1997~~ 2019:

The ~~1997-2019 edition~~ Edition of the ~~ILLINOIS~~ Illinois Accessibility Code is hereby adopted by reference as the accessibility code of the village. (Ord. 3239, 5-12-2008)

B. The following are amendments to the Illinois Accessibility Code /~~1997~~ 2019:

There are no additions, deletions or changes to the Illinois Accessibility Code.

Any conflicts between the Illinois Accessibility Code and Chapter 11 of the International Building Code, Edition 2018, shall require the enforcement of the strictest requirement.

#### 4-1-13: ILLINOIS ENERGY CONSERVATION ~~ACT~~ CODE:

The International Energy Conservation Code ~~references~~ referenced in the Illinois Energy Conservation Act shall be the energy conservation code for the ~~Village of River Forest~~.

B. The following are amendments to the ~~International~~ Illinois Energy Conservation Code:

There are no additions, deletions or changes to the Illinois ~~Accessibility Code~~ Energy Conservation Code.

~~Any conflicts between the Illinois Accessibility Code and Chapter 11 of the International Building shall require the enforcement of the strictest requirement.~~

Commented [MD117]: This code did not exist when the village adopted the 2003 ICC code series. It was proposed to be adopted with the 2015 ICC code series.

Commented [MD118]: The most current edition of the Illinois Accessibility Code – 2019 – will be adopted with these amendments.

Commented [MD119]: This code did not in exist at the time of the village's adoption of the 2003 ICC code series. It was proposed to be adopted with the 2015 ICC code series. Note: whereas it is a code promulgated by the state of Illinois, it is in effect the ICC International Energy Conservation Code.

#### 4-1-14: INTERNATIONAL SWIMMING POOL AND SPA CODE ~~/, 2015~~ 2018 Edition:

- A. The ~~2015-2018 edition-Edition~~ of the International ~~Swimming~~ Swimming Pool and Spa Code, is hereby adopted by reference as the swimming pool and spa code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection-Subsection~~ B of this section.

~~B. B.~~ The following are amendments to the International Swimming Pool and Spa Code, ~~/, 2015~~ 2018 Edition:

**101.1 Title.** Insert ~~village-Village~~ of River Forest.

**103.1 Creation of enforcement agency.** Delete the entire section and replace with the following: The Department Administration shall be the enforcement agency of this code and the official in charge shall be known as the Building Official.

**106.5.2 Fee Schedule.** Delete this section and reference Title 4, Chapter 2 of the ~~River Forest-Village~~ codeCode.

**107.4 Violations Penalties.** Insert misdemeanor as the specific offense, a fine of \$750.00 and delete the imprisonment provision.

**107.5 Stop Work Orders.** Insert fine of not less than \$100.00 nor more than \$750.00.

Add the following section:

**Section 108 Means of Appeal.** Delete the entire section. Replace with: See amended Section 113, Appealing Decisions of the Village's Building Official, of the International Building Code, 2018 Edition.  
~~S  
ee section 112.2 of the International Building Code amendments.~~

#### Chapter 11 Referenced standards

ICC Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

#### 4-1-15: INTERNATIONAL SOLAR ENERGY PROVISIONS ~~/, 2015~~ 2018 Edition:

- A. The ~~2015-2018 edition-Edition~~ of the International Solar Energy Provisions is hereby adopted by reference as the solar energy provisions of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection-Subsection~~ B of this section.
- B. The following are amendments to the International Solar Energy Provisions ~~/, 2015~~ 2018 Edition:

There are no changes, additions or deletions to the International Solar Energy Provisions, ~~/, 2015~~ 2018 Edition.

#### 4-1-16: INTERNATIONAL EXISTING BUILDING CODE ~~/, 2015~~ 2018 Edition:

- A. The ~~2015-2018 edition-Edition~~ of the International Existing Building Code, is hereby adopted by reference as the existing building code of the village, except for such additions, insertions, deletions or changes as hereinafter prescribed in ~~subsection-Subsection~~ B of this section.

Commented [MD120]: This code did not in exist at the time of the village adopted the 2003 ICC code series. It was proposed to be adopted with the 2015 ICC code series.

Commented [MD121]: This appeal process was not in the 2003 IBC code amendments. The process was adopted by the village board in 1/2011. It was included in the 2015 IBC amendments.

Commented [MD122]: This code did not exist at the time of the village adoption of the 2003 ICC code series. It was proposed to be adopted with the 2015 ICC code series.

Commented [MD123]: The IEBC did not exist at the time the 2003 ICC code series was adopted. . It was proposed to be adopted with the 2015 ICC code series.



~~B. 8.~~ The following are amendments to the International Existing Building Code, ~~2015~~ 2018 Edition:

**101.1 Title.** Insert ~~village~~ Village of River Forest.

**103.1 General.** Delete the entire section and replace with the following: ~~The Department of Administration-The Department of Public Works and Development shall Services be shall -the be the enforcement agency of this code and the official in charge shall be known as the Building Official.~~

~~108.2 Fee~~ **108.2 Fee Schedule.** Delete this section and reference ~~title 4, chapter 2~~ Title 4, Chapter 2 of the River Forest Village ~~code~~ Code.

**113.4 Violations Penalties.** Insert misdemeanor as the specific offense, a fine of \$750.00 and delete the imprisonment provision.

**Section 112 Board of Appeal.** Delete the entire section. Replace with: See amended Section 113, Appealing Decisions of the Village's Building Official, of the International Building Code, 2018 Edition.  
~~See section 112.2 of the International Building Code amendments.~~

**Section 302 General Provisions.** Add the following:

~~302.6-7~~ **Where Required in Existing Buildings And Structures.** An approved automatic fire suppression sprinkler system shall be provided in every addition to or renovation of an existing building, in accordance with the following:

1. In the newly constructed portion of any addition which adds 50% or more square footage to the area of an existing building.
2. In the renovated portion of any building where 50% or more of the existing area of the building is being substantially renovated.
3. In the renovated and newly constructed portions of any building where the sum total of the area of the addition and the area of the portion being substantially renovated exceeds 50% of the area of an existing building.

**302.67.1 Exceptions:**

Exception ~~no~~ 1. Spaces and areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system monitored by the local jurisdiction, and separated from the remainder of the building by a wall with a fire resistance rating of not less than 1 hour and a floor/ceiling assembly with a fire resistance rating of not less than 2 hours.

Exception ~~no~~ 2. Detached accessory buildings shall be exempt from the requirement for automatic sprinkler protection subject to all of the following conditions:

The building is an accessory to primary building on the same site, and the building has a gross area of 500 square feet or less, and the building is protected with an automatic fire detection system, monitored by the local jurisdiction, no High Hazard occupancy, no basements or below grade areas, no sleeping or dwelling units and the primary and accessory buildings are in compliance with ~~table~~ Table 602 Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance (IBC, 2018 Edition) ~~for fire separation distance.~~

**Add the following Section 1401 Section 1301.5.4 Sprinkler system requirements:** The local sprinkler system requirements, including local amendments, shall apply regardless of the outcome of the performance compliance calculations.

**Chapter 16 Referenced standards**

ICC Delete all references to the International Plumbing Code and insert the Illinois Plumbing Code 2014 edition

Commented [MD124]: This appeal process was not in the 2003 IBC code amendments. The process was adopted by the village board in 1/2011. It was included in the 2015 IBC amendments.

Commented [MD125]: All amendments in this section (302) is consistent with sprinkler requirements for all non-single family structures.

#### 4-1-17: VIOLATION NOTICES:

Whenever an authorized employee of the village observes a violation of this chapter, he or she may issue a violation notice to the person committing the violation. The violation notice shall be signed by the employee, shall be in writing, and shall include the following:

- A. The name of the person violating this code, and his or her address, if known.
- B. The nature of the offense.
- C. The applicable fine.
- D. After the final notice date, appearance of the person in the fourth municipal district of the circuit court of Cook County at a certain time and place.

If the person so notified fails to appear in court, then a summons or warrant for arrest shall be issued.

Such notice shall be issued only by employees authorized to do so by the ~~president~~Village. (Ord. 2503, 6-22-1992; amd. Ord. 3239, 5-12-2008)

#### 4-1-18: PENALTY:

Any person violating any provision of this ~~chapter~~Chapter shall be deemed guilty of a misdemeanor and be punished by a fine of not less than one hundred dollars (~~\$100~~) and not more than seven hundred fifty dollars (~~\$750~~). A separate offense shall be deemed committed for each day such violation is committed or permitted to continue, and shall be punishable hereunder as such. In addition to the monetary penalty set forth herein, the village may seek injunctive relief to compel compliance with this chapter and the codes incorporated herein by reference. (Ord. 3041, 8-11-2003; amd. Ord. 3239, 5-12-2008)

## Chapter 2 BUILDING PERMITS

#### 4-2-1: BUILDING PERMIT FEES:

- A. Payment ~~of~~ Fees: No permit as required by this code shall be issued until the fee prescribed herein shall have been paid; nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.
- B. Construction ~~or~~ Alteration: For a permit for the construction or alteration of a building or structure, the fee shall be at the rate of twenty dollars (~~\$20~~) per one thousand dollars (~~\$1,000~~) of the estimated cost for single-family residential construction and twenty three dollars fifty cents (~~\$23.50~~) per one thousand dollars(~~\$1,000~~) of the estimated cost for all other types of construction. The minimum fee shall be one hundred dollars (~~\$100~~). The duration of permit for single-family construction shall be fifteen (~~15~~) months and twelve (~~12~~) months for all other types of construction except that the duration of a permit for a project approved as a site plan review or planned development shall be in accordance with the approved schedule of development contained within the site plan review or planned development application. Extensions to the permit may be granted in accordance with the following:

$\frac{1}{3}$  original fee for first 3 month extension.

$\frac{1}{3}$  original fee for second 3 month extension.

Commented [MD126]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD127]: The same language in the 2003 IRC amendments. The 2015 IRC amendments called for the same language.

Commented [MD128]: From this point forward, the proposed amendments are found in Chapters 2 thru 17 of the Village Code. Whereas these chapters were not included in the 2003 ICC code adoption, they were included in the 2015 code update. As you will note going thru these chapters, all have some relationship with the building codes and are updated in order to be consistent with the 2018 ICC code adoption. There are limited edits to these sections and most revisions are self-explanatory and therefore there are limited comments in this margin.

The permit holder shall receive a rebate prorated per diem for the extension fee in the event the work covered by the permit is completed in less time than the maximum allowed. The project shall be considered completed upon approval of all required final inspections and restoration, if required, of any public right of way.

- C. Additional Permits: In addition to other permit requirements of this code, permits and fees shall be required for:

<u>Permit/Certificate</u>	<u>Fee</u>
Certificate of occupancy	\$ 50.00
Gutter work	100.00
Paving	100.00
Placard removal: Unfit for occupancy	500.00
Removal of stop work order	200.00
Roofing	100.00
Siding	100.00
Temporary certificate of occupancy	50.00

- D. Reinspection Fee: There shall be a reinspection fee of ~~seventy five~~seventy-five dollars ~~(\$75)~~ for each additional inspection due to failure to complete the work by the time of the scheduled inspection or due to a failed inspection.
- E. Plan Review Fee: In addition to the building permit fee, a plan review fee may be imposed to defray the costs of contracting with independent professionals to review permit applications for compliance with applicable building codes.
- F. Demolition Fees: The fee for a permit for the demolition of a building or structure shall be at the rate of one dollar ~~(\$1)~~ per square foot of floor area with a minimum fee of two hundred dollars ~~(\$200)~~ for accessory structures or one thousand five hundred dollars ~~(\$1,500)~~ for primary structures.
- G. Temporary Permits: A temporary permit shall be required for the overnight placement or storage of the following on private property: construction equipment, construction vehicles, construction trailers, portable toilets, portable storage containers and dumpsters. An application for a permit shall be made to the director of public works. The application shall describe the nature, location, type of equipment and duration of time on site, as well as, details of any applicable protection. The fee for such permit shall be fifty dollars ~~(\$50)~~ for the first month or fraction thereof and fifty dollars ~~(\$50)~~ per month thereafter except that the fee for portable toilets stored in a front yard shall be one hundred dollars ~~(\$100)~~ per month. (Ord. 3447, 7-9-2012)

#### 4-2-2: APPLICATION FOR PERMITS:

- A. The ~~director of public works Building Official~~Director of Public Works and Development Services, or his designee, shall examine applications for permits, within a reasonable time after filing. If, after examination and after written approval, the ~~director of public works Building Official~~ finds no objections to the same and it appears that the proposed work will be in compliance with the laws and ordinances applicable thereto and the proposed construction or work will be safe, he shall approve such application, ~~obtain the approval of the fire chief and village administrator,~~ and issue a permit for the proposed work as soon as practicable; provided, that the bonding and insurance requirements of ~~section~~Section 3-3-3 of this code have been satisfied. If his examination reveals otherwise, he shall reject such application, note his findings in a written report to be attached to the application and deliver a copy to the applicant. (Ord. 3041, 8-11-2003)

#### 4-2-3: EXPIRATION:

Any permit issued shall become invalid if the authorized work is not commenced within three ~~(3)~~ months, or is not completed within fifteen ~~(15)~~ months after issuance of the permit for single-family residential construction, or one year for all other types of construction except that the duration of a permit for a project approved as a site plan review, or planned development, shall be in accordance with the approved schedule of development contained within the site plan review or planned development application, or if the authorized work is suspended or abandoned for a period of three months after the time of commencing the work. If a project involves the issuance of a demolition permit as well as a construction permit,

Commented [MD129]: Throughout this section director of public works was changed to Building Official.

the construction permit shall become invalid if the authorized work is not completed within fifteen months after issuance of the demolition permit for single-family residential construction and one year for all other types of construction. Before work can be resumed, the permit shall be renewed. Fees for a renewed permit shall be in accordance with the extension fees included in ~~section~~ Section 4-2-1 of this chapter. (Ord. 3278, 4-27-2009)

#### 4-2-4: RESPONSIBILITY TO THE PUBLIC:

The permit holder and his/her contractor(s) shall at all times make every effort to minimize public inconvenience and to ensure the public health, safety and welfare. All work shall be conducted in accordance with the village's "rules and regulations for building construction" attached to the ordinance codified herein and made part of this chapter. Said rules and regulations may be amended from time to time by the board of trustees of the village ~~of River Forest~~. (Ord. 3041, 8-11-2003)

#### 4-2-5: PENALTY<sup>1</sup>:

- A. If any person shall initiate construction or alteration of any building or structure without a permit first having been obtained for the same as required by this chapter, no permit shall be subsequently issued for such change or installation and no inspection of the same shall be made until double the amount of fees otherwise provided by ordinance are paid for such permit and inspection. The payment of the double fee, however, will not relieve said person from other penalties for violation of this chapter.
- B. Failure or refusal to comply with an order of the ~~director of public works~~ Building Official shall constitute a violation of this chapter. Such violation shall subject such person in charge of the premises to the punishment provided for in this chapter, and each day such violation is permitted to remain unchanged or unaltered after the expiration of the time given on such written notice shall constitute a separate offense. (1981 Code; amd. Ord. 2809, 1-25-1999; Ord. 3041, 8-11-2003)

**Footnotes** – Click any footnote link to go back to its reference.

Footnote 1: See also section 1-4-4 of this code for penalty provisions.

### Chapter 3 ELECTRICAL REGULATIONS

#### ~~4-3-1: ELECTRICAL INSPECTION DEPARTMENT:~~ Chapter 1 – Held in reserve

~~There is hereby established a department under the director of public works which shall be known as the electrical inspection department. Such department shall consist of the director of public works of the village and such other employees as may from time to time be provided for by the president and board. Such electrical inspection department shall be charged with the duty of enforcing the provisions of this chapter and the national electrical code/2005<sup>1</sup>, the rules and regulations thereof, and the standards and specifications for the installation, alteration and use of electrical equipment as herein provided for. (Ord. 2236, 1-26-1987)~~

Commented [MD130]: Due to the fact that there is no "electrical inspection department" this section establishing it, has been deleted.

#### 4-3-2: REGISTRATION AS ELECTRICAL CONTRACTOR:

It shall be unlawful for any person to engage in the business of electrical contractor, without being registered as an electrical contractor, in the manner hereinafter set forth; provided, however, that if such person is already registered for the current year in another city or village within the state, such electrical contractor shall not be required to register or to pay a registration fee for such year, in the village.

- A. Application; Issuance Of Certificate: Any person desiring to engage in the business of electrical contractor shall apply for registration to the ~~director of public works~~ Building Official. Upon the filing of such application in proper form and the payment of the registration fee set out in ~~subsection~~ Subsection B of this section, the ~~director of public works~~ Building Official shall register the applicant, if so qualified, as an electrical contractor, and shall issue to the applicant a certificate of registration which will authorize the applicant to engage in such business for the year in which it is issued.
- B. Fee For Registration: In accordance with Illinois Compiled Statutes, the fee for registration as an electrical contractor shall be twenty five dollars (~~\$25~~) per annum, which sum shall be paid by the applicant to the village clerk in advance upon filing the application. (1981 Code)

#### 4-3-3: PERMITS FOR WORK REQUIRED:

No electrical equipment shall be installed or altered except upon a permit first being issued by the ~~electrical inspection department~~ village. The ~~electrical inspection department~~ village shall issue permits for such installation and alteration of electrical equipment in all cases where application for such permits shall be made in accordance with the rules and regulations applicable thereto; provided, however, that no permit shall be issued for installing or altering by contract electrical equipment unless the person applying for such permit is currently registered as an electrical contractor as required by this chapter. (1981 Code)

#### 4-3-4: INSPECTION OF WORK:

- A. The ~~electrical inspection department~~ village shall inspect all electrical equipment installed or altered, and shall require that it conform to the standards and specifications applicable thereto and adopted as aforesaid, and upon completion of such installation or alteration in compliance with such standards and specifications, shall immediately issue a certificate of inspection covering such installation or alteration. (1981 Code)
- B. The ~~electrical inspection department~~ village is hereby empowered to reinspect any electrical equipment, and when such equipment is found to be unsafe to life or property, shall notify the person owning, using or operating the same to place the same in a safe and secure condition and in compliance with the standards and specifications described herein, within such time as the ~~electrical inspection department~~ village shall consider just and reasonable. Upon refusal or willful failure to comply with the requirements of such notification, in addition to the penalties otherwise provided herein, the ~~electrical inspection department~~ village may order and compel the cutting off and stopping of such current until such electrical equipment has been placed in a safe and secure condition and in compliance with the standards and specifications referred to herein. There shall be an inspection fee of ~~seventy five~~ seventy-five (~~\$75~~) dollars for each inspection necessary to verify compliance with applicable standards. (Ord. 3278, 4-27-2009)
- C. The ~~electrical inspection department~~ village shall keep complete records of all permits issued and inspections made and other official work performed under the provisions of this chapter.
- D. Whenever any electrical equipment has been installed or altered, no electrical current shall be supplied to or used on such equipment previous to the inspection of such equipment by the ~~electrical inspection department~~ village and the issuance of a certificate of inspection covering such installation or alteration; provided, that the ~~inspection department~~ village may issue a temporary certificate for the use of electrical current during the course of construction or alteration of buildings, which temporary certificate shall expire when the construction or alteration of such building is complete.
- E. Any person installing electric wires or equipment in any building in the village which is to be hidden from view shall notify the ~~director of public works~~ Building Official in writing of such intended installation, at least twenty four hours before the work is to be covered, and no such work shall be covered until inspection thereof has been made as herein required. In all cases where such notice has not been given or such work has been covered without inspection thereof as herein provided, the ~~director of public works~~ Building Official is authorized to take down or remove such portions of the building or structure as shall be necessary for the inspection of such electric wires or equipment, as herein required, and the cost of such taking down and replacing such work so removed by such official shall be borne by the person who has failed to give notice of the installation thereof, or by the person who has covered such work after such notice and before inspection thereof as herein provided, as the case may be. (1981 Code)

#### 4-3-5: RIGHT OF ENTRY OF ~~DIRECTOR OF PUBLIC WORKS~~ BUILDING OFFICIAL:

The ~~director of public works~~ Building Official or designee, shall have the power to enter buildings or premises at any reasonable hour in the discharge of his duties, and it shall be proper for him, when necessary, to remove any existing obstructions such as laths, plastering, boarding or partitions which may prevent a perfect inspection of the electrical equipment. It shall be unlawful for any person to interfere with the ~~director of public works~~ Building Official in the performance of his duties. Whenever, in the opinion of the ~~director of public works~~ Building Official, it shall be necessary to call upon the police department for aid and assistance in carrying out or enforcing any of the provisions of this chapter governing the inspection of electrical equipment, he shall have the authority to do so, and it shall be the duty of any member of the police department, when called upon by the ~~director of public works~~ Building Official, to act according to the instructions of and to perform such duties as may be required by the ~~director of public works~~ Building Official in order to enforce or put into effect the provisions of this chapter relating to the inspection of electrical equipment. (1981 Code)

#### 4-3-6: PROCEDURE UPON FINDING DEFECTS:

In case the ~~director of public works~~ Building Official or designee, finds a defect in any electrical apparatus or equipment, subject to inspection in the village, he shall report the same in writing to the persons for whom the test is being made, using blanks furnished by the village for that purpose and giving a description of the character of the defect. If the defect is of a dangerous character, necessitating immediate repair, the ~~director of public works~~ Building Official shall forthwith condemn the apparatus or equipment for further use, or until the same is removed, repaired or renewed.

If the defect is of a character such that the apparatus or equipment may be safely operated for a period of some days pending repairs, the ~~director of public works~~ Building Official shall so report, and name the number of days during which the same may be operated. A duplicate of all such reports shall be promptly filed in the office of the ~~village clerk~~ Village Administrator. (1981 Code)

#### 4-3-7: INSPECTION FEES:

The fees for the inspection of wiring of any building or of any electrical apparatus to be paid to the village shall be as follows: (Ord. 2309, 9-26-1988)

- A. Wiring: Nine dollars (\$9) for each circuit or meter.
- B. New Fixtures, Switches ~~Or~~ Receptacles: New fixtures, switches or receptacles on new or existing circuits, one dollar seventy five cents (\$1.75) each.
- C. New ~~Or~~ Replaced Service:

Up to 200 amps	\$75.00
201 to 399 amps	100.00
400 to 799 amps	150.00
800 amps and up	200.00

(Ord. 3028, 4-28-2003)

- D. Signs: One hundred dollars (\$100) plus five cents (\$.05) ~~per~~ per square foot of sign area, including all sides.
- E. Base Fee ~~For~~ Inspection: The base fee for any inspection of electrical equipment installed or altered shall be one hundred dollars (\$100). The base fee is in addition to the individual component fees listed above.
- F. Reinspection Fee: There shall be a reinspection fee of ~~seventy five~~ seventy-five dollars (\$75) for each additional inspection due to failure to complete the work or for a failed inspection. (Ord. 3278, 4-27-2009)

Commented [MD131]: It was verified that fees are current with most recent fee schedule.

- G. Plan Review Fee: In addition to the building permit fee, a plan review fee may be imposed to defray the costs of contracting with independent professionals to review permit applications for compliance with applicable building codes. (Ord. 3028, 4-28-2003)

#### 4-3-8: POLES AND WIRES, PERMITS REQUIRED:

- A. No poles for the carrying of electricity or other poles, wires or cables shall be erected in any village parkway, street or alley without a permit obtained from the ~~director of public works~~ Building Official, and all such permits hereafter issued shall provide that the village may use the poles to be erected for the purpose of attaching thereto such necessary crossarms, wires or other electrical appliances as may be deemed necessary by the village authorities for fire and police signal service of the village.
- B. Before any permit shall be issued for the setting or replacing of poles for the support or accommodation of electric conductors of any description whatever, or for the opening of any trench for underground construction on private property, the applicant shall pay to the village clerk as a fee for such permit ten dollars, plus ten cents per linear foot of trench proposed to be opened for such underground construction, under the permit sought. (1981 Code)

#### 4-3-9: DEAD, DEFECTIVE WIRES REMOVED:

- A. The ~~director of public works~~ Building Official shall have the right to cause all dead wires outside and inside of buildings to be removed at the expense of the owner of such wires, by giving the owner ten days' written notice so to do.
- B. The ~~director of public works~~ Building Official shall have the right to condemn wires which are defective and dangerous to life or property, and shall notify the owner of such wires to remove or replace the same with new wires.
- C. If the owner fails or neglects to remove such wires within ten days after receipt of such notice, such person shall be subject to a fine of not less than five dollars (\$5) nor more than fifty dollars (\$50) for each and every ~~forty-eight~~ eight hours such wires are permitted to remain in place after expiration of the time fixed in such notice for the removal of same as aforesaid. (1981 Code)

**Footnotes** – Click any footnote link to go back to its reference.

Footnote 1: See section 4-1-8 of this title.

## Chapter 4

### PLUMBING REGULATIONS<sup>1</sup>

#### 4-4-1: PERMITS REQUIRED:

Any person desiring to install plumbing fixtures in any new building or structure, or to make any extensions to or alterations in plumbing fixtures or connections in any existing building or structure, before beginning any work, shall obtain a permit and shall pay to the village, for the inspection thereof, the following fees:

- A. New ~~Or~~ Replaced Fixtures: Fifteen dollars (\$15) per fixture.
- B. Alterations, Renovations ~~Or~~ Replacement Of Piping Installations ~~in~~ in Existing Buildings: Twenty five dollars (\$25).
- C. Lawn Sprinkling Systems, New ~~Or~~ Modified: One hundred fifteen dollars (\$115).
- D. Swimming Pools:  
Aboveground: Twenty five dollars (\$25) + Electrical Permit.  
Inground: 1.5 percent of the estimated cost of construction, minimum fee of one hundred fifty dollars ( \$150) + Electric Permit.
- E. Street ~~Or~~ Parkway Openings: One hundred dollars (\$100).

- F. Base Fee ~~For~~ Inspection: The base fee for any inspection of plumbing equipment installed or altered shall be one hundred dollars ~~(\$100)~~. The base fee is in addition to the individual component fees listed above.
- G. Reinspection Fee: There shall be a reinspection fee of ~~seventy five~~ seventy-five dollars ~~(\$75)~~ for each additional inspection due to failure to complete the work or for a failed inspection.
- H. Plan Review Fee: In addition to the building permit fee, a plan review fee may be imposed to defray the costs of contracting with independent professionals to review permit applications for compliance with applicable building codes. (Ord. 3388, 8-15-2011)

#### 4-4-2: NEW PLUMBING; REPAIRS:

In all buildings hereafter erected, and in all existing buildings wherein any plumbing is installed or wherein any sewer connected pipe shall be repaired or changed, except for minor repairs, on the sewer side of the trap, the drain, soil, downspout (when downspouts are within the building), waste pipes, or any other pipe or pipes connected to any drain, soil or waste pipe, and all traps shall be placed within buildings and exposed to view for ready inspection and test, and shall remain so exposed until approved by an authorized representative of ~~the Public Works Department~~ public works. In no case shall a trap be inaccessible at any time. (Ord. 2358, 9-11-1989)

#### 4-4-3: GENERAL REQUIREMENTS<sup>2</sup>:

- A. Remodeling ~~Of~~ Old Work: In remodeling work, the existing system of soil, waste and vent pipes shall be changed to make them reasonably conform to the provisions of this chapter and the plumbing code as provided for in ~~section~~ Section 4-1-7 of this ~~title~~ Title.
- B. Sinks: Sinks servicing commercial food preparation areas shall be equipped with a grease interceptor.
- C. Overhead Plumbing Required: All new buildings with basements, floors, rooms or occupancy areas below ground level at the building site shall have overhead plumbing. (Ord. 2584, 3-28-1994)
- D. Plumbing Fixtures ~~And~~ and Irrigation Controllers: Pursuant to 17 Illinois ~~administrative~~ Administrative code Code 3730.307(c)(4) and subject to the Illinois ~~plumbing~~ Plumbing code Code (77 Ill. adm. code 890) and the lawn irrigation contractor and lawn sprinkler system registration code (77 Ill. adm. code 892), be it hereby ordained that all new plumbing fixtures and irrigation controllers installed after the effective date hereof shall bear the WaterSense label (as designated by the U.S. environmental protection agency WaterSense program), when such labeled fixtures are available. (Ord. 3577, 11-23-2015)

#### ~~4-4-4: ROOF DRAINAGE:~~

- ~~A. All buildings shall hereinafter be prohibited from discharging roof drainage directly into the combined sewer system of the village. Such roof water shall discharge on the premises upon which the building is located and in such a manner that said roof water shall not damage the same or adjoining properties, or become a nuisance to occupants of same.~~
- ~~B. The following buildings shall be exempt from the requirements of subsection A of this section:~~
  - ~~1. Existing buildings with internal roof drains.~~
  - ~~2. Nonresidential buildings without sufficient pervious area to discharge to.~~
  - ~~3. Buildings which discharge roof drainage through a control structure and located on premises providing on site stormwater detention meeting the requirements of chapter 12 of this title. (Ord. 2584, 3-28-1994)~~
- ~~C. Exceptions from the requirements of subsection A of this section may also be made in those cases where, in the opinion of the director of public works, or his designee, such disconnection will create an associated hazard or nuisance to same or adjoining properties and in cases where locations of existing downspouts preclude the practical disconnection of same. Requests for exceptions must be made in writing on an application form provided by the office of the director of public works. In all cases exceptions shall be null and void when gutters and downspouts are replaced where redirection of flow allows for appropriate discharge to grade.~~

~~Nothing in this section shall preclude a resident from reapplying for an exception, subsequent to a denied request, if sufficient documentation evidencing the creation of a hazard or nuisance is provided to the director of public works.~~

Commented [MD132]: This section was moved to Section 4-17-18 of the village code after discussing with village engineer.



~~(Ord. 3353, 1-10-2011)~~

~~**Footnotes** Click any footnote link to go back to its reference.~~

~~Footnote 1: See also section 4-1-7 of this title.~~

~~Footnote 2: Modification to existing buildings required by ordinance 2584 shall be completed by April 1, 1996.~~

## Chapter 5

**SIGN REGULATIONS** NOTE: this entire section has been deleted due to fact that the Village Board adopted amended sign regulations on November 9, 2020. See Attachment C in agenda report.

Commented [MD133]: As noted in title, this entire section of code is being deleted due to new sign regulations having been adopted by village board on 11/9/2020. Those new regulations have been included as Attachment C for the building code update.

