

TONICA ZONING
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ORDINANCE NO. 307

AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE VILLAGE OF TONICA, COUNTY OF LASALLE, AND STATE OF ILLINOIS AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 65, SECTION 5/11-13-1 ET. SEQ. ILLINOIS COMPILED STATUTES, 1992, AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH

WHEREAS, pursuant to Statute, the Board of Trustees of the Village of Tonica, did heretofore provide for a zoning committee to exercise the power conferred by the Statutes of the State of Illinois, with the duty in said zoning committee to recommend the boundaries of districts and appropriate regulations to be in force therein; and

WHEREAS, said zoning committee did prepare a tentative report of a proposed zoning ordinance together with an extra-territorial zoning map, all of which said items and documents were duly filed in the office of the circuit clerk of the Village of Tonica; and

WHEREAS, pursuant to law, due and proper notice was given of a public hearing to be held in said proposed zoning ordinance by said zoning committee on January 26, 1994, at 7:00 p.m. in the Village Hall of said Village; and

WHEREAS, after due and proper notice of hearings thereon, said committee has duly recommended the adoption of this Zoning Ordinance in the manner hereinafter set forth; and

WHEREAS, to the end that adequate light, pure air and safety from fire and other damages may be avoided, that the taxable value of land and buildings throughout the municipality may be conserved, that congesting of public streets may be lessened or avoided, and the public health, safety, comfort, morals and welfare may be otherwise promoted and pursuant to provisions of Chapter 65, Section 5/11-13-1.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE PRESIDENT AND BOARD OF TRUSTERS OF THE VILLAGE OF TONICA, LASALLE COUNTY, ILLINOIS AS FOLLOWS:

SECTION I - TITLE

This Ordinance shall be known and may be cited and referred to as the "Zoning Ordinance of the Village of Tonica".

SECTION II - DEFINITIONS

For the purpose of this Ordinance certain terms or words used herein shall be defined as follows:

Words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular. The word "building" includes the word "structure", the word "shall" is mandatory and not directory. The word "used" shall be deemed to include "designed", "intended", or "arranged to be used".

Accessory Building or Use: A subordinate building or use customarily incident to and located on the same lot occupied by the main building or use and constructed or established at the same time or after construction of the main building or use.

Alley: A way which affords only secondary means of access to property abutting thereon.

Apartment: A room or suite of rooms intended, designed or used as a residence by a single family.

Apartment House: See Dwelling, Multiple.

Automobile Wrecking Yard: The dismantling or wrecking of used motor vehicles or trailers, or storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two or more vehicles, which cannot be operated legally on City streets or which, for a period exceeding 72 hours have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale, shall constitute prima facie evidence of an automobile wrecking yard.

Basement: A story partly underground and having at least one-half of its height above the average level of the adjoining ground. A basement shall be counted as a story if subdivided and used for dwelling or business purposes.

Bed and Breakfast Inn: An owner occupied dwelling unit where no more than four (4) short-term lodging rooms are provided for compensation (with or without meals).

Board: The Village of Tonica Board of Appeals as authorized by this Ordinance.

Boarding House: A building other than a hotel, where for compensation and by arrangement, meals or lodging are provided for three or more persons.

Building: Any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

Building, Height of: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

Camper: A mobile living unit designed to be mounted upon and conveyed by a vehicle. No camper unit shall be occupied in the Village except as provided in the zoning code.

Cellar: That portion of a building between floor and ceiling which is wholly or partly below grade, and having more than one-half of its height below grade.

Clinic: An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians practicing medicine together.

Club: A building or portion thereof or premises owned or operated by a corporation, association, person or persons for a social, educational, or a recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

Condominium: An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in a residential building such as an apartment. A condominium may include, in addition, a separate interest in other portions of such real property.

District: Any section of the Village of Tonica for which zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform.

Dwelling: A permanent building used primarily for human habitation but not including facilities for the housing of transient residents nor to include mobile homes.

Dwelling, Single-Family: A permanent building designed for or occupied exclusively by one family.

Dwelling, Two-Family: A permanent building designed for or occupied exclusively by two families.

Dwelling, Multiple: A permanent building designed for or occupied exclusively by three or more families.

Explosives: Means any chemical compound or any mechanical mixture containing any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, concussion or detonator of any part of the compound or mixture may cause sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects upon life, limb or contiguous objects, but does not mean gasoline, kerosene, naphtha, turpentine, benzine, butane, propane collidated nitro-starch containing twenty per centum or more moisture or wet picric acids containing or being in ten per centum or more moisture. Manufactured articles such as fixed ammunition for small arms, fire crackers, safety fuses, matches, etc., shall not be held to be explosive when the individual units contain explosives in such

limited quantity, of such nature or is such packing that it is impossible to produce simultaneous or a destructive explosion of such units, to the injury of life, limb or property.

Family: One or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit; provided that a group of four or more persons who are not within the second degree of kinship shall not be deemed to constitute a family.

Notwithstanding the definition in the preceding paragraph, a family shall be deemed to include five or more persons not within the second degree of kinship occupying a dwelling unit and living as a single, nonprofit housekeeping unit, if said occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first paragraph of this definition.

Farm: Means a tract of land used for the growing and storage of the usual agricultural products such as grain, vegetables, and fruits, as well as for raising thereon of the usual farm poultry and farm animals such as horses, cattle, sheep and swine. the term includes the utilization of such land for one or more of the above uses including dairy farms with the necessary operations for treating or storing the produce provided, however, that the operation of any accessory uses shall be secondary to that of the normal farming activities. Any tract on which the principal use is the raising of fur-bearing animals, such as mink, muskrats, rabbits, etc., shall not be considered a farm. A commercial feed lot shall not be considered a farm. Residential structures occupied by persons primarily engaged in farming are included in the term "FARMING"; however, there shall not be more than three (3) dwellings on any one farm.

Filling Station: Any building, structure or land used for the dispensing sale or offering for sale at retail of any motorized vehicle fuels, oils, or accessories, including lubrication of motorized vehicle and replacement or installation of minor parts and accessories but not including major repair work such as motor replacement, body and fender repair or spray painting.

Frontage: All of the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead ended, than all of the property abutting on one side between an intersecting street and the dead end of the street.

Garage, Private: An accessory building designed or used for the storage of not more than four motor-driven vehicles owned and used by the occupants of the building to which it is accessory, and not storing more than one commercial vehicle or any vehicle which exceeds a two-ton capacity.

Garage, Public: A building or portion thereof, other than a private storage or parking garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor-driven vehicles.

Garage, Storage or Parking: A building or portion thereof designed or used exclusively for term storage by prearrangement of motor-driven vehicles, as distinguished from daily storage furnished transients, and within which motor fuels and oils may be sold, but no motor-driven vehicles equipped, repaired, hired, or sold.

Grade: (a) For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.

(b) For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the centers of the walls adjoining streets.

(c) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining the street. Where no sidewalk exists, the grade shall be established by the Village Engineer.

Hazardous Toxic Waste: Any waste that exhibits the characteristics of a hazardous waste and which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or which poses a substantial present or potential hazard to human health, wildlife or the environment when improperly treated, stored, transported, disposed of or otherwise managed. This includes any waste considered toxic waste by the LaSalle County Solid Waste Plan.

Home Occupation: Any occupation or activity entirely incidental to residential use, when carried on by a member of the immediate family, residing on the premises, in connection with which there is used no sign other than a name plate not more than one square foot in area, or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling; there is no commodity sold upon the premises; no person is employed other than a member of the immediate family residing on the premises; and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes. No more than four (4) customer vehicles shall be parked on the premises at one time and the business shall be conducted entirely within the principal structure with no other buildings being used in whole or part.

Home occupation shall include the use of the premises by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment, but not for general practice of profession.

Clinics, doctors' offices, hospitals, dress shops, millinery shops, real estate offices, tea rooms, tourist homes, animal hospitals, and kennels shall not be deemed to be home occupations.

Hotel: A building in which lodging or boarding and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contradistinction to a boarding house, a lodging house, or an apartment which are herein separately defined.

Housing for the Elderly/Senior Apartments: A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons 55 years of age or older or couples where either the husband or wife is 55 years of age or older. This does not include a development that contains convalescent or nursing facilities.

Junkyard: A parcel of land on which waste material or inoperative vehicles and other machinery are collected, stored, salvaged, or sold.

Landfill: A disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all the exposed waste at the end of the day.

Laundromat: An establishment providing home type washing, drying or ironing machines for hire to be used by customers on the premises.

Loading Space: A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of trucks, and having a minimum dimension of 12 by 35 feet and a vertical clearance of at least 14 feet.

Lodging House: A building other than a hotel where lodging for three or more persons is provided for compensation pursuant to previous arrangement.

Lot: A piece, parcel or plot of land occupied or intended for occupancy by a use permitted in this Ordinance, including one main building together with its accessory buildings, the open spaces and parking spaces required by this ordinance, and having its principal frontage upon a street or upon an officially approved place.

Lot, Commercial Feed: Means any tract of land on which the principal use is the raising of, or the concentrated feeding of livestock, fowl or edible animals or the sale of products derived from such animals.

Lot, Corner: A lot abutting upon two or more streets at their intersection.

Lot, Double Frontage: A lot having a frontage on two non-intersecting streets and distinguished from a corner lot.

Lot of Record: A lot which is part of a subdivision, the map of which has been recorded in the office of the Recorder of Deeds of LaSalle County; or a parcel of land, the deed of which was recorded in the office of the Recorder of Deeds of LaSalle County.

Mall: An enclosed or open common space for pedestrian traffic.

Mines: Means any excavation from the earth whereby minerals, precious stones, ore deposits, coal deposits, or any open pit mine deposits are being or will be conducted.

(a) "Open Cut Mining": Means the mining of coal, clay, stone, sand or other minerals by removing the overburden lying above the natural deposits thereof, and mining directly from natural deposits thereby exposed.

(b) "Pit Mines": Means a tract of land, from which overburden has been or is being removed for the purpose of open cut mining.

Mini-Storages/Self-Storage Facility: A building or buildings consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractor's supplies.

Microwave Receiving Antenna: A dish-shaped device designed to receive signals transmitted from ground-mounted transmitters.

Mobile Homes: A vehicle equipped for use as a dwelling and designed to be hauled along a highway. Placing the trailer on a permanent foundation shall not change its being a mobile home for the purpose of this Ordinance. Mobile home and trailer shall be synonymous.

Motor Court or Motel: A building or group of buildings used for the temporary residence of motorists or travelers.

Nonconforming Use: The use of land or a building, or portion thereof, which use does not conform with the use regulations of the district in which it is situated.

Nonhazardous Toxic Waste: Any waste that does not meet the criteria for being a hazardous waste but through its chemical or other qualities usually kills, injures or impairs organisms.

Nursing Home: A home for the aged or infirm in which three or more persons not of the immediate family are received, kept or provided with food and shelter or care for compensation; but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Office Building: Building designed for or used as the offices of professional, commercial, industrial, religious, institutional, publish or semi-public persons or organizations, provided no goods, wares or merchandise shall be prepared or sold on the premises except that a portion of the building may be occupied and used as a drug store, barber shop, cigar stand or newsstand, when such uses are located entirely within the building with no entrance from the street and having no sign or display visible from the outside of such building.

Parking Area: An open, unoccupied space used or required for use for parking of automobiles exclusively and in which no gasoline or automobile accessories are sold or no other business is conducted and no fees are charged.

Parking Lot: Any area used in whole or in part for storing or parking motor vehicles and where either a parking fee is charged therefor or the lot is operated in connection with, or for the use of customers of, a commercial

or industrial use or where the parking area is used in connection with or for any other use and is not located on the same lot with the building or use served or within the distance therefrom specified in Section XVIII-C.

Parking Space: A surfaced area, enclosed in the main building or in an accessory building, or unenclosed, having an area of not less than 180 square feet exclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.

Places: An open unoccupied space or a public or private thoroughfare other than a street or alley permanently reserved as the principal means of access to abutting property.

Recycling Facility: A facility that is not a junkyard and in which recoverable resources, such as newspapers, magazines, books, and other paper products; glass; metal cans; and other products are recycled, reprocessed, and treated to return such products to a condition in which they may again be used for production. Those materials considered recyclable are those solid wastes identified as recyclable materials pursuant to the LaSalle County Solid Waste Management Plan.

Remodeling or Repair: Any change in a building that is not a structural alteration or enlargement.

Rooming House: See Lodging House.

Satellite Antenna: A dish-shaped device designed to receive television signals transmitted from orbiting satellites.

