

**Revised Ordinances
Of the**

**Village of
GRIDLEY**

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Of Trustees Of The
Village of Gridley, IL
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Chapter 1
Elected Officials

Article 1. THE PRESIDENT

Sec. 1. ELECTION, TERM OF OFFICE

The President of the Village of Gridley, Illinois, shall be elected to a term of four years as provided by statute and shall take office at the next regular or special meeting of the Board of Trustees held after said election.

Sec. 2 BOND, OATH AND SALARY

Before entering upon the duties of his office, the President shall give a bond in the amount as determined by the Village Board, with sureties to be approved by the Board of Trustees conditioned upon the faithful performance of his duties. He shall take the oath of office as prescribed by statute, and shall receive such compensation as may be set from time to time by the Board.

Sec. 3 DUTIES

The President shall be the chief executive officer of the Village, preside as the President of the Board of Trustees of said Village as hereinafter provided, and shall perform all such duties as may be required of him by statute or ordinance. He shall have supervisory authority over all executive officers and employees of the Village. He shall sign all contracts entered into by said Village, all commissions, licenses, permits, and all other acts and deeds as statute or ordinance may require.

Sec. 4. LICENSES

The President shall receive applications for, determine qualifications of, and grant licenses to those required by ordinance to hold the same; to renew, amend, suspend, or revoke such licenses as hereinafter provided in Chapter 5.

Sec. 5. DESIGNATION OF DUTIES

The President shall determine all questions pertaining to the duties of any appointed officer of said Village, and shall delegate to any such officers such duties as he deems necessary where not otherwise provided for in this Code.

Sec. 6. APPOINTMENT OF OFFICERS

The President shall appoint, by and with the advise and consent of the Village Trustees, all officers whose appointment is not by the laws of this state or this ordinance otherwise provided for, or which are not elected by the people; and wherever a vacancy shall occur in any office, which by law he is empowered to fill, he shall within thirty days thereafter, submit the name of his appointee to said Village Trustees and pending their concurrence in such appointment the President may designate some officer of said Village to discharge the duties of such office.

Sec. 7. CONVEYANCE OF LANDS

The President and the Village Clerk, by and with the consent of three-fourths of the Village Trustees, is authorized and empowered to sell and convey any and all real estate owned and held by the Village.

Sec. 8. PRESIDENT PRO-TERM

Should the Village President for any reason be temporarily absent from the Village or otherwise disabled for such a period that he cannot fully perform the duties of his office, the Board of Trustees shall elect one of its number to serve as President Pro-Tem who during the absence or disability of the President shall perform the duties pertaining to said office.

Article 2. BOARD OF TRUSTEES

Sec. 1. ELECTION, TERM, OATH, TIME AND PLACE OF MEETING

A Board of six Trustees shall be elected as provided by statute to terms of four years each, and they shall take office at the next regular or special meeting of the Board of Trustees held after said election. The members of the Board of Trustees shall, upon taking office, take the oath prescribed by statute. The regular stated meetings of the President and Board of Trustees shall be held at such place in the Village of Gridley, Illinois, as the trustees may provide, on the first Monday evening of every month during the year, all regular stated meetings of the Board shall be commenced at the hour of 7:00 o'clock p.m., unless otherwise ordered by the Trustees, and adjourned meetings may be held for the purpose of completing the business of any regular or special meeting at such time or times as may be determined by the trustees. When the first Monday of any month shall fall on a legal holiday, said Board shall meet at the same hour on the following Monday. A majority of the Board of Trustees shall constitute a quorum for doing business.

Sec. 2. SPECIAL MEETINGS, RECONSIDERATION OF VOTE

Special meetings of the Trustees may be called by the President or by any three Trustees; the call of any such special meeting shall be in writing signed by the President or at least three trustees, stating the object and purpose of such meeting and the time of holding the same, and shall be filed with the Village Clerk; thereupon the Village Clerk shall issue notice under his hand and seal, directed to each Trustee and the President stating the time and place of holding said special meeting and the object and purpose of the same; the notices shall be served under the direction of the Village Marshall, upon each trustee, personally, or in case personal service cannot be made upon any Trustee, then said notice may be left at his usual place of abode. No business shall be transacted at any special meeting except such as mentioned in the notice given for same, and there can be no reconsideration of any former action by the Trustees at such special meeting, unless there shall be present at such special meeting as many members as were present when the original action was taken.