### 4-5-1: PURPOSE:

~~The regulation of signs by this code is intended to promote and protect the public health, safety and welfare by reducing the depreciation of property values caused by signs that are incompatible with surrounding land uses; by creating a more attractive economic and business climate within the commercial and office areas of the village; by enhancing and protecting the physical appearance of all areas of the village; and by reducing the distractions, obstructions and hazards to pedestrian and auto traffic caused by the indiscriminate placement and use of signs. (Ord. 3392, 9-12-2011)~~

### 4-5-2: SCOPE:

~~The regulations of this chapter shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation and removal of all signs within the village visible from any street, sidewalk or public or private common open space. Any sign not expressly permitted by these regulations shall be prohibited. The regulations of this chapter relate to the location of signs, by function and type, within zoning districts and shall be in addition to provisions of this code applicable to the construction and maintenance of signs. Regulations concerning the use and termination of nonconforming signs appear in section 4-5-13 of this chapter. (Ord. 3392, 9-12-2011)~~

### 4-5-3: SIGN PERMIT REQUIRED:

- ~~A. Sign Permit: Except as expressly provided in section 4-5-6 of this chapter, no sign shall be erected, enlarged, expanded, altered, relocated or maintained unless a sign permit evidencing the compliance of such work with the provisions of this chapter and other applicable provisions of this code shall have first been issued in accordance with the provisions of this section; provided, however, that routine sign maintenance (totally less than \$500.00 annually), changing of parts designed to be changed or changing the content of a sign in any manner does not change the functional classification of the sign and shall not, standing alone, be considered an alteration of the sign requiring the issuance of a sign permit hereunder.~~
- ~~B. Additional Application Requirements: Every application for a sign permit for a sign shall be accompanied by:~~
- ~~1. Plans and specifications showing the location on the lot or building face and the method of construction, illumination and support of such sign;~~
  - ~~2. A scale drawing showing sign faces, exposed surfaces and the proposed message and design, accurately represented as to size, area, proportion and color;~~
  - ~~3. Photographs of the street sides of the property in question, showing all existing signs on the property;~~

- ~~4. A calculation of the total amount of sign area presently existing on the property;~~
- ~~5. The applicant's attestation that the sum of the areas of the requested sign or signs and the existing signs does not exceed the maximum allowed by the provisions of this chapter;~~
- ~~6. Evidence of a valid village business license, when required, issued for any business to which the sign is accessory; and~~
- ~~7. A letter from a licensed architect, structural engineer, or sign manufacturer/installation company verifying the structural integrity, safety, and overall soundness of the sign design and installation. (Ord. 3392, 9-12-2011)~~

#### **4-5-4: GENERAL STANDARDS:**

The following general standards shall apply to all signs:

**A. ~~Illumination:~~**

- ~~1. Location And Design Of Light Source: Whenever an external artificial light source is used for a sign, such source shall be located, shielded and directed so as not to be directly visible from any public street or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than twelve inches from the face of the sign or building to which it is attached; provided, however, that a receptacle or device housing a permitted light source for a sign may be located more than twelve inches from the face of the sign if such light source is ground mounted, locked in place, and cannot be redirected.~~
- ~~2. Level Of Illumination: In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed one hundred seventy five foot candles when measured with a standard light meter held perpendicular to the sign face at a distance equal to the narrowest dimension of such sign face. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets.~~
- ~~3. Signs Adjacent To Residential Areas: Any illuminated sign located on a lot abutting or across a street from, and visible from, any residentially zoned area shall not be illuminated between the hours of eleven o'clock P.M. and seven o'clock A.M. except that such sign may remain illuminated during such time as the activity to which the sign pertains is open for business so long as such sign is not a public or private nuisance.~~
- ~~4. Flashing Lights Prohibited: Except for public service signs when expressly permitted by this chapter, no flashing, blinking or intermittent lights shall be permitted.~~

**B. ~~Electrical Elements: All wiring, fittings and materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of this code. No metal sign illuminated by any means requiring internal wiring and no electrical fixtures attached to any sign shall be lower than nine feet from grade unless it is grounded by the use of a grounding conductor run with the circuit conductors and is also grounded by being bonded to a grounding electrode at the sign site.~~**

**C. ~~Structural Elements: The construction and structural components of all signs shall be in accordance with the standards and regulations of this code. All permanent signs shall be constructed of fire resistant materials and shall be capable of withstanding wind pressures of at least thirty pounds per square foot of surface area and of receiving dead loads based on the actual weight of the structure.~~**

**D. ~~Minimum Elevation Of Certain Signs: The bottom of every awning, canopy, marquee, wall and pylon sign shall be elevated at least eight feet above grade. Whenever possible wall signs on the same facade shall maintain the same top and bottom elevations above grade.~~**

**E. ~~Obstruction Of Accessways: No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window or other required accessway.~~**

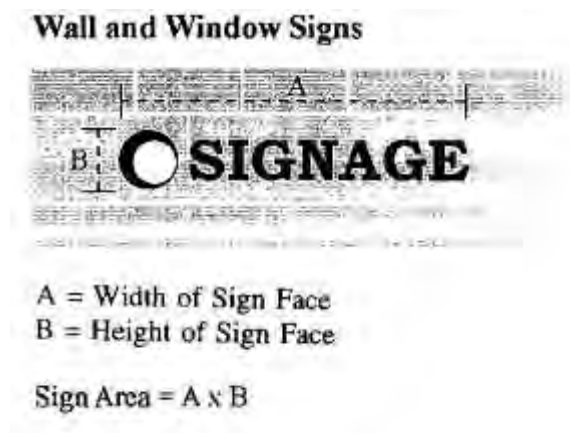
**F. ~~Obstruction Of Window Surface: No sign shall project over, occupy or obstruct any window surface required for light or ventilation by any applicable provision of this code.~~**

**G. ~~Traffic Safety:~~**

- ~~1. Confusion With Traffic Signals: No sign shall be maintained at any location where by reason of its position, size, shape, content, color, or illumination it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, sign or device, or where it may interfere with, mislead or confuse traffic.~~

- ~~2. Obstruction Of Sight Triangles Prohibited: No sign, nor any part of a sign other than a supporting pole or brace no greater than eighteen inches in width or diameter shall be located lower than eight feet from grade within the area of any sight triangle as defined in this code.~~
- ~~H. Signs In Rights Of Way: Except as provided in this subsection, no sign except governmental signs authorized in this chapter shall be placed in or extend into or over any public property or right of way. Temporary signs advertising civic functions may extend into or over a public right of way upon the specific prior approval of the village manager on the basis of need and impact on pedestrian and vehicular traffic, and impact on surrounding properties.~~
- ~~I. Sign Identification: All signs shall be plainly marked with the name of the person, firm or corporation hanging or erecting the sign and the sign permit number.~~
- ~~J. Sign Maintenance: The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in compliance with this code and all applicable laws, in a safe and secure condition, and in a neat and orderly condition and good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The premises around ground and pylon signs shall be kept clean and free of all rubbish and weeds.~~
- ~~K. Sign Measurement:~~
- ~~1. Area To Be Included: The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign. Where a sign has more than one display face, all faces shall be included in determining the area of the sign.~~
  - ~~2. Area Of Signs With Backing: The area of all signs with backing shall be measured by computing the area of the sign backing.~~
  - ~~3. Area Of Signs Without Backing: The area of all signs without backing shall be measured by computing the area of the smallest regular geometric figure that can encompass all words, letters, figures, emblems and other elements of the sign message.~~
  - ~~4. Area Of Signs With And Without Backing: The area of all signs formed by a combination of elements with and without backing shall be measured by counting the area of such elements measured in accordance with the foregoing subsections.~~

~~FIGURE 1- SIGN MEASUREMENT ILLUSTRATIONS~~



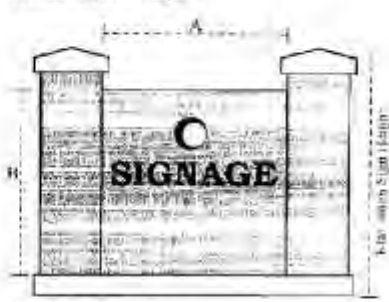
Ground Sign : Example A



A = Width of Sign Face  
B = Height of Sign Face

Sign Area = A x B

Ground Sign : Example B



A = Width of Sign Face  
B = Height of Sign Face

Sign Area = A x B

- L. ~~Signs On Lots With Multiple Users: Where more than one user occupies a zoning lot, the owner of the lot shall be responsible for allocating permitted signage among such users.~~
- M. ~~General Safety: Notwithstanding any other provision of this chapter, no sign shall be located in any area or in any manner so as to create a nuisance or a threat to the public safety and welfare. (Ord. 3392, 9-12-2011)~~

#### 4-5-5: CLASSIFICATION OF SIGNS:

A. ~~Functional Types: For purposes of this chapter, signs shall be classified as follows according to function:~~

1. ~~Advertising Sign: A sign, other than an off premises identification sign, that directs attention to or identifies a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. This term shall include signs, other than customary identification lettering and advertising posters on buses and taxicabs, attached to parked or moving vehicles.~~
2. ~~Attention Getting Device: A sign designed to attract attention by means of flashing or moving parts, bright color or light, or movement of any kind. Examples of such signs include pennants hung in series, whirligigs, spinners, streamers, flashing lights, searchlights and balloons.~~
3. ~~Business Sign: A sign that directs attention to or identifies a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.~~
4. ~~Construction Sign: A temporary sign erected on premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors, and similar artisans, and the owners, financial supporters, sponsors and similar persons or firms having a role or interest in the construction activity.~~
5. ~~Drive Through Sign: A sign that facilitates the operation of a drive through facility by aiding with the pick up, drop off, ordering or service of such a facility. It includes, but is not limited to, such signs as changeable copy menu boards.~~
6. ~~Governmental Signs: A sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance or governmental regulation.~~
7. ~~Holiday Decorations: Signs in the nature of decorations, clearly incidental to and customarily and commonly associated with any national, local or religious holiday.~~
8. ~~Home Occupation Sign: A sign advertising or identifying a home occupation on the site of the home occupation.~~
9. ~~Identification Sign: A sign giving only the name, trademark or other readily recognized symbol or address, or any combination thereof, of a building, business, development or establishment on the premises where it is located.~~
10. ~~Institutional Bulletin Board Sign: A sign that identifies a religious organization, school, library, community center, or similar institutional or community service use on whose premises it is located and that contains only the name of~~

the institution or organization, the name or names of persons connected with it, and greetings, announcements or events or activities occurring at the institution or similar message.

11. Joint Identification Sign: An identification sign limited in content to the identification of a planned development, office plaza, shopping center, industrial park or the like and not containing any reference to the individual uses sharing the development, plaza, center, park or the like.
12. Memorial Sign: A sign or tablet memorializing a person, place, event or structure.
13. Nameplate Sign: A sign limited in content to the name or address, or both, of the owner or occupant of a building or premises on which it is located. If any premises is occupied by more than one occupant, the nameplate sign may identify all such occupants, as well as the premises, and may include necessary directional information.
14. Off Premises Identification And/Or Advertising Sign: A sign giving only the name, trademark or other readily recognized symbol, address, or advertising, or any combination thereof, of a building, business, development or establishment, which sign is located off the lot on which such building, business, development or establishment is located.
15. Official Flag Or Emblem: A flag or emblem of a government or of a membership organization.
16. On Site Directory Sign: A sign, not readable from any public right of way, on which the names and locations of the occupants and/or uses of a building or group of buildings is given.
17. On Site Informational Sign: A sign commonly associated with, and limited to, information and directions necessary or convenient for persons coming on the property, including signs marking entrances and exits, parking areas, one way drives, restrooms, pick up and delivery areas and the like.
18. Political Sign: A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.
19. Private Sale Sign: A temporary sign advertising private sales of personal property at "house sales", "garage sales", "rummage sales" and the like.
20. Private Warning Sign: A sign limited in content to messages warning, caution or danger.
21. Public Service Signs: A sign displaying only the time, temperature, stock market quotations or civic messages.
22. Real Estate Sign: A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

~~B. Structural Types: For purposes of this chapter, signs shall be classified as follows according to structure:~~

1. ~~Awning, Canopy Or Marquee Sign: A sign that is mounted or painted on or attached to an awning, canopy or marquee that is otherwise permitted by this chapter. No such sign shall project above, below, or beyond the physical dimensions of such awning, canopy or marquee.~~
2. ~~Banner Sign: A sign made of fabric or other similar nonrigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners.~~
3. ~~Billboard Sign: A board, panel, or tablet used for the display of posters, printed or painted advertising matter, either illuminated or nonilluminated, that directs attention to goods, merchandise, entertainment, or services offered elsewhere than the premises where the sign is located.~~
4. ~~Box Sign: A sign that is self enclosed in a typically square or rectangular structure with or without internal lighting. A box sign can be single or double sided.~~
5. ~~Freestanding Sign: A sign on a frame, pole or other support structure not attached to any building.~~
6. ~~Gas Station Price Sign: A changeable copy sign advertising gasoline prices.~~
7. ~~Monument Sign: A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.~~
8. ~~Moving Or Animated Sign: Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement or rotation.~~
9. ~~Paint On Wall Sign: A sign painted on the wall of a building or structure with the exposed face of the sign in a place parallel to the face of the wall.~~
10. ~~Portable Sign: A sign that is not permanently affixed to a building, a structure or the ground, but not including customary identification lettering on vehicles and advertising posters on buses and taxicabs.~~
11. ~~Projecting Sign: A sign that is wholly or partially dependent upon a building for support and that projects more than twelve inches from such building.~~
12. ~~Pylon Sign: A sign that is mounted on a freestanding pole or other supports.~~
13. ~~Reader Board/Changeable Copy/Video Sign: (Does not apply to gas/service stations or to that portion of a sign dedicated to time and/or temperature.) A sign or portion thereof designed to accommodate frequent message~~

changes composed of characters, or letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of such sign.

- 14. ~~Roof Sign: A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.~~
- 15. ~~Sandwich Board Sign: A movable sign not secured or attached to the ground or surface upon which it is located.~~
- 16. ~~Temporary Sign: A sign or advertising display constructed of cloth, canvas, fabric, paper, plywood or other light material and intended to be displayed for a short period of time.~~
- 17. ~~Vehicle/Trailer Sign: A sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.~~
- 18. ~~Wall Sign: A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve inches from such building or structure.~~
- 19. ~~Window Sign: A sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its message can be read from the exterior of the structure. (Ord. 3392, 9-12-2011)~~

#### **4-5-6: SIGNS PERMITTED IN ANY DISTRICT WITHOUT A PERMIT:**

Except as regulated by section 4-5-4 of this chapter and except as expressly prohibited in section 4-5-7 of this chapter, and notwithstanding any other contrary provisions of this chapter, the following signs may, subject to the following limitations, be erected and maintained in any district without obtaining a village sign permit:

- A. ~~Construction sign: Shall not exceed sixteen square feet per sign face nor more than two sign faces. Limited to one per zoning lot.~~
- B. ~~Governmental signs: The content and size of any such sign shall not exceed the requirements of the law, ordinance or regulation pursuant to which such sign is erected.~~
- C. ~~Holiday decorations: Such signs shall be displayed for a period of not more than sixty consecutive days nor more than twenty days following the holiday in connection with which they are displayed; any other provision of this chapter to the contrary notwithstanding, such signs may be of any type, number, area, height, location, illumination or animation so long as they create no safety hazard, nuisance or adverse impact on the adjacent properties.~~
- D. ~~Nameplate signs: Such signs shall be limited to no more than one wall sign per occupancy; shall be no more than one square foot in area per occupancy and in no event more than three square feet in area; and shall be nonilluminated.~~
- E. ~~Official flags and emblems: Such signs may be displayed on flagpoles and when so displayed shall not exceed twenty four square feet in area. Such signs may also be displayed in the form of a wall sign and when so displayed shall not exceed three square feet in area.~~
- F. ~~On site informational signs: Such signs shall be limited to wall or freestanding signs of not more than six square feet in area; shall be, if a freestanding sign, not more than four feet in height; and shall be illuminated only as necessary to accomplish their intended purpose. (Ord. 3392, 9-12-2011)~~
- G. ~~Political signs: Such signs shall be limited to not more than nine square feet in area per sign; shall be located entirely on private property pursuant to the owner's consent; shall be clearly marked with the name, address and telephone number of the person responsible for the removal of such sign; shall not be located in or on the public right of way, sidewalk or other public thoroughfare. (Ord. 3509, 2-24-2014)~~
- H. ~~Private sale signs (residential only): Such signs shall be no more than six square feet in area; shall be located entirely on the premises where such sale is to be conducted; shall be clearly marked with name, address and telephone number of the person responsible for the removal of such sign; shall be erected not more than twenty four hours in advance of such sale; and shall be removed within twenty four hours following the conclusion of such sale. No freestanding sign shall be higher than four feet nor closer to any lot line than six feet.~~
- I. ~~Private warning signs: Such signs shall be no more than two square feet in area each; shall be limited to the number necessary to accomplish the intended purpose and shall be illuminated only as required to accomplish such purpose.~~
- J. ~~Real estate sign, temporary: Such signs shall be no more than six square feet in area per sign face and shall be limited to one such sign per zoning lot.~~

~~K. Window signs, temporary: The aggregate area of all such signs shall not exceed thirty percent of the area of the window in which they are exhibited nor block any window area required for light, ventilation or emergency exit by any applicable code. No such sign shall be illuminated. (Ord. 3392, 9-12-2011)~~

#### **4-5-7: SIGNS SPECIFICALLY PROHIBITED IN ALL DISTRICTS:**

The following signs, as well as all other signs not expressly permitted by this chapter, are prohibited in all districts and shall not be erected, maintained or, except as provided for elsewhere in this chapter, permitted to continue in any district:

- ~~A. Advertising signs, including billboards.~~
- ~~B. Attention getting devices.~~
- ~~C. Banner signs (except for the grand opening of a new business).~~
- ~~D. Box signs.~~
- ~~E. Electronic reader board (except as approved as part of a planned development).~~
- ~~F. Home occupation identification signs.~~
- ~~G. Moving or animated signs.~~
- ~~H. Off premises signs (except as approved as part of a planned development).~~
- ~~I. Portable signs.~~
- ~~J. Projecting signs.~~
- ~~K. Real estate signs indicating that property has been sold.~~
- ~~L. Roof signs.~~
- ~~M. Temporary signs, except as expressly authorized in this chapter and when approved in connection with temporary uses.~~
- ~~N. Vehicle/trailer signs.~~
- ~~O. Any sign that advertises, identifies or pertains to a business no longer conducted, or a product no longer sold, on the premises where such sign is located. Such signs shall be removed within thirty days following cessation of the relevant activity.~~
- ~~P. Any sign on a tree, utility pole, or light pole, whether on public or private property (except municipal/government banners appropriately approved and mounted).~~
- ~~Q. Any sign on public property, except governmental signs authorized in this chapter.~~
- ~~R. Any sign painted directly on a wall, roof or fence.~~
- ~~S. Any ground sign (or portion thereof) existing at a height of more than fifteen feet above the grade of the adjacent residential district.~~
- ~~T. Construction advertising signs in residential neighborhoods other than the sign or permit placard required by the village. (Ord. 3446, 7-9-2012)~~

#### **4-5-8: DISTRICT REGULATIONS – C1:**

Signs shall be permitted in the C1 district as follows (North Avenue):

- ~~A. Functional Types Permitted:~~
  - ~~1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.~~
  - ~~2. Business signs.~~
  - ~~3. Identification signs.~~
  - ~~4. Joint identification signs.~~
  - ~~5. On site directory signs.~~
- ~~B. Structural Types Permitted:~~
  - ~~1. Awning and canopy signs.~~
  - ~~2. Monument signs.~~
  - ~~3. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.~~
  - ~~4. Wall signs.~~
  - ~~5. Gas station price sign, but only as authorized as part of a planned development.~~

~~6. Drive-through sign, but only as authorized as part of a planned development.~~

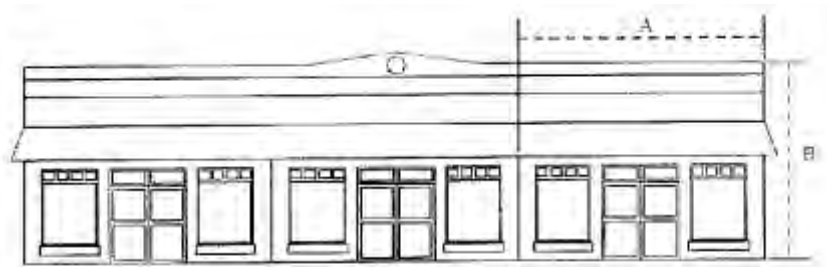
~~C. Number Of Signs Permitted Per Lot:~~

- ~~1. All signs permitted in section 4.5.6 of this chapter; plus~~
- ~~2. One joint identification sign per zoning lot frontage; plus~~
- ~~3. One wall sign per zoning lot frontage for buildings with a single ground floor tenant, or one wall sign per ground floor business tenant fronting the public right of way; plus~~
- ~~4. One monument sign; plus~~
- ~~5. One on-site directory sign per zoning lot frontage.~~

~~D. Maximum Gross Surface Area Of Signs Permitted:~~

- ~~1. Total Sign Area: Unless otherwise stated in this section, the total area of all signs on a zoning lot shall not exceed one square foot per foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.~~
- ~~2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:~~
  - ~~a. Awning And Canopy Signs: Not to exceed sixty square feet per sign face. No sign identifying an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.~~
  - ~~b. Monument Signs: Not to exceed eighty square feet per sign face.~~
  - ~~c. Wall Signs: Not to exceed eighty square feet per sign, or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.~~
- ~~3. Multi-Tenant Buildings: Regardless of total sign area allowed for a multi-tenant building, each ground floor business tenant fronting the public right of way shall be allowed at least one sign of the following types:~~
  - ~~a. Awning And Canopy Signs: A sign identifying an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the awning or canopy area associated with the subject tenant.~~
  - ~~b. Wall Signs: A sign identifying an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the wall area associated with the subject tenant.~~

~~MULTI-TENANT GROSS SIGN AREA:~~



~~E. Maximum Height Of Signs Permitted:~~

- ~~1. Signs Without Permits: As provided in section 4.5.6 of this chapter for signs permitted pursuant to that section.~~
- ~~2. Awning And Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.~~
- ~~3. Monument Signs: A maximum height of ten feet.~~



- ~~4. Wall Signs: Thirty feet. Permitted only on the first floor of multi-story buildings. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel). Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.~~

~~F. Minimum Setback Required:~~

- ~~1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.~~  
~~2. Monument Signs: Three feet from "right of way" and six feet from all other lot lines. All monument signs shall be located outside of the "sight triangles" and shall be maintained.~~

~~G. Illumination:~~

- ~~1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.~~  
~~2. Awning And Canopy Signs: Can only be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.~~  
~~3. Monument Signs: Monument signs shall be backlit, directly lit, or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right of way. The sign area backing shall not be internally illuminated.~~  
~~4. Wall Signs: Letters shall be individually affixed to walls of a building and be either internally illuminated or backlit. (Ord. 3392, 9-12-2011)~~

## **4-5-9: DISTRICT REGULATIONS—C2:**

Signs shall be permitted in the C2 district as follows (Madison Street, Harlem Avenue, Thatcher/Lake):

~~A. Functional Types Permitted:~~

- ~~1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.~~  
~~2. Business signs.~~  
~~3. Identification signs.~~  
~~4. Joint identification signs.~~  
~~5. On-site directory signs.~~

~~B. Structural Types Permitted:~~

- ~~1. Awning and canopy signs.~~  
~~2. Monument signs.~~  
~~3. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.~~  
~~4. Wall signs.~~  
~~5. Gas station price sign, but only as authorized as part of a planned development.~~  
~~6. Drive-through sign, but only as authorized as part of a planned development.~~

~~C. Number Of Signs Permitted Per Lot:~~

- ~~1. All signs permitted in section 4-5-6 of this chapter; plus~~  
~~2. One joint identification sign per zoning lot frontage; plus~~  
~~3. One wall sign per zoning lot frontage for buildings with a single ground floor tenant, or one wall sign per ground floor business tenant fronting the public right of way; plus~~  
~~4. One monument sign; plus~~  
~~5. One on-site directory sign per zoning lot frontage.~~

~~D. Maximum Gross Surface Area Of Signs Permitted:~~

- ~~1. Total Sign Area: Unless otherwise stated in this section, the total area of all signs on a zoning lot shall not exceed one square foot per foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.~~  
~~2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:~~  
~~a. Awning And Canopy Signs: Not to exceed sixty square feet per sign face. No sign identifying an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.~~

- ~~b. Monument Signs: Not to exceed eighty square feet per sign face.~~
    - ~~c. Wall Signs: Not to exceed sixty square feet per sign, or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.~~
  - ~~3. Multi Tenant Buildings: Regardless of total sign area allowed for a multi-tenant building, each ground floor business tenant fronting the public right of way shall be allowed at least one sign of the following types:~~
    - ~~a. Awning And Canopy Signs: A sign identifying an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the awning or canopy area associated with the subject tenant.~~
    - ~~b. Wall Signs: A sign identifying an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the wall area associated with the subject tenant.~~
- ~~E. Maximum Height Of Signs Permitted:~~
  - ~~1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.~~
  - ~~2. Awning And Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.~~
  - ~~3. Monument Signs: A maximum height of ten feet.~~
  - ~~4. Wall Signs: Thirty feet. Permitted only on the first floor of multi-story buildings. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel). Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.~~
- ~~F. Minimum Setback Required:~~
  - ~~1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.~~
  - ~~2. Monument Signs: Three feet from "right of way" and five feet from all other lot lines. All monument signs shall be located outside of the "sight triangles".~~
- ~~G. Illumination:~~
  - ~~1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.~~
  - ~~2. Awning And Canopy Signs: Can only be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.~~
  - ~~3. Monument Signs: Monument signs shall be backlit, directly lit, or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right of way. The sign area backing shall not be internally illuminated.~~
  - ~~4. Wall Signs: Letters shall be individually affixed to walls of a building and be either internally illuminated or backlit. (Ord. 3392, 9-12-2011)~~

#### **4-5-10: DISTRICT REGULATIONS –C3:**

Signs shall be permitted in the C3 district as follows (Lake Street Village Center Area):

- ~~A. Functional Types Permitted:~~
  - ~~1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.~~
  - ~~2. Business signs.~~
  - ~~3. Identification signs.~~
  - ~~4. On-site directory signs.~~
- ~~B. Structural Types Permitted:~~
  - ~~1. Awning and canopy signs.~~
  - ~~2. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.~~
  - ~~3. Wall signs.~~
  - ~~4. Drive-through sign, but only as authorized as part of a planned development.~~
- ~~C. Number Of Signs Permitted Per Lot:~~
  - ~~1. All signs permitted in section 4-5-6 of this chapter; plus~~

- ~~2. One wall sign per zoning lot frontage for buildings with a single ground floor tenant, or one wall sign per ground floor business tenant fronting the public right of way.~~
- ~~D. Maximum Gross Surface Area Of Signs Permitted:~~
- ~~1. Total Sign Area: Unless otherwise stated in this section, the total area of all signs on a zoning lot shall not exceed one square foot per foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.~~
  - ~~2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:~~
    - ~~a. Awning And Canopy Signs: Not to exceed sixty square feet per sign face. No sign identifying an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.~~
    - ~~b. Wall Signs: Not to exceed sixty square feet per sign, or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.~~
  - ~~3. Multi-Tenant Buildings: Regardless of total sign area allowed for a multi-tenant building, each ground-floor business tenant fronting the public right of way shall be allowed at least one sign of the following types:~~
    - ~~a. Awning And Canopy Signs: A sign identifying an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the awning or canopy area associated with the subject tenant.~~
    - ~~b. Wall Signs: A sign identifying an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the wall area associated with the subject tenant.~~
- ~~E. Maximum Height Of Signs Permitted:~~
- ~~1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.~~
  - ~~2. Awning And Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.~~
  - ~~3. Wall Signs: Thirty feet. Permitted only on the first floor of multi-story buildings. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel). Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed. Wall signs for individual tenants of a multi-tenant building shall be of the same type/font and overall design and color.~~
- ~~F. Minimum Setback Required:~~
- ~~1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.~~
  - ~~2. Monument Signs: Three feet from "right of way" and five feet from all other lot lines. All monument signs shall be located outside of the "sight triangles".~~
- ~~G. Illumination:~~
- ~~1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.~~
  - ~~2. Awning And Canopy Signs: Can only be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.~~
  - ~~3. Monument Signs: Monument signs shall be backlit, directly lit, or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right of way. The sign area backing shall not be internally illuminated.~~
  - ~~4. Wall Signs: Letters shall be individually affixed to walls of a building and be either internally illuminated or backlit. (Ord. 2392, 9-12-2011)~~

#### **4-5-11: DISTRICT REGULATIONS – ORIC:**

Signs shall be permitted in the ORIC district as follows:

~~A. Functional Types Permitted:~~

- ~~1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.~~
- ~~2. Business signs.~~

- ~~2. Identification signs.~~
- ~~4. Joint identification signs.~~
- ~~5. On site directory signs.~~
- ~~B. Structural Types Permitted:~~
  - ~~1. Awning and canopy signs.~~
  - ~~2. Monument signs.~~
  - ~~3. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.~~
  - ~~4. Wall signs.~~
  - ~~5. Gas station price sign, but only as authorized as part of a planned development.~~
  - ~~6. Drive-through sign, but only as authorized as part of a planned development.~~
- ~~C. Number Of Signs Permitted Per Lot:~~
  - ~~1. All signs permitted in section 4-5-6 of this chapter, plus~~
  - ~~2. One joint identification sign per zoning lot frontage; plus~~
  - ~~3. One wall sign per zoning lot frontage for buildings with a single ground floor tenant, or one wall sign per ground floor business tenant fronting the public right of way; plus~~
  - ~~4. One monument sign per street frontage; plus~~
  - ~~5. One on site directory sign per zoning lot frontage.~~
- ~~D. Maximum Gross Surface Area Of Signs Permitted:~~
  - ~~1. Total Sign Area: The total area of all signs on a zoning lot shall not exceed one square foot per foot of zoning lot frontage; provided, however, that construction signs, real estate signs, joint identification signs, and signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.~~
  - ~~2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:~~
    - ~~a. Awning And Canopy Signs: Not to exceed sixty square feet per sign face. No sign identifying an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.~~
    - ~~b. Monument Signs: Not to exceed one hundred square feet per sign face, nor more than two hundred square feet total.~~
    - ~~c. Wall Signs: Not to exceed one hundred square feet per sign, or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.~~
- ~~E. Maximum Height Of Signs Permitted:~~
  - ~~1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.~~
  - ~~2. Awning And Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.~~
  - ~~3. Monument Signs: A maximum height of ten feet.~~
  - ~~4. Wall Signs: Thirty feet. Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel).~~
- ~~F. Minimum Setback Required:~~
  - ~~1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.~~
  - ~~2. Monument Signs: Three feet from "right of way" and six feet from all other lot lines. All monument signs shall be located outside of the "sight triangles".~~
- ~~G. Illumination:~~
  - ~~1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.~~
  - ~~2. Awning And Canopy Signs: Shall be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.~~
  - ~~3. Monument Signs: Monument signs shall be backlit, directly lit, or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right of way. The sign area backing shall not be internally illuminated.~~
  - ~~4. Wall Signs: Letters shall be individually affixed to walls of a building and be either internally illuminated or backlit.~~

(Ord. 3392, 9-12-2011)

#### **4-5-12: TEMPORARY SIGNS:**

- ~~A. A "temporary sign" is any sign, banner, poster, advertisement, or notice in any nonresidential district that is not designed or intended to be placed permanently, which is placed to advertise or announce an event, occurrence, service, or product.~~
- ~~B. Any owner or tenant desiring to erect or maintain a temporary sign shall submit a temporary sign permit application. An application may only be made by the owner or tenant of the property on which the temporary sign will be erected and maintained. A separate application must be submitted for each temporary sign an owner or tenant desires to erect and maintain. The applicant shall be responsible for the installation, maintenance and removal of a temporary sign pursuant to a permit issued by the village.~~
- ~~C. No temporary sign shall be erected or maintained without a permit. No temporary sign shall be maintained beyond the date and time set forth in the permit permitting the temporary sign to be erected and maintained.~~
- ~~D. The permit fee for temporary signs shall be one hundred dollars per application.~~
- ~~E. Temporary signs must be related to goods, services, and/or events that are sold, provided, and/or occur on the premises. No temporary sign shall carry information conveying the price of any good or service.~~
- ~~F. Temporary signs shall not exceed thirty two square feet in area.~~
- ~~G. Only one temporary sign shall be allowed for each temporary sign permit application. No applicant may display a temporary sign more than two times a year. A separate permit application is required for each temporary sign request.~~
- ~~H. Temporary signs are limited to a display duration not to exceed ninety calendar days.~~
- ~~I. Temporary signs advertising goods, services, and/or events that are sold, provided, and/or occur outside of the premises on which the sign is erected and maintained are prohibited.~~
- ~~J. All temporary signs must remain in good condition throughout the display period. The applicant is responsible for maintaining the temporary sign. Corrective action must be taken immediately by the applicant if there exists any problems or defects with the appearance, condition or maintenance of the sign and/or support hardware. Temporary signs must be constructed of durable, weather resistant materials (canvas, nylon, etc.) with sufficient strength and resilience to maintain an acceptable appearance for the duration of its display and shall be securely affixed on all sides/corners.~~
- ~~K. No temporary sign may be located higher than the roofline of the building to which it is attached or, if attached to a permanent sign, higher than the sign. There must be no encroachment of a temporary sign into the public right of way.~~
- ~~L. Temporary signs may not block any public signs or public infrastructure and shall be placed not less than eight feet from the nearest edge of a right of way or property line.~~
- ~~M. River Forest units of government may install temporary streetlight banners on village owned streetlights. Said banners shall be limited to a display not to exceed one hundred eighty days and the display may be extended for an additional one hundred eighty days with approval of the village. One temporary sign permit application shall be required for each street or parking lot at which the temporary streetlight banners will be installed. All other temporary sign regulations listed in this section shall apply to temporary streetlight banners.~~
- ~~N. Erecting or maintaining a temporary sign in a manner inconsistent with the provisions of this chapter is unlawful and shall constitute a violation and offense. A separate offense shall be deemed committed for each day any violation of any provision of this chapter shall continue. Liability for the violation or offense shall be with the applicant, should the violation or offense be related to a temporary sign erected and maintained pursuant to a permit issued by the village. Liability for the violation or offense shall be with the owner of the property on which the temporary sign exists, should the violation or offense be related to a temporary sign erected and maintained without a permit issued by the village.~~
- ~~O. Violations of this chapter shall be punished as provided in section 1-4-1 of this code. (Ord. 3484, 4-22-2013)~~

#### **4-5-13: NONCONFORMING SIGNS:**

- ~~A. Maintenance: Nonconforming signs may be maintained subject to the following regulations:~~
- ~~1. No nonconforming sign shall be expanded or altered to prolong the life of the sign.~~
  - ~~2. No nonconforming sign structure shall be changed to another nonconforming sign structure except that the copy, message or graphic of a nonconforming sign may be changed.~~
  - ~~3. The nonstructural component of a multi-tenant sign on which the copy, message or graphic is displayed, such as a plastic or metal panel or insert, may be replaced to accommodate a change in tenant.~~

- ~~4. If the copy, message or graphic of a nonconforming sign cannot be changed without altering a structural component, then such change is not permitted. Structural components include any part of a sign attached directly to the ground or to a building or structure, any part of the supporting structure of a sign without which the sign fails to maintain its structural integrity, and any part of a sign's electrical or lighting equipment.~~
- ~~5. No nonconforming sign shall be relocated in whole or in part unless, when relocated, it conforms to all of the provisions of this chapter.~~
- ~~6. If a nonconforming sign is damaged or destroyed to the extent of fifty percent of its replacement value, the sign must be repaired or replaced in conformance with all provisions of this chapter.~~
- ~~8. Abatement, Abandonment And Discontinuance: If a legal nonconforming sign is discontinued or abandoned for a period of one hundred eighty days, the rights to legal nonconforming status shall have expired and any subsequent use of such a sign shall comply with all regulations of the zoning district in which such a sign is located. The period of such discontinuance caused by government action, acts of God, or other acts without any contributing fault by the user, shall not be included in calculating the length of discontinuance for this section. (Ord. 3392, 9-12-2011)~~

## Chapter 6

### AWNINGS AND CANOPIES

#### 4-6-1: DEFINITIONS:

AWNING: Any flexible awning which extends over any public sidewalk, street, alley or other public place, but which is so constructed that it can be rolled up or otherwise withdrawn so that it does not extend over such public place.