Shopping Center: A place built and intended to be used for retail shops, department stores, restaurants, travel services and other allied businesses. The term shopping center also includes shopping malls.

Shopping Mall: A shopping center with a mall.

Sign: Any words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which information is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity or product and which is visible from any public street, highway or pedestrian way.

Sign, Advertising: A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located or to which it is affixed.

Sign, Business: A sign placed on the building or in front of the building or on the premises to designate the name and nature of the business or profession or tradesman occupying the building or premises upon which the sign appears.

Sign, Fascia: A sign attached flush to a building or which no part extends more than twelve inches beyond the building wall or parts thereof or is longer than the horizontal face of the building.

Sign, Flashing: Any illuminated sign on which the artificial light is not maintained stationary and/or is constant in intensity and color at all times when such sign is in use. For the purpose of this chapter any revolving, illuminated sign shall be considered a "flashing sign."

Sign, Gross Surface Area: The entire area within a single continuous perimeter enclosing the extreme limits of a sign and in no case passing through or between any adjacent elements of the same. However, such perimeter shall not include any structural or farming elements lying outside the limits of such sign and not forming an integral part of the display. In the case of a sign with two visible surfaces, the gross surface shall be the total area of one side of the sign.

Sign, Ground: A sign which is supported by one or more uprights or braces in or upon the ground.

Sign, Illuminated: A sign which has characters, letters, figures, or outlines illuminated by electric lights, luminous tubes, or any other means of illumination.

Sign, Projecting: A sign which is affixed to any building wall or other structure and extends beyond the building wall or parts thereof or structure more than twelve inches.

Sign, Public Service: A sign designating a public building and/or service or announcing events of general community interest.

Sign, Roof: A sign erected, constructed and maintained upon or over the roof of any building with the principal support on the roof structure.

Sign, Temporary: A sign advertising or announcing an event that is to be in existence for a limited period of time.

Sign, Wall: A sign attached, applied to or painted on the exterior wall of any building.

Story: That portion of a building, other than a cellar or basement (except one used for business or residence), included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, then the space between the floor and the ceiling above it.

Story, Half: A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story, except that any partial story used for residence purposes, other than for a janitor or caretaker or his family, or by a family occupying the floor immediately below it, shall be deemed a full story.

Street: A public or private thoroughfare which affords the principal means of access to abutting property.

Street Line: A dividing line between a lot, tract or parcel of land and a contiguous street.

Structure: Anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, back stops for tennis courts, and pergolas.

Structural Alterations: Any change except those required by law or Ordinance in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial changes in the roofs or exterior walls but not including openings in bearing walls as permitted by existing Ordinances.

Tourist Home: A building other than a hotel where lodging is provided and offered to the public for compensation for not more than twenty transients.

Tourist or Trailer Camp: An area containing one or more tents, auto trailers or other portable or mobile shelters for use as temporary living facilities of one or more families, and intended primarily for automobile transients.

Trailer: Trailer shall be as defined in "Mobile Home".

Travel Trailer: A mobile home or trailer designed for human occupancy and not more than eight feet six inches (8' 6") in width nor more than forty feet (40') in length.

Yard: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard, Front: A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than projections permitted in Paragraph B of Section XVI. On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

Yard, Rear: A yard extending across the rear of a lot and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots the rear yard shall be in the rear of the front yard.

Yard, Side: A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between the side lot line and the side of the main buildings or any projections thereto.

SECTION III - DISTRICTS AND BOUNDARIES THEREOF

A. Districts: For the purpose of this Ordinance, the Village of Tonica within the corporate limits and the land lying outside of an contiguous for a distance of one and one-half miles from the corporate limits of the Village of Tonica is hereby divided into districts, of which there shall be nine (9) in number as follows:

- "R-1" -- Single-Family Residence District
- "R-2" -- Two-Family Residence District
- "R-3" -- Multiple Dwelling District
- "AG-1" -- Agricultural District
- "C-1" -- Neighborhood Shopping District
- "C-2" -- Commercial District
- "C-3" -- Central Business District
- "M-1" -- Light Industrial District
- "M-2" -- Heavy Industrial District

B. Maps: The boundaries of the existing districts are shown upon the map made a part of this Ordinance, which map is designated as the "District Map". The district map and all the notations, references and other information shown thereon are a part of this Ordinance and have the same force and effect as if the district map and all the notations, references and other information shown thereon were all fully set forth or described herein, which district map is attached hereto and made a part of this Ordinance by reference.

C. District Boundaries: 1. The district boundary lines on said map are intended to follow either street or alley or lot lines, and where the districts designated on the map are bounded approximately by such street, alley or lot lines, the street or alley or lot shall be construed to be the boundary of the district unless such boundary is otherwise indicated on the map. In the case of unsubdivided property, the district boundary lines shall be determined by the use of the scale appearing on the Zoning District Map or by dimensions.

2. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad line.

D. All territory which may hereafter be annexed to the Village of Tonica shall be automatically classified in the "R-1" Single-Family District until otherwise changed by Ordinance, after public hearing.

E. Whenever any street, alley or other public way is vacated by official action of the Board of Trustees, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

F. All areas within the corporate limits of the Village of Tonica which are under water and not shown as included within any district which immediately adjoins the water area. Where said water area adjoins two or more districts, the boundaries of each district shall be construed to extend to the center of the water area.

G. Any unzoned land lying outside of an contiguous to the zoned boundary one and one-half miles distant from the corporate limits of the Village of Tonica, Illinois, shall automatically be zoned "AG-1" Agricultural District, when the corporate limits of the Village of Tonica are changed or altered in such a way that the previously contiguous land then lies within such one and one-half mile area. Within three (3) months after such change of the Zoning Boundary Line, the Village Planning Commission, after notice as required for amendments to this Ordinance, shall hold a public hearing as to the district or districts in which such land shall be permanently placed. Within thirty (30) days after such hearing, the Planning Commission shall report to the Board of Trustees on its recommendations for the classification of the land and the Board of Trustees shall thereupon act upon such recommendations as in the case of other amendments to this Ordinance.

SECTION IV - COMPLIANCE WITH THE REGULATIONS

A. Except as hereinafter specifically provided:

1. No land shall be used except for a purpose permitted in the districts in which it is located.

2. No building shall be erected or structurally altered to the extent specifically provided hereinafter except in conformity with the off-street parking and loading regulations of the district in which such building is located.

3. No building shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the area regulations of the district in which such building is located.

4. No building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit herein established for the district in which the building is located.

5. No building shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building be used, except for a use permitted in the district in which the building is located.

6. The minimum yards, parking spaces and open spaces, including lot area per family, required by this Ordinance for each and every building existing at the time of passage of this Ordinance or for any building hereinafter erected, shall not be encroached upon or considered as part of the yard or parking space or open space required for any other building, nor shall any lot area be reduced below the requirements of this Ordinance for the district in which such lot is located.

7. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on one lot except as specifically provided hereinafter.

8. ~~Fence~~ - Residential fences are permitted along the rear lot line and along the side lot line and behind the front building lot line provided they shall not exceed six (6) feet in height. No fence shall be constructed closer than two (2) feet to any public right-of-way. No fence

shall be permitted that would obstruct traffic visibility on corner lots or other alley or driveway entrances. Residential fences are permitted in the required front yards provided they meet the above listed requirements where they apply and:

- (a) They do not exceed forty-two (42) inches in height.
- (b) They are constructed above ground entirely of treated wood, stone, wrought iron, face brick, or a combination of these materials.
- (c) Not less than fifty (50) percent of the overall surface plane of the fence from the ground to the top of the fence shall be open. The open area shall be distributed evenly from side to side, top to bottom, and end to end.

Security fences surrounding nonresidential uses are permitted on the property lines in all districts but shall not exceed ten (10) feet in height and shall be of an open type similar to woven wire or wrought iron fencing.

9. Site Restrictions - No land shall be used or structure erected where the land is held unsuitable for such use or structure by the zoning committee by reason of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, unfavorable topography, low percolation rate or bearing strength, erosion susceptibility, or any feature likely to be harmful to the health, safety, prosperity, aesthetics, and general welfare of this community. The Zoning Committee in applying provisions of this regulation, shall consider the findings of the LaSalle County Soil and Water Conservation District and the City Engineer.

SECTION V - "R-1" SINGLE-FAMILY RESIDENCE DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section, are the regulations in the "R-1" Single-Family Residence District.

A. Use Regulations: A building or premises shall be used only for the following purposes:

1. One family dwelling.
2. Farming and truck gardening provided that nothing is sold on the premises and no buildings are used in whole or part for the sale of goods.
3. Home occupation.

B. Height and Area Regulations

1. Lot:

- i. Minimum area - Seven thousand five hundred (7500) square feet.
- ii. Minimum width at building line - Sixty (60) feet.

2. Minimum yard:
 - i. Front - Thirty (30) feet.
 - ii. Rear - Thirty-five (35) feet.
 - iii. Side - Either side yard seven (7) feet with an aggregate of both side yards of fourteen (14) feet.
3. Building:
 - i. Maximum 2 1/2 stories.
 - ii. Maximum thirty-five (35) feet in height.

C. Parking Regulations: Off-street parking space shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

SECTION VI - "R-2" TWO-FAMILY RESIDENCE DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section are the regulations in the "R-3" Two-Family Residence District.

A. Use Regulations: A building or premises shall be used only for the following purposes:

1. Any use permitted in the "R-1" Single-Family Residence District.
2. Two-Family Dwelling.

B. Height and Area Requirements:

1. Lot:
 - i. Minimum area - Five thousand (5000) square feet.
 - ii. Minimum width at building line - Fifty (50) feet.
2. Minimum yard:
 - i. Front - Twenty-five (25) feet.
 - ii. Rear - Twenty-five (25) feet.
 - iii. Side - One side yard five (5) feet with aggregate of both side yards of twelve (12) feet.
3. Building:
 - i. Maximum 2 1/2 stories.
 - ii. Maximum thirty-five (35) feet in height.

C. Parking Regulations: Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

SECTION VII - "R-3" MULTIPLE-DWELLING DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section are the regulations in the "R-4" Multiple-Dwelling District.

A. Use Regulations: A building or premises shall be used only for the following purposes:

1. Any use permitted in the "R-2" Two-Family Residence District.
2. Multiple dwelling.
3. Rooming or boarding house.
4. Institutions of a religious, educational, eleemosynary or philanthropic nature, but not a penal or mental institution.
5. Hospital or sanitarium, except a criminal, mental or animal hospital.
6. Nursing or convalescent home.
7. Private club, fraternity, sorority or lodge, excepting one the chief activity of which is a service customarily carried on as a business.
8. Tourist home, when located on an officially designated Federal Highway.
9. Accessory building or use customarily incidental to any of the above uses, including a storage garage on a lot occupied by a multiple dwelling, hospital or institution.

B. Height and Area Requirements:

1. Lot:
 - i. Minimum area - Five thousand (5000) square feet for single family; two thousand five hundred (2500) square feet for two family; and one thousand five hundred (1500) square feet for multiple family.
 - ii. Minimum width - Fifty (50) feet.
2. Minimum yard:
 - i. Front - Twenty-five (25) feet.
 - ii. Rear - Twenty-five (25) feet.

- iii. Side - One side yard five (5) feet with an aggregate of both side yards of twelve (12) feet except for three story buildings which shall have required side yards of eight (8) feet.

3. Building:

- i. Maximum 3 stories.
- ii. Maximum forty-five (45) feet in height except a building may be erected to a height of six (6) stories and seventy-five (75) feet if the set back from all required yard lines is increased a distance of one foot for each foot of additional height above forty-five (45) feet.

C. Parking Regulations: Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

SECTION VIII - "AG-1" AGRICULTURAL DISTRICT

The regulations set forth in this section or set forth elsewhere this Ordinance when referred to in this section are the regulations in the "AG-1" Agricultural District.

A. Exception of Agricultural Uses: Nothing contained in these regulations shall impose restrictions or require a permit with respect to land used for agricultural purposes, or with respect to the erection, maintenance, repair, alteration, remodeling or extension of buildings or structures used or to be used for agricultural purposes upon such land, except that such buildings or structures shall conform to building or set-back lines.

B. Use Regulations: A building or premises shall be used only for the following purposes:

1. Any use permitted in the "R-1" Single-Family Residence District.

2. Unless otherwise provided in this Ordinance no building or land may be used, and no building may be erected, converted, enlarged or structurally altered, in the "AG-1" District, except for one or more of the following uses:

(a) Farm, including roadside stand, offering for sale any products grown on the premises. Such stands shall be removed during any season or period when they are not being used.