Sec. 3. NON-ATTENDANCE

Whenever any trustee shall absent himself from any meeting of the Board of trustees, or depart therefrom before he is excused by the presiding officer or by the Trustees, for a period of more than three months, the Board of trustees, upon the motion of any one of them, shall take such steps as necessary to compel the attendance of such absent Trustee, or in the alternative, shall commence proceedings to remove such Trustee from his office as provided by statute and this ordinance. The vote of a majority of Trustees shall be necessary to the removal of a Trustee for non-attendance.

Sec. 4. STANDING COMMITTEES

The standing committees shall consist of at least three members each, and shall be appointed by the President at the meeting of the trustees on the first Monday in May, in each year, or as soon thereafter as is practicable, and shall be as follows: Finance; Public Buildings and Grounds; Fire and Water; Streets, Alleys, Sidewalks and Bridges; Zoning; Economic Development; Special Projects; Long Term Planning; Police; Liquor Commission; Retirement; Computer Packages; Health; Safety; Garbage; Lights; Employee Relations and Development; Buildings; Property; Trees. Such other committees as the Board may, from time to time, deem necessary.

Sec. 5. REPORT OF COMMITTEE; ACTION DEFERRED

Any report of a committee of the Trustees shall be deferred for final action thereon, to the next regular meeting of the Trustees after the report is made, upon the request of any two Trustees present.

Sec. 6. ORDER OF BUSINESS

The order of business at all regular sessions of the Trustees shall be as follows:

- a. Roll call;
- b. Reading of the Minutes of the previous meeting;
- c. Bills and claims
- d. Finance Report
- e. Communications and petitions
- f. Resolutions and ordinances
- g. Old Business
- h. New Business
- i. Report of the standing committees;
- j. Reports of the officers and employees
- j. Other business;
- k. Adjourn.

Sec. 7. RULES

The following rules for the control of the Board of Trustees and its deliberations are hereby adopted:

- a. The President shall take the chair at the hour appointed for the Trustees to meet, and shall call the members to order; the Clerk to call the roll of members.

- b. The President shall state and put to vote all questions which are regularly moved or which necessarily arise in the course of the proceedings and announce the result of the vote.
- c. The President shall restrain all members when engaged in debate, within the rules of order; he shall preserve order and decorum; he shall decide all points of order, subject to an appeal by a member, and may speak on points of order in preference to other members.
- d. The President shall not vote on any questions before the Trustees, except in case of a tie, when he shall give the casting vote.
- e. No member shall speak more than twice upon any questions, and not longer than ten minutes, at any one time, except by consent of the Trustees.
- f. All ordinances and alterations of grades and plats of surveys, after being presented to the Trustees and read, shall lie over one meeting before final action shall be taken thereon; except, by a unanimous vote of the Trustees this rule is suspended and action may be taken at the same meeting.
- g. All petitions and reports of committees of the Trustees shall be in writing, and the same shall be filed with and kept by the Village Clerk.
- h. The yeas and nays shall be taken upon the passage of all ordinances, and on all plat petitions, to create any liability against the Village, or for the expenditure or appropriation of its money, and in all other cases, at the request of any member, which shall be entered on the journal of its proceedings.
- i. The concurrence of a majority of all the members elected to the Board of Trustees shall be necessary to the passage of any such ordinance or proposition, mentioned in the preceding paragraph, provided, that in the case of the disposition or sale of any Village property, it shall require three-fourths votes of all the Trustees elected to sell the same.
- j. The Board of Trustees shall sit with open doors.
- k. Robert's Rules of Order shall govern the proceedings of the Trustees in all cases where the same is not inconsistent or conflicting with the rules hereby adopted.

Sec. 8. TRUSTEES COMPENSATION

The compensation to be paid Trustees for their service shall be fixed by the Board of Trustees by ordinance and compensation shall be paid semi-annually. Trustees receive \$60.00 for regular meetings, \$60.00 for special meetings, and \$30.00 for extended meetings. Trustees are allowed to miss two regular meetings and still receive compensation.