CANOPY: Any rigid canopy, marquee or other roof like structure, other than an awning, which extends over any public sidewalk, street, alley or other public place. (1981 Code)

#### 4-6-2: PERMIT REQUIRED:

No awning or canopy shall be erected until a permit has been issued by the ~~village clerk~~[Building Official](#). Application for such permit shall be accompanied by plans and specifications, which shall be in accord with the requirements of the ~~BOCA basic/national building code/1984, section 510<sup>3</sup>. (Ord. 2236, 1-26-1987)~~[ICC International Building Code, 2018 Edition](#)

#### 4-6-3: PERMIT FEES:

Fees for permits required by this ~~chapter~~[Chapter](#) are as follows: (Ord. 2668, 2-12-1996)

- A. Awnings: Before any permit shall be issued there shall be paid to the village a permit fee of one hundred dollars ~~([\\$100](#))~~.
- B. Canopies: Before any permit shall be issued there shall be paid to the village a permit fee of one hundred dollars ~~([\\$100](#))~~. (Ord. 3278, 4-27-2009)
- C. Failure To Maintain: If the owner fails to maintain the awning or canopy in good condition and repair, the ~~director of public works~~[Building Official](#) may proceed to repair said awning or canopy and assess the cost thereof against the owner, and the amount of such cost shall be paid by such owner to the village. (Ord. 2668, 2-12-1996)

**Footnotes** - Click any footnote link to go back to its reference.

**Footnote 1:** See section [4-1-3](#) of this title.

## Chapter 7

### HEATING REQUIREMENTS IN BUILDINGS

Commented [MD134]: Replaced reference to Health Commissioner with Building Official.

#### 4-7-1: APARTMENT HOUSES:

It shall be the duty of every person owning or controlling any apartment house, in which the heat is furnished from a heating plant used in common for the purpose of heating the various rooms and apartments therein and in which the heating plant is under the control or supervision of such owner or person in control of such building, to furnish heat to such rooms and apartments from October 1 of each year to May 1 of the succeeding year, so that the occupants thereof may secure, without such undue restrictions of ventilation as to interfere with proper sanitary conditions, a minimum temperature of sixty degrees Fahrenheit at six thirty o'clock A.M., sixty eight degrees Fahrenheit at seven thirty o'clock A.M., and thereafter until ten thirty o'clock P.M., averaged throughout the apartment. Written notice of complaint concerning lack of heat in such room or apartment shall first be given to the ~~Health Commissioner~~ **Building Official** before any person shall be deemed to have violated this Section. For the purpose of determining whether or not the temperature in any such room or apartment is in accordance with the provisions of this Section, temperature readings shall be made by the Village by means of a standard Fahrenheit thermometer ~~approved by the Department of Health~~, in not less than two separate rooms in such apartment, or if the apartment consists of only one room, then in two opposite parts of the room as near the extremes as practicable, such thermometer to be placed at a point not less than four feet nor more than six feet above the floor of any such room or apartment and at least four feet away from any door or window leading to the outer air. Failure to furnish the heat required under the terms of this Section shall not constitute an offense where it is due to a breakdown of the heating plant, if diligence is used to have such plant repaired (unless such breakdown has been caused by the violation of an ordinance relating to the operation of heating plants), nor where it is due to strikes, to general shortage of fuel, nor to any act of the tenant who makes the complaint nor to any cause beyond the owner's control.

#### 4-7-2: OFFICES, FACTORIES AND WORK SHOPS:

It shall be the duty of every person owning or controlling the heating plant which furnishes heat to any office, factory or workshop to maintain a temperature within such office, factory or workshop of not less than sixty five degrees Fahrenheit without such undue restriction of ventilation as to interfere with proper sanitary conditions therein; provided, however, that this requirement shall not apply to any office, factory or workshop where the business conducted therein is of such a nature that a higher or lower temperature than sixty five degrees Fahrenheit is necessary or expedient for the work, trade, occupation or manufacturing processes of the business so conducted therein.

## Chapter 8

### FENCES

#### 4-8-1: PERMIT TO CONSTRUCT REQUIRED:

A fence permit shall be required for the construction of a new fence and for any substantial changes of any existing fence. Application for a fence permit shall include the type of fence, the height, width and length, and a sketch showing the location of the fence on the lot. The fee for said permit shall be one hundred dollars (~~\$100~~), payable in advance and a permit, when issued, shall be visibly displayed on the premises of the lot during the period of time of the construction or change of the fence and in no event for less than ten days.

Every person found guilty of violating this section shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifteen dollars (~~\$50~~) nor more than five hundred dollars (~~\$500~~) for each offense. (Ord. 3479, 4-8-2013)

## 4-8-2: DEFINITIONS:

FABRICATED METAL FENCE: A fence assembled from discrete metal pieces including bars, channels, rods, pipes, tubes, cast or fabricated scrollwork and ornaments. No part of the fabricated metal fence shall include wire fabric or mesh, whether it is of woven or welded construction. The fabricated metal fence may be constructed of iron, steel or aluminum. The fabricated metal fence shall be finished or painted to prevent corrosion, and that finish shall be maintained throughout the duration of the fence installation. Fabricated metal fences shall meet the structural requirements of the building code adopted in ~~chapter 1~~Chapter 1 of this ~~title~~Title.

ORNAMENTAL PILLARS: Shall include any construction of stone, masonry, or precast concrete, either freestanding or used to support fence panels. Constructions supporting a horizontal structure shall not be considered to be an ornamental pillar. When included in a fence, wherein the area of the fence open to view is regulated, the area of the pier shall not be counted against the area open to view if the cumulative length of the piers is equal to or less than ten percent of the length of the run of the fence in any run. Ornamental pillars, and any decorative extensions except lighting fixtures, shall comply with the maximum height for the type of fence it is part of. Ornamental pillars and their foundations shall meet the structural requirements of the building code adopted in ~~chapter 1~~Chapter 1 of this ~~title~~Title, and shall be reinforced and anchored to prevent overturning.

YARD: The open space between a building and any lot line, further defined as follows (see exhibit A of this definition):

Yard, Front: The yard facing the public street, including the area between the side lot lines and from the front line of the lot and the front line of the building. On through lots, front yards face both streets. On corner lots, the front yard faces on the lot's primary street; such street being the street which has the greatest distance between the two cross streets forming the block frontage.

Yard, Rear: A yard extending across the rear of a lot measured between the side lines of the building and between the rear lot line and the rear of the building. On both interior lots and corner lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Secondary Front: On a corner lot, the secondary front yard faces the lot's secondary street. The secondary front yard includes the area from the lot line abutting the secondary street to the face of the building and from the front line of the building (boundary of the front yard) to the rear lot line.

Yard, Side: A yard between the building and the side lot line and extending from the front line of the building (boundary of the front yard) to the rear lot line.

(Ord. 3479, 4-8-2013)

## 4-8-3: FENCE CONSTRUCTION TYPES:

The following provisions shall control the classification of fences as to the type of construction, area open for view, and height:

- A. Type 1 Fence: A ~~type-Type 1 fence-Fence~~ shall be of construction meeting the definition of a "fabricated metal fence", as defined in ~~section-Section 4-8-2~~ of this ~~chapter-Chapter~~, being not less than fifty percent open to view, and not exceeding a height of four feet above the established grade.
- B. Type 2 Fence: A ~~type-Type 2 fence-Fence~~ shall be of construction meeting the definition of a "fabricated metal fence", as defined in ~~section-Section 4-8-2~~ of this ~~chapter-Chapter~~, being not less than eighty percent open to view, and not exceeding a height of six feet above the established grade.
- C. Type 3 Fence: A ~~type-Type 3 fence-Fence~~ shall be of any approved type of fence construction, except that chainlink fencing is not permitted to be installed on any front yard or secondary front yard in any zoning district. The maximum



height of a ~~type-Type 3 fence-Fence~~ shall be seven feet above the established grade; provided, however, that the portion of a fence which is higher than six feet above the established grade shall have an area open for view of at least fifty percent. That portion of the fence below six feet above the established grade shall not be regulated in regard to the area open to view.

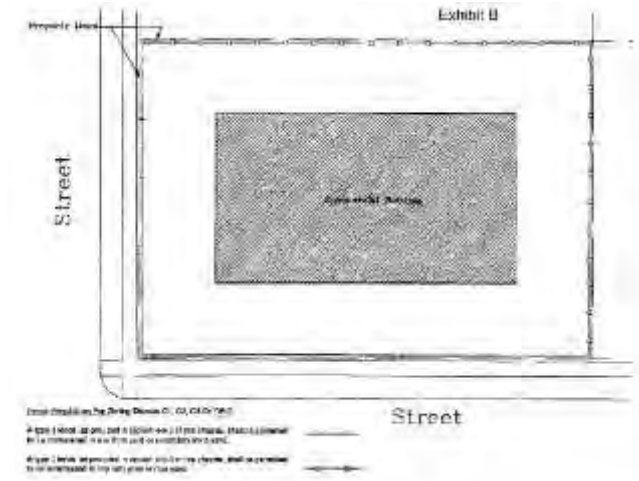
- D. Type 4 Fence: A ~~type-Type 4 fence-Fence~~ shall be of any approved type of fence construction, shall not exceed a height of eight feet above the established grade, and is not regulated in regard to the area open to view. (Ord. 3479, 4-8-2013)

#### 4-8-4: FENCE REGULATIONS:

This section refers to zoning districts as defined in ~~title 10Title 10~~ of this ~~codeCode~~. Yards shall be as defined in ~~section-Section 4-8-2~~ of this ~~chapterChapter~~. Additional requirements for height and enclosure may be required by the building code adopted in ~~chapter 1Chapter 1~~ of this ~~titleTitle~~, where a fence is used to provide specific functions required by the building code. Exhibits are hereby incorporated to depict the following:

A. Zoning Districts C1, C2, C3 Or ORIC:

1. A ~~type-Type 1 fenceFence~~, as provided in ~~section-Section 4-8-3~~ of this ~~chapterChapter~~, shall be permitted to be constructed in any front yard or secondary front yard. (See ~~exhibit-Exhibit B~~ of this section.)
2. A ~~type-Type 3 fenceFence~~, as provided in ~~section-Section 4-8-3~~ of this ~~chapterChapter~~, shall be permitted to be constructed in any side yard or rear yard. (See ~~exhibit-Exhibit B~~ of this section.)

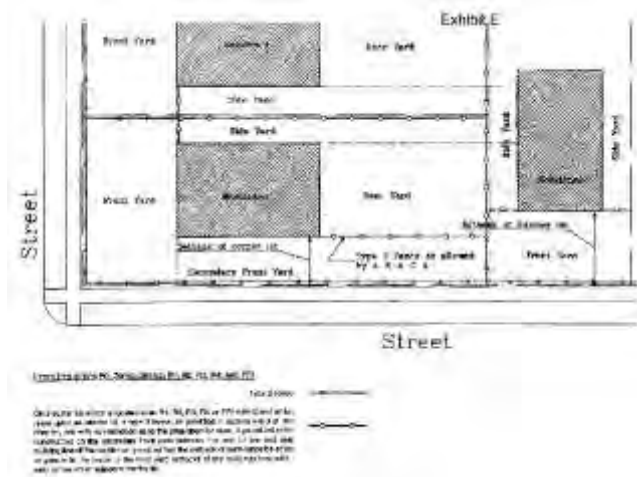


- B. Zoning Districts C1, C2, C3, ORIC Or PRI: For a lot located in a C1, C2, C3, PRI or ORIC district and adjacent to a lot located in an R1, R2, R3 or R4 district, a ~~type-Type 4 fence-Fence~~ as provided in ~~section-Section 4-8-3~~ of this ~~chapterChapter~~, shall be permitted to be constructed in any side yard or rear yard along any property line that abuts the residential use, at the option of the lot owner of the property in the R1, R2, R3 and R4 districts. (See ~~exhibit-Exhibit G~~ of this section.)

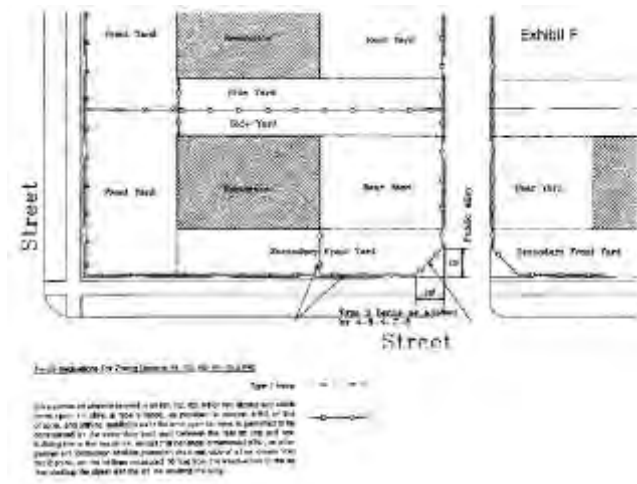
C. Zoning Districts R1, R2, R3, R4 Or-or PRI:

1. A ~~type-Type 2 fenceFence~~, as provided in ~~section-Section 4-8-3~~ of this ~~chapterChapter~~, shall be permitted to be constructed in any front yard or secondary front yard. (See ~~exhibit-Exhibit C~~ of this section.)
2. A ~~type-Type 3 fenceFence~~, as provided in ~~section-Section 4-8-3~~ of this ~~chapterChapter~~, shall be permitted to be constructed in any side yard or rear yard. (See ~~exhibit-Exhibit C~~ of this section.)

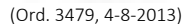




- On a corner lot which is located in an R1, R2, R3, R4 or PRI district and which rears upon an alley, a ~~type-Type~~ Type 3 fenceFence, as provided in ~~section-Section~~ 4-8-3 of this ~~chapterChapter~~, is permitted to be constructed on the secondary front yard between the rear lot line and rear building line of the residence; except that no fence, ornamental pillar, or other permanent obstruction shall be placed on the street side of a line, drawn from the two points on the lot lines measured ten feet from the intersection of the lot line abutting the street and the lot line abutting the alley. (See ~~exhibit-Exhibit~~ F of this section.)



- For a lot located in an R1, R2, R3 or R4 district and adjacent to a lot located in a C1, C2, C3, PRI or ORIC district, a ~~type-Type~~ Type 4 fenceFence as provided in ~~section-Section~~ 4-8-3 of this ~~chapterChapter~~, shall be permitted to be



The ~~zoning~~Zoning ~~board~~Board of ~~appeals~~Appeals shall have the jurisdiction to hold public hearings and offer recommendations to the ~~board~~Board of ~~trustees~~Trustees concerning variations of this ~~chapter~~Chapter pursuant to its powers granted by ~~section~~Section 10-5-4 of this ~~code~~Code. (Ord. 3479, 4-8-2013)

## Chapter 10

### DANGEROUS BUILDINGS

The term "dangerous building" as used in this Chapter is hereby defined to mean and include:

- Commented [MD135]: Made minor amendments changing references from director of public works to building official and village clerk to village administrator.

Commented [LS136R135]: Updated to reflect the reorganization of the Building Division under the Director of Public Works and Development Services.

- D. Any building, shed, fence or other man-made structure which, because of lack of doors or windows, is available to and frequented by malefactors or disorderly persons who are not lawful occupants of such structure.

#### **4-10-2: NUISANCE DECLARED:**

Any dangerous building or other man-made structure, as defined in Section 4-10-1 hereof, is hereby declared to be a nuisance, and it shall be unlawful to maintain or permit the existence of any dangerous building or other man-made structure in the Village. It shall also be unlawful for the owner, occupant or person in custody of any dangerous building or other man-made structure to permit the same to remain in a dangerous condition, or to occupy such building or permit it to be occupied while it is or remains in a dangerous condition.

#### **4-10-3: STATEMENT OF CONDITION; NOTICE TO ABATE:**

Whenever the ~~Director of Public Works Building Official~~, or any other officer of the Village shall be of the opinion that any building in the Village is a dangerous building, he shall file a written statement to that effect with the ~~Village Director of Public Works and Development Services~~ ~~Clerk Administrator~~. The ~~Director of Public Works and Development Services~~ ~~Village Clerk Administrator~~ shall thereupon cause written notice to be served upon the owner thereof, and upon the occupants thereof, if any, by registered or certified mail or by personal service. Such notice shall state that the building has been declared to be in a dangerous condition, that such dangerous condition must be removed or remedied by repairing or altering the building, or by demolishing it, and that the condition must be remedied at once. Such notice may be in the following form:

***"To (owner-occupant) of the premises known and described as \_\_\_\_.***

*You are hereby notified that (describe building) on the premises above described has been condemned as a nuisance and a dangerous building after inspection by .*

*The causes for this decision are (here insert the facts as to the dangerous condition).*

*You must remedy this condition or demolish the building immediately, or the Village will proceed to do so."*

If the person receiving such notice has not complied therewith within ten days from the time that this notice is served upon such person by personal service or by registered mail, the ~~Director of Public Works Building Official~~ may proceed to remedy the condition or demolish the dangerous building.

#### **4-10-4: FAILURE TO COMPLY WITH NOTICE:**

- A. If the Village shall determine, upon due investigation, that any building or structure in the Village fails to conform to the minimum standards of health and safety required by this Code and the owner or owners of such building or structure shall fail, after due notice, to cause such property so to conform, the Village is hereby authorized to make application to any court of competent jurisdiction for an injunction requiring compliance with the provisions of this Code and other ordinances of the Village, and for such other order as the court may deem necessary or appropriate to secure such compliance pursuant to the provisions of 65 Illinois Compiled Statutes 5/11-31-2.
- B. The Village is hereby authorized to demolish, repair or enclose, or cause the demolition, repair or enclosure of, dangerous and unsafe buildings or uncompleted and abandoned buildings in the Village. To implement said action, the Village is hereby authorized to apply to the Circuit Court of Cook County pursuant to the provisions of 65 Illinois Compiled Statutes 5/11-31-2, and take such further action as may be necessary as authorized by said Statutes, including filing of lien where necessary.

## Chapter 11

### HOUSE TRAILERS AND RECREATIONAL VEHICLES

#### 4-11-1: DEFINITIONS:

For the purpose of this Chapter certain words and phrases are defined as follows:

HOUSE TRAILER: Any structure for, or used for, living or sleeping purposes, mounted upon wheels and capable of being transported from place to place, either by its own power or by some vehicle attached to it; provided however, that this definition shall not apply to any vehicle operated over fixed rails.

RECREATIONAL VEHICLE: As set forth in Section 10-3-1 of this Code.

TRAILER CAMP: Any plot of ground where one or more house trailers used as living or sleeping quarters may be located, regardless of whether or not a charge is made for such accommodations. (1981 Code)

#### 4-11-2: PROHIBITION:

It shall be unlawful for any person to maintain or operate any plot of ground as a place for living in a recreational vehicle, a house trailer or as a trailer camp for human habitation within the Village. (1981 Code)

#### 4-11-3: EXEMPTION:

Nothing in this Chapter shall be construed to prohibit the passage of any house trailer or recreational vehicle through the Village, or parking such trailer unoccupied in connection with its movement through the Village, or storing or parking such house trailer or recreational vehicle unoccupied in the Village where the parking of vehicles is permitted by law; and ~~subsection~~ Subsection 10-8-8B of this Code; nor shall anything in this Chapter prohibit making repairs to any such house trailer or recreational vehicle in the Village. (1981 Code)

## Chapter 12

### FLOOD PLAIN REGULATIONS

#### 4-12-1: PURPOSE:

This Chapter is enacted pursuant to the police powers granted to this Village by 65 Illinois Compiled Statutes 5/1-2-1, 5/11-12-12, 5/11-30-8, and 5/11-30-2 in order to accomplish the following purposes:

- A. To meet the requirements of 615 Illinois Compiled Statutes 5/18(g), *An Act in Relation to the Regulation of the Rivers, Lakes and Streams of the State of Illinois*, approved June 10, 1911, as amended;
- B. To assure that new development does not increase the flood or drainage hazards to others, or creating unstable conditions susceptible to erosions;
- C. To protect new buildings and major improvements to buildings from flood damage;
- D. To protect human life and health from hazards of flooding;
- E. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;

Commented [MD137]: Discussed with village engineer. Other than minor punctuation/capitalization edits, nothing else amended.

- F. To make federally subsidized flood insurance available for property in the Village by fulfilling the requirements of the National Flood Insurance Program;
- G. To comply with the rules and regulations of the National Flood Insurance Program codified as 44 CFR 59-79, as amended.

#### 4-12-2: DEFINITIONS:

For the purposes of this Chapter, the following definitions are adopted:

ACT: *An Act in relation to the regulation of the rivers, lakes and streams of the State of Illinois*, 615 Illinois Compiled Statutes 5/5 et seq.

APPLICANT: Any person, firm, corporation or agency which submits an application.

APPROPRIATE USE: Only uses of the regulatory floodway that are permissible and will be considered for permit issuance. The only uses that will be allowed are as specified in subsection 4-12-7B.

BASE FLOOD: The flood having a one percent probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year frequency flood event. Application of the base flood elevation at any location is as defined in Section 4-12-5 of this Chapter.

BUILDING: A structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, mobile home or a prefabricated building. This term also includes recreational vehicles and travel trailers to be installed on a site for more than one hundred eighty days.

COMPENSATORY STORAGE: An artificially excavated, hydraulically equivalent volume of storage within the SFHA used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the flood plain. The uncompensated loss of natural flood plain storage can increase off-site flood water elevations and flows.

CONDITIONAL APPROVAL OF A REGULATORY FLOODWAY MAP CHANGE: Preconstruction approval by DWR and the Federal Emergency Management Agency of a proposed change to the floodway map. This preconstruction approval, pursuant to this part, gives assurances to the property owners that once an appropriate use is constructed according to permitted plans, the floodway map can be changed, as previously agreed, upon review and acceptance of as-built plans.

CONDITIONAL LETTER OF MAP REVISION (CLOMR): A letter which indicates that the Federal Emergency Management Agency will revise base flood elevations, flood insurance rate zones, flood boundaries or floodway as shown on an effective Flood Hazard Boundary Map or Flood Insurance Rate Map, once the as-built plans are submitted and approved.

DAM: All obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool. Underground water storage tanks are not included.

DEVELOPMENT: Any man-made change to real estate, including:

- A. Construction, reconstruction, repair, or placement of a building or any addition to a building;
- B. Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty days;
- C. Drilling, mining, installing utilities, construction of roads, bridges, or similar projects;
- D. Construction or erection of levees, walls, fences, filling, dredging, grading, excavating, paving, or other nonagricultural alterations of the ground surface; storage of materials;
- E. Any other activity of man that might change the direction, height, or velocity of flood or surface water.

Development does not include maintenance of existing buildings and facilities such as re-roofing or re-surfacing of roads

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when there is no increase in elevation, or gardening, plowing, and similar agricultural practices that do not involve filling, grading, or construction of levees.

DWR: Illinois Department of Transportation, Division of Water Resources.

ELEVATION CERTIFICATE: A form published by the Federal Emergency Management Agency that is used to certify the elevation to which a building has been elevated.

EXEMPT ORGANIZATIONS: Organizations which are exempt from this Chapter per the Illinois Compiled Statutes including State, Federal or local units of government.

FEMA: Federal emergency management agency and its regulations at 44 CFR 59-79 effective as of October 1, 1986. This incorporation does not include any later editions or amendments.

FLOOD: A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves, or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD FRINGE: That portion of the floodplain outside of the regulatory floodway.

FLOOD INSURANCE RATE MAPS (FIRM): A map prepared by the federal emergency management agency that depicts the special flood hazard areas (SFHA) within a community. This map includes insurance rate zones and floodplains and may or may not depict floodways.

FLOOD PROTECTION ELEVATION (FPE): The elevation of the base flood or 100-year frequency flood plus one foot of freeboard at any given location in the SFHA.

FLOODPLAIN: That land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached special flood hazard areas, ponding areas or other similar areas. The floodplain is also known as the special flood hazard area (SFHA). The floodplains are those lands within the jurisdiction of the village that are subject to inundation by the base flood or 100-year frequency flood. The SFHAs of the village are generally identified as such on map number 17031C; panels 387 and 389 dated August 19, 2008, of the countywide flood insurance rate map for Cook County prepared by the federal emergency management agency. The SFHAs of those parts of unincorporated Cook County that are within the one and one-half mile extraterritorial jurisdiction of the village and may be annexed into the village are designated for the Des Plaines River on map number 17031C, panels 387 and 389 dated August 19, 2008, of the countywide flood insurance rate map prepared for Cook County by the federal emergency management agency.

FLOODPROOFING: Any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODPROOFING CERTIFICATE: A form published by the federal emergency management agency that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

FREEBOARD: An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

HYDROLOGIC AND HYDRAULIC CALCULATIONS: Engineering analyses which determine expected flood flows and flood elevations based on land characteristics and rainfall events.

LETTER OF MAP AMENDMENT (LOMA): Official determination by FEMA that a specific structure is not in a 100-year flood zone; amends the effective flood hazard boundary map or FIRM.



LETTER OF MAP REVISION (LOMR): Letter that revises base flood or 100-year frequency flood elevations, flood insurance rate zones, flood boundaries or floodways as shown on an effective FHBM or FIRM.

MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis and is designated for use with or without a permanent foundation when connected to the required utilities. The term manufactured homes also includes park trailers, travel trailers and other similar vehicles placed on site for more than one hundred eighty consecutive days.

MANUFACTURED HOME PARK OR SUBDIVISION: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NGVD: National geodetic vertical datum of 1929. Reference surface set by the national geodetic survey deduced from a continental adjustment of all existing adjustments in 1929.

PUBLIC FLOOD CONTROL PROJECT: A flood control project which will be operated and maintained by a public agency to reduce flood damages to existing buildings and structures which includes a hydrologic and hydraulic study of the existing and proposed conditions of the watershed. Nothing in this definition shall preclude the design, engineering, construction or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

PUBLICLY NAVIGABLE WATERS: All streams and lakes capable of being navigated by watercraft.

REGISTERED LAND SURVEYOR: A land surveyor registered in the state of Illinois, under the Illinois land surveyors act<sup>1</sup>.

REGISTERED PROFESSIONAL ENGINEER: An engineer registered in the state of Illinois, under the Illinois professional engineering act<sup>2</sup>.

REGULATORY FLOODWAY: Also known as designated floodway. The channel, including on stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by DWR, which is needed to store and convey the existing and anticipated future 100-year frequency flood discharge with no more than a one-tenth foot increase in stage due to the loss of flood conveyance or storage, and no more than a ten percent increase in velocities. The floodways are designated for the Des Plaines River on map number 17031C, panels 387 and 389 dated August 19, 2008, of the flood insurance rate map prepared by the federal emergency management agency. The floodways for those parts of unincorporated Cook County that are within the one and one-half mile extraterritorial jurisdiction of the village and may be annexed into the village are designated for the Des Plaines River on map number 17031C, panels 387 and 389 dated August 19, 2008, of the countywide flood insurance rate map for Cook County prepared for the federal emergency management agency. To locate the designated floodway boundary on any site, the designated floodway boundary should be scaled off the designated floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, the Illinois department of natural resources/division of water resources should be contacted for the interpretation.

REPAIR REMODELING OR MAINTENANCE: Development activities which do not result in any increases in the outside dimensions of a building or any changes to the dimensions of a structure.

RIVERINE SFHA: Any SFHA subject to flooding from a river, creek, intermittent stream, ditch, on stream lake system or any other identified channel. This term does not include areas subject to flooding from lakes, ponding areas, areas of sheet flow, or other areas not subject to overbank flooding.

SPECIAL FLOOD HAZARD AREA (SFHA): Any base flood area subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel or ponding and shown on a flood hazard boundary map or flood insurance rate map as zone A, AO, A1-30, AE, A99, AH, VO, V30, VE, V, M, or E.

STRUCTURE: The results of a manmade change to the land constructed on or below the ground, including the construction,

reconstruction or placement of a building or any addition to a building; installing a manufactured home on a site; preparing a site for a manufactured home or installing a travel trailer on a site for more than one hundred eighty days.

**SUBSTANTIAL IMPROVEMENT:** Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either: a) before the improvement or repair is started, or b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: 1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to ensure safe living conditions, or 2) any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

**TRANSITION SECTION:** Reaches of the stream or floodway where water flows from a narrow cross section to a wide cross section or vice versa. (Ord. 2475, 2-10-1992; amd. Ord. 2896, 10-23-2000; Ord. 3243, 6-23-2008)

### 4-12-3: ADMINISTRATION AND ENFORCEMENT:

The director of public works shall be responsible for fulfilling all of the duties listed in ~~section-Section~~ 4-12-4 of this chapter.

To fulfill those duties, the director of public works first should use the criteria listed in ~~section-Section~~ 4-12-5 of this chapter to determine whether the development site is located within a floodplain. Once it has been determined that a site is located within a floodplain, the director of public works must determine whether the development site is within a flood fringe, a regulatory floodway, or within an SFHA or floodplain on which no floodway has been identified. If the site is within a flood fringe, the director of public works shall require that the minimum requirements of ~~section-Section~~ 4-12-6 of this chapter be met. If the site is within a floodway, the director of public works shall require that the minimum requirements of ~~section-Section~~ 4-12-7 of this chapter be met. If the site is located within an SFHA or floodplain for which no detailed study has been completed and approved, the director of public works shall require that the minimum requirements of ~~section-Section~~ 4-12-8 of this chapter be met.

In addition, the general requirements of ~~section-Section~~ 4-12-9 of this chapter shall be met for all developments meeting the requirements of ~~section-Section~~ 4-12-6, 4-12-7 or 4-12-8 of this chapter. The director of public works shall ensure that all subdivision proposals shall meet the requirements of ~~section-Section~~ 4-12-10 of this chapter.

If a variance is to be granted for a proposal the director of public works shall review the requirements of ~~section-Section~~ 4-12-11 of this chapter to make sure they are met. In addition, the director of public works shall complete all notification requirements.