(b) Nursery and/or greenhouse.

(c) Radio station and/or tower.

(d) Television station and/or tower.

(e) Riding stable, provided the confining or sheltering of applicable animals is not within two hundred (200) feet of a lot having an area less than one acre and improved with a Single-Family dwelling.

C. Height and Area Requirements:

1. Lot:

- i. Minimum area - Seven thousand five hundred (7500) square feet.
- ii. Minimum width at building line - Sixty (60) feet.

2. Minimum yard:

- i. Front - Thirty (30) feet.
- ii. Rear - Thirty-five (35) feet.
- iii. Side - Either side yard seven (7) feet with an aggregate of both side yards of fourteen (14) feet.

3. Building:

- i. Maximum - 2 1/2 stories.
- ii. Maximum thirty-five (35) feet in height except a building may be erected to a height of six (6) stories and seventy five (75) feet if the set back from all required yard lines is increased a distance of one (1) foot for each foot additional height above the thirty five (35) feet.

D. Parking Regulations: Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

SECTION IX - "C-1" NEIGHBORHOOD SHOPPING DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section are the regulations in the "C-1" Neighborhood Shopping District.

A. Use Regulations: A building or premises shall be used only for the following purposes:

1. Any use permitted in the "R-3" Multiple-Dwelling District.
2. Automobile parking lot.
3. Bank.
4. Display room for merchandise to be sold at wholesale where merchandise sold is stored elsewhere.
5. Clinic.

6. Dressmaking, printing shop, tailoring, shoe repairing, repair of household appliances and bicycles, catering, dry cleaning and pressing and bakery with sale of bakery products on the premises and other uses of a similar character provided that no use permitted in this paragraph shall employ more than five (5) persons in a single shift on the premises, not including employees whose principal duties are off the premises or temporary seasonal employees.

7. Filling station.

8. Offices and office buildings.

9. Personal service uses including barber shops, banks, beauty parlors, photographic or artist studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning receiving stations, restaurants, and other personal service uses of a similar character.

10. Private school.

11. Retail store, provided that in connection with such store, there shall be no slaughtering of animals or poultry on the premises.

12. Laundromat.

13. Florist shop or greenhouse.

14. Accessory buildings and uses.

B. Height and Area Requirements:

1. Lot:

i. Minimum area - Same as "R-3" Zoning District.

ii. Minimum width at building line - None

2. Minimum yard:

i. Front - Twenty-five (25) feet.

ii. Rear - None except on the side of a lot adjoining a residential district, in which case a rear yard of not less than twenty-five (25) feet shall be required.

iii. Side - None except on the side of a lot adjoining a residential district, in which case a side yard of not less than five (5) feet shall be required.

3. Building:

i. Maximum - 2 stories.

ii. Maximum thirty-five (35) feet in height.

C. Parking and Loading Regulations: Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

SECTION X - "C-2" COMMERCIAL DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section are the regulations in the "C-2" Commercial District.

A. Use Regulations: A building or premises shall be used for the following purposes:

1. Any use permitted in the "C-1" Neighborhood Shopping District.
2. Advertising sign.
3. Billboard.
4. Automobile or trailer display and sales room.
5. Bowling alley.
6. Business or commercial school.
7. Drive-in restaurant.
8. Dancing or music academy.
9. Farm implement display and sales room.
10. Hotel.
11. Milk distribution station.
12. Motor court or motel.
13. Parking or public garage.
14. Radio or television broadcasting station or studio.
15. Theater.
16. Tourist home.
17. Undertaking establishment.
18. Veterinarian or animal hospital.
19. Used car sales or storage lot.
20. When not employing more than ten persons on the premises:
 - (a) Dyeing and cleaning establishment or laundry.
 - (b) Painting, plumbing or tinsmithing shop.
 - (c) Printing shop.
 - (d) Tire sales and service, including vulcanizing.

(e) Upholstering shop, not involving furniture manufacturing.

(f) Any other general service or repair establishment of similar character including automobile repair shops.

21. Lumber yard.

22. Mini storage.

23. Mall.

B. Height and Area Requirements:

1. Lot:

i. Minimum area - Same as "R-3" Zoning District.

ii. Minimum width at building line - None

2. Minimum yard:

i. Front - Twenty-five (25) feet.

ii. Rear - None except on the side of a lot adjoining a residential district, in which case a rear yard of not less than twenty-five (25) feet shall be required.

iii. Side - None except on the side of a lot adjoining a residential district, in which case a side yard of not less than five (5) feet shall be required.

3. Building:

i. Maximum - 2 stories.

ii. Maximum forty-five (45) feet in height.

C. Parking and Loading Regulations: Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

SECTION XI - "C-3" CENTRAL BUSINESS DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section are the regulations in the "C-3" Central Business Districts.

A. Use Regulations: A building or premises shall be used only for the following purposes:

1. Any use permitted in the "C-2" Commercial District and without restriction as to the number of employees on the premises.

2. Frozen Food Locker.

3. Laboratory - experimental, film or testing.

4. Truck or transfer terminal or freight house or bus garage and repair shop.

5. Wholesale or distributing establishment, or warehouse or wholesale market.

6. Printing, publishing or engraving.

7. Service industry such as laundry, cleaning, or dyeing establishment or similar use.

8. The manufacture, compounding, processing, packaging or treatment of such goods, materials and products as the following:

Bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food products - except fish and meat products, sauerkraut, vinegar, yeast and the rendering of fats and oils. Provided the above exceptions shall not apply to such operations ordinarily carried out in a frozen food locker.

Articles made from previously prepared materials such as: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stone, shell, textiles, was, wire, yarns and the like.

Musical instruments, toys, novelties, rubber or metal stamps, and other small molded rubber products.

Fabrication and repair of electric or neon signs or other commercial advertising structures, light sheet metal products, and the like.

9. Any other use of similar character which is not objectionable by reason of the emission of odor, dust, smoke, gas, fumes, noise or vibration or which is not specifically prohibited or regulated in Section XVIII.

B. Height and Area Requirements:

1. Lot:

i. Minimum area - Five hundred (500) square feet.

ii. Minimum width at building line - None

2. Minimum yard:

i. Front - None.

ii. Rear - None.

iii. Side - None.

3. Building:

i. Maximum - 3 stories.

ii. Maximum forty-five (45) feet in height.

C. Parking and Loading Regulations: Off-street loading spaces shall be provided in accordance with the requirements of Section XVI.

SECTION XII - "M-1" LIGHT INDUSTRIAL DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section are the regulations in the "M-1" Light Industrial District.

A. Use Regulations: A building or premises shall be used only for the following purposes:

1. Any use permitted in the "C-3" Central Business District.
2. Bottling works.
3. Carting, express, hauling or storage yard.
4. Contractor's yard, coal, coke or wood yard.
5. Auto wrecking and salvage yards and junkyards, but only when the premises upon which the activities are conducted are wholly enclosed within a building or by a wooden fence which is sufficient to visually screen the property.
6. Assembly and manufacture from prefabricated parts of household appliances, electronic products and similar products or the processing or assembling of parts for production of finished products.
7. Petroleum storage, but only after the location and treatment of the premises have been approved by the Chief of the Fire Department.
8. Sporting and athletic equipment manufacture.
9. Industrial and manufacturing plants where the process of manufacturing or treatment of materials is such that only a nominal amount of dust, odor, gas, smoke or noise is emitted and not more than ten percent of the lot or tract is used for the open storage of products, materials or equipment.
10. Grain elevator and the usual accessory structures, including buildings for seasonal or temporary storage of grain.
11. Ready mix and concrete block plant.

B. Height and Area Regulations

1. Lot:
 - i. Minimum area - Five thousand (5,000) square feet.
 - ii. Minimum width at building line - None

2. Minimum yard:

- i. Front - Twenty-five (25) feet.
- ii. Rear - None, except on the side of a lot adjoining a residential district, in which case a rear yard of not less than twenty-five (25) feet shall be required.
- iii. Side - None, except on the side of a lot adjoining a residential district, in which case a side yard of not less than ten (10) feet shall be required.

3. Building:

- i. Maximum - 6 stories.
- ii. Maximum ninety (90) feet in height except when adjoining or abutting any residential zoning district or within one hundred (100) feet therefrom, such building shall not exceed three (3) stories or forty five (45) feet in height unless it is setback one foot from the required side and rear yard lines for each foot additional height above forty five (45) feet.

C. Parking and Loading Regulations: Off-street parking and loading space shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

D. Special regulations:

1. Fabrication and manufacture of products and services shall be conducted within enclosed buildings.
2. Outdoor storage of materials or equipment is permitted, provided the area is screened by fencing forming a visual barrier and the storage area is no larger than ten (10) percent of the lot size or twenty (20) percent of the building size, whichever is greater. The fence height and material to be approved by the plan commission.
3. Fencing used to screen outdoor storage shall be constructed of masonry, metal, wood or a composite thereof, and if constructed of wood or metal shall be painted a uniform color.

SECTION XIII - "M-2" INDUSTRIAL DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section are the regulations in the "M-2" Heavy Industrial District.

A. Use Regulations: Any building or premises may be used for any purpose not in conflict with any Ordinance of the Village of Tonica regulating nuisances, provided, however, that no building shall be erected, reconstructed, or structurally altered for residential purposes, except for resident watchmen and caretakers employed on the premises, and provided that no building or occupancy permit shall be issued for any of the following uses until and unless the location of such use shall have been approved by the Board of Trustees after report by the Zoning Inspector and the Chief of the Fire Department.

1. Acid manufacture.
2. Cement, lime, gypsum or plaster of paris manufacture.
3. Distillation of bones and glue manufacture.
4. Explosive manufacture or storage.
5. Fat rendering fertilizer manufacture.
6. Garbage, offal or dead animals, reduction of dumping.
7. Petroleum or its products, refining of.
8. Smelting of tin, copper, zinc or iron ores.
9. Stockyards or slaughter of animals.

B. Height and Area Regulations

1. Lot:
 - i. Minimum area - None.
 - ii. Minimum width at building line - None.
2. Minimum yard:
 - i. Front - Twenty-five (25) feet.
 - ii. Rear - None, except on the side of a lot adjoining a residential district, in which case a rear yard of not less than twenty-five (25) feet shall be required.
 - iii. Side - None, except on the side of a lot adjoining a residential district, in which case a side yard of not less than ten (10) feet shall be required.
3. Building:
 - i. Maximum - 6 stories.
 - ii. Maximum ninety (90) feet in height except when adjoining or abutting any residential zoning district or within one hundred (100) feet therefrom, such building shall not exceed three (3) stories or forty five (45) feet in height, unless it is setback one foot from the required side and rear yard lines for each foot additional height above forty five (45) feet.

C. Parking and Loading Regulations: Off-street parking and loading space shall be provided in accordance with the requirements for specific uses set forth in Section XVI.

D. Special regulations:

1. Outdoor storage of materials or equipment is permitted provided the area is screened by fencing forming a visual barrier. The fence height and material to be approved by the plan commission.

2. The outdoor storage area shall cover no more than eighty (80) percent of the lot area. Fencing may be located on side and rear lot lines, but shall not enclose the required front yard in this district.

3. Fencing used to screen outdoor storage shall be constructed of masonry, metal, wood or a composite thereof, and if constructed of wood or metal shall be painted a uniform color.

SECTION XIV - TABLE OF HEIGHT AND AREA REQUIREMENTS

	Maximum Height of Buildings Stories	Minimum Depth of Front Yard In Feet	Minimum Width of Either Side Yard In Feet	Aggregate Side Yard In Feet	Minimum Depth of Rear Yard In Feet	Minimum Lot Area Per Family In Square Feet	Minimum Lot Width In Feet
"R-1" Single-Family Residence	2½	30	7	14	35	7,500	60
"R-2" Two-Family Residence	2½	25	5	12	25	5,000 1-Family	50
"R-3" Multiple Dwelling	3	25	5	12 (2)	25	5,000 1-Family 2,500 2-Family 1,500 Multiple Dwelling	50
"AG-1" Agricultural	2½	30	7	14	35	7,500	60 (6)
"C-1" Neighborhood Commercial	2	25	None (3)	--	None (4)	Same as "R-3"	--
"C-2" Commercial	3	25	None (3)	--	None (4)	Same as "R-3"	--
"C-3" Central Business	3	45	None	--	None	500	--
"M-1" Light Industrial	6	90	None (3)	--	None (4)	Same as "R-3"	--
"M-2" Heavy Industrial	6	90	None (3)	--	None (4)		--

- (1) A building may be erected to a height of 6 stories and 75 feet if set back from all required yard lines a distance of one foot for each foot of additional height above 45 feet.
- (2) For buildings of less than three stories in height. For three-story buildings side yards 8 feet shall be required.
- (3) No side yard required except on the side of a lot adjoining a Residence District, in which case a side yard of not less than 5 feet shall be provided in any "C" District and of not less than 10 feet in any "M" District.
- (4) No rear yard required except on the side of a lot adjoining a Residence District, in which case a side yard of not less than 25 feet shall be provided.
- (5) Whenever a building in an "M" District adjoins or abuts an "R" District, within 100 feet therefrom, such building shall not exceed three stories or 45 feet in height unless it is set back one foot from the required side and rear yard lines for each foot additional height above 45 feet.
- (6) All corner lots shall have a minimum lot width of not less than 75 feet.