Article 3. VILLAGE CLERK

Sec. 1. ELECTION, TERM

The Village Clerk shall be elected and serve for a four year term and until his successor is elected and qualified as provided by statute and shall receive such compensation as may be set from time to time by the Village Board.

Sec. 2. BOND

Before entering his duties of office, the Village Clerk shall execute a bond in the amount as determined by the Village Board, conditioned upon the faithful performance of his duties.

Sec. 3. DUTIES

The Village Clerk, shall, in addition to all duties now imposed upon him by law, perform the following duties:

- a. He shall issue notices to the members of the Board of Trustees, and when directed by that body, to the members of the different committees of that body, and to all persons whose attendance will be required for hearings before any such committee when directed by the chairman thereof; and he shall also issue notices of special meetings.
- b. He shall attest with the corporate seal, all licenses issued by the President, or the Trustees, under the ordinances of the Village.
- c. He shall without delay deliver to the officers of the corporation, and to all the committees of the trustees, all resolutions and communications, referred to those officers or committees of that body.
- d. He shall, without delay, deliver to the President all ordinances or resolutions, under his charge, which may be required to be approved or otherwise acted upon by the President, with all papers with which the same were founded.
- e. He shall daily pay over to the Village Treasurer all money received by him, on any account whatever, taking a receipt therefore, and he shall on the first day of each month make a detailed account to the trustees of all money received by him during the preceding month and on what account the same was received, and shall file therewith the receipts of the Village Treasurer for all such money.
- f. He shall be charged with, and shall exercise a general supervision over all of the officers of the Village in so far as the receipt, collection, or disbursement of the Village revenues and the collection and return of such revenues into the Village treasury is concerned. He shall be the fiscal agent of the Village and as such, shall have charge of all deeds, mortgages, contracts, leases warrants, vouchers, bonds, books and papers of any kind, the custody and control of which is not herein given to any other officer. He shall have supervision over the Village debts, contracts, bonds, obligations, loans, and liabilities of the Village, and payment of interest, and over all the property of the Village, and generally, in subordination to the President and the trustees, to exercise supervision over all such interests of said Village, as, in any manner, it may concern or relate to the Village finances, revenues, and property.

Sec. 4. CLERK TO KEEP RECORDS

The Clerk shall, under direction of the President and the trustees, open and keep in a clear and methodical manner, a complete set of books, wherein shall be stated, among other

things, the appropriation for the year for each distinct object and branch of expenditure, and, also, the receipts from every source of revenue, so far as can be ascertained. Said books and all papers, vouchers bonds, contracts, receipts and other things kept in his office shall be subject to the examination of the President and trustees or any committee thereof.

Sec. 5. BILLS AND CLAIMS

All the bills and claims against the Village of Gridley shall be filed in the office of the said Clerk, and the said Clerk shall present the same to the trustees at least once a month. Said Clerk may require a statement in writing, under oath, as to any fact, matter or thing concerning the justness or correctness of any such account, claim or demand, presented against the Village.

Sec. 6. LIST OF WARRANTS

The Village Clerk shall keep in a suitable book, an accurate list of all warrants drawn upon the Village Treasury, showing the date, number, and amount of each, the name of the person in whose favor drawn, and the fund out of which each warrant is payable; all warrants shall be signed by the President and countersigned by the Clerk, and each shall specify therein the particular fund or appropriation to which the same is chargeable, and the person to whom payable; no money shall be otherwise paid than upon such warrants so drawn.

Sec. 7. CLERK'S ACCOUNTS, RECORDS

The Clerk shall keep a detailed account of the Village revenues, and of each separate fund, crediting the same with all receipts and appropriations, and charging it with all warrants drawn thereon, and he shall charge each warrant to the fund or appropriation against which it is drawn. He shall also keep an accurate account of all debts due from or owing to the Village and he shall keep a book in which he shall enter a correct list of all bonds, notes or other obligations given by or payable to said Village, with the date thereof, the person to whom payable, and where the same are payable, the rate of interest, the time and manner in which the principal and interest are payable; and such other particulars as may be necessary to the full understanding thereof; and when any Village bonds are surrendered, canceled, or paid, said book shall show the facts; and in his annual report to the trustees the Clerk shall describe, particularly, bonds sold, exchanged or redeemed during the fiscal year, and give an itemized statement of the expense thereof.