In order to ensure that property owners obtain permits as required in this chapter, the director of public works may take any and all actions as outlined in ~~section-Section~~ 4-12-13 of this chapter. (Ord. 2475, 2-10-1992)

### 4-12-4: DUTIES OF THE ENFORCEMENT OFFICIAL:

The director of public works shall be responsible for the general administration and enforcement of this chapter which shall include the following:

- A. Determining The Floodplain Designation: Check all new development sites to determine whether they are in a special flood hazard area (SFHA). If they are in an SFHA, determine whether they are in a floodway, flood fringe or in a floodplain on which a detailed study has not been conducted which drains more than one square mile.
- B. Professional Engineer Review: If the development site is within a floodway or in a floodplain on which a detailed study has not been conducted which drains more than one square mile then the permit shall be referred to a registered professional engineer (PE) under the employ or contract of the village for review to ensure that the development meets

the requirements of ~~section-Section~~ 4-12-7 of this chapter. In the case of an appropriate use, the PE shall state, in writing, that the development meets the requirements of Section 4-12-7 of this chapter.

- C. Dam Safety Requirements: Ensure that a DWR dam safety permit has been issued or a letter indicating no dam safety permit is required, if the proposed development activity includes construction of a "dam" as defined in ~~section-Section~~ 4-12-2 of this chapter. Regulated dams may include weirs, restrictive culverts or impoundment structures.
- D. Other Permit Requirements: Ensure that any and all required federal, state and local permits are received prior to the issuance of a floodplain development permit.
- E. Plan Review And Permit Issuance: Ensure that all development activities within the SFHAs of the jurisdiction of the village meet the requirements of this chapter and issue a floodplain development permit in accordance with the provisions of this chapter and other regulations of this community when the development meets the conditions of this chapter.
- F. Inspection Review: Inspect all development projects before, during and after construction to ensure proper elevation of the structure and to ensure they comply with the provisions of this chapter.
- G. Elevation And Floodproofing Certificates: Maintain in the permit files an elevation certificate certifying the elevation of the lowest floor (including basement) of a residential or nonresidential building or the elevation to which a nonresidential building has been floodproofed, using a floodproofing certificate, for all buildings subject to ~~section-Section~~ 4-12-9 of this chapter for public inspection and provide copies of same.
- H. Records For Public Inspection: Maintain for public inspection and furnish upon request base flood data, SFHA and regulatory floodway maps, copies of federal or state permit documents, variance documentation, conditional letter of map revision, letter of map revision, letter of map amendment and "as built" elevation and floodproofing or elevation and floodproofing certificates for all buildings constructed subject to this chapter.
- I. State Permits: Ensure that construction authorization has been granted by the Illinois division of water resources, for all development projects subject to ~~sections-Sections~~ 4-12-7 and 4-12-8 of this chapter, unless enforcement responsibility has been delegated to the village. Upon acceptance of this chapter by DWR and FEMA, responsibility is hereby delegated to the village as per 92 Illinois administrative code 708 for construction in the regulatory floodway and floodplain when floodways have not been defined in ~~sections-Sections~~ 4-12-7 and 4-12-8 of this chapter. However, the following review approvals are not delegated to the village and shall require review or permits from DWR:
  - 1. Organizations which are exempt from this chapter, as per the Illinois Compiled Statutes;
  - 2. Department of transportation projects, dams or impoundment structures as defined in ~~section-Section~~ 4-12-2 of this chapter and all other state, federal or local unit of government project, including projects of the village and county, except for those projects meeting the requirements of ~~subsection-Subsection~~ 4-12-7G of this chapter;
  - 3. An engineer's determination that an existing bridge or culvert crossing is not a source of flood damage and the analysis indicating the proposed flood profile, per ~~subsection-Subsection~~ 4-12-7C5 of this chapter;
  - 4. An engineer's analysis of the flood profile due to ~~subsection-Subsection~~ 4-12-7C4 of this chapter;
  - 5. Alternative transition sections and hydraulically equivalent compensatory storage as indicated in ~~subsections-Subsections~~ 4-12-7C1, C2 and C8 of this chapter;
  - 6. Permit issuance of structures within or over publicly navigable rivers, lakes and streams;
  - 7. Any changes in the base flood elevation or floodway locations; and
  - 8. Base flood elevation determinations where none now exist.
- J. Cooperation With Other Agencies: Cooperate with state and federal floodplain management agencies to improve base flood or 100-year frequency flood and floodway data and to improve the administration of this chapter. Submit data to DWR and the federal emergency management agency for proposed revisions of a regulatory map. Submit reports as required for the national flood insurance program. Notify the federal emergency management agency of any proposed amendments to this chapter.
- K. Promulgate Regulations: Promulgate rules and regulations as necessary to administer and enforce the provisions of this chapter subject however to the review and approval of DWR and FEMA for any ordinance changes. (Ord. 2475, 2-10-1992)

#### 4-12-5: BASE FLOOD ELEVATION:

This chapter's protection standard is based on the flood insurance study for the village. If a base flood elevation or 100-year frequency flood elevation is not available for a particular site, then the protection standard shall be according to the best existing data available in the Illinois state water survey's floodplain information repository.

When a party disagrees with the best available data, he/she may finance the detailed engineering study needed to replace existing data with better data and submit it to DWR and FEMA. (Ord. 2475, 2-10-1992)

- A. The base flood or 100-year frequency flood elevation for the SFHAs of the Des Plaines River shall be as delineated on the 100-year flood profiles in the countywide flood insurance study for Cook County prepared by the federal emergency management agency dated August 19, 2008, and such amendments to such study and maps as may be prepared from time to time.
- B. The base flood or 100-year frequency flood elevation for the SFHAs of those parts of unincorporated Cook County that are within the one and one-half mile extraterritorial jurisdiction of the village or that may be annexed into the village shall be as delineated on the 100-year flood profiles in the countywide flood insurance study for Cook County prepared by the federal emergency management agency and dated August 19, 2008, and such amendments or revisions to such study and maps as may be prepared from time to time. (Ord. 3243, 6-23-2008)
- C. The base flood or 100-year frequency flood elevation for each SFHA delineated as an "AH Zone" or "AO Zone" shall be that elevation (or depth) delineated on the flood insurance rate map of the village.
- D. The base flood or 100-year frequency flood elevation for each of the remaining SFHAs delineated as an "A Zone" on the flood insurance rate map of the village shall be according to the best existing data available in the Illinois state water survey floodplain information repository. When no base flood or 100-year frequency flood elevation exists, the base flood or 100-year frequency flood elevation for a riverine SFHA shall be determined from a backwater model, such as HEC-II, WSP-2, or a dynamic model such as HIP. The flood flows used in the hydraulic models shall be obtained from a hydrologic model, such as HEC-I TR-20, or HIP, or by techniques presented in various publications prepared by the United States geological survey for estimating peak flood discharges. Flood flows should be based on anticipated future land use conditions in the watershed as determined from adopted local and regional land use plans. Along any watercourses draining more than one square mile, the above analyses shall be submitted to DWR for approval, once approved it must be submitted to the Illinois state water survey floodplain information repository for filing. For a nonriverine SFHA, the base flood elevation shall be the historic flood of record plus three feet, unless calculated by a detailed engineering study and approved by the Illinois state water survey. (Ord. 2475, 2-10-1992)

#### 4-12-6: OCCUPATION AND USE OF FLOOD FRINGE AREAS:

Development in and/or filling of the flood fringe will be permitted if protection is provided against the base flood or 100-year frequency flood by proper elevation, and compensatory storage and other provisions of this chapter are met. No use will be permitted which adversely affects the capacity of drainage facilities or systems. Developments located within the flood fringe shall meet the requirements of this section, along with the requirements of ~~section~~ Section 4-12-9 of this chapter.

- A. Development Permit: No person, firm, corporation, or governmental body not exempted by state law shall commence any development in the SFHA without first obtaining a development permit from the director of public works.
- B. Application: Application for a development permit shall be made on a form provided by the director of public works. The application shall be accompanied by drawings of the site, drawn to scale, showing property line dimensions and legal description for the property and sealed by a licensed engineer, architect or land surveyor; existing grade elevations in MSL, 1929 adj. datum or NGVD and all changes in grade resulting from excavation or filling; the location and dimensions of all buildings and additions to buildings. For all proposed buildings, the elevation of the lowest floor (including basement) and lowest adjacent grade shall be shown on the submitted plans and the development will be subject to the requirements of ~~section~~ Section 4-12-9 of this chapter.
- C. Comparison Of Elevations: Upon receipt of a development permit application, the director of public works shall compare the elevation of the site to the base flood or 100-year frequency flood elevation. Any development located on land that can be shown to have been higher than the base flood elevation as of the sites first flood insurance rate map identification is not in the SFHA and, therefore, not subject to the requirements of this chapter. The building official shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first flood insurance rate map identification.
- D. Other Permits Required: The director of public works shall be responsible for obtaining from the applicant, copies of all other local, state and federal permits, approvals or permit not required letters that may be required for this type of

activity. The director of public works shall not issue a permit unless all other local, state and federal permits have been obtained.

- E. Preventing Increased Damages: No development in the flood fringe shall create a threat to public health and safety.
- F. Removal Of Site From Floodplain: If fill is being used to elevate the site above the base flood or 100-year frequency flood elevation, the applicant shall submit sufficient data and obtain a letter of map revision (LOMR) from FEMA for the purpose of removing the site from the floodplain.
- G. Compensatory Storage: Whenever any portion of a floodplain is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the base flood or 100-year frequency flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood or 100-year frequency flood elevation. The excavation volume shall be at least equal to the volume of storage lost due to the fill or structure. In the case of streams and watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied. All flood plain storage lost below the existing 10-year flood elevation shall be replaced below the proposed 10-year flood elevation. All flood plain storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse.

#### 4-12-7: OCCUPATION AND USE OF IDENTIFIED FLOODWAYS:

This Section applies to proposed development, redevelopment, site modification or building modification within a regulatory floodway. The regulatory floodway for the Des Plaines River shall be as delineated on the regulatory floodway maps designated by DWR and referenced in Section [4-12-2](#). Only those uses and structures will be permitted which meet the criteria in this Section. All floodway modifications shall be the minimum necessary to accomplish the purpose of the project. The development shall also meet the requirements of Section [4-12-9](#).

- A. Development Permit: No person, firm, corporation or governmental body not exempted by State law shall commence any development in a floodway without first obtaining a development permit from the Director of Public Works.
  - 1. Application for a development permit shall be made on a form provided by the Director of Public Works. The application shall include the following information:
    - a. Name and address of applicant;
    - b. Site location (including legal description) of the property, drawn to scale, on the regulatory floodway map, indicating whether it is proposed to be in an incorporated or unincorporated area;
    - c. Name of stream or body of water affected;
    - d. Description of proposed activity;
    - e. Statement of purpose of proposed activity;
    - f. Anticipated dates of initiation and completion of activity;
    - g. Name and mailing address of the owner of the subject property if different from the applicant;
    - h. Signature of applicant or the applicant's agent;
    - i. If the applicant is a corporation, the president or other authorized officer shall sign the application form;
    - j. If the applicant is a partnership, each partner shall sign the application form; and
    - k. If the applicant is a land trust, the trust officer shall sign the name of the trustee by him (her) as trust officer. A disclosure affidavit shall be filed with the application, identifying each beneficiary of the trust by name and address and defining the respective interests therein.
  - l. Plans of the proposed activity shall be provided which include as a minimum:
    - (1) A vicinity map showing the site of the activity, name of the waterway, boundary lines, names of roads in the vicinity of the site, graphic or numerical scale, and north arrow.
    - (2) A plan view of the project and engineering study reach showing existing and proposed conditions including principal dimensions of the structure or work, elevations in mean sea level (1929 adjustment) datum or N.G.V.D., adjacent property lines and ownership, drainage and flood control easements, proposed activity and navigation channel (when the proposed construction is near a commercially navigable body of water) regulatory floodway limit, flood plain limit, location and orientation of cross-sections, north arrow, and a graphic or numerical scale.

- (3) Cross-section views of the project and engineering study reach showing existing and proposed conditions including principal dimensions of the work as shown plan view, existing and proposed elevations, normal water elevation, 10-year frequency flood elevation, one hundred (100) year frequency flood elevation, and graphic or numerical scales (horizontal and vertical).
    - (4) A copy of the regulatory floodway map, marked to reflect any proposed change in the regulatory floodway location.
  - m. Any and all other local, State and Federal permits or approval letters that may be required for this type of development.
  - n. Engineering calculations and supporting data shall be submitted showing that the proposed work will meet the permit criteria of subsections 4-12-7B and C.
  - o. If the regulatory floodway delineation, base flood or 100-year frequency flood elevation will change due to the proposed project, the application will not be considered complete until DWR has indicated conditional approval of the regulatory floodway map change. No structures may be built until a letter of map revision has been approved by FEMA.
  - p. The application for a structure shall be accompanied by drawings of the site, drawn to scale showing property line dimensions and existing ground elevations and all changes in grade resulting from any proposed excavation or filling, and flood plain and floodway limits; sealed by a registered professional engineer, licensed architect or registered land surveyor; the location and dimensions of all buildings and additions to buildings; and the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 4-12-9 of this Chapter.
2. The Director of Public Works shall be responsible for obtaining from the applicant copies of all other local, State, and Federal permits and approvals that may be required for this type of activity. The Director of Public Works shall not issue the development permit unless all required Federal and State permits have been obtained. A registered professional engineer, under the employ or contract of the Village shall review and approve applications reviewed under this Section.
- B. Preventing Increased Damages and a List of Appropriate Uses: The only development in a floodway which will be allowed are appropriate uses, which will not cause a rise in the base flood elevation, and which will not create a damaging or potentially damaging increase in flood heights or velocity or be a threat to public health and safety. Only those appropriate uses listed in 92 Illinois Administrative Code 708 will be allowed. Appropriate uses do not include the construction or placement of any new structures, fill, building additions, buildings on stilts, fencing (including landscaping or planting designed to act as a fence) and storage of materials except as specifically defined above as an appropriate use. The approved appropriate uses are as follows:
- 1. Flood control structures, dikes, dams and other public works or private improvements relating to the control of drainage, flooding, erosion, or water quality or habitat for fish and wildlife.
  - 2. Structures or facilities relating to the use of, or requiring access to, the water or shoreline, such as pumping and treatment facilities, and facilities and improvements related to recreational boating, commercial shipping and other functionally water dependent uses.
  - 3. Storm and sanitary sewer outfalls.
  - 4. Underground and overhead utilities.
  - 5. Recreational facilities such as playing fields and trail systems including any related fencing (at least fifty percent open when viewed from any one direction) built parallel to the direction of flood flows, and including open air pavilions.
  - 6. Detached garages, storage sheds, or other nonhabitable accessory structures without toilet facilities to existing buildings that will not block flood flows, nor reduce floodway storage.
  - 7. Bridges, culverts, roadways, sidewalks, railways, runways and taxiways and any modification thereto.
  - 8. Parking lots and any modifications thereto (where depth of flooding at the 100-year frequency flood event will not exceed 1.0') and aircraft parking aprons built at or below ground elevation.
  - 9. Regulatory floodway regarding, without fill, to create a positive nonerosive slope toward a watercourse.
  - 10. Flood proofing activities to protect previously existing lawful structures including the construction of water tight window wells, elevating structures, or construction of floodwalls around residential, commercial or industrial principal structures where the outside toe of the floodwall shall be no more than ten feet away from the exterior wall of the existing structure, and, which are not considered substantial improvements to the structure.

11. In the case of damaged or replacement buildings, reconstruction or repairs made to a building that are valued at less than fifty percent of the market value of the building before it was damaged or replaced, and which do not increase the outside dimensions of the building.
  12. Additions to existing buildings above the BFE that do not increase the building's foot-print and are valued at less than fifty percent of the market value of the building.
- C. Within the regulatory floodway as identified on the regulatory floodway maps designated by DWR, the construction of an Appropriate Use, will be considered permissible provided that the proposed project meets the following engineering criteria and is so stated in writing with supporting plans, calculations and data by a registered professional engineer and provided that any structure meets the protection requirements of Section 4-12-9 of this Chapter:
1. Preservation of Flood Conveyance, so as Not to Increase Flood Stages Upstream: For appropriate uses other than bridge or culvert crossings, on-stream structures or dams, all effective regulatory floodway conveyance lost due to the project will be replaced for all flood events up to and including the 100-year frequency flood. In calculating effective regulatory floodway conveyance, the following factors shall be taken into consideration.
    - a. Regulatory floodway conveyance,

$$"K" = \frac{1.486}{n} (A) (R)^{0.667}$$

where "n" is Manning's roughness factor, "A" is the effective area of the cross-section, and "R" is the ratio of the area to the wetted perimeter. (See Open Channel Hydraulics, Ven Te Chow, 1959, McGraw-Hill Book Company, New York)

- b. The same Manning's "n" value shall be used for both existing and proposed conditions unless a recorded maintenance agreement with a Federal, State, or local unit or government can assure the proposed conditions will be maintained or the land cover is changing from a vegetative to a nonvegetative land cover.
  - c. Transition sections shall be provided and used in calculations of effective regulatory floodway conveyance. The following expansion and contraction ratios shall be used unless an applicant's engineer can prove to DWR through engineering calculations or model tests that more abrupt transitions may be used with the same efficiency:
    - (1) When water is flowing from a narrow section to wider section, the water should be assumed to expand no faster than at a rate of one foot horizontal for every four feet of the flooded stream's length.
    - (2) When water is flowing from a wide section to a narrow section, the water should be assumed to contract no faster than at a rate of one foot horizontal for every one foot of the flooded stream's length.
    - (3) When expanding or contracting flows in a vertical direction, a minimum of one foot vertical transition for every ten feet of stream length shall be used.
    - (4) Transition sections shall be provided between cross-sections with rapid expansions and contractions and when meeting the regulatory floodway delineation on adjacent properties.
    - (5) All cross-sections used in the calculations shall be located perpendicular to flood flows.
2. Preservation of Floodway Storage so as Not to Increase Downstream Flooding: Compensatory storage shall be provided for any regulatory floodway storage lost due to the proposed work from the volume of fill or structures placed and the impact of any related flood control projects. Compensatory storage for fill or structures shall be equal to at least the volume of flood plain storage lost. Artificially created storage lost due to a reduction in head loss behind a bridge shall not be required to be replaced. The compensatory regulatory floodway storage shall be placed between the proposed normal water elevation and the proposed 100-year flood elevation. All regulatory floodway storage lost below the existing 10-year flood elevation shall be replaced below the proposed 10-year flood elevation. All regulatory floodway storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse. If the compensatory storage will not be placed at the location of the proposed construction, the applicant's engineer shall demonstrate to DWR through a determination of flood discharges and water surface elevations that the compensatory storage is hydraulically equivalent.
  3. Preservation of Floodway Velocities so as Not to Increase Stream Erosion or Flood Heights: For all appropriate uses, except bridges or culverts or on stream structures, the proposed work will not result in an increase in the average channel or regulatory floodway velocities. However, in the case of bridges or culverts or on stream structures built

- for the purpose of backing up water in the stream during the normal or flood flows, velocities may be increased at the structure site if scour, erosion and sedimentation will be avoided by the use of rip-rap or other design measures.
4. Construction of New Bridges or Culvert Crossings and Roadway Approaches: The proposed structure shall not result in an increase of upstream flood stages greater than one-tenth foot when compared to the existing conditions for all flood events up to and including the 100-year frequency event; or the upstream flood stage increases will be contained within the channel banks (or within existing vertical extensions of the channel banks) such as within the design protection grade of existing levees or flood walls or within recorded flood easements. If the proposed construction will increase upstream flood stages greater than one-tenth foot the developer must contact DWR, Dam Safety Section for a dam safety permit or waiver.
    - a. The engineering analysis of upstream flood stages must be calculated using the flood study flows, and corresponding flood elevations for tailwater conditions for the flood study specified in Section 4-12-5 of this Chapter. Culverts must be analyzed using the U. S. DOT, FHWA Hydraulic Chart for the Selection of Highway Culverts. Bridges must be analyzed using the U. S. DOT/Federal Highway Administration Hydraulics of Bridge Waterways calculation procedures.
    - b. Lost floodway storage must be compensated for per [subsection-Subsection 4-12-7C2](#).
    - c. Velocity increases must be mitigated per [subsection-Subsection 4-12-7C3](#).
    - d. If the crossing is proposed over a public water that is used for recreational or commercial navigation, a Department of Transportation permit must be received.
    - e. The hydraulic analysis for the backwater caused by the bridge showing the existing condition and proposed regulatory profile must be submitted to DWR for concurrence that a CLOMR is not required by subsection 4-12-7C.
    - f. All excavations for the construction of the crossing shall be designed per [subsection-Subsection 4-12-7C8](#).
  5. Reconstruction or Modification of Existing Bridges, Culverts, and Approach Roads:
    - a. The bridge or culvert and roadway approach reconstruction or modification shall be constructed with no more than one-tenth foot increase in backwater over the existing flood profile for all flood frequencies up to and including the 100-year event, if the existing structure is not a source of flood damage.
    - b. If the existing bridge or culvert and roadway approach is a source of flood damage to buildings or structures in the upstream flood plain, the applicant's engineer shall evaluate the feasibility of redesigning the structure to reduce the existing backwater, taking into consideration the effects on flood stages on upstream and downstream properties.
    - c. The determination as to whether or not the existing crossing is a source of flood damage and should be redesigned must be prepared in accordance with the Department of Transportation Rules 92 Illinois Administrative Code 708 (Floodway Construction in Northeastern Illinois) and submitted to the Division for review and concurrence before a permit is issued.
  6. On-Stream Structures Built for the Purpose of Backing Up Water: Any increase in upstream flood stages greater than 0.0 foot when compared to the existing conditions, for all flood events up to and including the 100-year frequency event shall be contained within the channel banks (or within existing vertical extensions of the channel banks) such as within the design protection grade of existing levees or flood walls or within recorded flood easements. A permit or letter indicating a permit is not required must be obtained from DWR, Dam Safety Section for a dam safety permit or waiver for any structure built for the purpose of backing up water in the stream during normal or flood flow. All dams and impoundment structures as defined in Section [4-12-2](#) shall meet the permitting requirements of 92 Illinois Administrative Code 702 (Construction and Maintenance of Dams).
  7. Flood Proofing of Existing Habitable, Residential and Commercial Structures: If construction is required beyond the outside dimensions of the existing building, the outside perimeter of the floodproofing construction shall be placed no further than ten feet from the outside of the building. Compensation of lost storage and conveyance will not be required for floodproofing activities.
  8. Excavation in the Floodway: When excavation is proposed in the design of bridges and culvert openings, including the modifications to and replacement of existing bridge and culvert structures, or to compensate for lost conveyance for other appropriate uses, transition sections shall be provided for the excavation. The following expansion and contraction ratios shall be used unless an applicant's engineer can prove to DWR through engineering calculations or model tests that more abrupt transitions may be used with the same efficiency:
    - a. When water is flowing from a narrow section to a wider section, the water should be assumed to expand no faster than at a rate of one foot horizontal for every four feet of the flooded stream's length;



- b. When water is flowing from a wide section to a narrow section, the water should be assumed to contract no faster than at a rate of one foot horizontal for every one foot of the flooded stream's length; and
- c. When expanding or contracting flows in a vertical direction, a minimum of one foot vertical transition for every ten feet of stream length shall be used.
- d. Erosion/scour protection shall be provided inland upstream and downstream of the transition sections.
- 9. Seeding and Stabilization Plan: For all activities located in a floodway, a seeding and stabilization plan shall be submitted by the applicant.
- 10. Public Flood Control Projects: For public flood control projects, the permitting requirements of this Section will be considered met if the applicant can demonstrate to DWR through hydraulic and hydrologic calculations that the proposed project will not singularly or cumulatively result in increased flood heights outside the project right-of-way or easements for all flood events up to and including the 100-year frequency event.
- 11. General Criteria for Analysis of Flood Elevations:
  - a. The flood profiles, flows and floodway data in the regulatory floodway study, referenced in Section 4-12-5, must be used for analysis of the base conditions. If the study data appears to be in error or conditions have changed, DWR shall be contacted for approval and concurrence on the appropriate base conditions data to use.
  - b. If the 100-year regulatory floodway elevation at the site of the proposed construction is affected by backwater from a downstream receiving stream with a larger drainage area, the proposed construction shall be shown to meet the requirements of this Section for the 100-year frequency flood elevations of the regulatory floodway conditions and conditions with the receiving stream at normal water elevations.
  - c. If the applicant learns from DWR, local governments, or a private owner that a downstream restrictive bridge or culvert is scheduled to be removed, reconstructed, modified, or a regional flood control project is scheduled to be built, removed, constructed or modified within the next five years, the proposed construction shall be analyzed and shown to meet the requirements of this Section for both the existing conditions and the expected flood profile conditions when the bridge, culvert or flood control project is built.
- 12. Conditional Letter of Map Revision: If the appropriate use would result in a change in the regulatory floodway location or the 100-year frequency flood elevation, the applicant shall submit to DWR and to FEMA all the information, calculations and documents necessary to be issued a conditional regulatory floodway map revision and receive from DWR a conditional approval of the regulatory floodway change before a permit is issued. However, the final regulatory floodway map will not be changed by DWR until as-built plans or record drawings are submitted and accepted by FEMA and DWR. In the case of nongovernment projects, the Municipality in incorporated areas and the County in unincorporated areas shall concur with the proposed conditional regulatory floodway map revision before DWR approval can be given. No filling, grading, dredging or excavating shall take place until a conditional approval is issued. No further development activities shall take place until a final letter of map revision (LOMR) is issued by FEMA and DWR.
- 13. Professional Engineer's Supervision: All engineering analyses shall be performed by or under the supervision of a registered professional engineer.

After receipt of conditional approval of the regulatory floodway change and issuance of a permit and a conditional letter of map revision, construction as necessary to change the regulatory floodway designation may proceed but no buildings or structures or other construction that is not an appropriate use may be placed in that area until the regulatory floodway map is changed and a final letter of map revision is received. The regulatory floodway map will be revised upon acceptance and concurrence by DWR and FEMA of the "as built" plans.

- D. State Review: For those projects listed below located in a regulatory floodway, the following criteria shall be submitted to DWR for their review and concurrence prior to the issuance of a permit:
  - 1. DWR will review an engineer's analysis of the flood profile due to a proposed bridge pursuant to ~~subsection~~ Subsection 4-12-7C4.
  - 2. DWR will review an engineer's determination that an existing bridge or culvert crossing is not a source of flood damage and the analysis indicating the proposed flood profile, pursuant to ~~subsection~~ Subsection 4-12-7C5.
  - 3. The DWR will review alternative transition sections and hydraulically equivalent storage pursuant to ~~subsections~~ Subsections 4-12-7C1, 2 and 8.
  - 4. The DWR will review and approve prior to the start of construction any Department projects, dams (as defined in Section 4-12-2) and all other State, Federal or local units of government projects, including projects of the Municipality or County.

- E. Other Permits: In addition to the other requirements of this Chapter, a development permit for a site located in a floodway shall not be issued unless the applicant first obtains a permit or written documentation that a permit is not required from DWR, issued pursuant to 615 Illinois Compiled Statutes 5/5 et seq. No permit from DWR shall be required if the Division has delegated this responsibility to the Village.
- F. Dam Safety Permits: Any work involving the construction, modification or removal of a dam as defined in Section 4-12-2 per 92 Illinois Administrative Code 702 (Rules for Construction of Dams) shall obtain an Illinois Division of Water Resources dam safety permit prior to the start of construction of a dam. If the Director of Public Works finds a dam that does not have a DWR permit, the Director of Public Works shall immediately notify the Dam Safety Section of the Division of Water Resources. If the Director of Public Works finds a dam which is believed to be in unsafe condition, the Director of Public Works shall immediately notify the owner of the dam, DWR, Dam Safety Section in Springfield and the Illinois Emergency Services and Disaster Agency (ESDA).
- G. Activities That Do Not Require a Registered Professional Engineer's Review: The following activities may be permitted without a registered professional engineer's review. Such activities shall still meet the other requirements of this Chapter, including the mitigation requirements.
  - 1. Underground and overhead utilities that:
    - a. Do not result in any increase in existing ground elevations, or
    - b. Do not require the placement of above ground structures in the floodway, or
    - c. In the case of underground stream crossings, the top of the pipe or encasement is buried a minimum of three feet below the existing stream bed, and
    - d. In the case of overhead utilities, no supporting towers are placed in the watercourse and are designed in such a fashion as not to catch debris.
  - 2. Storm and sanitary sewer outfalls that:
    - a. Do not extend riverward or lakeward of the existing adjacent natural bank slope, and
    - b. Do not result in an increase in ground elevation, and
    - c. Are designed so as not to cause stream erosion at the outfall location.
  - 3. Construction of sidewalks, athletic fields (excluding fences), properly anchored playground equipment and patios at grade.
  - 4. Construction of shoreline and streambank protection that:
    - a. Does not exceeds one thousand feet in length.
    - b. Materials are not placed higher than the existing top of bank.
    - c. Materials are placed so as not to reduce the cross-sectional area of the stream channel or bank of the lake.
  - 5. Temporary stream crossings in which:
    - a. The approach roads will be one-half foot or less above natural grade.
    - b. The crossing will allow stream flow to pass without backing up the water above the stream bank vegetation line or above any drainage tile or outfall invert.
    - c. The top of the roadway fill in the channel will be at least two feet below the top of the lowest bank.
    - d. All disturbed stream banks will be seeded or otherwise stabilized as soon as possible upon installation and again upon removal of construction.
    - e. The access road and temporary crossings will be removed within one year after authorization.

#### **4-12-8: OCCUPATION AND USE OF SFHA AREAS WHERE FLOODWAYS ARE NOT IDENTIFIED:**

In SFHA or flood plains, (including AO Zones, AH Zones or un-numbered A Zones) where no floodways have been identified and no base flood or 100-year frequency flood elevations have been established by FEMA, and draining more than a square mile, no development shall be permitted unless the cumulative effect of the proposals, when combined with all other existing and anticipated uses and structures, shall not significantly impede or increase the flow and passage of the floodwaters nor significantly increase the base flood or 100-year frequency flood elevation.

- A. Development Permit: No person, firm, corporation or governmental body, not exempted by State law, shall commence any development in a SFHA or flood plain without first obtaining a development permit from the Director of Public Works. Application for a development permit shall be made on a form provided by the Director of Public Works. The application shall be accompanied by drawings of the site, drawn to scale showing property line dimensions; and existing

grade elevations and all changes in grade resulting from excavation or filling, sealed by a licensed engineer, architect or surveyor; the location and dimensions of all buildings and additions to buildings; and the elevation of the lowest floor (including basement) of all proposed buildings subject to the requirements of Section 4-12-9 of this Chapter.

The application for a development permit shall also include the following information:

1. A detailed description of the proposed activity, its purpose, and intended use.
2. Site location (including legal description) of the property, drawn to scale, on the regulatory floodway maps, indicating whether it is proposed to be in an incorporated or unincorporated area.
3. Anticipated dates of initiation and completion of activity.
4. Plans of the proposed activity shall be provided which include as a minimum:
  - a. A vicinity map showing the site of the activity, names of waterway, boundary lines, names of roads in the vicinity of the site, graphic or numerical scale, and north arrow.
  - b. A plan view of the project and engineering study reach showing existing and proposed conditions including principal dimensions of the structure or work, elevations in mean sea level (1929 adjustment) datum or N.G.V.D., adjacent property lines and ownership, drainage and flood control easements, distance between proposed activity and navigation channel (when the proposed construction is near a commercially navigable body of water), flood plain limit, location and orientation of cross-sections, north arrow, and a graphical or numerical scale.
  - c. Cross-section views of the project and engineering study reach showing existing and proposed conditions including principal dimensions of the work as shown in plan view, existing and proposed elevations, normal water elevation, 10-year frequency flood elevation, 100-year frequency flood elevation, and graphical or numerical scales (horizontal and vertical).
5. Engineering calculations and supporting data shall be submitted showing that the proposed work will meet the criteria of subsection 4-12-8D and E.
6. Any and all other local, State and Federal permits or approvals that may be required for this type of development.
- B. Based on the best available existing data according to the Illinois State Water Survey's Flood Plain Information Repository, the Director of Public Works shall compare the elevation of the site to the base flood or 100-year frequency flood elevation. Should no elevation information exist for the site, the developer's engineer shall calculate the elevation according to ~~subsection~~ Subsection 4-12-5D. Any development located on land that can be shown to have been higher than the base flood elevation as of the site's first Flood Insurance Rate Map Identification is not in the SFHA and, therefore, not subject to the requirements of this Chapter. The Building Official shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map Identification.
- C. The Director of Public Works shall be responsible for obtaining from the applicant copies of all other local, State, and Federal permits, approvals or permit-not-required letters that may be required for this type of activity. The Director of Public Works shall not issue the development permit unless all required local, State and Federal permits have been obtained.
- D. Preventing Increased Damages: No development in SFHA, where a floodway has not been determined shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health, safety.
- E. Within all riverine SFHA's where the floodway has not been determined, the following standards shall apply:
  1. The developer shall have a registered professional engineer state in writing and show through supporting plans, calculations, and data that the project meets the engineering requirements of ~~subsections~~ Subsections 4-12-7C1 through 10 for the entire flood plain as calculated under the provisions of ~~subsection~~ Subsection 4-12-5D of this Chapter. As an alternative, the developer should have an engineering study performed to determine a floodway and submit that engineering study to DWR for acceptance as a regulatory floodway. Upon acceptance of their floodway by the Department, the developer shall then demonstrate that the project meets the requirements of Section 4-12-7 for the regulatory floodway. The floodway shall be defined according to the definition in Section 4-12-2 of this Chapter.
  2. A development permit shall not be issued unless the applicant first obtains a permit from DWR or written documentation that a permit is not required from DWR.
  3. No permit from DWR shall be required if the Division has delegated permit responsibility to the Village per 92 Illinois Administrative Code, Part 708 for regulatory floodways, per DWR' statewide permit entitled "Construction in Flood Plains with No Designated Floodways in Northeastern Illinois".