SECTION XV - HEIGHT AND AREA EXCEPTIONS AND MODIFICATIONS

A. Height: 1. The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyers, and flag poles.

2. Public, semi-public or public service buildings, hospitals, institutions or schools, where permitted, may be erected to a height not exceeding 60 feet and churches and temples may be erected to a height not exceeding 75 feet when the required side and rear yards are each increased by one foot for each foot of additional building height above the height regulations for the district in which the building is located.

3. The limitation on number of stories shall not apply to buildings used exclusively for storage purposes provided such buildings do not exceed the height in feet permitted in the district in which they are located.

B. Front Yards: 1. When 40 percent or more of the frontage on one side of the street between two intersecting streets is improved with buildings that have a front yard which is greater or less than the required front yard in the district, no building shall project beyond the average front yard so established.

2. On lots having double frontage the required front yard shall be provided on both streets.

3. In a residential district no fence, structure or planting higher than three and one-half feet above the established street grades shall be established within 35 feet of any street intersection.

4. An open, uncovered porch or paved terrace may project into a required front yard for a distance of not more than 10 feet. An enclosed vestibule or fixed canopy with a floor area of not more than 40 square feet may project into a required yard for a distance not to exceed 4 feet.

5. Filling station pumps and pump islands may be located within a required yard provided they are not less than 15 feet from any street line and not less than 50 feet from the boundary of any "R" District.

6. Off-street parking facilities may be located within the required front yard of any "C" or "M" District but shall not be nearer than 50 feet to any "R" District and no off-street parking shall be permitted in the required front yard of any "R" District.

C. Side Yards: 1. On a corner lot the width of the yard along the side street shall not be less than any required front yard on such street, provided, however, that the buildable width of a lot of record shall not be reduced to less than 32 feet.

2. No accessory building shall project beyond a required yard line along any street.

3. Where dwelling units are erected above a commercial establishment no side yard is required except when required for the commercial building on the side of a lot adjoining a residence district.

4. A porte-cochere or canopy may project into a required side yard provided every part of such porte-cochere or canopy is unenclosed and not less than five feet from any side lot line.

5. For the purpose of side yard regulations, a two-family dwelling or multiple dwelling shall be considered as one building occupying one lot.

6. Where a lot of record at the time of the effective date of this Ordinance is less than 40 feet in width the required side yard may be reduced to 10 percent of the width of the lot, provided, however, that no side yard shall be less than three feet.

7. One directional or name sign or sign advertising products sold on the premises may occupy required yards in a district where such sign is permitted by the use regulations of this Ordinance, provided such sign is not more than 35 square feet in area and in the "C-1" Commercial District, does not contain flashing, intermittent nor moving illumination.

D. Rear Yards: 1. Where a lot abuts upon an alley, one-half the alley width may be considered as part of the required rear yard.

2. An accessory building not exceeding 20 feet in height may occupy not to exceed 30 percent and unenclosed parking spaces may occupy not to exceed 90 percent of the area of a required rear yard but no accessory building shall be closer than 10 feet to the main building nor closer than 3 feet to any lot line.

3. The ordinary projections of sills, belt courses, cornices and ornamental features may extend to a distance not to exceed 18 inches in a required yard.

4. Open or lattice-enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a rear yard may be permitted by the Zoning Inspector for a distance not to exceed five feet when these are so placed as not to obstruct light and ventilation.

E. Lot Area per Family: Where a lot of record at the time of the effective date of this Ordinance has less area or width than herein required in the district in which it is located, and the owner of such lot does not own any other parcel or tract adjacent thereto, said lot may nonetheless be used for a one-family dwelling or for any non-dwelling use permitted in the district in which it is located.

SECTION XVI - OFF-STREET PARKING AND LOADING REQUIREMENTS

A. In all districts there shall be provided at the time any building or structure is erected or structurally altered (except as specified in Sub-section B of this Section), off-street parking spaces in accordance with the following requirements, provided, however, that no off-street parking need be provided for any of these uses when they are located in the "C-3" Central Business District.

1. Dwellings, including single and two-family and multiple; two parking spaces for each dwelling unit.

2. Bed & Breakfast, rooming, lodging or boarding house; one parking space for each two sleeping rooms.
3. Fraternity or sorority; one parking space for each six beds.
4. Private club or lodge; one parking space for every ten members.
5. Church or temple; one parking space for each eight seats in the main auditorium.
6. School (except high school or college); one parking space for each ten seats in the auditorium or main assembly room, or one space for each classroom, whichever is greater.
7. College or high schools; one parking space for each eight seats in the main auditorium or three spaces for each classroom, whichever is greater.
8. Country club or golf club; one parking space for each five members.
9. Community center, library, museum or art gallery; ten parking spaces plus one additional space for every 300 square feet of floor area in excess of 2000 square feet.
10. Hospital; one parking space for each four beds.
11. Sanitarium, convalescent home, home for the aged or similar institution; one parking space for each six beds.
12. Theatre or auditorium (except school); one parking space for each five seats or seating space.
13. Sports arena, stadium or gymnasium; one parking space for each five seats or seating space.
14. Hotel; one parking space for each three sleeping rooms or suites plus one space for every 200 square feet of commercial floor area contained therein.
15. Tourist home, cabin or motel; one parking space for each sleeping room or suite.
16. Dance hall, assembly or exhibition hall without fixed seats; one parking space for each 100 square feet of floor area used therefor.
17. Business or professional office, studio, bank, medical or dental clinic; three parking spaces plus one additional parking space for each 400 square feet of floor area over 1,000 square feet.
18. Bowling alley; five parking spaces for each alley.
19. Mortuary or funeral home; one parking space for each 50 square feet of floor space in slumber rooms, parlors or individual funeral service rooms.

20. Restaurants, night clubs, cafe or similar recreation or amusement establishments; one parking space for each 100 square feet of floor area.

21. Retail store or personal service establishment; except as otherwise specified herein; one parking space for each 200 square feet of floor area.

22. Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service shop; two parking spaces for each 300 square feet of floor area over 1,000 square feet.

23. Printing or plumbing shop or similar service establishment; one parking space for each three persons employed therein.

24. Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plant, warehouse or similar establishment; one parking space for each two employees on the maximum working shift plus space to accommodate all trucks and other vehicles used in connection therewith.

B. In computing the number of such parking spaces required, the following rules shall govern:

1. "Floor area" shall mean the gross floor area of a specific use.

2. Where fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.

3. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of a similar nature.

4. Whenever a building or use constructed or established after the effective date of this Ordinance is changes or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to the effective date of this Ordinance is enlarged to the extent of 50 percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth therein.

5. In the case of mixed use, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

C. All parking spaces required herein shall be located on the same lot with the building or use served, except that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two or more buildings or establishments, the required spaces may be located not to exceed 300 feet from an institutional building served and not to exceed 500 feet from any other non-residential buildings served.

1. Not more than 50 percent of the parking spaces required for (a) theatres, bowling alleys, dance halls, night clubs, or cafes and up to 100 percent of the parking spaces required for a church or school auditorium may be provided and used jointly by (b) banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours as those listed in (a); provided, however, that written agreement thereto is properly executed and filed as specified below.

2. In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement to assure their retention for such purposes shall be properly drawn and executed by the Village Attorney and shall be filed with the application for a building permit.

D. Every building or part thereof erected or occupied for retail business, service, manufacturing, storage, warehousing, hotel, mortuary, or any other use similarly involving the receipt of or distribution by vehicles of materials or merchandise, shall provide and maintain on the same premises, loading space in accordance with the following requirements:

1. In the "C-1" and "C-2" Shopping and Commercial Districts and in the "M-1" and "M-2" Industrial Districts one loading space for each 10,000 square feet or fraction thereof, of floor area in the building.

2. In the "C-3" Central Business District, one loading space for the first 5,000 to 15,000 square feet of floor area in the building and one additional loading space for each 15,000 square feet.

SECTION XVII -SIGNS

A. Purpose of control:

There is a significant relationship between the manner in which signs are displayed and public safety, and the value and economic stability of adjoining property. The reasonable display of signs is necessary as a public service to the conduct of competitive commerce and industry. The regulations in this article establish minimum standards for the display of signs in direct relationship to the functional use of property and to the intensity of development as permitted within the zoning districts which are provided in this chapter.

B. Types of signs:

For the purpose of this chapter, signs are classified according to their function as follows:

- (1) Advertising signs.
- (2) Business signs.
- (3) Special signs and devices.

- a. Temporary signs.
- b. Public service signs.

C. Permitted location:

No sign shall be permitted on a zoning lot unless:

(1) Advertising signs: When allowed as a permitted or conditional use in a specific district.

(2) Business signs: When necessary to a lawfully established use, and permitted as an accessory use.

(3) Special signs: When allowed as a conditional or temporary use.

(4) General: The sign is erected, constructed, and displayed in conformance with the provisions of this article and other applicable provisions of this chapter.

D. General requirements:

(a) Permits required: No person shall erect, alter, or relocate within the Village any sign or other advertising structure without first obtaining a sign permit from the zoning administrator and making payment of the required fee. Temporary signs and signs smaller than six (6) square feet shall be exempt from the requirement of obtaining a building permit. Each applicant for a sign permit shall pay a five-dollar permit fee.

(b) Signs unsafe, obsolete or nonconforming:

(1) Unsafe signs: If the zoning administrator shall find that any sign is unsafe or insecure or is a menace to the public, he shall give written notice to the person to whom the building permit has been issued. If he fails to remove or alter the sign so as to comply with the standards herein set forth within ten (10) days after such notice, such sign may be removed or altered to comply, by the zoning administrator, at the expense of the sign permit issuee or owner of the property upon which it is located. The zoning administrator may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice. The zoning administrator shall be responsible for the inspection of the condition of signs and to investigate complaints issued regarding signs.

(2) Obsolete signs: Any obsolete sign which does not advertise a bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent, or person having the beneficial use of the structure upon which such sign may be found within ten (10) days after written notification from the zoning administrator, and upon failure to comply with such notice within the time specified in such order, the zoning administrator may cause removal of such sign; and any expense incident thereto shall be paid by the owner of the property to which such a sign is attached. At the termination of a business or commercial or industrial enterprise, all signs pertaining thereto shall forthwith be removed from public view.

(3) Nonconforming signs: All signs not in conformance with this article shall be removed, altered, or converted to conform to the provisions of this article not more than five (5) years after the effective date of Ordinance.

(c) Alterations: No display sign or outdoor advertising device shall be altered, rebuilt, enlarged, extended or relocated except in conformity with the provisions of this chapter. The repainting, changing of parts, and preventative maintenance of signs shall not be deemed to be alterations.

(d) Maintenance: All signs shall be adequately maintained to keep them in a state of good appearance and repair. Painted signs will be considered in need of refinishing if:

(1) Twenty (20) percent or more of the surface shows evidence of peeling, checking, cracking, or blistering of the paint.

(2) Twenty (20) percent or more of the surface shows evidence of mildew.

(3) The colors used have faded appreciably and the surface sheen is gone.

(e) Wind pressure: Any sign, other advertising structure, marquee, canopy or awning as defined in this chapter shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of net surface area; and shall be constructed to receive dead loads as required in the building code and/or other ordinance of the Village of Tonica.

(f) Miscellaneous:

(1) No sign shall block any required accessway or window.

(2) Signs advertising the premises for sale or lease may be permitted.

(3) No sign shall be attached to a tree or utility pole.

(4) The following signs are exempt from the regulations of this article:

a. Memorial signs and tablets displayed on private property.

b. Address numerals and signs not exceeding one (1) square foot in area and bearing the names of occupants of the premises.

c. Flags and government insignia.

d. Legal notices.

e. Traffic and parking signs, but bearing no advertising.