Sec. 8. PUBLIC IMPROVEMENT CONTRACTS

The Clerk shall keep in his office a correct list of all public improvements ordered by the trustees, and let under contract by the trustees, together with all specifications made by authority of the trustees or by any officer of the corporation pursuant thereto, in relation to such improvements, the same to be filed in the Clerk's office.

Sec. 9. LICENSE REGISTER

All licenses, when issued, shall be countersigned by the said Clerk, and he shall enter without fee, in a book to be kept by him for, that purpose, the name of each person

licensed, the date, and the number of the license, the amount paid for the same, and the time of expiration thereof.

Sec. 10. STATEMENTS OF MONEYS RECEIVED AND EXPENDED BY OFFICERS TO BE MADE

The Clerk shall require all officers charged in any manner with the receipt, collection or disbursement of Village revenues, to make semi-annual statements in writing, under oath, showing in detail, all such receipts, collections, and disbursements and file the same in the office of the Clerk.

Sec. 11. ESTIMATES OF ANNUAL APPROPRIATIONS

The Clerk shall, on or before the 15th day of May in each year, and before the annual appropriations are made by the trustees, submit to said trustees a statement of his estimates as nearly as may be, of moneys necessary to defray the expenses of a corporation during the current fiscal year. He shall in said report class the different objects and branches of expenditures, giving as near as may be, the amount required for each. And for the purpose of making such report the Village officers shall at the close of each fiscal year, make statements to the said Clerk of the condition and the expenses of their respective offices and departments any proposed improvements and the probable expense thereof, and of all contracts made and uncompleted, and the amount of any and all unexpected appropriations. He shall also in such report show the aggregate income of the preceding year from all sources, the amount of liabilities outstanding upon which interest is to be paid, the bonds and debts payable during the year, when due and when payable, and he shall give such other information to the trustees as he may deem necessary, to the end that the said trustees may understand the money exigencies and demands upon the Village for the current year.

Sec. 12. EXPIRATION OF OFFICE, DELIVERY OF BOOKS, ETC. TO SUCCESSOR

Upon the expiration of his term of office or upon his resignation or removal therefrom, the Clerk shall deliver to his successor in office, all property, books, records, papers, and effects of every description in his possession, belonging to the Village or pertaining his said office.

Chapter 2

APPOINTED OFFICIALS

Article 1. VILLAGE TREASURER

Sec. 1. APPOINTMENT

There shall be appointed annually by the President and the Board of Trustees of the Village of Gridley on the first Monday in May, or as soon thereafter as possible, a Village Treasurer, who shall hold his office for one year or until his successor is appointed and qualifies.

Sec. 2. BOND

Before entering upon the duties of his office, the Village Treasurer shall execute a bond in an amount as determined by the Village Board, but in no case less than that required by statute. His bond shall be conditioned upon the faithful performance of his duties and to indemnify the Village for any loss by reason of any neglect of duty or other wrongful act of the Treasurer.

Sec. 3. DUTIES

The Treasurer shall receive all moneys belonging to the corporation and shall keep a separate account of each fund or appropriation, and the debts and credits belonging thereto. He shall render, at the end of each and every month and oftener, if required, a statement, under oath, to the Clerk, showing the state of the treasury at the date of such account and the balance of the money in the treasury. Said statements shall set forth all money received by him, and from whom and upon what account they shall have been received also all moneys paid out by him and upon what account they shall have been paid, and he shall file with the said statement in the Clerk's office, all vouchers for such payments.

Sec. 4. DEPOSIT OF FUNDS

The village Treasurer shall deposit Village funds in such depositories as may be selected from time to time and provided by law; and he shall keep the deposit of the Village money separate and distinct from his own money, and shall not make private or personal use of any Village money.

Sec. 5. REGISTER AND CANCEL WARRANTS

The Village Treasurer shall keep an accurate register of all warrants redeemed and paid by him, showing the number, date, and amount of each, the fund from which paid, and the name of the person to whom and where paid; and he shall cancel all warrants as soon as they are redeemed by him.

Sec. 6. REPORT OF DEFALCATION

The Village Treasurer shall report to the Clerk, any officer authorized to receive money, who may fail to make a return on moneys received by him at the time required by law, or by the ordinances of the Village.