4. Dam Safety Permits: Any work involving the construction, modification or removal of a dam or an on-stream structure to impound water as defined in Section 4-12-2 shall obtain an Illinois Division of Water Resources dam safety permit or letter indicating a permit is not required prior to the start of construction of a dam. If the Director of Public Works finds a dam that does not have an DWR permit, the Director of Public Works shall immediately notify the Dam Safety Section of the Division of Water Resources. If the Director of Public Works finds a dam which is believed to be in unsafe condition, the Director of Public Works shall immediately notify the owner of the dam and the Illinois Emergency Services and Disaster Agency (ESDA), and the DWR, Dam Safety Section in Springfield.
5. The following activities may be permitted without a registered professional engineer's review or calculation of a base flood elevation and regulatory floodway. Such activities shall still meet the other requirements of the Chapter:
  - a. Underground and overhead utilities that:
    - (1) Do not result in any increase in existing ground elevations, or
    - (2) Do not require the placement of above ground structures in the floodway, or
    - (3) In the case of underground stream crossings, the top of the pipe or encasement is buried a minimum of three feet below the existing streambed, and
    - (4) In the case of overhead utilities, no supporting towers are placed in the watercourse and are designed in such a fashion as not to catch debris.
  - b. Storm and sanitary sewer outfalls that:
    - (1) Do not extend riverward or lakeward of the existing adjacent natural bank slope, and
    - (2) Do not result in an increase in ground elevation, and
    - (3) Are designed so as not to cause stream bank erosion at the outfall location.
  - c. Construction of shoreline and streambed protection that:
    - (1) Does not exceed one thousand feet in length or two cubic yards per lineal foot of streambed.
    - (2) Materials are not placed higher than the existing top of bank.
    - (3) Materials are placed so as not to reduce the cross-sectional area of the stream channel by more than ten percent.
  - d. Temporary stream crossings in which:
    - (1) The approach roads will be one-half foot or less above natural grade.
    - (2) The crossing will allow stream flow to pass without backing up the water above the stream bank vegetation line or above any drainage tile or outfall invert.
    - (3) The top of the roadway fill in the channel will be at least two feet below the top of the lowest bank.
    - (4) All disturbed stream banks will be seeded or otherwise stabilized as soon as possible upon installation and again upon removal of construction.
    - (5) The access road and temporary crossings will be removed within one year after authorization.
  - e. The construction of light poles, sign posts and similar structures.
  - f. The construction of sidewalks, driveways, athletic fields (excluding fences), patios and similar surfaces which are built at grade.
  - g. The construction of properly anchored, unwall, open structures such as playground equipment, pavilions and carports built at or below existing grade that would not obstruct the flow of flood waters.
  - h. The placement of properly anchored buildings not exceeding seventy square feet in size, nor ten feet in any one dimension (e.g., animal shelters and tool sheds).
  - i. The construction of additions to existing buildings which do not increase the first floor area by more than twenty percent, which are located on the upstream or downstream side of the existing building, and which do not extend beyond the sides of the existing building that are parallel to the flow of flood waters.
  - j. Minor maintenance dredging of a stream channel where:
    - (1) The affected length of stream is less than one thousand feet.
    - (2) The work is confined to reestablishing flows in natural stream channels, or
    - (3) The cross-sectional area of the dredged channel conforms to that of the natural channel upstream and downstream of the site.
6. The flood carrying capacity within any altered or relocated watercourse shall be maintained.
- F. Compensatory Storage: Whenever any portion of a flood plain is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the base flood or 100-year frequency flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood or 100-year frequency flood elevation. The excavation volume shall be at least equal to the volume of storage lost due to

the fill or structure. In the case of streams and watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied. All flood plain storage lost below the existing 10-year flood elevation shall be replaced below the proposed 10-year flood elevation. All flood plain storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation. All such excavations shall be constructed to drain freely and openly to the watercourse.

#### 4-12-9: PERMITTING REQUIREMENTS APPLICABLE TO ALL FLOOD PLAIN AREAS AND PROTECTION OF BUILDINGS:

In addition to the requirements found in Sections 4-12-6, 4-12-7 and 4-12-8 for development in flood fringes, regulatory floodways and SFHA or flood plains where no floodways have been identified (Zones A, AO, AH, AE, A1-A30, A99, VO, V1-30, VE, V, M or E), the following requirements shall be met:

- A. Public health standards.
- B. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, animal wastes, fertilizers, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE.
- C. New and replacement water supply systems, wells, sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings located below the FPE are watertight.
- D. Carry Capacity and Notification: For all projects involving channel modification, fill, or stream maintenance (including levees), the flood carrying capacity of the watercourse shall be maintained. In addition, the Village shall notify adjacent communities in writing thirty days prior to the issuance of a permit for the alteration or relocation of the watercourse.
- E. Protecting Buildings: All buildings located within a 100-year flood plain also known as a SFHA, shall be protected from flood damage below the flood protection elevation. However, existing buildings located within a regulatory floodway shall also meet the more restrictive appropriate use standards included in Section 4-12-7. This building protection criteria applies to the following situation:
  - 1. Construction or placement of a new building;
  - 2. Structural alteration to an existing building that either increases the first floor area by more than twenty percent or the building's market value by more than fifty percent;
  - 3. Installing a manufactured home on a new site or a new manufactured home on an existing site. This building protection requirements does not apply to returning a mobile home to the same site it lawfully occupied before it was removed to avoid flood damage; and
  - 4. Installing a travel trailer on a site for more than one hundred eighty days.

This building protection requirement may be met by one of the following methods.
- F. A residential or nonresidential building, when allowed, may be constructed on permanent land fill in accordance with the following:
  - 1. The lowest floor, (including basement) shall be at or above the flood protection elevation.
  - 2. The fill shall be placed in layers no greater than ~~one foot deep~~one-foot-deep before compaction and should extend at least ten feet beyond the foundation of the building before sloping below the flood protection elevation. The top of the fill shall be above the flood protection elevation. However, the ~~ten foot~~ten-foot minimum may be waived if a structural engineer certifies an alternative method to protect the building from damages due to hydrostatic pressures. The fill shall be protected against erosion and scour. The fill shall not adversely affect the flow or surface drainage from onto neighboring properties.
- G. A residential or nonresidential building may be elevated in accordance with the following:
  - 1. The building or improvements shall be elevated on crawl space, stilts, piles, walls or other foundation that is permanently open to flood waters and not subject to damage by hydrostatic pressures of the base flood or 100-year frequency flood. The permanent openings shall be no more than one foot above grade, and consists of a minimum of two openings. The openings must have a total net area of not less than one square inch for every one square foot of enclosed area subject to flooding below the base flood elevation.
  - 2. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice and floating debris.

3. All areas below the flood protection elevation shall be constructed of materials resistant to flood damage. The lowest floor (including basement) and all electrical heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection elevation. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the flood protection elevation.
  4. No area below the flood protection elevation shall be used for storage of items or materials.
  5. Manufactured homes and travel trailers to be installed on a site for more than one hundred eighty days, shall be elevated to or above the flood protection elevation; and, shall be anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the Rules and Regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Illinois Administrative Code 870.
- H. Only a nonresidential building may be structurally floodproofed (in lieu of elevation) provided that a registered professional engineer shall certify that the building has been structurally dry floodproofed below the flood protection elevation, the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood or 100-year frequency flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and impacts from debris or ice. Floodproofing measures shall be operable without human intervention and without an outside source of electricity (Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection).
- I. Nonconforming structures located in a regulatory floodway may remain in use, but may not be enlarged, replaced or structurally altered. A nonconforming structure damaged by flood, fire, wind or other natural or man-made disaster may be restored unless the damage exceeds fifty percent of its market value before it was damaged, in which case it shall conform to this Chapter.

#### 4-12-10: OTHER DEVELOPMENT REQUIREMENTS:

The Board of Trustees shall take into account flood hazards, to the extent that they are known in all official actions related to land management, use and development.

- A. New subdivisions, manufactured home parks, annexation agreements, and planned unit developments (PUDs) within the SFHA shall be reviewed to assure that the proposed developments are consistent with Sections 4-12-6, 4-12-7, 4-12-8 and 4-12-9 of this Chapter and the need to minimize flood damage. Plats or plans for new subdivisions, manufactured home parks and planned unit developments (PUDs) shall include a signed statement by a registered professional engineer that the plat or plans account for changes in the drainage of surface waters in accordance with the Plat Act (765 Illinois Compiled Statutes 205/2).
- B. Proposals for new subdivisions, manufactured home parks, travel trailer parks, planned unit developments (PUDs) and additions to manufactured home parks and additions to subdivisions shall include base flood or 100-year frequency flood elevation data and floodway delineations. Where this information is not available from an existing study filed with the Illinois State Water Survey, the applicant's engineer shall be responsible for calculating the base flood or 100-year frequency flood elevation per ~~subsection~~ Subsection 4-12-5D and the floodway delineation per the definition in Section 4-12-2 and submitting it to the State Water Survey and DWR for review and approval as best available regulatory data.
- C. Streets, blocks, lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible, the flood plains shall be included within parks or other public grounds.
- D. The Board of Trustees shall not approve any planned unit development (PUD) or plat of subdivision located outside the corporate limits unless such agreement or plat is in accordance with the provisions of this Chapter.

#### 4-12-11: VARIANCES:

No variances shall be granted to any development located in a regulatory floodway as defined in Section 4-12-2. However, when a development proposal is located outside of a regulatory floodway, and whenever the standards of this Chapter place undue hardship on a specific development proposal, the applicant may apply to the Zoning Board of Appeals for a variance. The Zoning Board of Appeals shall review the applicant's request for a variance and shall submit its recommendation to the Board of Trustees.

- A. No variance shall be granted unless the applicant demonstrates that:
  - 1. The development activity cannot be located outside the SFHA.
  - 2. An exceptional hardship would result if the variance were not granted.
  - 3. The relief requested is the minimum necessary.
  - 4. There will be no additional threat to public health, safety.
  - 5. There will be no additional public expense for flood protection rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
  - 6. The provisions of ~~subsections~~ Subsections 4-12-6E and 4-12-8D of this Chapter shall still be met.
  - 7. The activity is not in a regulatory floodway.
- B. The Director of Public Works shall notify an applicant in writing that a variance from the requirements of Section 4-12-9 that would lessen the degree of protection to a building will:
  - 1. Result in increased premium rates for flood insurance up to amounts as high as twenty five dollars for one hundred dollars of insurance coverage;
  - 2. Increase the risks to life and property; and
  - 3. Require that the applicant proceed with knowledge of these risks and that he will acknowledge in writing that he assumes the risk and liability.
- C. Variances requested in connection with restoration of a site or building listed on the National Register of Historical Places or documented as worthy of preservation by the Illinois Historic Preservation Agency may be granted using criteria more permissive than the requirements of ~~subsections~~ Subsections 4-12-11A and 4-12-11B.

#### **4-12-12: DISCLAIMER OF LIABILITY:**

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This Chapter does not imply that development either inside or outside of the SFHA, will be free from flooding or damage. This Chapter does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from reliance on this Chapter or any administrative decision made lawfully thereunder.

#### **4-12-13: PENALTY:**

Failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this Chapter. Upon due investigation, the Director of Public Works may determine that a violation of the minimum standards of this Chapter exist. The Director of Public Works shall notify the owner in writing of such violation.

- A. If such owner fails after ten days' notice to correct the violation:
  - 1. The Village may make application to the Circuit Court for an injunction requiring conformance with this Chapter or make such other order as the Court deems necessary to secure compliance with the Chapter.
  - 2. Any person who violates this Chapter shall upon conviction thereof, be fined not less than fifty dollars or more than one-thousand dollars for each offense.
  - 3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
  - 4. The Village may record a notice of violation on the title to the property.
- B. The Director of Public Works shall inform the owner that any such violation is considered a willful act to increase flood damages and, therefore, any cause coverage by a Standard Flood Insurance Policy to be suspended.
- C. Nothing herein shall prevent the Village from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

#### **4-12-14: ABROGATION AND GREATER RESTRICTIONS:**

This Chapter is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. Where this Chapter and other ordinance, easements, covenants, or deed restrictions conflict or overlap, whichever imposes the

more stringent restrictions shall prevail. This Chapter is intended to repeal the original ordinance or resolution which was adopted to meet the National Flood Insurance Program regulations, but is not intended to repeal the resolution which the Village passed in order to establish initial eligibility for the program.

#### 4-12-15: SEPARABILITY:

The provisions and sections of this Chapter shall be deemed separable and the invalidity of any portion of this Chapter shall not affect the validity of the remainder.

#### 4-12-16: EFFECTIVE DATE:

This Chapter shall be in full force and effect from and after its passage and approval and publication, as required by law. (Ord. 2475, 2-10-92)

~~Footnote 1: 225 ILCS 330/1 et seq.~~

~~Footnote 2: 225 ILCS 325/1 et seq.~~

## Chapter 13

### STORM WATER DETENTION

Commented [MD138]: Discussed with village engineer. Other than minor punctuation/capitalization edits nothing else amended.

#### 4-13-1: PURPOSE:

The purpose of this Chapter is to diminish threats to public health and safety caused by the runoff of excessive storm waters, reduce the possibilities of hydraulic overloading of combined sewer systems, and to reduce economic losses to individuals and the community at large. The provisions of this Chapter further regulate, guide and control the construction of buildings, parking lots and other improvements which increase runoff of storm water. (Ord. 2218, 7-14-86)

#### 4-13-2: DEFINITIONS:

For the purpose of this Chapter, the following definitions are adopted:

COEFFICIENT OF RUNOFF: The number which represents the percentage of precipitation that appears as storm water runoff. Paved or building areas shall be represented by a coefficient runoff of 0.95; remaining areas shall be represented by a coefficient of runoff of 0.15.

CONTROL STRUCTURE: A structure having an outlet designed to control the rate of storm water release.

DESIGN STORM: The rainstorm having a two percent chance of being ~~equalled~~equaled or exceeded in any given year, otherwise known as a fifty year storm event.

DEVELOPMENT: Any man-made change to improved or unimproved real estate including but not limited to construction of or substantial improvements to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DRY BOTTOM RETENTION BASIN: A basin designed to be completely dewatered after having provided its planned detention of runoff during a storm event.



RAINFALL INTENSITY: The amount of precipitation that occurs within a given time period in inches of rainfall per hour.

RATE OF STORM WATER RELEASE: The rate at which storm water runoff is released from the site to the Village sewer system.

RATIONAL FORMULA: The empirical method of calculation that relates storm water runoff to rainfall intensity.

STORM WATER RUNOFF: The portion of precipitation from a storm event which flows from the site into the Village sewer system.

STRUCTURE: A walled and roofed building including a gas or liquid storage tank that is principally aboveground, as well as a prefabricated building.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either:

- A. Any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or
- B. Any alteration of a structure or site documented as deserving preservation by the Illinois Department of Conservation or listed on the National Register of Historic Places. (Ord. 2218, 7-14-86)

#### **4-13-3: DETENTION REQUIREMENTS:**

- A. Type of Detention: Storm water may be stored in dry bottom detention basins, paved areas, flat roofs or underground storage areas, meeting the following requirements: (Ord. 2218, 7-14-86)
  - 1. Dry Bottom Detention Basins: Design should promote complete interior drainage. The basins shall be designed as landscaped areas which are aesthetically pleasing.  
  
The maximum water depth shall not exceed four feet. Detention facilities shall have a minimum side slope of 50:1 and a maximum side slope of 4:1; provided, however, that retaining walls may be incorporated into the plans for a detention facility in lieu of the side slope requirements if approved by the Village Board. The Village Board shall consider the following factors in reaching its decision: the review of the required detention storage area, applicable safety concerns, and any other factor that may negatively impact the general area. Retaining walls greater than thirty inches in height shall have a minimum thirty six inch high guardrail or fence with a maximum opening width of six inches. (Ord. 2619, 10-24-94)
  - 2. Paved Areas: Paved detention areas shall have a minimum grade of four-tenths of one percent and a maximum slope as established by the Director of Public Works on the basis of usage. The maximum water depth shall not exceed one foot except within the limits of parking stalls where the maximum depth shall be limited to seven inches.
  - 3. Flat Roofs: Roof top storage shall be permitted only upon specific approval of the Director of Public Works. Designs which shall be submitted with the building permit application shall include the depth and volume of storage, details of outlet devices and down drains, elevations of overflow scuppers, design loadings for the roof structure and emergency overflow provisions.
  - 4. Underground Storage Areas: Storm water may be stored in underground facilities such as tanks or oversized sewers.
- B. Rate of Storm Water Release: The maximum allowable rate of storm water release shall not exceed 0.15 cubic feet per second per acre and may not exceed the predetermined safe carrying capacity of the downstream sewer system.
- C. Control Structure: The control structure shall have a minimum opening diameter of two inches. Emergency overflow provisions shall be included for the detention facility in the event that the control structure becomes clogged or nonfunctional or the storm event exceeds the design storm.
- D. Design Storm: Detention volumes shall be based on a fifty year storm event for any and all durations.
- E. Method of Calculation: The rational formula shall be used to determine the peak runoff rate. The specific method of calculation for the determination of the required detention capacity shall be as follows:

Live Detention Storage (Acre Feet) = 0.0833 Feet/Inch td (Cd-Cp) i50A.

where td = the duration of the fifty year storm in hours.

Cd = The coefficient of runoff of the drainage area in the completely developed state.

Cp = The coefficient of runoff of the drainage area prior to the proposed development.

i50 = The rainfall intensity in inches per hour taken from the Illinois State Water Survey Technical Letter No. 13 for a fifty year storm event.

A = Drainage area in acres.

- F. Storage Requirements: Live detention storage requirements based on the above method of calculation may be less than storage requirements as controlled by the maximum allowable rate of storm water release. In such case, the maximum feasible detention shall be provided.
- G. Outfall: Storm water outfalls shall be connected to the Village storm sewer system where possible. Design shall incorporate provision for future connection to Village storm sewer system in areas not currently served by storm sewers. (Ord. 2218, 7-14-86)

#### **4-13-4: APPLICATION OF REGULATIONS:**

The provisions of this Chapter shall apply to any development within any and all zoning district classifications, except that single-family residential developments in A Zones having a gross aggregate area of less than one acre shall be exempt. (Ord. 2218, 7-14-86)

#### **4-13-5: AFFIDAVIT OF DISCLOSURE OF PROPERTY INTEREST:**

At the time of building permit application, the owner of the development shall execute and file with the Department of Public Works an "affidavit of disclosure of property interest". In this document, the owner will state that either the provisions of this Chapter apply to the subject property or that the provisions of this Chapter do not apply based on the zoning and areal requirements of Section 4-13-4. The owners of exempt properties shall also state that he/she has no property or contractual interest in any contiguous property. The affidavit shall also include an agreement that if the owner acquires an interest in any contiguous property within five years, such that the total combined area of the subject properties is equal to or greater than the areal requirements of Section 4-13-4, the owner will abide by the provisions of this Chapter. (Ord. 2218, 7-14-86)

#### **4-13-6: CERTIFICATION OF DOCUMENTS:**

All computations, plans, and specifications relative to the implementation of the provisions of this Chapter must be prepared and sealed by a registered professional engineer in Illinois. (Ord. 2218, 7-14-86)

#### **4-13-7: PERMIT REQUIRED:**

No person shall commence any construction, substantial improvement, subdivision of land or other development without first obtaining a permit from the Director of Public Works. The Director of Public Works shall not issue such permit for any construction, substantial improvement or other development that does not comply with the provisions of this Chapter. (Ord. 2218, 7-14-86)

#### 4-13-8: DISCLAIMER OF LIABILITY:

The degree of storm water protection required by this Chapter is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger storms may occur on rare occasions or storm water runoff may be increased by man-made or natural causes. This Chapter does not imply that the development or areas outside the development limits will be free from flooding or storm water damage. This Chapter does not create liability on the part of the Village or any officer or employee thereof for any storm water damage that results from reliance on this Chapter or any administrative decision made lawfully thereunder. (Ord. 2218, 7-14-86)

#### 4-13-9: PENALTY:

Any person who violates this Chapter shall, upon conviction thereof, be fined not less than fifteen dollars (\$15) nor more than five hundred dollars (\$500). A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. (Ord. 2218, 7-14-86)

## Chapter 14 SEARCH WARRANTS

#### 4-14-1: SEARCH WARRANTS:

- A. Where no consent has been given to enter or inspect any property, no entry or inspection shall be made without the procurement of a warrant from the Circuit Court of Cook County. The Court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall issue:
1. Eyewitness account of violation.
  2. Citizen complaints.
  3. Tenant complaints.
  4. Plain view violations.
  5. Violations apparent from Village records.
  6. Property deterioration.
  7. Age of property.
  8. Nature of alleged violation.
  9. Similar properties in the area.
  10. Documented violations of similar properties in the area.
  11. Passage of time since last inspection.
  12. Previous violations on the property.
  13. Overall reasonableness.
- B. Cause for issuance of a warrant shall be deemed to exist in light of reasonable legislative and administrative standards which show that there is reason to believe that a condition of nonconformity exists with respect to a particular property in violation of a Village ordinance. (Ord. 2121, 5-23-83)

#### 4-14-2: EXCEPTIONS:

Under the controlling standard of reasonableness, a search warrant need not be obtained prior to entry or inspection of a particular property in emergency situations recognized by law. (Ord. 2121, 5-23-83)

#### 4-14-3: APPLICABILITY:

The provisions of this Chapter shall apply to any inspection required with respect to any real property under any title of the Village Code. (Ord. 2121, 5-23-83)

## Chapter 15

### SATELLITE DISH ANTENNAS, TELEVISION ANTENNAS, AMATEUR RADIO ANTENNAS AND CELLULAR TELEPHONE TOWERS AND ANTENNA SUPPORT STRUCTURES

Commented [MD139]: Other than minor punctuation/capitalization edits, nothing amended.

#### 4-15-1: DEFINITIONS:

AMATEUR RADIO ANTENNA: Any antenna having a combined surface area greater than ten (10) square feet, or having any single dimension exceeding twelve feet (12'), that is capable of transmitting as well as receiving radio signals and whose operator is licensed by the Federal Communications Commission as an amateur radio operator.

ANTENNA SUPPORT STRUCTURE: Any mast, pole, tripod or similar structure used to support a satellite dish antenna, a television antenna, an amateur radio antenna or a cellular telephone tower.

CELLULAR TELEPHONE TOWER: A single antenna or an array of antennas that is principally used for transmission and reception of cellular telephone communications and that is mounted on: 1) a building or other structure, or 2) a freestanding pole, mast or other structure that is attached to the ground or mounted on the roof of a building.

COMMERCIAL ANTENNA: Any antenna used for communication purposes in any commerce, industry or business; provided, however, that an antenna for transmission of data to or from a dwelling unit in a residential zoning district as part of a "home occupation" validly conducted under the Village Zoning Ordinance shall be deemed not to be a commercial antenna (irrespective of the commercial or noncommercial nature of the data which is transmitted or received) so long as such antenna does not violate the terms and conditions for satellite dish antennas as set forth in ~~subsection~~ Subsection 4-15-2A1 through A10 of this Chapter.

NONCOMMERCIAL ANTENNA: Any antenna which is not a commercial antenna.

SATELLITE DISH ANTENNA: Any device incorporating a reflective surface that is solid, open mesh, or bar configured, and is in the shape of a shallow dish, cone, horn, cornucopia, or flat plate. A satellite dish antenna is used to receive or transmit radio or electromagnetic waves between terrestrially and/or ~~orbitaly~~ orbitally based units. This definition shall include but not be limited to what is commonly referred to as satellite earth stations, satellite receivers, satellite discs, antennas for direct broadcast systems (DBSs), antennas for television reception-only systems (TVROs), antennas for satellite microwave systems, antennas for multichannel multiservice distribution services, microwave antennas (wireless cable systems), and antennas for digital satellite systems (DSSs).

TELEVISION ANTENNA: Any device, external to or attached to the exterior of a building, together with any supporting structure, used for reception of television signals. (Ord. 2647, 8-14-95)

#### 4-15-2: REGULATIONS APPLICABLE TO SATELLITE DISH ANTENNAS:

- A. Permit Required: Satellite dish antennas shall be permitted as an accessory structure in any zoning district, but only upon compliance with the requirements of this subsection, or upon approval pursuant to ~~subsection~~ Subsection D or

~~subsection~~ Subsection E of this Section. The Director of Public Works shall issue a building permit for any satellite dish antenna that conforms to the following standards and criteria:

1. In residential zoning districts, no satellite dish antenna shall be installed in the area between the front property line of the zoning lot and the residential structure located thereon;
  2. In residential zoning districts, no satellite dish antenna shall be installed in the required side yard setbacks of the zoning lot;
  3. In residential zoning districts, the maximum height limit of a satellite dish antenna shall be eight feet (8') above grade;
  4. In residential zoning districts, and also for satellite dish antennas designed to receive, but not transmit, radio or electromagnetic waves or other signals, no satellite dish antenna shall have a solid surface; such satellite dish antenna shall be made of open-mesh materials; provided, however, that any satellite dish antenna which is not more than twenty four inches (24") in diameter may have a solid surface;
  5. In residential zoning districts, no more than one satellite dish antenna may be located on any zoning lot;
  6. In residential zoning districts, each satellite dish antenna shall be permanently ground-mounted and no such antenna shall be installed on a portable or movable vehicle or structure, such as a trailer or recreation vehicle; provided, however, that any satellite dish antenna which is not more than twenty four inches (24") in diameter may be roof-mounted in a residential zoning district on that portion of the roof facing the rear yard below the highest portion of the roof;
  7. Except as otherwise provided in subsection A10 below, each satellite dish antenna shall be a neutral color. For purposes of this subsection, black and gray shall be considered to be neutral colors. The Director of Public Works may determine that any other color is "neutral" within the meaning of this subsection if such color blends with the surrounding dominant color, such color helps camouflage the satellite dish antenna, and such color is neither bright nor metallic;
  8. Each ground-mounted satellite dish antenna shall be screened so that no portion of the satellite dish antenna will be visible either from the abutting properties' ground view or from the public streets at a point five feet (5') above grade level, except that no such screening shall be required within the area in front of or to the rear of the satellite dish antenna to the extent that such screening would create reception interference or prevent a shift in the position of the antenna. In such instances, the required screening shall be placed so as to achieve the screening purposes of this subsection, but outside of the area within which the screening would create reception interference or prevent a shift in the position of the antenna. Screening materials may consist of year-round vegetation, the dwelling on the zoning lot where such antenna is located, garages, storage buildings, fences, earth berms or other accessory buildings which meet all of the provisions of the Zoning Code;
  9. No advertising in any form shall be permitted on any part of a satellite dish antenna, except for a six inch (6") square displaying the manufacturer's or distributor's company name. Such six inch (6") square area may not be on the concave side nor on the upper fifty percent (50%) of the convex side of the satellite dish;
  10. No satellite dish antenna shall exceed a diameter of eight feet (8').
  11. No commercial antenna shall be permitted in any residential zoning district.
  12. In nonresidential zoning districts, the maximum height of the satellite dish antenna as measured from grade level, or if the antenna is not ground-mounted, as measured from that portion of the satellite dish antenna which is closest to grade, shall be eight feet (8'). If an antenna is mounted on a building and exceeds the height of the roof, then the satellite dish antenna shall satisfy at least one of the conditions set forth below:
    - a. If mounted on a flat-roofed building, the satellite dish antenna shall not intersect or otherwise project above a plane projecting from the perimeter of the roof upwards and toward the interior of the building but at an angle of ~~forty five~~forty-five degrees (45°) from the horizontal; or
    - b. If mounted on a pitched-roof building, the satellite dish antenna shall not project more than two feet (2') above the highest point of the roof line, shall be the color of the roof, and the bottom of the satellite dish antenna shall be no more than eight inches (8") above the roof.
- B. Application Requirements. A building permit shall be required for the erection of a new satellite dish antenna or any similar accessory structure in any zoning district in the Village, and for any substantial changes of an existing satellite dish antenna or similar accessory structure. The application for a permit pursuant to this subsection shall include a dimensioned site plan depicting the proposed location, and the manufacturer's or distributor's installation requirements and product specifications, including the location of the principal buildings on adjacent lots, together with a description of the type of antenna, total height and diameter, a sketch showing the proposed setbacks from adjacent property lines

and public rights of way, and also showing the method of screening to be provided, the materials and colors of the screening and antenna and mounting details and foundation. The Director of Public Works may require any additional information that would assist in determining visual intrusion and structural safety. The fee for said permit shall be ~~twenty~~ ~~five~~ ~~twenty-five~~ dollars (\$25.00), payable in advance, and a permit when issued shall be visibly displayed on the premises of the zoning lot during the period of time of the erection or change of such satellite dish antenna, and in any event for not less than ten (10) days.

- C. Aesthetics Review: In all zoning districts, the Director of Public Works ~~shall~~ review any permit application to determine whether the proposed color of the satellite dish antenna will blend with the dominant surrounding color, or would otherwise be unobtrusive; whether the satellite dish antenna can be installed in a location which will minimize visual intrusion while maintaining practical operation; and whether the satellite dish antenna can be screened so that it is concealed from view from public streets and adjoining property.  
If the proposed satellite dish antenna requires review under ~~subsection-Subsection~~ D2 of this Section, then such review shall be completed before aesthetic review is conducted pursuant to this subsection.
- D. Proposed satellite dish antennas that do not meet the requirements of ~~subsection-Subsection~~ A above:
1. Any person who desires to install any satellite dish antenna in a residential zoning district that does not meet the applicable requirements contained in ~~subsection-Subsection~~ A above may apply to the Director of Public Works for a special building permit. In addition to the criteria set forth herein, an applicant's right to reasonable satellite signal reception shall be taken into consideration in determining whether to approve an application for a special building permit pursuant to this subsection.
  2. Any person desiring to install any satellite dish antenna in any nonresidential zoning district that does not meet the applicable requirements set forth in ~~subsection-Subsection~~ A above, or desiring to install an additional satellite dish antenna in excess of the quantity permitted by ~~subsection-Subsection~~ A5 above, may apply for a special building permit. Upon receipt of a completed application, the Director of Public Works shall establish acceptable locations, materials, quantity, height and/or diameter for such satellite dish antenna. The Director of Public Works shall be guided by the criteria set forth in D1 of this ~~subsection-Subsection~~.
- E. Existing Satellite Dish Antenna: Any satellite dish antenna for which a building permit or antenna permit has been issued prior to the effective date of this Chapter but which does not conform to this Chapter shall, within ten (10) years of the effective date of this Chapter, be removed or brought into conformance with this Chapter. During the interim period, said nonconforming satellite dish antenna shall be maintained in good repair and in a neat and clean condition. No structural alteration shall be made thereto, unless to preserve the safety of said antenna, or to bring the antenna into compliance with this Chapter. Any owner of a nonconforming satellite dish antenna may apply for review and approval.
- F. Installation: The installation or modification of each satellite dish antenna shall be in accordance with all applicable requirements of the Village Building Code and all other applicable codes and ordinances. Each satellite dish antenna shall be constructed and installed so as to withstand the forces of wind pressure, snow and ice loads and other forces, as provided in the Village Building Code. (Ord. 2647, 8-14-95)

#### 4-15-3: TELEVISION ANTENNAS AND TELEVISION ANTENNA SUPPORT STRUCTURES:

Television antennas and television antenna support structures shall be permitted as an accessory structure in any zoning district, but only in compliance with the following regulations:

- A. Number Limited: No more than one television antenna and television antenna support structure may be located on any zoning lot.
- B. Height Limited: No television antenna or television antenna support structure shall exceed six feet (6') in height.
- C. Attachment To Buildings: Each television antenna and television antenna support structure must be mounted in the attic or comparable enclosed area (if any) of the principal structure located on the zoning lot, and if there is no attic or other enclosed area, or if mounting in the attic or other enclosed area presents a grave hardship in respect to reception of signals, then such television antenna and its support structure shall be attached to the chimney (if any) or other similar building appurtenance on the principal structure located on the zoning lot. In no event shall the television antenna and its support structure extend more than three feet (3') above the chimney or other appurtenance to which the television antenna or its support structure is mounted.