E. Classes of signs regulated:

(a) Residential districts: In all residential districts, the following classes of signs are permitted in accordance with regulations set forth in this article:

(1) Nonflashing, nonilluminated accessory signs:

a. Hose number signs shall be required on all premises.

b. Nameplates and identification signs, subject to the following:

1. One and two-family: For one and two-family dwellings, there shall be not more than one (1) nameplate, not exceeding one (1) square foot in area for each dwelling unit, indicating the name or address of the occupant or a permitted occupation.

2. Multiple-family: A single identification sign may be displayed for multiple-family dwellings, apartment hotels, and for buildings other than dwellings. Only the name and address of the building and the name of the management thereof may be contained on the sign. The size of the sign shall not exceed twenty-four (24) square feet.

3. Construction sign: In connection with the construction or remodeling of a building, there shall be permitted one (1) sign not exceeding forty-eight square feet in area; on corner lots two (2) such signs, one (1) facing each street shall be permitted. Such signs shall be removed within (2) weeks after completion of the structure indicated.

4. Height: No sign shall project higher than one (1) story or seven (7) feet above the established average grade, whichever is lower.

5. Projection: No sign shall project beyond the property line.

c. For sale and to rent signs, subject to the following:

1. Area and number: There shall be not more than one (1) such sign per zoning lot, except that on a corner lot two (2) signs, one (1) facing each street shall be permitted. No sign shall exceed sixteen (16) square feet in area nor be closer than eight (8) feet to any other zoning lot.

2. Height: No sign shall be located higher than the first story of a building or more than seven (7) feet above the established average grade of the property.

3. Projection: No sign shall project beyond the property line.

4. Duration: The sign shall be removed within thirty (30) days after the property is sold or rented.

d. Signs accessory to parking area, subject to the following:

1. Area and number: Signs designating parking area entrances or exits are limited to one (1) sign for each such exit or entrance and to a maximum size of two (2) square feet each. One (1) sign per parking area, designating the conditions of use or identity of such

parking area and limited to a maximum size of nine (9) square feet, shall be permitted. On a corner lot, two (2) such signs, one (1) facing each street, shall be permitted.

2. Height: No sign shall project higher than seven (7) feet above the established average grade of the parking area.

3. Projection: No sign shall project beyond the property line.

(2) Illuminated nonflashing signs (church bulletins and signs for public or quasi-public buildings), subject to the following:

a. Area and number: There shall be not more than one (1) such sign per zoning lot, except that on a corner lot two (2) such signs, one (1) facing each street shall be permitted.

No sign shall exceed thirty-two (32) square feet in area and not be closer than eight (8) feet to any other zoning lot.

b. Height: No sign shall project higher than one (1) story or seven (7) feet above the established average grade.

c. Projection: No sign shall project beyond the property line.

d. Illumination: The intensity of light shall not exceed five-tenths footcandle at the property line.

(b) Business districts: In all business districts, the following signs are permitted, subject to the requirements set forth in this article:

(1) Residential signs: All signs and nameplates permitted in the residential districts.

(2) Advertising signs: Advertising signs (including outdoor billboards) which advertise products, business or public service activities not related to the occupancy and use of the premises are subject to the following:

a. Area: No individual sign shall exceed ten (10) feet in vertical measurement nor fifteen (15) feet in total length, nor be more than one hundred fifty (150) square feet in area when an advertising sign is within one thousand (1000) feet of a residential zoning district. When an advertising sign is located greater than one thousand (1000) feet of a residential zoning district it shall not exceed fifteen (15) feet in vertical measurement nor more than twenty-five (25) feet in total length, nor more than three hundred seventy-five (375) square feet in area. Both surfaces of the sign may be used for advertising purposes. The surface area of the sign shall not be more than fifty (50) percent greater than the display area of the sign.

b. Location: No advertising sign shall be erected on the front of any building and no advertising sign shall be erected closer than two hundred (200) feet to any other such sign facing in the same direction. All advertising signs must be located at least one hundred (100) feet from a

residential district unless separated by a building that effectively screens the sign from the residential district. No portion of the sign may project into the public way.

c. Height: No advertising sign shall project higher than thirty (30) feet above ground level or curb level, or four (4) feet above the roof or parapet line of the nearest building, whichever is higher.

d. Illumination: Lights shall be shielded whenever necessary to avoid casting bright light upon property located in any residential district. The intensity of light projected upon such property shall not exceed one (1) footcandle. In the B-2 zoning district, flashing or intermittent-type illumination is permitted, but no rotating beam beacon or illumination resembling an emergency light is permitted. Signs which may be in conflict with public traffic signals shall not be permitted.

e. Setback: All advertising signs shall be required to be set back to the existing established building line or in the absence of buildings, to the prevailing setback lines for the district. On corner lots no sign shall obstruct a clear path of a motor vehicle driver's vision with a triangular area determined by a diagonal line connecting two (2) points on the lot line, fifty (50) feet from the street corner.

f. Miscellaneous:

1. Signs on standards: Signs, clocks, or other advertising devices erected upon standards, poles, or separate supports shall be placed so as to be entirely within the property lines of the premises upon which they are located, and no part of the sign or standard shall have a total height greater than thirty (30) feet above the level of the street upon which the sign faces, or above the adjoining ground level if such ground level is above the street level, nor shall the surface of any such sign exceed an area of two hundred (200) square feet.

2. Signs near parks or expressways: No sign, the informative contents of which are to be visible from a park or expressway, shall be permitted to be erected within five hundred (500) feet of any public park of more than five (5) acres in area, or any freeways, expressways and toll roads designated as such in the records of the governing authorities.

(3) Business signs: Business signs are subject to the following:

a. Area: The gross area of a sign or signs on the front or rear wall of any principal building shall not exceed twenty (20) percent of the area of the front face (including doors and windows) of the principal building. The gross area of a sign or signs on a sidewall of a principal building shall not exceed twenty (20) percent of the area of the sidewall (including doors and windows) of the principal building. Freestanding signs shall not exceed two hundred (200) square feet.

b. Location: The sign or signs may be located on the front, side or rear walls or wall of the principal building or be freestanding separate signs.

c. Projection: No business sign shall project more than sixteen (16) inches over the public way. Signs suspended from any building not over the public way shall not project more than four (4) feet beyond the

front of the building and the bottom of such signs shall not be less than ten (10) feet above the finished grade of the sidewalk or ground elevation. Its location and arrangement shall be subject to approval by the zoning administrator.

d. Height: No sign shall project higher than twenty-five (25) feet above ground level or curb level, and in no case shall a sign project higher than four (4) feet above the roof line. Higher signs may be permitted subject to the approval of the plan commission.

e. Illumination: Lights shall be shielded whenever necessary to avoid casting bright light upon property located in any residential district. The intensity of light projected upon such property shall not exceed one (1) footcandle. In the B-1 and B-3 zoning districts, no illuminated sign shall be of the flashing or intermittent type, except that advertising devices denoting the time, temperature and other similar information shall not be considered a flashing sign for the purposes of this chapter. In the B-2 zoning district, flashing or intermittent-type illumination is permitted, but no rotating beam, beacon or illumination resembling an emergency light is permitted. Signs which may be in conflict with public traffic signals shall not be permitted.

f. Miscellaneous:

1. Freestanding signs: Signs, clocks or other devices[✓] erected on standards, poles, or separate supports shall be placed so as to be entirely within the property lines of the premises upon which they are located.

2. Signs on marquees, canopies and awnings: Restrictions imposed hereinafter on the projection of signs across property lines into the public way shall not apply to signs located on marquees or canopies, provided that any sign located on a marquee or canopy shall be affixed flat to the surface thereof, and further, no sign shall extend vertically or horizontally beyond the limits of such marquee or canopy, except that individual, freestanding letters may project to a height not exceeding twelve (12) inches above same. Restrictions imposed herein on the projection of signs across property lines into the public way shall not apply to signs located on awnings, provided that any sign located on an awning shall be affixed flat to the surface thereof, shall be nonilluminated and non-flashing, shall indicate only the name and address of the establishment on the premises. Further, no such sign shall extend vertically or horizontally beyond the limits of such awning. All marquees, canopies and awnings projecting over the public way shall adhere to the following design criteria:

i. They shall be supported only by attachment to a building and shall not extend more than six (6) feet beyond the building. No posts shall be permitted for support.

ii. Vertical clearance above the sidewalk shall be at least eight (8) feet, except that retractable awnings may have a clearance of not less than seven (7) feet.

iii. Marquees or canopies thicker than eighteen (18) inches must be beveled horizontally at a forty-five degree angle to permit an unobstructed view of adjacent property.

3. Shopping center signs: For an integrated planned business development in single ownership and management, or under unified control, one (1) additional sign may be erected, not exceeding four hundred (400) square feet in area, advertising only the name, location, and special events of the integrated shopping center, and the names of the tenants therein. Such sign shall be placed so as to be entirely within the property lines of the premises upon which it is located. The bottom edge of such sign shall be at least ten (10) feet above the grade of the adjacent street, and the overall height shall not exceed twenty-five (5) feet above grade of the adjacent street or above the adjoining ground level if such ground level is above the street level.

4. Wall signs: No sign shall be permitted to be placed on any wall, fence or standard facing the side of any adjoining lot located in a residential district.

5. Traffic signs: Traffic or directional signs designating entrances, exits and conditions of use of parking facilities accessory to the main use of premises may be maintained, provided they are located within the property lines of the subject lot.

6. Automobile service station signs: The following signs accessory to automobile service stations are permitted:

i. Racks for the orderly display of cans of engine oil for convenience in dispensing such oil may be located on or at the ends of pump islands. (Limit of two (2) to each island).

ii. Two (2) open portable tire racks (not more than seven (7) feet in height, including signs, and six (6) feet in length) on casters for the purpose of displaying new tire casings, shall be permitted for each gasoline or tire service station. A sign may be painted on the inside and outside front door face of the closed tire rack but shall not be painted on the sides or rear.

iii. Items for sale on the premises may be openly displayed within ten (10) feet of the principal building. Projects may be displayed under group island canopies or between pumps within the area of the pump island base.

iv. Two (2) sets of gasoline price signs may be displayed in the service station area.

v. One (1) movable easel-type sign announcing services available is permitted in the service station area.

(c) Industrial districts: In all industrial districts, the following signs are permitted, subject to the requirements set forth in this article:

(1) Residential signs: All signs and nameplates permitted in the residential districts.

(2) Business signs: All advertising, business and special signs permitted in the business district.

(3) Industrial signs: All signs shall adhere to the requirements for that type of sign in the business districts, except as noted in subsection (c) (4).

(4) Illumination: Flashing or intermittent-type illumination is permitted but no rotating beam, beacon or illumination resembling an emergency light is permitted.

F. Special signs:

Signs of a special nature, such as temporary signs and public service signs, shall be authorized as conditional uses. Other signs, such as governmental signs on public rights-of-way, may be exempt from the sign provisions.

(1) Procedure: Special signs, not covered herein, shall be considered on an individual basis by the plan commission, with recommendations to Village Board.

(2) Standards:

a. Temporary signs:

1. Temporary signs for sales promotion, (other than as specified in residential districts), fund drives, etc., shall be permitted for a period not exceeding six (6) months. For sale or to rent signs shall be removed within thirty (30) days after the property is sold or rented.

2. Temporary signs for construction projects shall be permitted for the period of time of the proposed construction. Signs must be removed upon completion of the project.

3. Temporary mobile signs advertising a special sale or event shall be permitted for a period not exceeding one (1) week.

4. Special event posters, including flags, pennants, or bunting, shall be permitted for a period not exceeding thirty (30) days.

b. Public service signs: Public service and governmental signs on private property shall be allowed if authorized by the plan commission.

c. Governmental signs: Governmental signs located on public rights-of-way shall be exempt from the sign provisions of this chapter.

d. Highway signs: Highway directional signs and markers shall be made and installed in accordance with the specification of the Village. Included shall be signs announcing the location of, or directing traffic to, given locations which include, but are not limited to the following:

1. Service areas: Automobile, food, lodging.
2. Public and quasi-public information signs.
3. Businesses or business districts.

SECTION XVIII - PERFORMANCE STANDARDS

A. Compliance:

This ordinance permits specific uses in a specific district, and these performance standards are designed to limit, restrict, and prohibit the effects of those uses outside their premises or district. No structure, land or water shall hereafter be used except in compliance with their district regulations and with the following performance standards.

B. Special Regulations in All Business and Manufacturing Districts:

(1) The following uses are prohibited in all manufacturing districts whether or not they meet the performance standards: Crematories; fireworks or explosive manufacture or storage; dumping, reduction or other processing of garbage, dead animals, offal or refuse, except as customarily incidental to a permitted principal use; stockyard or slaughter animals or fowls; tanning, curing, or storage of rawhides or skins.