Sec. 7. BOOKS OF ACCOUNT

The Village Treasurer shall cause to be kept books of account, in such manner as to show with entire accuracy all moneys received by him, from whom received and from what account; and of all moneys paid out by him, and to whom and on what account they shall have been paid, and in such manner that said books may be readily understood and investigated; which books and all papers and fills of said office, shall be at all times open to the examination of the Clerk or any of the trustees.

Sec. 8. SPECIAL ASSESSMENT FUNDS KEPT SEPARATE

All moneys received on any special assessment shall be held by the Treasurer as a special fund, to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever, unless to reimburse the Village for money expended for such improvement out of its general fund.

Sec. 9. ANNUAL REPORT

The Village Treasurer shall, annually, between the first and tenth day of April in each year, make out and file with the Clerk, a full and detailed report of all receipts and expenditures of the corporation, as shown by his books, and all his transactions as such Treasurer during the preceding fiscal year, and he shall, in such fiscal year, show the state of the Village finances at the close of the fiscal year, which report, the Clerk shall cause to be published without delay.

Article 2. VILLAGE FINANCES

Sec. 1. FISCAL YEAR

The fiscal year of the Village of Gridley shall commence on the first day of May in each and every year.

Sec. 2. ANNUAL TAX LEVY

The Village Board shall annually, on or before the third Tuesday of September in each year, estimate the total amount and appropriation for all corporate purposes legally made and to be collected from the tax levy of this fiscal year, and by ordinance, specifying in detail the purposes for which such appropriations are made and the sum or amount appropriated for each purpose, respectively, levy them out as estimated upon all the property, subject to the taxation in the Village as the same is assessed, and equalized for state and county purposes for the current year. A certified copy of such ordinance shall be filed with the County Clerk, whose duty it shall be to ascertain the rate percentum upon the total value of the property subject to taxation in the Village as the same was assessed and equalized for state and county purposes, and produce a net amount not less than the amount directed to be levied; and it shall be the duty of the County Clerk to estimate such a tax in a separate column upon the book or books of the collector or collectors of the state and county tax within such Village; provided the aggregate amount of tax levied for the payment of bonded indebtedness or the interest thereon, shall not exceed the rate fixed by law upon the aggregate valuation of all the property within the

Village subject to taxation as the same was equalized for state and county taxes of the preceding year.

Article 3. STREET COMMISSIONER

Sec. 1. APPOINTMENT

There shall be appointed annually by the President and the Board of Trustees of the Village of Gridley, on the first Monday in May or as soon thereafter as is possible, one Street Commissioner, who shall hold his office for the term of one year, or until his successor is appointed and qualifies.

Sec. 2. ELIGIBILITY

No person shall be eligible to hold the office of Street Commissioner, who is in default to the corporation, or who has not been qualified as an elector of the Village, for at least one year prior to his appointment.

Sec. 3. DUTIES

- a. The Street Commissioner shall have charge of the improvement, repair, and cleaning of all streets, and the street crossings in the Village except where other parties have contracted with the Village to do the same, but no improvements or repairs, except where actually necessary, shall be made by him without the order of the trustees.
- b. The Commissioner shall at all times, under the direction of the trustees, cause the streets, where needed, to be cleaned and the gutters opened, and so far as practicable keep them in that condition.
- c. The Commissioner may, by the authority of the trustees, purchase needed tools, implements, or materials for the use of the Village in his department. He shall cause all tools and implements belonging to his department to be legibly marked or branded with the letters "V of G", and shall cause them to be properly housed, yarded or kept, and protected from the weather when not in use.
- d. He shall keep a correct list of all tools, implements, materials, and other property in his charge, belonging to the Village, and he shall also keep a plain, detailed, and accurate account of all the expenditures made under his supervision, specifying to whom and for what purpose expenditures were made.
- e. The Street Commissioner shall, as far as practicable, see that the crossings on the streets are kept clean, and free from mud and rubbish.

Sec. 4. REPORT TO THE BOARD

The Street Commissioner shall the last day of each month, make a written report to the trustees showing the name of each person employed by him, the time worked, and the kind of labor performed, and the amount due this person for such labor and the locality where such labor was performed.