- D. Mounting: The television antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The television antenna and its support structure shall be designed to withstand a wind force of eighty (80) miles per hour without the use of supporting guy wires.
- E. Grounding: The television antenna and its support structure shall be bonded to a grounding rod.
- F. Other Standards: The television antenna and its support structure shall satisfy such other design and construction standards as the Director of Public Works determines are necessary to ensure safe construction and maintenance of the antenna and its support structure, including the standards set forth in the [ICC, International Building Code, 2018 Edition](#), [BOCA National Building Code](#), the [BOCA National Property Maintenance Code](#), and the National Electrical Code, [2017 Edition](#).
- G. Guy Wires: No guy or other support wiring shall be used in connection with any television antenna or its support structure except when used to anchor the antenna or support structure to a chimney.
- H. Color: When the television antenna and its support structure are attached to a chimney or similar building appurtenance, the antenna and its support structure shall be a color that blends in with the roof and chimney to which it is attached. (Ord. 2647, 8-14-95)

Commented [MD140]: Updated to proposed new codes regulating installation.

#### 4-15-4: REGULATIONS APPLICABLE TO AMATEUR RADIO ANTENNAS:

- A. Permit Required: Amateur radio antennas shall be permitted as an accessory structure in any zoning district, but only upon compliance with the requirements of this subsection, or upon approval pursuant to ~~subsection~~ Subsection C of this Section. The Director of Public Works shall issue a building permit for any amateur radio antenna that conforms to the following standards and criteria:
  - 1. No more than one amateur radio antenna may be located on any zoning lot;
  - 2. No ground-mounted amateur radio antenna shall exceed ~~thirty-five~~thirty-five feet (35') in height. No amateur radio antenna which is attached to a building, as provided in ~~subsection~~ Subsection A3 below, shall exceed the height limitation therein specified.
  - 3. No amateur radio antenna or its support structure shall be attached to a principal or accessory structure unless all of the following requirements are fulfilled:
    - a. The amateur radio antenna and its support structure shall not extend more than fifteen feet (15') above the highest point of the building or accessory structure on which the amateur radio antenna and its support structure are mounted.
    - b. The amateur radio antenna and its support structure shall not be attached to or mounted upon any building appurtenance, such as a chimney, nor be mounted upon or attached to the front of any principal building, or to the side of any building facing a street (including any portion of the building roof facing any street).
    - c. The amateur radio antenna and its support structure shall be designed and mounted or attached so as to be able to withstand a wind force of eighty (80) miles per hour without the use of supporting guy wires.
    - d. The amateur radio antenna and its support structure shall be bonded to a grounding rod.
    - e. The amateur radio antenna and its support structure shall satisfy such other design and construction standards as the Director of Public works determines are reasonably necessary to ensure the safe construction and maintenance of the amateur radio antenna and its support structure.
    - f. No amateur radio antenna or its support structure shall be located in any front yard or required side yard, or located nearer to any habitable building on any adjacent property than a distance equal to one-half of the fully extended height of the amateur radio antenna and its support structure.
- B. Application Requirements: A building permit shall be required for the erection of a new amateur radio antenna or its support structure in any zoning district in the village, and for any substantial changes of an existing amateur radio antenna or antenna support structure. The application for a permit pursuant to this subsection shall include a dimensioned site plan depicting the proposed location, and the manufacturer's or distributor's installation requirements and product specifications, including the location of the principal buildings on adjacent lots, together with a description of the type of antenna and antenna support structure, total height and width, a sketch showing the proposed setbacks from adjacent property lines and public rights of way, and also showing the method of screening (if any) to be provided, the materials and colors of the screening and antenna, and the antenna and antenna support structure mounting details and foundation. The director of public works may require any additional information that would assist in determining

visual intrusion and structural safety. The fee for said permit shall be ~~twenty-five~~ twenty-five dollars (\$25), payable in advance, and a permit when issued shall be visibly displayed on the premises of the zoning lot during the period of time of the erection or change of such amateur radio antenna or antenna support structure, and in any event for not less than ten days.

- C. Proposed amateur radio antennas that do not meet the requirements of ~~subsection-Subsection~~ A of this section:
1. Any person who desires to install any amateur radio antenna in a residential zoning district that does not meet the applicable requirements contained in ~~subsection-Subsection~~ A of this section may apply to the director of public works for a special building permit. In addition to the criteria set forth herein, in determining whether to approve an application for a special building permit pursuant to this subsection, the director of public works shall seek to accommodate reasonably the applicant's desire to engage in amateur radio communications, using the minimum practicable regulations to accomplish the goals of this chapter.
  2. Any person desiring to install any amateur radio antenna in any nonresidential zoning district that does not meet the applicable requirements set forth in ~~subsection-Subsection~~ A of this section, or desiring to install an additional amateur radio antenna in excess of the quantity permitted by ~~subsection-Subsection~~ A1 of this section, may apply for a special building permit. Upon receipt of a completed application, the director of public works shall establish acceptable locations, materials, quantity and height limitations for such amateur radio antenna. The director of public works shall be guided by the criteria set forth in ~~subsection-Subsection~~ C1 of this section.
- D. Existing Amateur Radio Antenna: Any amateur radio antenna or antenna support structure for which a building permit or antenna permit has been issued prior to the effective date of this chapter but which does not conform to this chapter shall, within ten years of the effective date of this chapter, be removed or brought into conformance with this chapter. During the interim period, said nonconforming amateur radio antenna and antenna support structure shall be maintained in good repair and in a neat and clean condition. No structural alteration shall be made thereto, unless to preserve the safety of said antenna and antenna support structure, or to bring the antenna and antenna support structure into compliance with this chapter. Any owner of a nonconforming amateur radio antenna may apply for review and approval.
- E. Installation: The installation or modification of each amateur radio antenna shall be in accordance with all applicable requirements of the ~~village-Village building Building code~~ Code and all other applicable codes and ordinances. Each amateur radio antenna shall be constructed and installed so as to withstand the forces of wind pressure, snow and ice loads and other forces, as provided in the ~~village-Village building Building code~~ Code. (Ord. 2647, 8-14-1995)

#### 4-15-5: REGULATIONS APPLICABLE TO CELLULAR TELEPHONE TOWERS:

- A. Permit Required: A building permit shall be required for the erection of a new cellular telephone tower or any similar accessory structure, and for any substantial changes of an existing cellular telephone tower or similar accessory structure. The director of public works shall issue a building permit for any cellular telephone tower that conforms to the following standards and criteria:
1. The cellular telephone tower complies with the requirements of ~~title 10~~ Title 10 of this ~~code~~ Code.
  2. No more than two cellular telephone towers may be located in any PRI zoning district.
  3. No cellular telephone tower shall exceed one hundred twenty feet in height.
  4. The village shall have a right to use the cellular telephone tower jointly with the owner thereof, on terms and conditions which are mutually acceptable to the village and the owner thereof.
- B. Application Requirements: The application for a permit pursuant to this subsection shall include a dimensioned site plan depicting the proposed location, and the manufacturer's or distributor's installation requirements and product specifications, including the location of the principal buildings on adjacent lots, together with a description of the type of the cellular telephone tower, total height and diameter, a sketch showing the proposed setbacks from adjacent property lines and public rights of way, and also showing the method of screening to be provided, the materials and colors of the screening and the cellular telephone tower, and mounting details and foundation. The ~~director of public~~ Building Official ~~works~~ may require any additional information that would assist in determining visual intrusion and structural safety. The fee for said permit shall be twenty five ~~dollars~~ dollars, payable in advance, and a permit when issued shall be visibly displayed on the premises of the zoning lot during the period of time of the erection or change of such cellular telephone tower and in any event for not less than ten days. (Ord. 3223, 2-25-2008)



- C. Existing Cellular Telephone Tower: Any cellular telephone tower for which a building permit or cellular telephone tower has been issued prior to the effective date of this chapter but which does not conform to this chapter shall, within ten years of the effective date of this chapter, be removed or brought into conformance with this chapter. During the interim period, said nonconforming cellular telephone tower shall be maintained in good repair and in a neat and clean condition. No structural alteration shall be made thereto, unless to preserve the safety of said cellular telephone tower, or to bring the tower into compliance with this chapter. Any owner of a nonconforming cellular telephone tower may apply for review and approval.
- D. Installation: The installation and maintenance of the cellular telephone tower shall be in accordance with all applicable requirements of the ~~village-Village zoning-Zoning ordinance~~Ordinance, all applicable requirements of the ~~village-Village building-Building code~~Code, and all other applicable codes and ordinances. Each cellular telephone tower shall be constructed and installed so as to withstand the forces of wind pressure, snow and ice loads, and other forces, as provided in the ~~village-Village building-Building code~~Code. (Ord. 2647, 8-14-1995)

#### 4-15-6: FINES:

Any person causing or allowing a violation of any of the terms and conditions of this section shall, upon conviction, be fined not less than fifty dollars ~~(\$50)~~, nor more than five hundred dollars ~~(\$500)~~, for each offense. Each day that a violation of any term or condition of this section exists shall constitute a separate offense. (Ord. 2647, 8-14-1995)

## Chapter 16 HOMELESS SHELTERS

Commented [MD141]: Minor edits made replacing director of public works with building official.

#### 4-16-1: INTERPRETATION:

In their interpretation and application, the provision of this Chapter shall be held to be the minimum requirements with respect to homeless shelters. Where this Chapter imposes a greater restriction upon the use of buildings or premises for homeless shelter purposes than is imposed or required by the provisions of any other part of this Code, the provisions of this Chapter shall control. (Ord. 2538, 3-8-93)

#### 4-16-2: CERTIFICATE OF OCCUPANCY REQUIRED:

It shall be unlawful for any person or organization to conduct, keep, manage or operate, or cause to be operated, a homeless shelter without a certificate of occupancy therefor. Such certificate of occupancy shall be issued by the ~~Director of Public Works-Building Official~~ and there shall be no fee for such certificate of occupancy. (Ord. 2538, 3-8-93)

#### 4-16-3: APPLICATION:

A written application shall be submitted which includes the following information:

- Name and address of person responsible for the homeless shelter operation;
- Location of homeless shelter;
- Written statement and plans indicating compliance with the provisions of this Chapter as well as those contained in Title 6, Chapter 16 of this Code, entitled "Homeless Shelters". (Ord. 2538, 3-8-93)

#### 4-16-4: REQUIREMENTS:

- A. Each area used for sleeping or resting must have two exits remote from one another.
- B. Emergency lighting of the exit ways is required.
- C. Lighted exit signs are required.
- D. Smoke detectors are required in the sleeping area and in hallways leading from sleeping areas to exits.
- E. The following plumbing fixtures shall be provided:
  - 1. Water Closets: Two for each sex.
  - 2. Lavatories: Two for each sex.
  - 3. Urinals: One.
  - 4. Showers: One for each sex (fixed head type only).
  - 5. Drinking Fountains: One.
- F. Basement areas used for sleeping and resting must have a sprinkler system provided; however, basement areas which have windows and doors directly to the exterior need not be sprinklered.
- G. The occupancy of the shelter facility shall be limited to a maximum of thirty guests; provided, however, that in no event shall the minimum net floor area per guest be less than ~~sixty-fivesixty-five~~ square feet including aisle spacing of forty four inches between sleeping mattresses.
- H. Mechanical ventilation of five hundred cubic feet per minute (CFM) or operable windows equal to four percent of floor area are required.
- I. An evacuation plan shall be posted in each sleeping room. (Ord. 2538, 3-8-93)

#### 4-16-5: INSPECTION:

At least once a year after a certificate of occupancy has been issued as herein provided, or more often if deemed necessary, it shall be the duty of the ~~Director of Public Works~~Building Official, Fire Chief, and the Health Department to authorize the inspection of said premises and determine that the provisions of this Code are being complied with. (Ord. 2538, 3-8-93)

## Chapter 17 GRADING PERMITS

### 4-17-1: ~~GENERAL REQUIREMENT~~ PURPOSE:

The purpose of this chapter is to regulate, guide, and control development in a manner that is designed to minimize adverse impacts to the properties and public rights-of-way surrounding a development. As such, no person may fill, store or dispose of earth materials; alter an existing land grade, contour or drainage pattern; or perform any other land disturbing activity, without first obtaining a grading permit pursuant to this chapter. (Ord. 3737, 4-8-2019)

~~No person may fill, store or dispose of earth materials; alter an existing land grade, contour or drainage pattern; or perform any other land disturbing activity, without first obtaining a grading permit pursuant to this chapter. (Ord. 3459, 10-8-2012)~~

Commented [MD142]: Purpose statement has been amended to be consistent with language in Ord. 3737, adopted on 4-8-2019. Additionally, reviewed this chapter with village engineer. Where appropriate, the building official and village engineer titles were amended to reflect current responsibilities.

### 4-17-2: SPECIFIC PROJECTS REQUIRING A PERMIT:

- A. Projects that require a grading permit include, but are not limited to:
  - 1. Construction of new homes or buildings;
  - 2. Construction of new garages or auxiliary structures that change ten percent or more of the existing structure's footprint;
  - 3. Installation of underground swimming pools;
  - 4. Installation of patios or other impervious surface;

5. Construction of an addition to an existing structure that changes ten percent or more of the existing structure's footprint;
6. Landscaping that changes the grade of the site such that existing drainage flows will be altered;
7. Any project that includes the creation of a foundation;
8. Land disturbing activity proposed in a floodplain as established by the federal emergency management agency (FEMA);
9. Any land disturbing activity that equals ~~twenty-five~~twenty-five percent of the total lot, or one acre, whichever is less; and
10. Demolition of any building or structure. (Ord. 3459, 10-8-2012)

#### 4-17-3: EXEMPTIONS FROM GRADING PERMITS:

- A. Projects that, in the determination of the ~~building official~~Village Engineer, do not alter an existing grade, contour or drainage flow will not be subject to the permitting requirements herein, including, but not limited to, the following:
  1. Raised decks;
  2. Projects built with pervious materials;
  3. Fences; and
  4. Tree removal and planting. (Ord. 3459, 10-8-2012)

#### 4-17-4: PERMIT APPLICATION INFORMATION REQUIRED:

- A. No request for a grading permit shall be reviewed until the following items have been submitted to the village:
  1. Initial application form;
  2. Initial permit fee;
  3. If required, two copies of the proposed site grading plan; and
  4. Proof of notice to adjacent property owners.
- B. For land disturbing activities over one acre in area, the applicant must also obtain and satisfy the requirements of any applicable NPDES IEPA construction permit. (Ord. 3459, 10-8-2012)

#### 4-17-5: GRADING PERMIT APPLICATION FORM:

- A. The applicant shall submit the grading permit application form supplied by the village and provide the following information:
  1. Address and permanent index number (PIN) of the site;
  2. Name, address, email and telephone number of the applicant(s);
  3. Name, address, email and telephone number of all contractors, subcontractors or other persons performing the activities at the site;
  4. Description and schematic depiction of the project; and
  5. Signature(s) of the owner(s) of the site. (Ord. 3459, 10-8-2012)

#### 4-17-6: SITE GRADING PLAN:

- A. Application Review: Upon submittal of a complete initial application form and grading permit fee, the ~~building official~~Village Engineer will determine whether a site grading plan will be necessary and, if so, the level of plan detail that will be required.
- B. Plan Detail: The site grading plan may include:
  1. Name, address, email and telephone number of the civil engineer(s) responsible for the preparation of the site grading plan;
  2. Legend;
  3. Scale of drawing;

4. Site address;
  5. Existing and proposed topography of the entire site taken at ~~one foot~~one-foot contour intervals;
  6. Contour intervals that extend a minimum of ~~twenty five~~twenty-five feet off site, or sufficient enough to show on and off site drainage and spot elevations as may be appropriate;
  7. Site property lines and all drainage and utility easements on, under or across thereto;
  8. Location and representation of all existing natural drainage and runoff patterns, swales and flows, as well as manmade drainage facilities, and all proposed natural and manmade drainage facilities, including all surface and subsurface drainage devices, walls, cribbing and dams on or within fifty feet of the site;
  9. Delineation of the drainage area and the drainage area served by all existing and proposed downspouts, footing drains and sump pump discharges, and the disposition of discharge therefrom;
  10. Location of the proposed areas of excavation, fill, storage and disposal of earth materials, including the method of soil protection such as seeding, burlap, or hay bales;
  11. Location and identification of existing vegetation, proposed vegetation to be placed on the site, and vegetation to be removed from the site;
  12. Location of any existing and proposed buildings and structures, including top of foundation, garage slab, and elevations of proposed finished grade at all significant points around the proposed building or structure, including window wells, patios and swimming pools;
  13. Impervious surface area calculation;
  14. Delineation of the measures that will be used to control surface erosion and runoff from the site after all buildings, structures and permanent improvements have been erected on the site;
  15. Elevation and descriptions of the benchmark utilized for the site grading plan. The FEMA datum should be used for all properties;
  16. Three to five representative cross sections for each side yard between another residence. Cross sections shall extend between the top of foundation (T/F) of the proposed residence to the T/F of the existing residence;
  17. Locations of all manholes, utility structures, fire hydrants, streetlights, curbs, sidewalks, transformers, junction boxes and pads/pedestals located in the public right of way, or in any easements on the subject property;
  18. To the extent the site grading plan includes a connection to a village sewer, provide the size and location of all sanitary and storm sewers, water mains, and open ditches located in the public right of way or in any easement. The rim and invert elevation shall be provided for all storm and sanitary structures within or near the vicinity of the subject property. The direction of flow for all storm and sanitary sewers and open ditches must also be provided, as well as the methods to be used to protect them;
  19. Location of stone haul road;
  20. Certification that the proposed project will not result in drainage, erosion or runoff which adversely impacts adjacent properties or public rights of way; and
  21. Location of soil storage.
- C. Submittal Of Site Grading Plan:
1. Submittal Requirements: The site grading plan shall be prepared and stamped by a licensed professional engineer, and drawn to a scale of one inch equals twenty feet. The plan shall be submitted on paper measuring eleven inches by seventeen inches. With the prior approval of the building official, for certain large or multiparcel projects, the plan may be on paper measuring ~~twenty four~~twenty-four inches by thirty six inches. Two copies of the site grading plan shall be submitted to the building official.
  2. Notice To Adjacent Property Owners: The applicant shall provide notice of the land disturbing activities to any adjacent property owner, in the form to be provided by the village. Proof of said notice, by means of a signed affidavit form, shall be submitted at the time the site grading plan is filed.
- D. Submission Of Additional Data: The building official or designee shall review all documentation submitted pursuant to this section and, if deemed necessary to evaluate potential adverse consequences from the proposed land disturbing activity, the building official or designee, has the authority to request additional data, clarification or correction of data already submitted, and the authority to require additional or alternate measures based upon site conditions. Without limiting the generality of the foregoing, the building official or designee may require the applicant to submit additional information concerning excavation plans, proposed methods and techniques for same.
- E. Conditions Or Modifications Imposed: The building official or designee may impose reasonable conditions on, or modifications to, the methods or techniques of any proposed excavation, trenching, foundation construction or other land disturbing activities in order to prevent or mitigate such adverse impact on trees, and any such restrictions shall be

incorporated into the requirements of the grading permit. Such conditions may include, but are not limited to, prohibiting excessive over digging, requiring shoring, requiring directional boring instead of open trenching, or prescribing the methods of excavation, trenching or directional boring. (Ord. 3459, 10-8-2012)

#### 4-17-7: STORMWATER MANAGEMENT PLAN:

- A. Requirements: The applicant shall also submit a separate plan labeled "Stormwater Management Plan" which identifies the methods to be used to control runoff, erosion, sedimentation and drainage expected to occur while the project is ongoing, and before final grading, that may adversely impact adjacent properties or public rights of way. The stormwater management plan shall also include:
1. Detail regarding the intended interim on site storage, placement, fill and disposal of earth materials; and
  2. A specific plan to eliminate the adverse impacts from stormwater runoff, including, but not limited to, interim soil stabilization devices and proposed measures for erosion and sedimentation control for all times during construction work and specifically during demolition; between completion of demolition and the commencement of construction work; and continuing through the construction work, until final grading. All such proposed measures shall be based upon the standards and requirements contained in the latest edition of the "Illinois Urban Manual", compiled by the IEPA and department of agriculture.
- B. Final Grading: To the extent the ~~building official or designee~~ Village Engineer determines that the proposed final grade, land contour or drainage pattern may, upon project completion, adversely impact adjacent properties or public rights of way, the site grading plan shall also include:
1. Data regarding the classification, distribution, strength and ~~erodability~~ erodibility of existing soils;
  2. Data regarding the nature, distribution, strength and ~~erodability~~ erodibility of earth materials, if any are to be placed on the site;
  3. Level of water table;
  4. Plans for permanent soil stabilization upon project completion;
  5. Design criteria for corrective measures, when necessary; and
  6. An alternate proposal for final grading that will eliminate the identified adverse impacts.
- C. Foundation Spot Survey: Upon completion of the construction of a foundation, and prior to commencing framing, the ~~building Building official Official~~ or designee, may require a foundation spot survey which includes the following:
1. All lot lines;
  2. As constructed foundation with elevation; and
  3. Ties to all lot lines.
- D. As Graded: Upon final completion of the work, the ~~building official Village Engineer or designee~~, may require an as-built ~~graded-grading~~ plan which would include the following:
1. Approved site grading plan;
  2. Ground surface elevations;
  3. As graded ground surface elevations;
  4. Lot drainage patterns; and
  5. Locations and elevations of all surface and subsurface drainage facilities. (Ord. 3459, 10-8-2012)

#### 4-17-8: GRADING PERMIT FEES:

- A. An initial application fee of fifty dollars is required for all projects listed in ~~section~~ Section 4-17-2 of this chapter.
- B. The permit applicant shall be responsible for all costs incurred by the village, including any fees for the review of a site grading plan, stormwater management plan and inspection(s). (Ord. 3459, 10-8-2012)

#### 4-17-9: PERMIT DURATION:

- A. Grading permits shall be valid until such time as there has been inspection and approval of final grading; or up to fifteen months, whichever is shorter.

- B. Any request for an extension of a grading permit must be submitted in writing to the ~~building-Building official-Official~~, and must detail the reasons for said request. Upon good cause shown, the ~~building-Building official-Official~~ has the discretion to grant an extension. (Ord. 3459, 10-8-2012)

#### 4-17-10: PERMIT DENIAL:

- A. Reasons For Denial: If, in the determination of the ~~building-Building official-Official~~ or designee, the proposed work will unreasonably divert or detain surface water onto adjacent properties or public rights of way; alter existing drainage patterns so as to adversely impact adjacent properties or public rights of way; increase or concentrate runoff of stormwater onto adjacent properties or the public rights of way; or cause some similar adverse impact; and the applicant fails to submit proposed measures that would eliminate the identified adverse impacts, then the request for a grading permit shall be denied.
- B. Right To Appeal: To the extent a grading permit is denied pursuant to this section, or an extension is denied pursuant to ~~section-Section~~ 4-17-9 of this chapter, the applicant may, no later than ~~thirty days~~thirty days from the date of said denial, appeal the decision to the corporate authorities. The appeal shall state with particularity the following:
1. The name of the party requesting the appeal and its interest in the appeal;
  2. The common address of the subject property;
  3. A statement setting forth the reasons for the appeal; and
  4. The specific relief being sought.
- C. Appeal To The Corporate Authorities:
1. The grading permit appeal shall be heard at the earliest available scheduled meeting of the corporate authorities. Notice of the hearing date to all entitled under this code shall be provided by the village.
  2. In reviewing the permit denial, the corporate authorities shall consider all written documentation submitted by the applicant in conjunction with the request for a grading permit. The corporate authorities shall apply the standards stated in subsection A of this section. (Ord. 3459, 10-8-2012)

#### 4-17-11: ASSIGNMENT OF PERMIT:

- A. A grading permit issued pursuant to this chapter may be assigned so long as the permittee notifies the ~~building-Building official-Official~~ of the proposed assignment and the proposed assignee:
1. Submits a new application form;
  2. Agrees to all conditions and duties imposed by the existing grading permit and site grading plan, including any modifications thereto; and
  3. Assumes full legal responsibility for all work performed prior to the date of the assignment. (Ord. 3459, 10-8-2012)

#### 4-17-12: PERMITTEE'S DUTIES:

- A. Upon the issuance of a grading permit, the permittee shall:
1. Maintain a copy of the grading permit, stormwater management plan, and site grading plan at the site and available for public inspection during working hours; and
  2. Post the grading permit placard at the site at least forty ~~eight\_hourseight hours~~ prior to the initiation of any land disturbing activity.
- B. At all times during the implementation of the site grading plan and the stormwater management plan, the permittee shall:
1. Be in conformity with the grading permit;
  2. Notify the ~~building-Building official-Official~~ or designee, within forty eight\_h hours of the initiation of the work at the site;
  3. Notify the ~~building-Building official-Official~~ or designee, within forty eight hours of the installation of all erosion control devices; and

4. Notify the ~~building~~Building official~~Official~~ or designee, within forty eight ~~hours~~ of the readiness of the site for final inspection, including, but not limited to, finished grading, installation of drainage devices and final erosion control measures.
- C. Permittee shall stop work immediately and notify the ~~building~~Building official~~Official~~ or designee, if site conditions arise that preclude conformance of the work to the approved site grading plan or stormwater management plan.
  1. Said notice shall identify the site conditions that preclude compliance with the site grading plan, and delineate any and all revisions, modifications and/or additions thereby required to the site grading plan or stormwater management plan.
  2. The ~~building~~Building official~~Official~~ or designee, shall review all documentation submitted pursuant to this chapter, and may require permittee to further clarify, revise or supplement the proposed plan modifications prior to resuming any work at the site. (Ord. 3459, 10-8-2012)

#### **4-17-13: SITE INSPECTIONS AND PLAN MODIFICATIONS:**

- A. Site Inspections: The ~~building~~Building official~~Official~~ or designee, may inspect a site as necessary to determine compliance with, and to effectuate the purposes of, this chapter, including, but not limited to, the following:
  1. Upon receipt of notice given pursuant to ~~section~~Section 4-17-12 of this chapter;
  2. To verify completion of any modifications required as a result of changed site conditions;
  3. During and following any rainfall; and
  4. Upon receipt of notice that site conditions pose a health or safety risk.
- B. Plan Modifications: The ~~building~~Building official~~Official~~ or designee, shall have the authority to require modifications to the grading and stormwater management plans based upon site conditions existing or encountered at the site after the initiation of construction activity. (Ord. 3459, 10-8-2012)

#### **4-17-14: SUSPENSION OR REVOCATION OF PERMIT:**

- A. The ~~building~~Building official~~Official~~ or designee, shall issue a stop work order and suspend the grading permit when:
  1. It is determined that the grading permit was issued in error, on the basis of incorrect information supplied, or in violation of any ordinance, regulation or provision of this code;
  2. Permittee fails to comply with any of the duties set forth in this chapter; or
  3. Inspection by the ~~building~~Building official~~Official~~ or designee, reveals that the work is not in conformance with the site grading plan, or stormwater management plan, or any required modifications thereto.
- B. The ~~building~~Building official~~Official~~ or designee, may revoke any grading permit if the permittee fails or refuses, after suspension of the grading permit and receipt of a stop work order, to cease work at the site. (Ord. 3459, 10-8-2012)

#### **4-17-15: HAZARDS:**

- A. Contractor shall be solely responsible for the determinations and implementation of the means and methods of construction, as well as compliance with all applicable workplace safety rules, regulations, or guidelines.
- B. Notwithstanding any permitting under this chapter, whenever the ~~building~~Building official~~Official~~ or designee, determines that any existing excavation, embankment, fill, or land contour on private property is a health hazard or adversely affects the safety, use or stability of a public way or drainage channel, the owner of said property shall, upon receipt of written notice from the building official or designee and within the period specified therein, abate or eliminate any such hazard as requested by the building official or designee.
- C. The village shall have the right to abate any hazard related to the activities regulated by this chapter. (Ord. 3459, 10-8-2012)

#### **4-17-16: VIOLATIONS:**

- A. Failure ~~To~~to Obtain ~~A~~a Permit: It shall be unlawful for any person to initiate or engage in any land disturbing activity prior to obtaining a grading permit as required herein.

- B. Refusal ~~to~~ Comply: It shall be unlawful for any permittee to continue work on a site, after suspension or revocation of the grading permit, or after receipt of a stop work order otherwise issued by the village.
- C. Fines ~~And and~~ Penalties: Any person who violates the provisions of this ~~section~~ Section shall be guilty of a violation punishable by a fine of not less than two hundred fifty dollars ~~(\$250)~~ and not more than seven hundred fifty dollars ~~(\$750)~~ for each offense. A separate offense shall be deemed committed for each day that an offense continues. (Ord. 3459, 10-8-2012)

## Chapter 18

### STOP WORK ~~ORDERS~~

#### 4-18-1: AUTHORITY:

Notwithstanding any provision in this code, or the national codes adopted therein by reference, the ~~building~~ Building official ~~Official or designee~~, may issue a stop work order if work on a building, structure, or property is being conducted contrary to the provisions of this code, or in an unsafe and dangerous manner. The stop work order shall be in writing and shall be posted in a conspicuous location on the subject building, structure, or property, and shall also be given to the owner of the property, or to the owner's agent, or to the applicant for the permit (with a copy to the owner), or to the person doing the work, and shall state the conditions under which the work may be resumed. (Ord. 3538, 1-26-2015)

Commented [MD143]: Made a modification to allow for a designee of the Building Official to issue a SWO. This is typical activity of inspectional staff and should be reflected as such.

#### 4-18-2: PENALTY:

Any person who shall continue any work after having been served with a stop work order, or after having received actual notice thereof, except such work as the person is directed by the building official to perform to remedy a violation or unsafe condition, shall be liable for a fine of up to seven hundred fifty ~~dollars~~ dollars. Each day a violation continues shall be considered a separate offense. (Ord. 3538, 1-26-2015)

**3408.2 Moving Of Buildings:** The fee for a building permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be at the rate of \$0.40 per \$100.00 of the estimated cost of moving plus one percent of the cost of new foundations and all work necessary to place the building or structure in its completed condition in the new location.



## Chapter 5: Sign Regulations

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### 4-5-1: Purpose:

The regulation of signs by this code is intended to promote and protect the public health, safety and welfare by reducing the depreciation of property values caused by signs that are incompatible with surrounding land uses; by creating a more attractive economic and business climate within the commercial and office areas of the village; by enhancing and protecting the physical and aesthetic appearance of all areas of the village; and by reducing the distractions, obstructions and hazards to pedestrian and auto traffic caused by the indiscriminate placement and use of signs.

### 4-5-2: Scope:

Any sign not expressly permitted by these regulations shall be prohibited. The regulations of this chapter shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance, relocation and removal of all signs within the village visible from any right-of-way, sidewalk or public or private common open space. The regulations of this chapter relate to the location of signs, by function and type, within zoning districts and are in addition to provisions of this code applicable to the construction and maintenance of signs. Regulations concerning the use and termination of nonconforming signs are in section 4-5-13 of this chapter.