(2) No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except that those activities customarily incidental to the operation of permitted principal uses may be permitted by a variation by the Board of Zoning Appeals. Such materials shall be stored, utilized, and manufactured in accordance with the applicable rules and regulations of the County of LaSalle and the State of Illinois.

(3) Such materials shall include but shall not be confined to all primary explosives such as lead azide, lead styphnate, fulminates, and tetracens; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof, such as dry nitrocellulose, black power, boron hydrides, hydrazine, and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, and ozonides; strong oxidizing agents such as liquid oxygen, perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than thirty-five (35) percent; and nuclear fuels, fissionable materials and products, and reactor elements such as uranium 235 and plutonium 239.

C. Air Pollution:

No activity shall emit any fly ash, chaffing dust, fumes, vapors, mists, or gases in such quantities as to cause soiling or danger to the health of persons, animals, vegetation, or other forms of property. No activity shall emit any liquid or solid particles in concentrations exceeding 0.3 grain per cubic foot of the conveying gas nor any color visible smoke equal to or darker than No. 2 on the Ringelmann Chart described in the United States Bureau of Mines Information Circular 7718; except for not more than four (4) minutes during any six (6) hour period each stack or chimney, in an M-2 General Manufacturing District, may emit smoke of Ringelmann No. 3. No activity shall emit more than ten (10) smoke units per hour per stack or chimney except that once during any six (6) hour period each stack or chimney, in an M-2 General Manufacturing District, may emit up to twenty (20) smoke units when blowing soot or cleaning fires.

D. Fire and Explosive Hazards:

All activities involving the manufacturing, utilization, processing, or storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate fire-fighting and fire-suppression equipment and devices that are standard in the industry. All materials that range from active to intense burning shall be manufactured, utilized, processed, and stored only in completely enclosed buildings which have incombustible exterior walls and an automatic fire-extinguishing system. The above ground storage capacity of materials that produce flammable or explosive vapors shall not exceed the following:

Closed Cup Flash Point	Gallons
Over 187 degrees Fahrenheit	400,000
105 degrees Fahrenheit to 187 degrees Fahrenheit	200,000
Below 105 degrees Fahrenheit	100,000

E. Glare and Heat:

No activity shall emit glare or heat that is visible or measurable outside its premises except activities in the M-2 General Manufacturing District which may emit direct or sky-reflected glare which shall not be visible outside their district. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.

F. Liquid or Solid Wastes:

No activity shall discharge at any point onto any land or into any water or public sewer any materials of such nature, quantity, noxiousness, toxicity, or temperature which can contaminate, pollute, or harm the quantity or quality of any water supply, can cause the emission of dangerous or offensive elements, can overload the existing municipal utilities, or can injure or damage persons or property.

G. Noise:

No activity in an M-2 General Manufacturing District shall produce a sound level outside the district boundary that exceeds the following sound level measured by a sound level meter and associated octave band filter:

Octave Band Frequency (cycles per second)	Sound Level (Decibels)
0 - 75	79
75 - 150	74
150 - 300	66
300 - 600	59
600 - 1200	53
1200 - 2400	47
2400 - 4800	41
Above 4800	39

No other activity in any other district shall produce a sound level outside its premises that exceeds the following:

Octave Band Frequency (cycles per second)	Sound Level (Decibels)
0 - 75	72
75 - 150	67
150 - 300	59
300 - 600	52
600 - 1200	46
1200 - 2400	40
2400 - 4800	34
Above 4800	32

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character or shrillness.

H. Odors:

No activity shall emit any odorous matter of such nature or quantity as to be offensive, obnoxious, or unhealthful outside their premises. The guide for determining odor measurement and control shall be Chapter 13, Air Pollution Abatement Manual 1960, prepared by the Manufacturing Chemists' Association, Inc. Washington, D.C.

I. Radioactivity and Electrical Disturbances:

No activity shall emit radioactivity or electrical disturbances outside its premises that are dangerous or adversely affect the neighboring premises.

J. Vibration:

No activity in any district except the M-2 Manufacturing District shall emit vibrations which are discernible without instruments outside its premises. No activity in an M-2 Manufacturing District shall emit vibrations which exceed the following displacement measured with a three-component measuring system:

Frequency (cycles per second)	Displacement (inches)	
	Outside the Premises	Outside the District
0 - 10	.0020	.0004
10 - 20	.0010	.0002
20 - 30	.0006	.0001
30 - 40	.0004	.0001
40 - 50	.0003	.0001
50 and over	.0002	.0001

K. Certificate of Compliance:

(1) No use permitted in any manufacturing district shall be issued a zoning permit until a certified statement has been signed by a qualified professional engineer and a responsible agent for the proposed use stating

that all provisions of the performance standards set forth in this article will be met.

(2) No use permitted in any manufacturing district shall be issued a certificate of compliance until all provisions of this ordinance have been complied with and tests on operating equipment made under normal operating conditions have been performed indicating full compliance with all performance standards. Such statement shall be certified and signed by a qualified professional engineer and a responsible agent for the operating use.

SECTION XIX. - STORM SEWER AND STORMWATER STORAGE FACILITIES

A. Scope:

The provisions of this article shall control the design and construction of storm sewer systems and stormwater storage requirements.

B. Excavations:

It shall be unlawful for any person, firm or corporation to tunnel or make any excavation for constructing, repairing or replacing a storm sewer in any existing street, sidewalk, driveway, alley, parking or other public place without having obtained a permit therefor. When the excavation is within a paved street or alley a twenty-five dollar (\$25.00) street opening fee will be charged. In addition, the applicant shall deposit with the Village Clerk a cash deposit of one hundred dollars (\$100.00) if no pavement is involved, and three hundred dollars (\$300.00) if the excavation is in a paved area to insure the proper restoration of the ground and pavement replacement, if any. From this deposit shall be deducted the expense to the Village of restoring the surface of the ground or pavement if this is done by the Village or at its expense, and the balance of deposit shall be returned to the applicant without interest after all restoration has been properly completed. All excavation in any existing street, sidewalk, driveway or alley shall be backfilled with select granular material and repaired in accordance with the Village's standard details.

C. Certificate of Insurance:

Any person, firm or corporation performing work under this article shall take out and maintain during the construction of the project such liability and property damage insurance as shall protect him, the Village and Village's representatives from claims from liability and property damages which may arise from construction of the work. The Village shall be furnished certificates of insurance issued by the companies carrying the risk, which said certificates shall be in form and substance satisfactory to and approved by the Village.

D. Rainwater Drains:

It shall be unlawful to construct or permit the maintenance of any rainwater drain which discharges onto any sidewalk or public way, and it shall be unlawful to construct or permit the maintenance of any such drain which discharges onto any public street or alley at a height greater than eighteen (18) inches from the ground or pavement.

E. Storm Sewers for Impervious Areas:

All impervious surface areas of more than seven thousand five hundred (7,500) square feet, as herein defined, shall be provided with storm sewers and catch basins when a public storm sewer is not greater than one hundred (100) feet from the nearest corner of property measured along a street, alley, or easement of the public sewer system. One (1) catch basin shall be provided for the first thirty thousand (30,000) square feet of such area and one (1) additional catch basin shall be provided for every additional ten thousand (10,000) square feet of such area or portion thereof. All other impervious areas shall be so designed as to drain to a public street or an existing open water course, provided that in no event shall water or other draining liquids be allowed to pass onto adjoining property or over public sidewalks unless at the point where a driveway intersects said sidewalk. For the purpose of this section, areas such as, but not limited to, parking lots and driveways, patios, sidewalks, building roofs, and tennis courts where water is unable to naturally penetrate or drain from, except as provided herein above shall be deemed impervious surface areas.

F. Connection of Sanitary Wastes to Storm Sewers or Watercourses:

It shall be unlawful to discharge any sanitary sewage into the storm sewer drainage system of the Village, or into any tributary storm sewer drainage system connecting to the Village system, or into any river or any watercourse within the jurisdiction of the Village.

G. Storm Sewer System Required:

A properly designed storm sewer system shall be provided at the expense of the owner or developer of a subdivision or other tract of land.

H. Permit Required:

No person, firm or corporation shall connect to and extend any storm sewer in the Village without first submitting an application for a permit to the Village. The application for a permit shall be accompanied by three (3) sets of plans and specifications for review prepared by a registered professional engineer of Illinois. When such plans and specifications are approved and a permit has been issued, the applicant shall furnish the Village with an additional three (3) sets of plans and specifications. The Village shall be given an advance notice of forty-eight (48) hours before any construction begins.

I. Plan Review Fee:

There shall be no fee charged for the review of plans and specifications for storm sewer construction and stormwater storage facilities.

J. Guaranty:

The owner shall provide the Village with a certified check or cashier's check, letter of credit or a surety bond, payable to the Village in the amount of one hundred (100) percent of the cost of the improvement as estimated by the owner and approved by the Village engineer to assure the

satisfactory installation of such improvements as outlined and contained in the approved plans and specifications. If the owner posts a surety bond it shall have good and sufficient surety therein and be approved by the Village attorney. Until official acceptance of the work, the owner shall be responsible for all maintenance of all required improvements.

K. Design and Construction Standards:

The design and construction of the storm sewer system and stormwater storage facilities within the jurisdiction of the Village shall conform to the most restrictive of the requirements contained in latest edition of the following regulations, standards and specifications, three (3) copies of each which shall be on file in the Village clerk's office:

(1) "Standard Specifications for Water and Sewer Main Construction in Illinois."

(2) "Standard Specifications for Road and Bridge Construction," Illinois Department of Transportation.

(3) "Design Manual," State of Illinois, Department of Public Works and Buildings, Division of Highways, Bureau of Design.

(4) "Highway Standards," State of Illinois, Department of Public Works and Buildings, Division of Highways, Bureau of Design.

(5) "Manual of Policies and Procedures," Location and Environment, Illinois Department of Transportation.

(6) Standards adopted by the Metropolitan Sanitary District of Greater Chicago.

L. Storm Sewer Capacities:

Storm sewer capacities shall be determined using the rational formula ($Q=CIA$) and shall be designed for a minimum 10-year storm frequency. When stormwater storage is required provisions shall be made to transport stormwater runoff from a 100-year storm frequency from the fully developed area of the site to the stormwater runoff resulting from the design for a 100-year storm frequency may be transported to the stormwater storage area over streets, parking areas, parks, playgrounds or other open spaces, including utility easements. The storm sewer system shall have adequate capacity to adequately drain all tributary drainage areas through the property, and there shall be no compensation to the owner or developer by the Village for the increased pipe sizes and construction costs, if any. In any subdivision, lot, or parcel of land where it is determined by the Village engineer that the storm sewer would be larger than ninety-six (96) inches, based on a 20-year storm frequency, then a ditch or drainage channel meeting the following standards may be used if the council so approves.

(1) With grades to four (4) percent, ditch may have earth bottoms and sod banks.

(2) With grades greater than four (4) percent, ditches must be paved.

(3) All ditches shall have side slopes of not less than five (5) to one (1).

(4) Easements for all ditches shall be dedicated to the Village and there shall be provided in addition to the necessary width required for the ditch, a strip of land on each side of the ditch of a width of fifteen (15) feet, such distance to be measured perpendicular to trees, poles, structures and other obstructions. The slope of these side areas to the ditch shall not exceed five (5) percent. There shall be no trees, bushes, or obstructions of any kind placed in this area.

(5) Culverts or bridges shall be provided at all street crossings and shall be sized to eliminate flooding or ponding of water and shall have a minimum cover of twelve (12) inches. Culverts or bridges shall be reinforced concrete or pre-cast reinforced concrete pipes with necessary headwalls. Culverts or bridges shall extend a minimum of five (5) feet past each right-of-way line of the street and shall extend far enough to provide a minimum slope of five (5) to one (1) from the right-of-way line down to the invert of the pipe.

(6) All ditches, bridges and culverts shall be located and designed in accordance with current applicable standards as amended from time to time and requirements of the Village engineer.

(7) All culverts or bridges shall be provided with suitable railings and/or guard rails as required and approved by the Village.

M. Manholes and Catch Basins:

Manholes shall be provided at all changes in direction and at intermediate points not exceeding three hundred fifty (350) feet. Catch basins with curb inlets of proper size shall be provided as required by the "Design Manual", State of Illinois, Department of Public Works and Buildings.