### 4-5-3: Sign Permit Required:

- A. Sign Permit: Except as expressly provided in section 4-5-6 of this chapter, no sign shall be erected, enlarged, expanded, altered, relocated or maintained unless a sign permit evidencing the compliance of such work with the provisions of this chapter and other applicable provisions of this code shall have first been issued by the village in accordance with the provisions of this section; provided, however, that routine sign maintenance (totaling less than \$500.00 annually) or changing of parts designed to be changed shall not, standing alone, be considered an alteration of the sign requiring the issuance of a sign permit by the village.
- B. Additional Application Requirements: Every application for a sign permit shall be accompanied by:
  - 1. Plans and specifications showing the location on the lot or building face and the method of construction, illumination and support of such sign;
  - 2. A scale drawing showing sign faces, exposed surfaces and the proposed design, accurately represented as to size, area, proportion and color;
  - 3. Photographs of the right-of-way sides of the property in question, showing all existing signs on the property;
  - 4. A calculation of the total amount of sign area presently existing on the property;
  - 5. The applicant's attestation that the sum of the areas of the requested sign or signs and the existing signs does not exceed the maximum allowed by the provisions of this chapter;
  - 6. Evidence of a valid village business license, when required, issued for any business to which the sign is accessory;
  - 7. A letter from a licensed architect, structural engineer or sign manufacturer/installation company verifying the structural integrity, safety and overall soundness of the sign design and installation; and
  - 8. Such other information or materials as the village requests.

### 4-5-4: General Standards:

The following general standards shall apply to all signs:

- A. Sign: A sign is defined as any visual device or representation designed or used for the purpose of communicating a message or identifying a product, service, person, organization, business or event, with the use of words or characters, visible from outside the premises on which such device is located.
- B. Illumination:
  - 1. Location and Design of Light Source: Whenever an external artificial light source is used for a sign, such source shall be located, shielded and directed so as not to be directly visible from any right-of-way or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than twelve inches from the face of the sign or building to which it is attached; provided, however, that a receptacle or device housing a permitted light source for a sign may be located more than twelve inches from the face of the sign if such light source is ground mounted, locked in place and cannot be redirected.
  - 2. Level of Illumination: In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed one hundred twenty foot-candles when measured with a standard light meter held perpendicular to the sign face at a distance equal to the narrowest dimension of such sign

face. All artificial illumination shall be so designed, located, shielded and directed as to prevent the casting of glare or direct light upon adjacent property or rights-of-way.

3. Signs Adjacent To Residential Areas: Any illuminated sign located on a lot abutting or across a right-of-way from, and visible from, any residentially zoned area shall not be illuminated between the hours of eleven o'clock P.M. and seven o'clock A.M. except that such sign may remain illuminated during such time as the activity to which the sign pertains is open for business so long as such sign is not a public or private nuisance.
4. Flashing Lights Prohibited: No flashing, blinking or intermittent lights shall be permitted.
- C. Electrical Elements: All wiring, fittings and materials used in the construction, connection and operation of artificially illuminated signs shall be in accordance with the provisions of this code. No metal sign illuminated by any means requiring internal wiring and no electrical fixtures attached to any sign shall be lower than nine feet from grade unless it is grounded by the use of a grounding conductor run with the circuit conductors and is also grounded by being bonded to a grounding electrode at the sign site.
- D. Structural Elements: The construction and structural components of all signs shall be in accordance with the standards and regulations of this code. All permanent signs shall be constructed of fire-resistant materials and shall be capable of withstanding wind pressures of at least thirty pounds per square foot of surface area and of receiving dead loads based on the actual weight of the structure.
- E. Minimum Elevation of Certain Signs: The bottom of every awning, canopy, marquee, wall and pylon sign shall be elevated at least eight feet above grade. Whenever possible wall signs on the same facade shall maintain the same top and bottom elevations above grade.
- F. Obstruction of Accessways: No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window or other required accessway.
- G. Obstruction of Window Surface: No sign shall project over, occupy or obstruct any window surface required for light or ventilation by any applicable provision of this code.
- H. Traffic Safety:
  1. Confusion with Traffic Signals: No sign shall be maintained at any location where by reason of its position, size, shape, content, color or illumination it may obstruct, impair, obscure, interfere with the view of or be confused with, any traffic control sign, sign or device or where it may interfere with, mislead or confuse traffic.
  2. Obstruction of Sight Triangles Prohibited: No sign, nor any part of a sign other than a supporting pole or brace no greater than eighteen inches in width or diameter shall be located lower than eight feet from grade within the area of any sight triangle as defined in this code.
- I. Signs in Rights-of-Way: Except as provided in this subsection, no sign except governmental signs authorized in this chapter shall be placed in or extend into or over any public property or right-of-way.
- J. Sign Identification: All signs shall be plainly marked with the name of the person, firm or corporation hanging or erecting the sign and the sign permit number.
- K. Sign Maintenance: The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in compliance with this code and all applicable laws, in a safe and secure condition, and in a neat and orderly condition and good working order at all times, and to prevent the development of any rust, corrosion, rotting or other

deterioration in the physical appearance or safety of such sign. The premises around ground and pylon signs shall be kept clean and free of all rubbish and weeds.

L. Sign Measurement:

1. Sign Area: Unless otherwise defined, sign area is determined by the total area enclosed by a continuous perimeter along the edges of a sign, including any sign area backing. The area of a sign composed of individually affixed letters is determined by total area of the smallest geometric shape enclosing the letters. A maximum of two geometric shapes may be utilized. The calculation for a double-faced sign shall be the area of one face only.



Measurement of sign  
area with backing



Measurement of sign  
area without backing



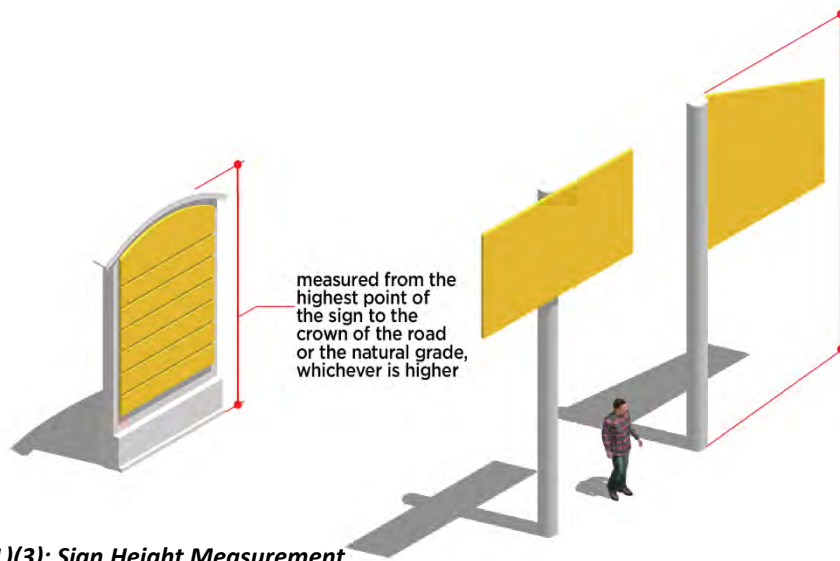
Measurement of sign  
area with backing



Measurement of sign  
area with backing

**4-5-4(L)(2): Sign Area Measurement**

2. Sign Height: Sign height is determined by the total distance between the highest point on a sign, including all supporting structures or bracing, to the crown of the right-of-way directly opposite the sign or from the natural grade level directly below the sign, whichever is higher.



#### **4-5-4(L)(3): Sign Height Measurement**

- M. Signs on Lots with Multiple Users: Where more than one user occupies a zoning lot, the owner of the lot shall be responsible for allocating permitted signage among such users.
- N. General Safety: Notwithstanding any other provision of this chapter, no sign shall be located in any area or in any manner so as to create a nuisance or a threat to the public safety and welfare.
- O. Violations: Erecting or maintaining a sign in a manner inconsistent with the provisions of this chapter is unlawful, is declare a nuisance and shall constitute a violation and petty offense. A separate offense shall be deemed committed for each day any violation of any provision of this chapter shall continue. Liability for the violation or offense shall be with the applicant, should the violation or offense be related to a sign erected and maintained pursuant to a permit issued by the village. Liability for the violation or offense shall be with the owner of the property on which the sign exists, should the violation or offense be related to a sign erected and maintained without a permit issued by the village. Violations of this chapter shall be punished as provided in section 1-4-1 of this code.

## 4-5-5: Definitions of Signs:

### A. Sign Types:

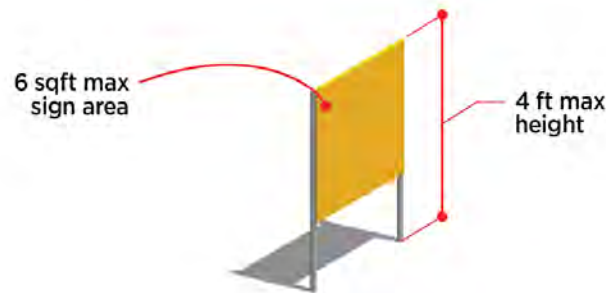
1. **Attention Getting Device:** A sign designed to attract attention by means of flashing or moving parts, bright color or light or movement of any kind. Examples of such signs include pennants hung in series, whirligigs, spinners, streamers, flashing lights, searchlights and balloons.
2. **Drive-Through Sign:** A sign that facilitates the operation of a drive-through facility by aiding with the pick-up, drop off, ordering or service of such a facility. It includes, but is not limited to, such signs as changeable copy menu boards.
3. **Governmental Signs:** A sign erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance or governmental regulation.
4. **Off Premises Sign:** A sign located on a property other than the property of the primary use or business to which the sign is associated.
5. **On Site Traffic Directional Sign:** A sign that assists in the movement of vehicular, bicycle or pedestrian traffic on a property.
6. **Outline Lighting:** An arrangement of incandescent lamps, light emitting diodes (LEDs) or other electrically powered light sources, in a string, rope, or similar configuration that calls attention to the outline or decoration of a window or outlines other architectural features.
7. **Awning, Canopy or Marquee Sign:** A sign that is mounted or painted on or attached to an awning, canopy or marquee that is otherwise permitted by this chapter. No such sign shall project above, below or beyond the physical dimensions of such awning, canopy or marquee.
8. **Banner Sign:** A temporary sign made of fabric or other similar nonrigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners.
9. **Box Sign:** A sign that is self-enclosed in a typically square or rectangular structure with or without internal lighting. A box sign can be single or double sided.
10. **Freestanding Sign:** A sign on a frame, pole or other support structure not attached to any building.
11. **Monument Sign:** A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
12. **Moving or Animated Sign:** Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement or rotation.
13. **Paint on Wall Sign:** A sign painted on the wall of a building or structure with the exposed face of the sign in a place parallel to the face of the wall.
14. **Post Sign:** A freestanding, moveable sign affixed to the ground with one or no more than two wood stakes or poles with an arm from which the sign hangs.
15. **Portable Sign:** A sign that is not permanently affixed to a building, a structure or the ground, but not including customary identification lettering on vehicles and advertising posters on buses and taxicabs.

16. Projecting Sign: A sign that is wholly or partially dependent upon a building for support, that projects more than twelve inches from such building, and whose face is perpendicular to the façade of the building upon which it is attached.
17. Pylon Sign: A sign that is mounted on a freestanding pole or other supports.
18. Reader Board/Changeable Copy/Video Sign: A sign or portion of a sign designed to accommodate frequent message changes composed of characters, or letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of such sign.
19. Roof Sign: A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.
20. Sandwich Board Sign: A movable sign not secured or attached to the ground or surface upon which it is located.
21. Temporary Sign: A sign or advertising display constructed of cloth, canvas, fabric, paper, plywood or other light material and intended to be displayed for a short period of time.
22. Vehicle/Trailer Sign: A sign that is attached to or painted on a vehicle that is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property, not including signs on service or delivery vehicles operating on public streets.
23. Wall Sign: A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign, that does not project more than twelve inches from such building or structure, and whose face is parallel to the façade of the building upon which it is attached.
24. Window Sign: A sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its message can be read from the exterior of the structure. Window signs shall include window film, decals and clings which are more than fifty percent opaque and / or contain sign copy.
25. Yard Sign: A freestanding, moveable sign on a wire or plastic frame, wood stake or similar support.

#### 4-5-6: Signs Permitted without a Permit:

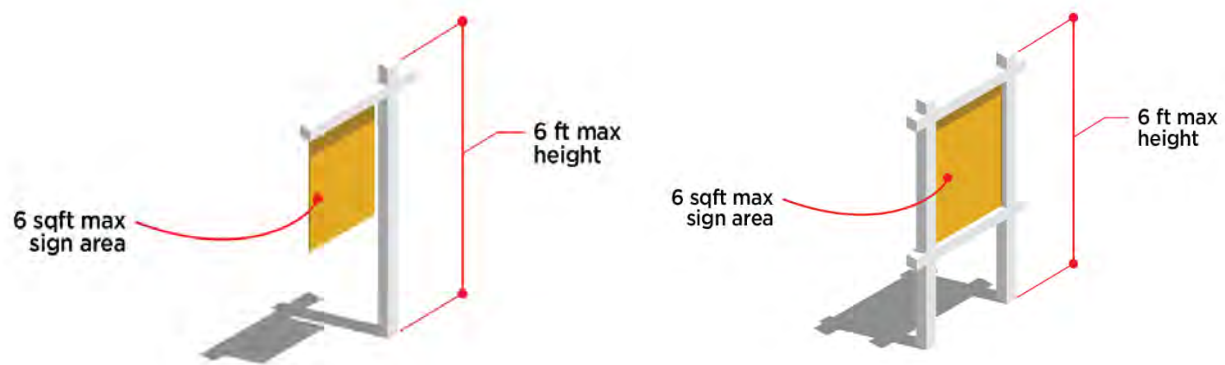
Except as regulated by section 4-5-4 of this chapter and except as expressly prohibited in section 4-5-7 of this chapter, and notwithstanding any other contrary provisions of this chapter, the following signs may, subject to the following limitations, be erected and maintained in any district without obtaining a village sign permit.

- A. Governmental signs: The size of any such sign shall not exceed the requirements of the law, ordinance or regulation pursuant to which such sign is erected.
- B. On site traffic directional signs: Such signs shall be limited to wall or freestanding signs of not more than six square feet in area; shall be, if a freestanding sign, not more than four feet in height; and shall be illuminated only as necessary to accomplish their intended purpose.



##### **4-5-6(B): On-Site Traffic Directional Signs**

- C. Post signs. Such signs shall be limited to free standing signs mounted in the ground with one, or no more than two, poles or stakes. Post signs shall be a maximum of six square feet in area and six feet in height. Illumination of such signs is prohibited. A maximum of one post sign may be displayed at any time for a period not to exceed 180 days in a calendar year. Display period extensions may be granted by the Zoning Administrator.

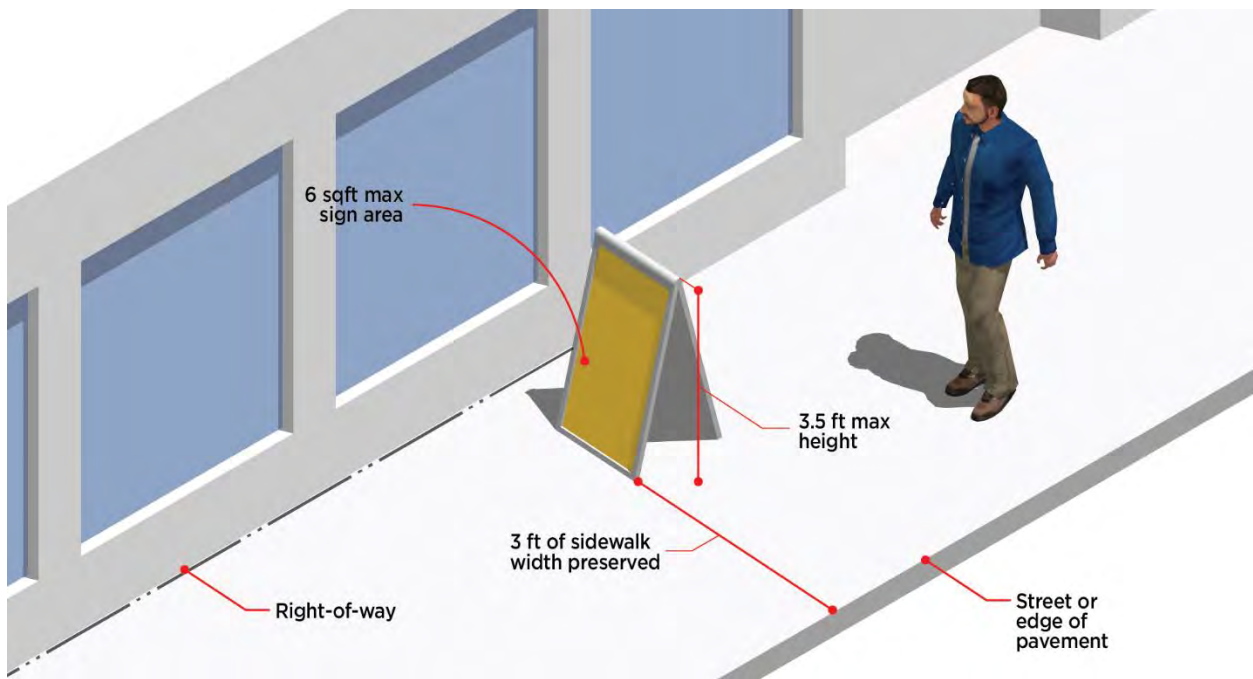


##### **4-5-6(C): Post Signs**



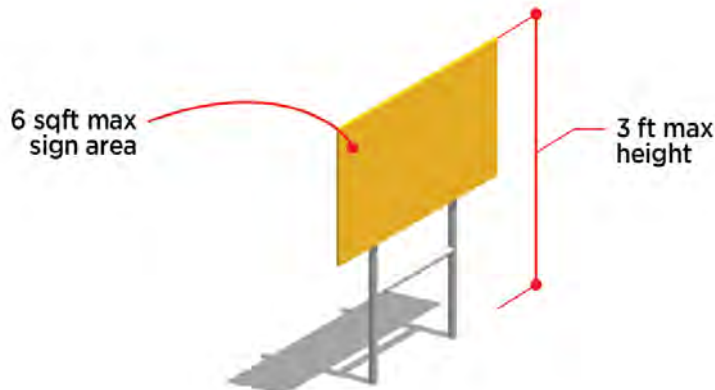
D. Sandwich board signs. Such signs shall be permitted in the C3 and PRI Districts only and shall be limited to six square feet in area and three and one half feet in height.

1. In the C3 District, such signs shall be located in a manner that: preserves a continuous sidewalk width of a minimum of three feet; does not block points of ingress or egress; is no more than one foot from the wall of the building or unit of a building to which they are associated; and is no less than three feet and no more than six feet from the building entrance of the building or unit of a building to which they are associated. In the C3 District, such signs shall only be permitted during the operating hours of the use to which they are associated.
2. In the PRI District, such signs shall be located in a manner that: preserves a continuous sidewalk width of a minimum of three feet and does not block points of ingress or egress. In the PRI District, such signs shall be limited to special event wayfinding only, in order to provide for the safe and efficient movement of people and vehicles.



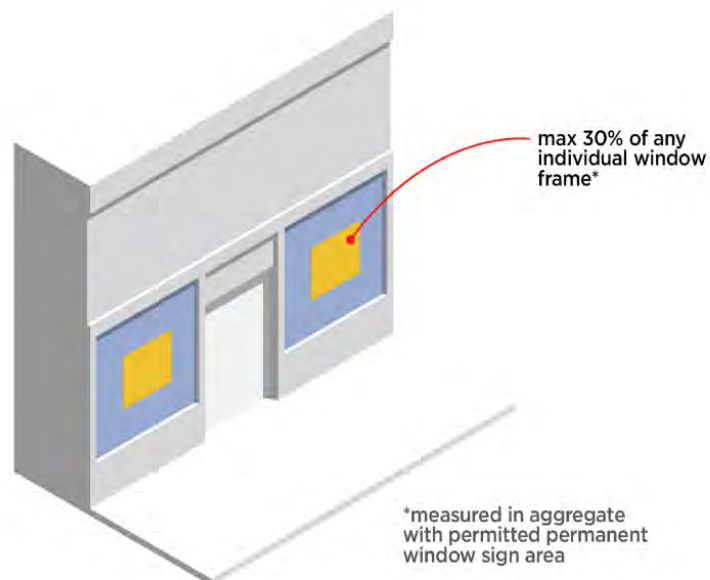
**4-5-6(D): Sandwich Board Signs**

- E. Yard signs. Such signs shall be limited to freestanding signs of not more than six square feet in area and three feet in height; illumination of such signs is prohibited. A maximum of four yard signs may be displayed concurrently.



**4-5-6(E): Yard Signs**

- F. Window signs, temporary: The aggregate area of all such signs shall not exceed thirty percent of the area of the window in which they are exhibited nor block any window area required for light, ventilation or emergency exit by any applicable code. Permitted temporary window sign area shall be considered in aggregate with permitted permanent window sign area. Illumination of such signs is prohibited. Temporary window signs shall include window film, decals and clings which are more than fifty percent opaque and / or contain sign copy.



**4-5-6(F): Window Signs, Temporary**

#### 4-5-7: Signs Specifically Prohibited in all Districts:

The following signs, as well as all other signs not expressly permitted by this chapter, are prohibited and shall not be erected, maintained or, except as provided for elsewhere in this chapter, permitted to continue in any district:

- A. Attention getting devices.
- B. Box signs.
- C. Electronic reader board (except as approved as part of a planned development).
- D. Moving or animated signs.
- E. Off premises signs (except as approved as part of a planned development).
- F. Outline lighting.
- G. Portable signs.
- H. Roof signs.
- I. Temporary signs, except as expressly authorized in this chapter and when approved in connection with temporary uses.
- J. Vehicle/trailer signs.
- K. Any sign on a tree, utility pole or light pole, whether on public or private property (except municipal/government banners appropriately approved and mounted).
- L. Any sign on public property, except governmental signs and signs in the PRI district authorized in this chapter.
- M. Any sign painted directly on a wall, roof or fence.
- N. Any ground sign (or portion of a sign) existing at a height of more than fifteen feet above the grade of an adjacent residential district.
- O. Construction signs in residential neighborhoods other than the sign or permit placard required by the village.

#### 4-5-8: District Regulations – C1:

Signs shall be permitted in the C1 district as follows (North Avenue):

- A. Sign Types Permitted:
  - 1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.
  - 2. Awning and canopy signs.
  - 3. Monument signs.
  - 4. Pylon signs.
  - 5. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.
  - 6. Wall signs.

7. Window signs.
  8. Drive-through sign, but only as authorized as part of a planned development.
- B. C. Number of Signs Permitted Per Lot:
1. All signs permitted in section 4-5-6 of this chapter; plus
  2. One wall sign per zoning lot frontage for buildings with a single ground floor tenant or one wall sign per ground floor business tenant fronting the public right of way; plus
  3. One monument sign; or
  4. One pylon sign.
- C. Maximum Gross Surface Area of Signs Permitted:
1. Total Sign Area: Unless otherwise stated in this section, the total area of all signs on a zoning lot shall not exceed one square foot per linear foot of zoning lot frontage on a public street; provided, however, that signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.
  2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:
    - a. Awning and Canopy Signs: Not to exceed sixty square feet per sign face. No sign belonging to an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.
    - b. Monument Signs: Not to exceed eighty square feet per sign face.
    - c. Pylon Signs: Not to exceed eighty square feet per sign face.
    - d. Wall Signs: Not to exceed eighty square feet per sign, or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.
    - e. Window Signs: Not to exceed twenty five percent of any individual window frame. Permitted permanent window sign area shall be considered in aggregate with permitted temporary window sign area.
  3. Multi-Tenant Buildings: Regardless of total sign area allowed for a multi-tenant building, each ground floor business tenant fronting the public right of way shall be allowed at least one sign of the following types:
    - a. Awning and Canopy Signs: An awning or canopy sign belonging to an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the awning or canopy area associated with the subject tenant.
    - b. Wall Signs: A wall sign belonging to an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the wall area associated with the subject tenant.
- D. Maximum Height of Signs Permitted:
1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.

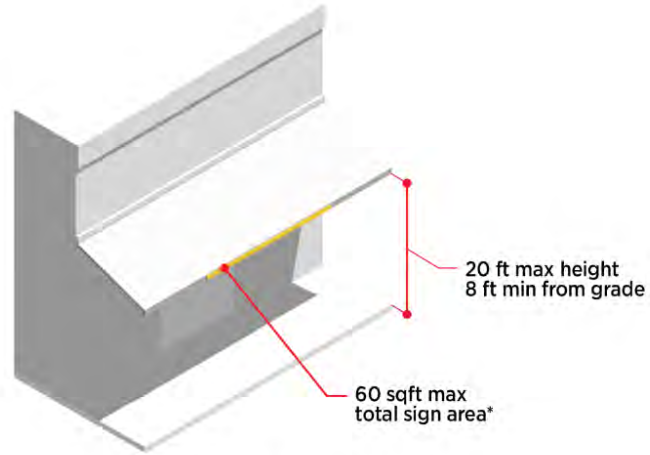
2. Awning and Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.
3. Monument Signs: A maximum height of ten feet.
4. Pylon Signs: A maximum height of twenty feet or the height of the primary structure or service area canopy for gas stations, whichever is less.
5. Wall Signs: Thirty feet. Permitted only on the first floor of multi-story buildings. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern and corbel). Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.

E. Minimum Setback Required:

1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.
2. Monument Signs: Three feet from "right of way" and six feet from all other lot lines. All monument signs shall be located outside of the "sight triangles" and shall be maintained.
3. Pylon Signs: Three feet from "right of way" and six feet from all other lot lines. All pylon signs shall be located outside of the "sight triangles" and shall be maintained.

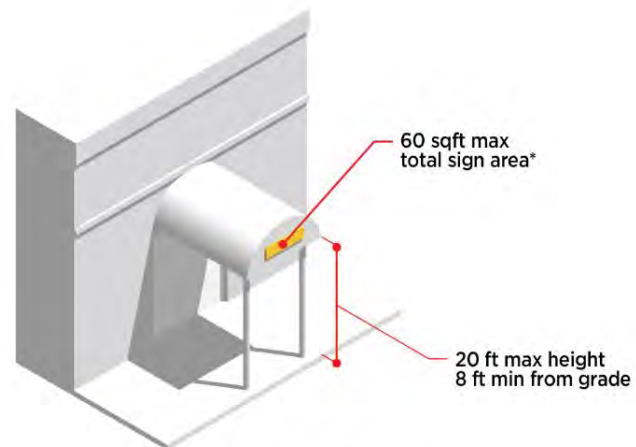
F. Illumination:

1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.
2. Awning and Canopy Signs: Can only be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.
3. Monument Signs: Monument signs shall be backlit, directly lit or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right of way. The sign area backing shall not be internally illuminated.
4. Pylon Signs: Pylon signs shall be internally illuminated.
5. Wall Signs: Letters shall be individually affixed to walls of a building or utilize a mounting system which gives the appearance of individually affixed letters and be either internally illuminated or backlit.
6. Window Signs: Illumination of window signs shall be prohibited.



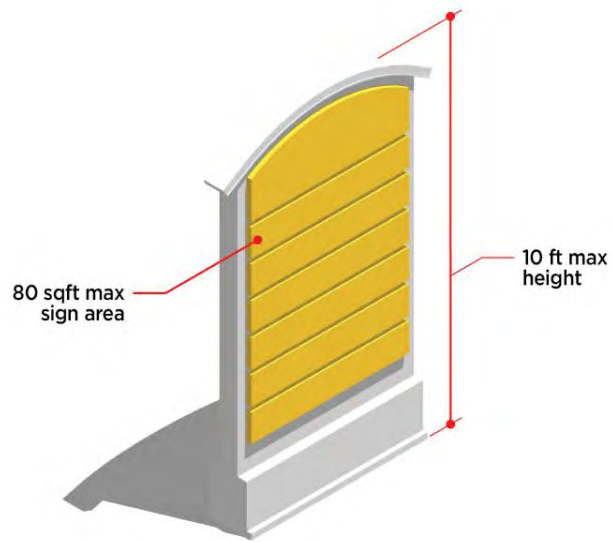
\*and no more than 5% of  
proportion of awning area  
associated with tenant

#### 4-5-8: Awning Signs

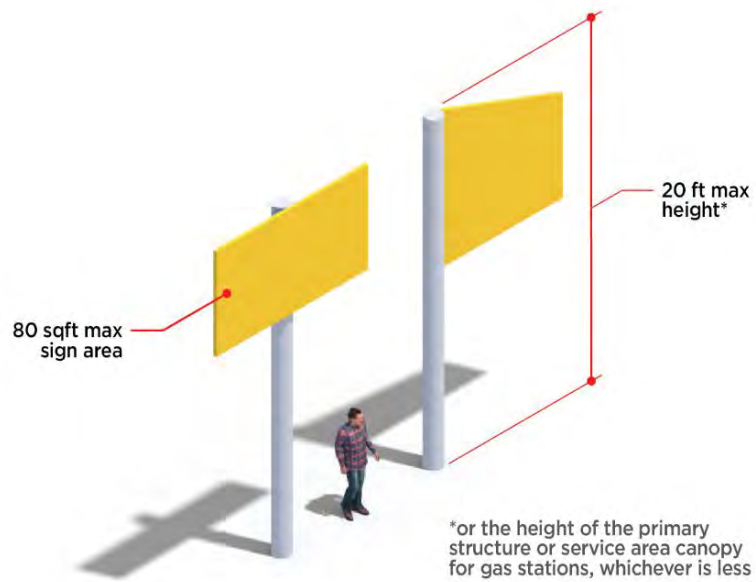


\*and no more than 5% of  
proportion of canopy area  
associated with tenant

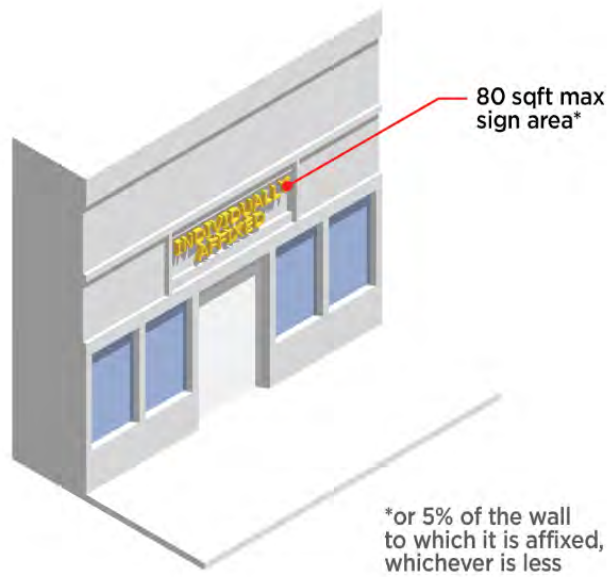
#### 4-5-8: Canopy Signs



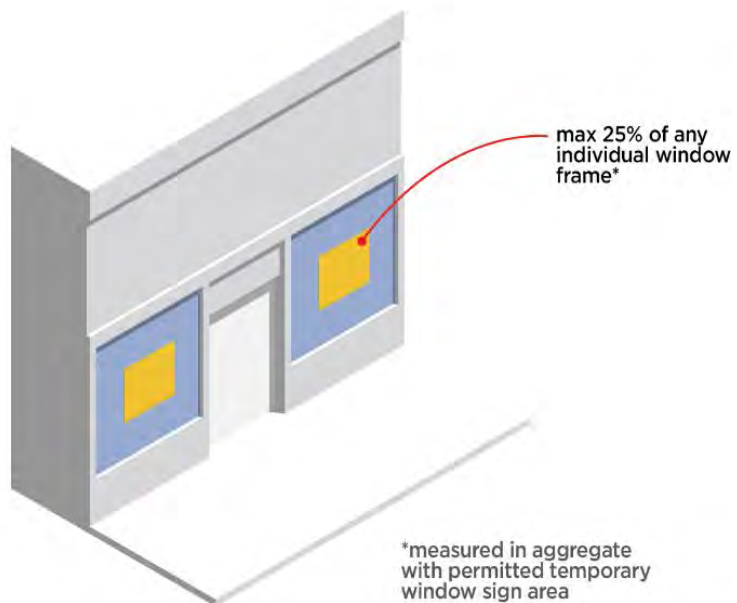
**4-5-8: Monument Signs**



**4-5-8: Pylon Signs**



**4-5-8: Wall Signs**



**4-5-8: Window Signs**



## 4-5-9: District Regulations – C2 and PRI:

Signs shall be permitted in the C2 and PRI districts as follows:

### A. Sign Types Permitted:

1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.
2. Awning and canopy signs.
3. Monument signs.
4. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.
5. Wall signs.
6. Window signs.
7. Drive-through sign, but only as authorized as part of a planned development.