N. Stormwater Storage Facilities Required:

A property designed stormwater storage facility shall be provided for all commercial and industrial development that contain an area in excess of two (2) acres. In addition stormwater storage shall be provided for all residential developments in excess of two (2) acres.

O. Basis of Design:

The necessary volume of stormwater storage shall be calculated on the basis of a 100-year storm frequency using the criteria established by the Metropolitan Sanitary District of Greater Chicago. The volume required will be that necessary to handle the runoff for a 100-year storm for any and all durations, from the fully developed drainage area of the site tributary to the reservoir less that volume discharged during the same duration as the allowable release rate. No stormwater storage will be required for offsite upstream areas. Flows from offsite tributary areas resulting from a 10-year storm frequency will be drained through the storm sewer system provided for the site. Offsite flow in excess of the 10-year storm frequency shall be bypassed through the site as overland flow and shall be calculated using the 100-year storm frequency.

P. Allowable Release Rate:

The allowable release rate of stormwater runoff from the developed drainage area of the site shall not exceed the existing capacity of the downstream storm sewer system or drainage channel but in no case shall the discharge be more than 0.20 cfs per acre measured at a maximum storage depth except that no outlet pipe of less than eight (8) inches in diameter shall be used as an outlet pipe from any stormwater storage facility. Outlet control facilities other than pipes shall be constructed of reinforced concrete. Outlet pipes from storage areas shall be either reinforced concrete pipe, Class III, or ductile iron pipe, Class 52.

Q. Bypass:

The drainage systems, which is provided for the site, shall have adequate capacity to safely bypass through the development the flow resulting from a 100-year storm frequency from all upstream areas assuming the land is in a fully developed state under present zoning or proposed zoning outlined in the comprehensive plan. The flow shall be calculated using a runoff coefficient of not less than 0.50. An allowance shall be made for any upstream stormwater storage which has actually been provided. The required bypass area for stormwater in excess of the volume handled by the storm sewer system may consist of streets, parking areas, parks, playgrounds or other open spaces, including utility easements. There shall be no habitable structures located within this bypass area which is used as a floodway, and this bypass area shall not be reshaped or restricted in any way to reduce its effective capacity. The design of the bypass area shall take into consideration the control of the storm water velocity to prevent erosion. The side slopes on any drainage swale shall not be steeper than five (5) to one (1).

R. Stormwater Storage Areas:

The required volume of stormwater storage may be provided in paved parking areas and in reservoirs with either a wet or dry bottom. Alternate types of stormwater storage areas shall be approved by the Village engineer.

(1) Parking areas. The stormwater storage areas shall be designed so that the accumulation of water at any point in the parking lot during peak rainfall does not exceed one (1) foot. The parking lot shall be sloped to drain at a minimum of one (1) percent. The finished floor elevation of all buildings shall be set so that no damage would occur if a storm in excess of the 100-year storm frequency occurs or if the drainage outlet becomes plugged.

(2) Dry bottom reservoirs. A dry bottom type of reservoir may be designed to serve a secondary purpose for recreation, open space or other types of uses that will not be adversely affected by periodic flooding. A paved ditch with a slope of not less than 0.50 percent will be required from the inlet pipe or structure to the outlet pipe or structure to prevent erosion of the bottom of the reservoir when the capacity of the inlet pipe exceeds 5 cfs or when the inlet pipe has a constant flow, even during dry weather. In certain cases, dry bottom reservoirs shall have a pipe underdrain system as required by the Village engineer. The paved ditch shall meet the requirements for paved ditches contained in the "Highway Standards," State of Illinois, Department of Public Works and Buildings, Division of Highways, Bureau of Design. The grassed bottom of the reservoir shall slope to drain to the outlet or paved ditch at a minimum of one (1)

percent slope. The side slopes on the earth berm around the reservoir shall not be steeper than five (5) to one (1) and the earth berm at the tope shall not be less than 10 feet wide. The inlet and outlet pipes or structures from the reservoir shall be self-operating and require very limited maintenance. An emergency overflow spillway shall be provided from the reservoir in the event a storm frequency occurs. The inlet and outlet pipes or structures shall be provided with safety bars with maximum openings of six (6) inches to provide for the safety of children.

(3) Wet Bottom Reservoirs. Wet bottom storage reservoirs shall be constructed to conform to the current applicable requirements. The minimum depth from the normal water level to the bottom of the side slope shall be four (4) feet. A minimum of twenty-five (25) percent of the pond area shall be constructed to a minimum depth of ten (10) feet to provide for fish. Proper measures shall be provided by the developer to prevent the water from becoming stagnant. Where the soil in the bottom of the reservoir is too permeable to hold water, the bottom shall be sealed by an accepted method approved by the Village engineer. The inlet and outlet pipes or structures from the reservoir shall be self operating and requires very limited maintenance. An emergency overflow spillway shall be provided from the reservoir in the event a storm in excess of the 100-year storm frequency occurs. The inlet and outlet pipes or structures shall be provided with safety bars with maximum openings of six (6) inches to provide for the safety of children.

S. Requirement During Construction:

Construction operations shall be conducted in such a manner as to minimize erosion potential on the site. Silting of off-site downstream areas shall be controlled through the appropriate use of sedimentation basins, including retention/detention facilities designed for that purpose, provided that such facilities shall be restored to their design configuration upon completion of construction operations. The developer shall indicate the methods and timing of construction to be used for the control of siltation during construction operations at the time that final engineering plans are submitted for approval.

T. Approval:

All work required to be done under this article by an applicant be he the owner, subdivider or contractor, shall be periodically inspected by and approval obtained from the Village superintendent in charge, or Village engineer as the work progresses. When the work is completed, final approval shall be obtained from the Village superintendent in charge of Village engineer. Before final approval can be obtained, the superintendent in charge or Village engineer shall inspect all work and see that same has been completed in accordance with the approved plans and specifications.

U. Release of Guaranty:

The owner's certified check or cashier's check, letter of credit or surety bond shall be released only upon the completion of the following:

(1) The satisfactory installation of the storm sewer improvements.

(2) The submission of four (4) sets of approved "as-built" plans for all storm sewer improvements including one (1) mylar copy.

(3) The submission of final waiver of liens for all materials and labor necessary for the installation of the storm sewer improvement.

(4) Final acceptance by the Village Board.

V. Penalty:

Any person, firm or corporation violating any provision of this article shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION XX - SPECIAL USE REGULATIONS

A. Special Uses: 1. The Board of Trustees by an affirmative two-thirds vote may by resolution grant a special permit for the following special uses in any district, except as herein qualified, for which they are otherwise prohibited by this Ordinance, and may impose appropriate conditions and safeguards, including a specified period of time for the permit, to conserve and protect property and property values in the neighborhood.

(a) Public owned or operated park, playground or community building, museum, library or art gallery, provided that such building shall be located not less than 25 feet from any side lot line.

(b) Public school, elementary and high, or a private school having a curriculum the same as ordinarily given in a public school, provided that such building shall be located not less than 40 feet away from any side or rear lot line.

(c) Church or other place of worship or Sunday School, provided that such building shall be located not less than 20 feet from any side lot line.

(d) Country club or golf course, except miniature course or practice driving tee operated for commercial purpose.

(e) Airport, landing field or landing strip for aircraft.

(f) Amusement park, but not within 300 feet of any "R" district.

(g) Cemetery or mausoleum.

(h) Circus or carnival grounds, but not within 300 feet of any "R" district.

(i) Commercial, recreational or amusement development for temporary or seasonal periods.

(j) Hospital, clinic or institution, provided that any hospital or institution permitted in any "R" district shall be located on a site of not less than five acres, shall not occupy more than ten percent of the total lot area and shall be set back from all yard lines at least two feet for each foot of building height.

(k) Privately operated community building or recreation field.

(l) Any public or government building.

(m) Radio or television broadcasting tower or station.

(n) Drive-in theatre in the "C-2" Commercial district.

(o) Tourist or trailer camp in the "C-2" Commercial district or the "M-1" Light Industrial district and its extension into an abutting residential district, provided such tourist or trailer camp shall comply with the following and such additional requirements as may be deemed necessary for proper development and the protection of the surrounding area:

(p) Recycling center.

(1) All appropriate State and County Sanitation Regulations shall be strictly observed.

(2) At least 1,500 square feet of lot area per trailer shall be provided; no trailer shall be parked closer to the street or highway than the required front yard set back or closer than 20 feet to any property line; and a clearance of not less than fifteen feet shall be maintained between trailer coaches on all sides.

(3) Trailer coach spaces shall abut upon a hard-surfaced driveway or accessory of not less than 25 feet in width.

(4) Service buildings or other facilities for bathing, laundry and sanitation, as required by the State and local health regulations, shall be located at least 20 feet from the side and rear lot lines and shall be accessible to all trailer coaches by means of the access drives or hard-surfaced walks.

(5) Wherever practicable, space shall be reserved for recreation and a playground.

2. Before authorization of any of the above special uses the request therefor shall be referred to the Zoning Committee for study. A public hearing shall be held in relation thereto before the Zoning Committee. Notice and publication of the time and place for which shall conform to the procedure prescribed in Section XXVI for hearing amendments. If no report is transmitted within 60 days of the notification, the Board of Trustees may take action without further awaiting such report.

3. Any proposed special use shall otherwise comply with all the regulations set forth in this Ordinance for the district in which such use is located, except that the Board of Trustees may permit hospitals and institutions to exceed the height limitations of such districts.

B. Temporary Buildings: Temporary buildings used in conjunction with construction work only may be permitted in any district during the period that the construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work.

C. Railroads and Utilities: Existing railroads and utilities may continue to be operated and maintained in dwelling and commercial districts, but no new railroad or utility structure other than the usual poles, wires and underground utilities shall be established in such districts except when so authorized by the Board of Trustees after report by the Board of Appeals.

D. Residence Development Plan: An authorized agency of the Municipal, County, State or Federal Government or the owner or owners of any tract of land comprising an area of not less than ten acres may submit to the Board of Trustees of the Village of Tonica, a plan for the use and development of all of the tract of land for residential and allied purposes. The development plan shall be referred to the Zoning Committee for study and report and for public hearings. Notice and publication of such public hearings shall conform to the procedures prescribed in Section ___ for hearings on changes and amendments. If the Commission approves the plans these shall then be submitted to the Board of Trustees shall be accompanied by a report stating the reasons for approval of the application and specific evidence and facts showing that the proposed plan meets the following conditions:

1. That property adjacent to the area included in the plan will not be adversely affected, and to this end the Board of Trustees may require, in the absence of an appropriate physical barrier, that uses of least intensity or a buffer of open space or screening be arranged along the borders of the project.

2. The plan is consistent with the intent and purposes of this Ordinance to promote public health, safety, morals and general welfare.

3. The buildings shall be used only for single-family dwellings, two-family dwellings or multiple dwellings, and for the usual accessory uses as private or storage garages, storage space and for community activities, including churches.

4. The average lot area per family contained in the site, exclusive of the area occupied by streets, will not be less than the lot area per family required in the district in which the development is located.

If the Board of Trustees approves the plan, building permits and certificates of occupancy may be issued even though the use of land and the location and height of buildings to be erected in the area and the yards and open space contemplated by the plan do not conform in all respects to the district regulations of the district in which it is located.

SECTION XXI - NON-CONFORMING USES

A. Non-Conforming Buildings: 1. Any lawful use of a building existing at the effective date of this Ordinance may be continued, even though such use does not conform to the provisions hereof. A non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use. The non-conforming use of a building may be extended throughout those parts thereof which were manifestly arranged or designed for such use at the time of adoption of this Ordinance.

2. Whenever the use of a building shall become non-conforming through a change in the Zoning Ordinance or in the district boundaries such use may be continued and may be changed to another non-conforming use of the same or of a more restricted classification.

3. Whenever a non-conforming use of a building or portion thereof is discontinued for a continuous period of 1 year, 12 continuous months, any future use of such building or portion thereof shall be in conformity with the regulations of the district in which such building is located.

B. Non-Conforming Uses of Land: A non-conforming use of land existing at the effective date of this Ordinance may be continued; provided, however, that no such non-conforming use of land be in any way expanded or extended, either on the same or adjoining property. If such non-conforming use of land or any portion thereof is discontinued for a continuous period of one year or changed, any future use of such land shall be in conformity with the provisions of this Ordinance.

C. Removal of Non-Conforming Uses: The non-conforming use of land for storage purposes and for advertising signs and billboards located within any "R" District shall be discontinued within five years from the date of approval of this Ordinance and any such uses of land which become non-conforming by reason of a subsequent change in this Ordinance shall also be discontinued within five years from the date of the change.