### B. Number of Signs Permitted Per Lot:

1. All signs permitted in section 4-5-6 of this chapter; plus
2. One wall sign per zoning lot frontage for buildings with a single ground floor tenant or one wall sign per ground floor business tenant fronting the public right of way; plus
3. One monument sign.

### C. Maximum Gross Surface Area of Signs Permitted:

1. Total Sign Area: Unless otherwise stated in this section, the total area of all signs on a zoning lot shall not exceed one square foot per linear foot of zoning lot frontage on a public street; provided, however, that signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.
2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:
  - a. Awning and Canopy Signs: Not to exceed sixty square feet per sign face. No sign belonging to an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.
  - b. Monument Signs: Not to exceed eighty square feet per sign face.
  - c. Wall Signs: Not to exceed sixty square feet per sign or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.
  - d. Window Signs: Not to exceed twenty five percent of any individual window frame. Permitted permanent window sign area shall be considered in aggregate with permitted temporary window sign area.
3. Multi-Tenant Buildings: Regardless of total sign area allowed for a multi-tenant building, each ground floor business tenant fronting the public right of way shall be allowed at least one sign of the following types:

- a. Awning and Canopy Signs: A sign belonging to an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the awning or canopy area associated with the subject tenant.
- b. Wall Signs: A sign belonging to an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the wall area associated with the subject tenant.

D. Maximum Height of Signs Permitted:

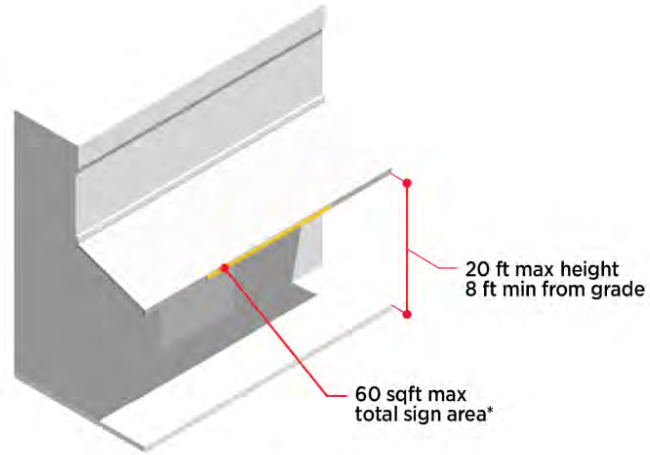
1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.
2. Awning and Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.
3. Monument Signs: A maximum height of ten feet.
4. Wall Signs: Thirty feet. Permitted only on the first floor of multi-story buildings. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern and corbel). Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.

E. Minimum Setback Required:

1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.
2. Monument Signs: Three feet from "right of way" and five feet from all other lot lines. All monument signs shall be located outside of the "sight triangles".

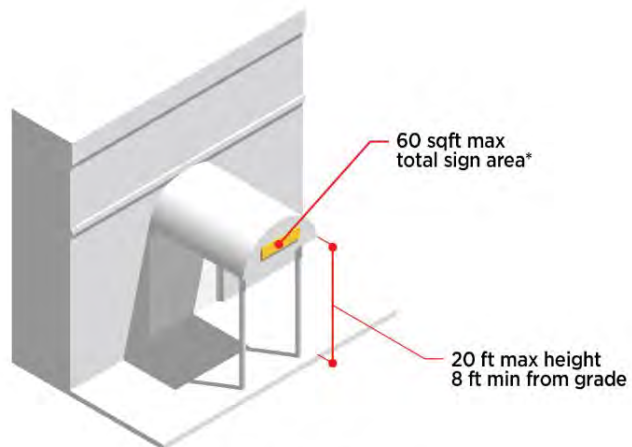
F. Illumination:

1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.
2. Awning and Canopy Signs: Can only be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.
3. Monument Signs: Monument signs shall be backlit, directly lit or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right of way. The sign area backing shall not be internally illuminated.
4. Wall Signs: Letters shall be individually affixed to walls of a building or utilize a mounting system which gives the appearance of individually affixed letters and be either internally illuminated or backlit.
5. Window Signs: Illumination of window signs shall be prohibited.



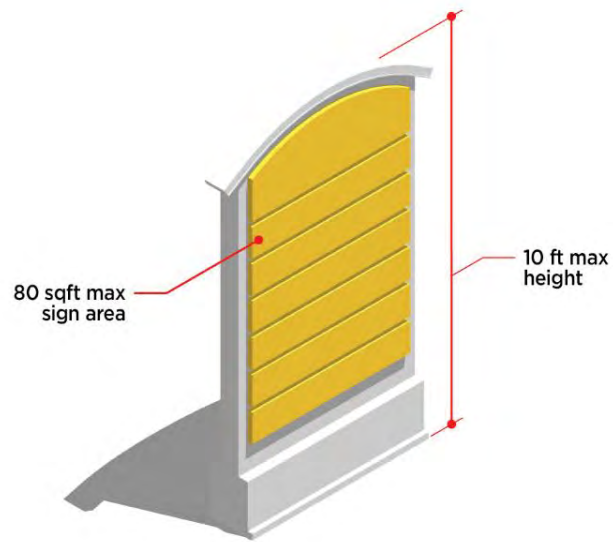
**4-5-9: Awning Signs**

\*and no more than 5% of  
proportion of awning area  
associated with tenant

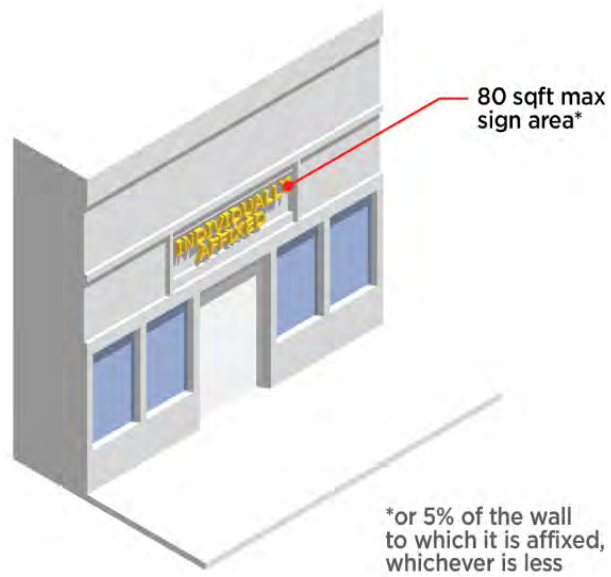


**4-5-9: Canopy Signs**

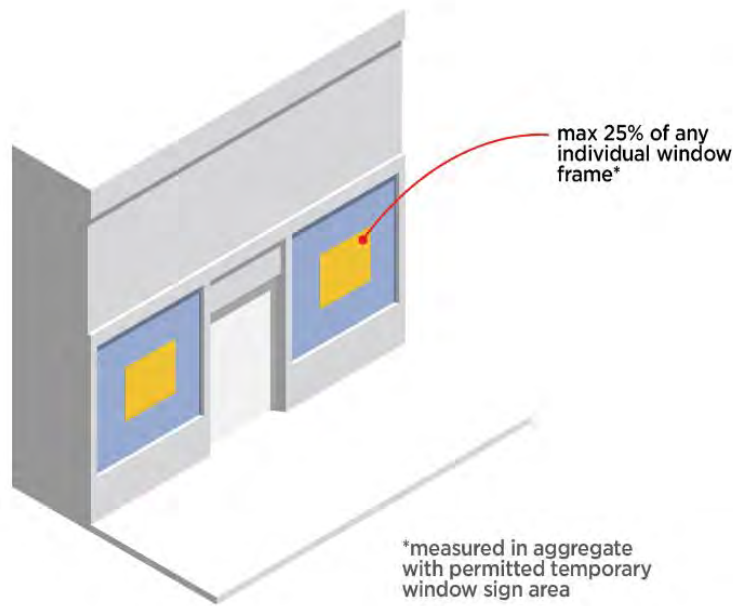
\*and no more than 5% of  
proportion of canopy area  
associated with tenant



**4-5-9: Monument Signs**



**4-5-9: Wall Signs**



**4-5-9: Window Signs**

## 4-5-10: District Regulations – C3:

Signs shall be permitted in the C3 district as follows (Lake Street Village Center Area):

### A. Sign Types Permitted:

1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.
2. Awning and canopy signs.
3. Projecting signs.
4. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.
5. Wall signs.
6. Window signs.
7. Drive-through sign, but only as authorized as part of a planned development.

### B. Number of Signs Permitted Per Lot:

1. All signs permitted in section 4-5-6 of this chapter; plus
2. One wall sign per zoning lot frontage for buildings with a single ground floor tenant or one wall sign per ground floor business tenant fronting the public right of way.
3. One projecting sign per zoning lot frontage for buildings with a single ground floor tenant or one projecting sign per ground floor business tenant fronting the public right of way.

### C. Maximum Gross Surface Area of Signs Permitted:

1. Total Sign Area: Unless otherwise stated in this section, the total area of all signs on a zoning lot shall not exceed one square foot per linear foot of zoning lot frontage on a public street; provided, however, that signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.
2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:
  - a. Awning and Canopy Signs: Not to exceed sixty square feet per sign face. No sign belonging to an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.
  - b. Projecting Signs: Not to exceed four- and one-half square feet per sign face.
  - c. Wall Signs: Not to exceed sixty square feet per sign, or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.
  - d. Window Signs: Not to exceed twenty five percent of any individual window frame. Permitted permanent window sign area shall be considered in aggregate with permitted temporary window sign area.
3. Multi-Tenant Buildings: Regardless of total sign area allowed for a multi-tenant building, each ground floor business tenant fronting the public right of way shall be allowed at least one sign of the following types:

- a. Awning and Canopy Signs: A sign belonging to an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the awning or canopy area associated with the subject tenant.
- b. Wall Signs: A sign belonging to an individual tenant of a multi-tenant building shall cover up to, but not more than five percent of the proportion of the wall area associated with the subject tenant.

D. Maximum Height of Signs Permitted:

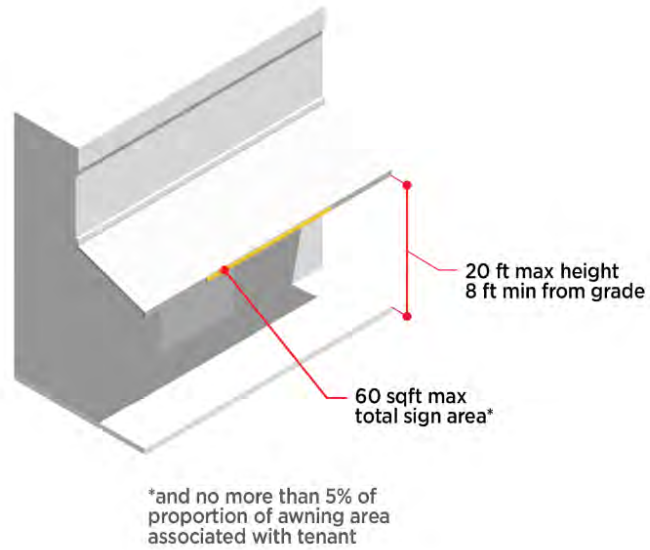
1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.
2. Awning and Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.
3. Projecting signs: A projecting sign shall not extend above the roofline of the building to which it is attached, or a maximum of twelve (12) feet. A minimum of eight (8) feet of clearance shall be maintained from the lower edge of the sign face to grade.
4. Wall Signs: Thirty feet. Permitted only on the first floor of multi-story buildings. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern and corbel). Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed. Wall signs for individual tenants of a multi-tenant building shall be of the same type/font and overall design and color.

E. Minimum Setback Required:

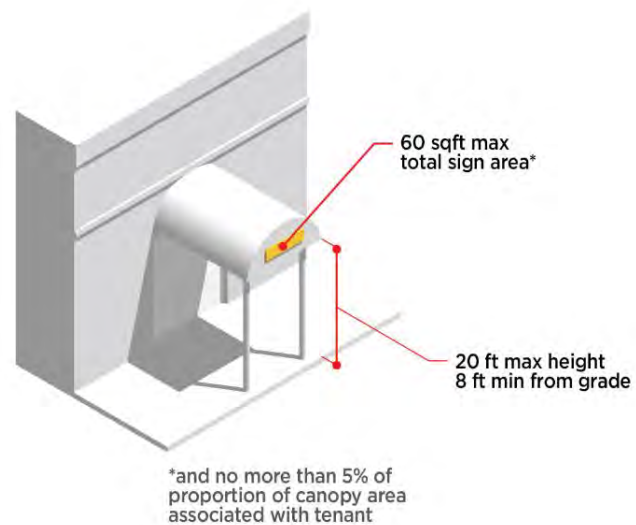
1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.
2. Projecting Signs: Projecting signs shall not horizontally project more than four (4) feet beyond that portion of the building or structure to which it is attached.

F. Illumination:

1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.
2. Awning and Canopy Signs: Can only be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.
3. Projecting Signs: Illumination of projecting signs shall be prohibited.
4. Wall Signs: Letters shall be individually affixed to walls of a building or utilize a mounting system which gives the appearance of individually affixed letters and be either internally illuminated or backlit.
5. Window Signs: Illumination of window signs shall be prohibited.

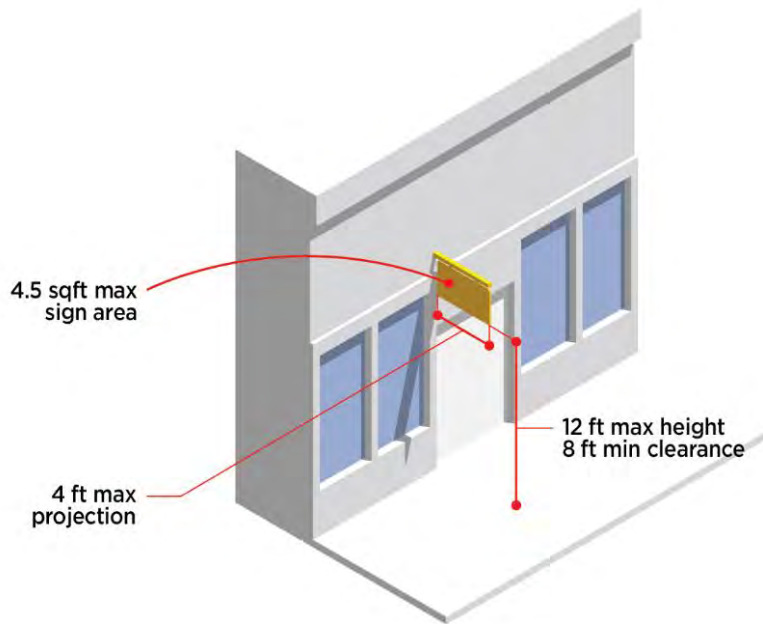


#### **4-5-10: Awning Signs**

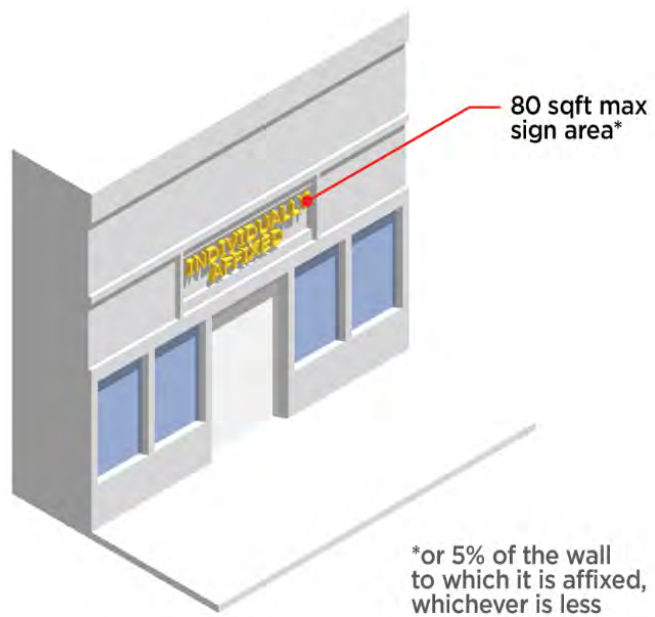


#### **4-5-10: Canopy Signs**

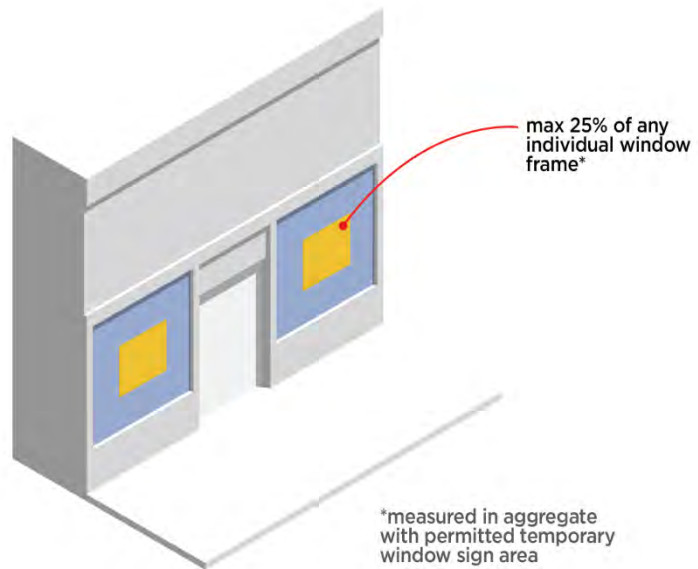




#### ***4-5-10: Projecting Signs***



#### ***4-5-10: Wall Signs***



**4-5-10: Window Signs**

## 4-5-11: District Regulations – ORIC

Signs shall be permitted in the ORIC district as follows:

### A. Sign Types Permitted:

1. All signs permitted in any district without a village permit as provided in section 4-5-6 of this chapter.
2. Awning and canopy signs.
3. Monument signs.
4. Projecting signs, but only as authorized as part of a planned development.
5. Temporary signs, but only as authorized in section 4-5-6 of this chapter or for construction signs.
6. Wall signs.
7. Drive-through sign, but only as authorized as part of a planned development.

### B. Number of Signs Permitted Per Lot:

1. All signs permitted in section 4-5-6 of this chapter; plus
2. One wall sign per zoning lot frontage for buildings with a single ground floor tenant, or one wall sign per ground floor business tenant fronting the public right of way; plus
3. One monument sign per street frontage; plus
4. One on site directory sign per zoning lot frontage.

### C. Maximum Gross Surface Area of Signs Permitted:

1. Total Sign Area: The total area of all signs on a zoning lot shall not exceed one square foot per linear foot of zoning lot frontage on a public street; provided, however, that signs allowed without permits, shall not be counted toward the total allowance gross sign surface area permitted on a zoning lot.
2. Individual Sign Area Limitations: The following individual sign area limitations shall apply to all signs:
  - a. Awning and Canopy Signs: Not to exceed sixty square feet per sign face. No sign belonging to an individual tenant of a multi-tenant building shall cover more than five percent of the wall to which it is affixed.
  - b. Monument Signs: Not to exceed one hundred square feet per sign face, nor more than two hundred square feet total.
  - c. Wall Signs: Not to exceed one hundred square feet per sign, or not to exceed covering more than five percent of the wall to which it is affixed, whichever is less.

### D. Maximum Height of Signs Permitted:

1. Signs without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.

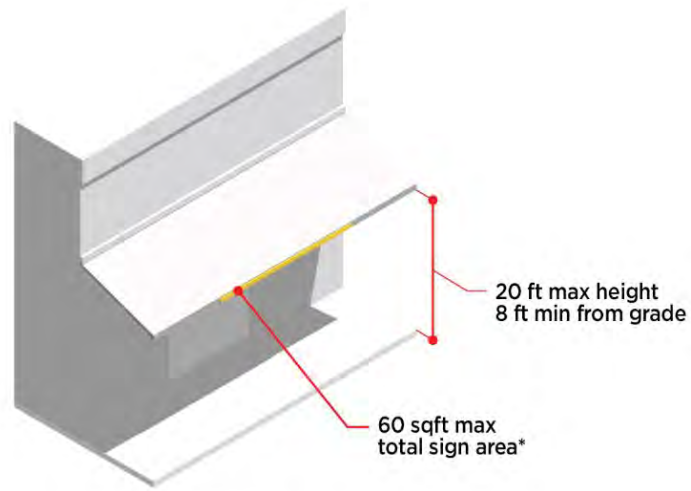
2. Awning and Canopy Signs: Twenty feet; all awning and canopy signs shall be at least eight feet above grade. Awning and canopy signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed.
3. Monument Signs: A maximum height of ten feet.
4. Wall Signs: Thirty feet. Wall signs for individual tenants of a multi-tenant building shall be at the same height on the building to which they are affixed. No wall sign shall cover any architectural features of the building to which it is attached (architectural features shall include, but not be limited to: pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or tile inlay, kick plate/bulkhead, raised or colored brick pattern and corbel).

E. Minimum Setback Required:

1. Signs Without Permits: As provided in section 4-5-6 of this chapter for signs permitted pursuant to that section.
2. Monument Signs: Three feet from "right of way" and six feet from all other lot lines. All monument signs shall be located outside of the "sight triangles".

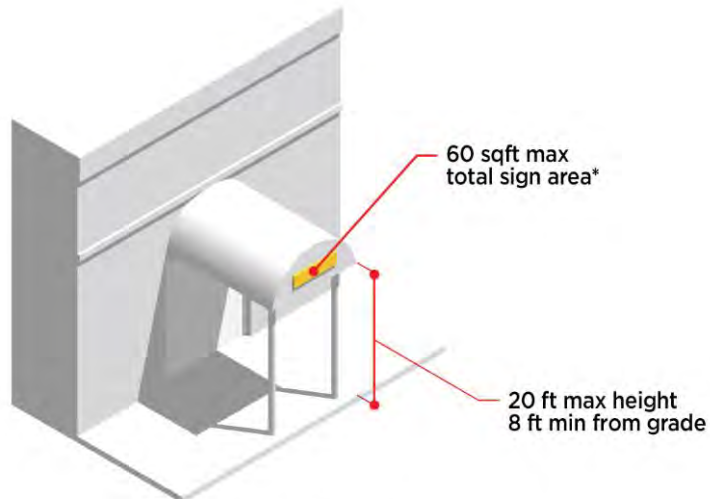
F. Illumination:

1. Signs Without Permits: Signs permitted pursuant to section 4-5-6 of this chapter shall be illuminated only as permitted in that section.
2. Awning and Canopy Signs: Shall be illuminated using a direct light source. Direct illumination shall be aimed at the exterior of the awning/canopy.
3. Monument Signs: Monument signs shall be backlit, directly lit or internally illuminated. All letters must be individually affixed. Any direct light source shall be concealed from view from the right of way. The sign area backing shall not be internally illuminated.
4. Wall Signs: Letters shall be individually affixed to walls of a building or utilize a mounting system which gives the appearance of individually affixed letters and be either internally illuminated or backlit.



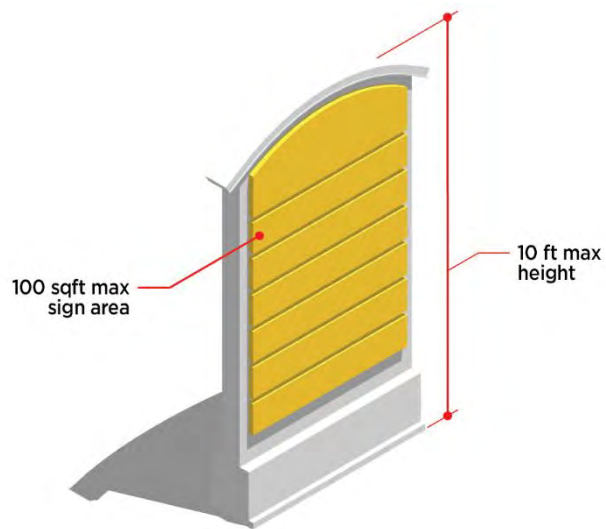
\*and no more than 5% of  
proportion of awning area  
associated with tenant

#### **4-5-11: Awning Signs**

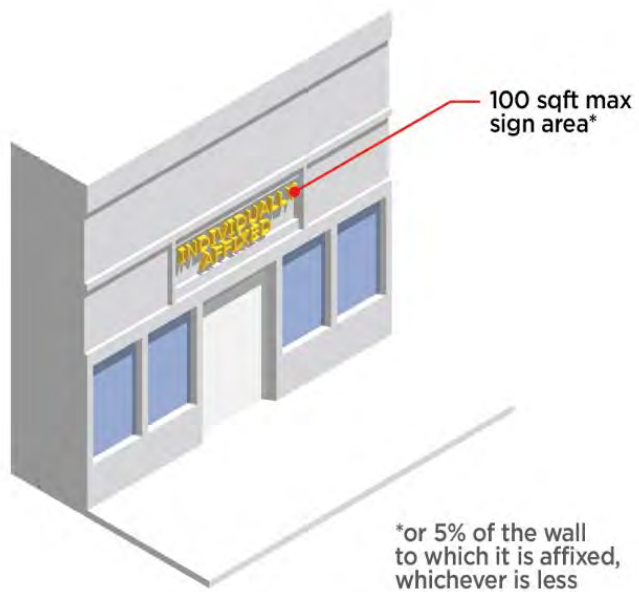


\*and no more than 5% of  
proportion of canopy area  
associated with tenant

#### **4-5-11: Canopy Signs**



#### **4-5-11: Monument Signs**



#### **4-5-11: Wall Signs**

## 4-5-12: Temporary Signs:

- A. A "temporary sign" is any sign in any nonresidential district that is not designed or intended to be placed permanently.
- B. Any owner or tenant desiring to erect or maintain a temporary sign shall submit a temporary sign permit application. An application may only be made by the owner or tenant of the property on which the temporary sign will be erected and maintained. A separate application must be submitted for each temporary sign an owner or tenant desires to erect and maintain. The applicant shall be responsible for the installation, maintenance and removal of a temporary sign pursuant to a permit issued by the village.
- C. No temporary sign shall be erected or maintained without a permit. No temporary sign shall be maintained beyond the date and time set forth in the permit permitting the temporary sign to be erected and maintained.
- D. The permit fee for temporary signs shall be one hundred dollars per application.
- E. Temporary signs shall not exceed thirty-two square feet in area.
- F. Only one temporary sign shall be allowed for each temporary sign permit application. No applicant may display a temporary sign more than three times a year. A separate permit application is required for each temporary sign request.
- G. Temporary signs are limited to a display duration not to exceed ninety calendar days.
- H. All temporary signs must remain in good condition throughout the display period. The applicant is responsible for maintaining the temporary sign. Corrective action must be taken immediately by the applicant if there exists any problems or defects with the appearance, condition or maintenance of the sign and/or support hardware. Temporary signs must be constructed of durable, weather resistant materials (canvas, nylon, etc.) with sufficient strength and resilience to maintain an acceptable appearance for the duration of its display and shall be securely affixed on all sides/corners.
- I. No temporary sign may be located higher than the roofline of the building to which it is attached or, if attached to a permanent sign, higher than the sign. There must be no encroachment of a temporary sign into the public right of way.
- J. Temporary signs may not block any public signs or public infrastructure and shall be placed not less than eight feet from the nearest edge of a right of way or property line.
- K. River Forest units of government may install temporary streetlight banners on village owned streetlights. Said banners shall be limited to a display not to exceed one hundred eighty days and the display may be extended for an additional one hundred eighty days with approval of the village. One temporary sign permit application shall be required for each street or parking lot at which the temporary streetlight banners will be installed. All other temporary sign regulations listed in this section shall apply to temporary streetlight banners.

## 4-5-13: Nonconforming Signs:

- A. Maintenance: Legal nonconforming signs, meaning a nonconforming sign lawfully erected which has since become nonconforming, may be maintained subject to the following regulations:
  - 1. No nonconforming sign shall be expanded or altered to prolong the life of the sign.
  - 2. No nonconforming sign structure shall be changed to another nonconforming sign structure except that the copy, message or graphic of a nonconforming sign may be changed.
  - 3. The nonstructural component of a multi-tenant sign on which the copy, message or graphic is displayed, such as a plastic or metal panel or insert, may be replaced to accommodate a change in tenant.
  - 4. If the copy, message or graphic of a nonconforming sign cannot be changed without altering a structural component, then such change is not permitted. Structural components include any part of a sign attached directly to the ground or to a building or structure, any part of the supporting structure of a sign without which the sign fails to maintain its structural integrity, and any part of a sign's electrical or lighting equipment.
  - 5. No nonconforming sign shall be relocated in whole or in part unless, when relocated, it conforms to all of the provisions of this chapter.
  - 6. If a nonconforming sign is damaged or destroyed to the extent of fifty percent of its replacement value, the sign must be repaired or replaced in conformance with all provisions of this chapter.
- B. Abatement, Abandonment And Discontinuance: If a legal nonconforming sign is discontinued or abandoned for a period of one hundred eighty days, the rights to legal nonconforming status shall have expired and any subsequent use of such a sign shall comply with all regulations of the zoning district in which such a sign is located. The period of such discontinuance caused by government action, acts of God or other acts without any contributing fault by the user, shall not be included in calculating the length of discontinuance for this section.
- C. Removal: Illegal nonconforming signs, meaning a nonconforming sign unlawfully erected or maintained, shall be removed.



## 4-5-14: Construction Signs:

- A. Construction Sign: Such signs shall not exceed sixty-four (64) square feet in surface area in a commercial district or approved planned development area. The limit for surface area is applicable on each street frontage.

Such signs are permitted as standalone signs or mounted on construction fences in a commercial district, subject to the following:

1. Temporary construction fence wrap signs require approval by the Zoning Administrator. The Zoning Administrator may impose conditions on approval of temporary construction fence wrap signs.
  2. Copy, message or graphics of a temporary construction fence wrap signs is limited to twenty-five percent (25%) of the surface area of the construction fence.
  3. Temporary construction fence wrap signs are limited to a display of the lesser of eighteen (18) months, or such shorter time period as the Zoning Administrator allows, after initial approval by the Zoning Administrator for the sign ("initial display period"). If construction of an applicable building begins within the initial display period, a sign may continue to be displayed for an additional nine (9) months after the expiration of the initial display period. If construction does not commence within the initial display period, the sign shall be removed within seven (7) calendar days after the expiration of the initial display period.
  4. The wrap material shall be of a durable, weather resistant material like canvas, nylon or vinyl coated fabric.
  5. Temporary construction fence wrap signs shall not be displayed at the same time as a construction sign, if the construction wrap sign contains any copy, message or graphics.
- B. Permit Fee: The cost of the permit fee shall be one hundred dollars (\$100.00) per application.

## 4-5-15: Variations:

- A. The Zoning Administrator may issue the following minor variations from the requirements of this chapter following the procedures for minor variations in section 10-5-4 of this code to the extent practicable:
  - 1. Up to a one percent (1%) increase in individual sign area limitations for all permanent sign types except for wall signs.
  - 2. An increase in the area of a wall sign in excess of the maximum square footage of wall sign area permitted in the district in which the sign shall be located, but less than or equal to five percent (5%) of the wall to which the sign shall be affixed.
- B. The Zoning Board of Appeals shall have jurisdiction to hold public hearings and make recommendations to the Village President and Board of Trustees for the following major variations from the requirements of this chapter, pursuant to its powers granted in section 10-5-4 of this code, and following the procedures therein to the extent practicable, and the Village President and Board of Trustees may thereafter approve such major variations, in their discretion:
  - 1. An increase greater than one percent (1%) in individual sign area limitations for all sign types with the exception of wall signs.
  - 2. An increase in the area of a wall sign in excess of the maximum square footage of wall sign area permitted in the district in which the sign shall be located and in excess of five percent (5%) of the wall to which the sign shall be affixed.
  - 3. An increase in the total area of all signs permitted on a zoning lot.
- C. A planned development may include relief from any of the requirements of this chapter.