SECTION XXII - BOARD OF APPEALS

A. 1. A Board of Appeals is hereby established. The Board shall consist of seven members who shall be freeholders appointed by the Village President upon approval by the Board of Trustees. The terms of office of the members of the Board shall be five years except that the seven members first appointed shall serve respectively for the terms of 1, 2, 3, 4, 5, 6, and 7 years. Thereafter as each term expires, the appointment shall be for five years. Vacancies shall be filled for the unexpired terms of the member whose place has become vacant by the appointing authority which shall have the power to remove any member of the Board for cause, after notice and hearing. One of the members of the Board shall be named as chairman at the time of his appointment.

2. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence, the acting chairman may administer oaths and compel the attendance of the witnesses. All meetings of the Board shall be open to the public. The Board shall keep a stenographic report of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

3. The cost of preparing the stenographic transcript of the witnesses appearing before the Board shall be the responsibility of the party appealing.

B. Appeals: 1. Petitions to the Board of Trustees for variations or exceptions and/or appeals may be made by any person or by an officer, department, board or bureau of the Village affected by any decision of the Zoning Inspector. The appeal shall be taken within thirty (30) days by filing with the Zoning Inspector and with the Board of Trustees a notice of appeal, specifying the grounds thereof. The Zoning Inspector shall forthwith transmit to the Board of Trustees all papers constituting the record from which the action appealed from is taken.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector certifies to the Board of Trustees, after notice of appeal shall have been filed with him, that, by reason of the facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Trustees or by a Court of record.

The Board of Trustees shall refer any said petition or appeal to the Board and shall take no action until it has received the report of the Board. The Board shall hold a public hearing upon each petition or appeal. fifteen (15) days notice of time, place and purpose of such hearing shall be given in the official newspaper. After the hearing the Board shall make a report to the Board of Trustees of its findings of fact. If the Board recommends against the granting of such petition or appeal, the order granting such petition or appeal can be adopted only by a favorable two-thirds vote of the members of the Board of Trustees.

2. The Board shall also hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the Zoning Inspector in the enforcement of this Ordinance.

3. All appeals and petitions shall be in writing in duplicate and shall be filed with the Zoning Inspector who shall present the same to the next regular meeting of the Board of Trustees.

C. Exceptions: The Board of Trustees may authorize, by Ordinance and after hearing and report by the Board, the following exceptions to the terms of this Ordinance:

1. Permit the extension of a district where the boundary line of a district divides a lot in a single ownership at the time of the passage of this Ordinance.

2. Interpret the provisions of this Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts accompanying and made a part of this Ordinance where the street layout actually on the ground varies from the street layout on the map aforesaid.

3. Permit the erection and use of a building or the use of premises in any location for a public service corporation for public utility purposes which the Board of Trustees determines reasonably necessary for the public convenience or welfare.

4. Waive or reduce the parking and loading requirements in any of the districts whenever the character or use of the buildings is such as to make unnecessary the full provision of parking or loading facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.

5. Permit an off-street parking area in an "R-4" District where this would relieve traffic congestion on the streets, provided such parking area conforms to the following conditions:

(a) The entire area is located within 200 feet of a "C-1", "C-2" or "C-3" District, exclusive of any publicly dedicated right-of-way.

(b) The area shall be used exclusively for the parking of vehicles belonging to invitees of the owner or lessee of said lot.

(c) Walls, fencing or planting shall be permitted to protect and be in harmony with surrounding residential property.

(d) The parking area shall not include any required front yard in the district in which it is located.

(e) All driveways and the area used for parking spaces shall be properly drained and surfaced with a hard, durable, dust-proof material and plans and specifications for same, together with the locations of entrances and exits, shall be approved by the Village Engineer.

(f) The area shall conform to such other reasonable requirements as the Board of Trustees may require for the protection of surrounding property, persons and residential values.

6. To determine whether an industry should be permitted within the "M-1" Light Industrial and "M-2" Heavy Industrial Districts because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.

7. Permit any construction or occupancy permit to be issued in an "Ag-1" Agricultural District for any of the following uses:

(a) Filtration plant.

(b) Pumping station.

(c) Water reservoir.

(d) Sewage treatment plant.

- (e) Police station.
- (f) Fire station.
- (g) Sanitary landfill.
- (h) Telephone exchange.
- (i) Electric sub-station.
- (j) Fair grounds.

(k) Gun club if located not nearer than 1,000 feet to any residence other than that of the owner or lessee of the site.

(l) Hospital or institution of an educational, religious, charitable, or philanthropic nature, other than those specifically permitted in Section VIII of this Ordinance, provided that it be located on a site which contains at least five acres and provided that such buildings shall not occupy more than thirty per centum of the total area of the lot.

(m) Commercial feed lot.

(n) Cemetery.

(o) Mines:

(1) Open cut mine.

(2) Pit mine.

(p) Explosives.

D. Variations: Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any provisions of this Ordinance would result in peculiar and exceptional practical difficulties and clearly demonstrable hardship upon the owner of such property, amounting to practical confiscation thereof, and not a mere inconvenience to such owner, the Board of Trustees may authorize, by Ordinance, and after hearing and report by the Board, a variation in the strict application of the terms of the Ordinance to the extent that justice may be done, provided such variation can be granted without substantial detriment to the public good and without substantially impairing the general purpose and intent of the regulations and provisions contained in this Ordinance.

SECTION XXIII - CERTIFICATE OF OCCUPANCY

A. Certificates of Occupancy shall be required for any of the following:

1. Change in the use of an existing building to a use of a different classification.

2. Occupancy and use of vacant land.

3. Change in the use of land to a use of a different classification.

4. Any change in the use of a non-conforming use. No such occupancy use or change of use shall take place until a certificate of occupancy therefor shall have been issued by the Zoning Inspector.

B. Certificate of Occupancy for a Building: Certificate of occupancy for a new building or the alteration of an existing building shall be applied for coincident with the application for a building permit and said certificate shall be issued within three days after the request for same shall have been made in writing to the Zoning Inspector after the erection or alteration of such building or part thereof shall have been completed in conformity with the provisions of these regulations. Pending the issuance of a regular certificate, a temporary certificate of occupancy may be issued by the Zoning Inspector for a period not exceeding six months, during the completion of alterations or during partial occupancy of a building pending its completion. Such temporary certificates shall not be construed or in any way alter the respective rights, duties or obligations of the owners or of the village relating to the use or occupancy of the premises or any other matter covered by this Ordinance, and such temporary certificate shall not be issued except under such restrictions and provisions as will adequately insure the safety of the occupants.

C. Certificates of Occupancy for Land: Certificates of occupancy for the use of vacant land or the change in the character of the use of the land as herein provided, shall be applied for before any such land shall be occupied or used, and a certificate of occupancy shall be issued within three days after the application has been made, provided such use is in conformity with the provisions of these regulations.

D. Certificates of occupancy shall state that the building or proposed use of a building or land, complies with all the Building and Health laws and Ordinances and with the provisions of these regulations. A record of all certificates shall be furnished on request to any person having a propriety or tenancy interest in the building affected.

No permit for excavation for any building shall be issued before application has been made for certificate of occupancy.

E. Certificate of Occupancy for Non-Conforming Uses: A certificate of occupancy shall be required for all lawful non-conforming uses of land or buildings created by adoption of this Ordinance. Application for such certificate of occupancy for a non-conforming use shall be filed with the Zoning Inspector by the owner or lessee of the building or land occupied by such non-conforming use within the year of the effective date of this Ordinance. It shall be the duty of the Zoning Inspector to issue a certificate of occupancy for a lawful non-conforming use.

SECTION XXIV - PLANS

A. All applications for building permits shall be accompanied by accurate plot plans, submitted in duplicate, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the exact sizes and locations on the lot of the buildings and accessory buildings then existing and the lines within which the proposed building and structure shall be erected or altered, the existing and intended use of each building or part of building, the number of families or housekeeping units the building is designated to accommodate, and such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Ordinance. A careful record of the original copy of such applications and plats shall be kept in the office of the Zoning Inspector and the duplicate copy shall be kept at the building at all time during construction.

B. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on an actual survey and if correct the lot shall be staked out on the ground before construction is started.

SECTION XXV - INTERPRETATION, PURPOSE AND CONFLICT

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this Ordinance imposes a greater restriction upon the use of the buildings or premises or upon the height of buildings or requires larger open spaces than are imposed or required by other Ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Ordinance shall govern.

SECTION XXVI - AMENDMENTS AND CHANGES

A. The Board of Trustees may, from time to time, on its own motion or on petition, amend, supplement or change by Ordinance the regulations and districts herein or subsequently established, but no such amendments shall be made without a public hearing before the Zoning Committee and its report to the Board of Trustees. Notice of the time, place and purpose of such hearing shall be given as required by law. In the case of written protest against any proposed amendments, under the conditions specified in Chapter 65; Section 5/11-13-14 of the Illinois Compiled Statutes, the amendment shall not be passed except by a favorable vote of two-thirds of the Board of Trustees.

B. All petitions praying for a change, amendment, or supplement of the established zoning districts of the Village and regulations connected therewith shall be filed by the person requesting such action and such petition shall contain the street address of the petitioner, and lot number of any real estate owned by him adjacent to the area proposed to be changed and shall also contain an accurate legal description of the district or parts of districts proposed to be so altered. Such petition shall also

recite facts indicating that the proposed change will not be detrimental to the general public interest and the purposes of this Ordinance and shall further disclose the purpose for which such property is sought to be used.

C. A petition for a change in the regulations or districts herein or subsequently established shall be filed with the Village Clerk in duplicate. A fee of one hundred (\$100.00) dollars, shall be paid at the time of filing to cover the cost of publication of notice of hearing on said petition and other costs incidental to such hearing.

SECTION XXVII - ENFORCEMENT, LEGAL PROCEDURE, PENALTIES

A. The office of the Zoning Inspector is hereby created. The President and Board of Trustees shall appoint an individual to fill the office until a successor is appointed. His compensation shall be such as is designated by the President and Board of Trustees.

B. The functions and duties of the Zoning Inspector shall be as follows:

1. Administer and enforce this Ordinance.
2. Receive application for permits.
3. Review applications to determine whether they comply with the Zoning Ordinance.
4. Perform inspection duties.
5. Investigate violations.
6. Issue occupancy permits.
7. Keep the Zoning map and text up to date.
8. Provide zoning information upon request.

C. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall, upon conviction, be fined not less than twenty-five (\$25.00) dollars, no more than five hundred (\$500.00) dollars for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

D. In case any building or structure is constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance, the Village, or any owner or tenant of real property in the same contiguous zoning district as the building or structure in question, in addition to the other remedies, may institute any appropriate action or proceeding (1) To prevent the unlawful construction, reconstruction, alterations, repair, conversion, maintenance or use, (2) To prevent the occupancy of the building or structure or land, (3) To prevent any illegal act, conduct, business or use in or about the

premises, or (4) To restrain, correct or abate the violation. When any such action is instituted by an owner or tenant, notice of such action shall be served upon the municipality at the time suit is begun, by serving a copy of the complaint on the Chief executive officer of the municipality, no such action may be maintained until such notice has been given.

In any such action or proceeding, the Court with jurisdiction thereof has the power and at its discretion may issue a restraining order or a preliminary injunction, upon such terms and under such conditions as will do justice and enforce the purpose of this Ordinance.

If a permanent injunction is decreed in any such action or proceedings, the Court in its decree may, in its discretion, allow the plaintiff a reasonable sum of money for the services of the plaintiff's attorney. This allowance shall be a part of the costs of the litigation assessed against the defendant, and may be recovered as such.

SECTION XXVIII - VALIDITY

Should any section, clause or provision of this Ordinance be declared by a Court to be invalid, the same shall not affect the validity of the Ordinance as a whole or in part, other than the part so declared to be invalid.

SECTION XXIX - REPEAL, SAVING CLAUSE, EFFECTIVE DATE

A. All Ordinances or part of Ordinances in conflict herewith are hereby repealed.

B. This Ordinance shall be in full force and effect from and after its passage, approval and publication, as required by law.

C. It is further ordered that this ordinance is hereby directed to, and shall be published in book or pamphlet form.

D. The repeal of the Ordinance or parts thereof specified in Paragraph A of this Section shall not (1) affect suits pending or rights existing immediately prior to the effective date of this Ordinance; (2) impair, avoid, or affect any grant or conveyance made or right acquired or cause of action now existing under any such repealed ordinance or amendment thereto; (3) affect or impair the validity of any bond or other obligations issued or sold in constituting a valid obligation of the issuing authority immediately prior to the effective date of this Ordinance.