Article 4. VILLAGE LAW ENFORCEMENT

Sec. 1. APPOINTMENT

The Village Board will contract Law Enforcement Services for the Protection of its citizens and enforcement of its Ordinances.

Sec. 3. DUTIES

The Contracted Law Enforcement Agency shall have full management and control of the police matters in the Village. They shall be charged with the preservation of the peace, order, safety, and cleanliness of the Village and to this end he shall execute and enforce all ordinances and police regulations of the Village and all orders of the trustees and President.

They shall take notices of all nuisances and take proper steps to abate the same. In addition, they shall cause to be removed all impediments and obstructions in the streets, alleys, avenues and public places of the Village.

Sec. 5. ARREST POWER

The Law Enforcement Agency shall have the power to arrest all persons in the Village found to be violating any law or ordinance, or aiding or abetting in the same.

Sec. 6. CITATIONS FOR ORDINANCE VIOLATIONS

Police officers may issue deferred prosecution citations for violations of the Sections of the Ordinances of the Village of Gridley hereinafter specified. The deferred prosecution citation will inform the alleged violator of the opportunity to settle the violation by paying the amount specified herein. This type of payment may be made at the Gridley Village Hall from the second regular weekday (Monday through Friday 9:00 am. until noon) through the tenth regular weekday after the issuance of each such citation. Each alleged violator must appear in person at the Gridley Village Hall to resolve charges in this manner. The failure to resolve such charges as specified herein will subject the alleged violator to ordinance prosecution in the McLean County Circuit Courts by one or more representatives of the Villages.

To resolve charges in this manner, each alleged violator must sign a statement that he or she committed or is otherwise responsible for the alleged violation and releasing the Village of Gridley and its employees and agents from any further litigation associated with the violation or the events surrounding the issuance of the charge or charges against the person. The information associated with the case and the signed statement may be used in administrative or judicial litigation against other parties. *The decision to issue a deferred prosecution citation shall rest solely with the Village of Gridley, and this section shall not be considered to grant the right to anyone to receive or demand deferred prosecution.*

	<u>OFFENSE</u>	<u>CH.</u>	<u>ART.</u>	<u>SEC.</u>	<u>FINES</u>
1.	Parking	6	3	1-11	\$50
2.	Junk and Junk Dealers	7	2	1-3	\$50
3.	Fireworks Discharge	10	-	2	\$50
5.	Garbage and Refuse,	11	-	1-5	\$25
6.	Dogs and Other Animals				\$50
7.	a. Noises	12	-	3	\$50
	b. Running at Large	12	-	4	\$50
8.	Air Gun Discharge	20	-	46	
9.	Underage Smoking	20		62	\$50
10.	Alcohol Consumption	9		9	\$250
11.	Curfew	20		61	\$50

Chapter 3

ADDITIONAL ORDINANCES PERTAINING TO VILLAGE GOVERNMENT

Article 1. CONTEST OF ELECTION

Sec. 1. WHO MAY CONTEST

Whenever any candidate for elective office or any otherwise qualified elector of the Village of Gridley shall believe an election for Village officers, or any part thereof, is irregular in any respect, he may contest the same in the manner provided herein or under the laws of the State of Illinois, where applicable, should they differ from these provisions.

Sec. 2. CONTEST, WHERE HEARD

The President and Board of Trustees shall be the tribunal before which such contest shall be heard and their decision shall be final.

Sec. 3. VERIFIED STATEMENT REQUIRED

When any person shall desire to contest an election, or any part thereof, he shall within thirty days after such election, present to the Village Clerk a written statement describing the nature of the irregularity and the point on which he plans to contest the same. Such written statement shall be verified by affidavit.

Sec. 4. NOTICE TO OPPONENT

Upon filing such a statement, said contestant shall serve a copy thereof upon the person whose election he intends to contest, and in case he is absent or cannot be found, then by leaving a copy of said statement at the usual place of residence of such person whose election is so contested.

Sec. 5. DEPOSITIONS

Whenever said statement shall have been filed, and served as aforesaid, it shall be the duty of the trustees upon application of either party, to fix the time and place for taking the depositions of the witnesses, when either party may proceed to take the testimony of any witness, in the manner as provided for by law in taking depositions to be used in actions at law or in equity, before a notary public, at the time and place so fixed and continue the same from day to day thereafter, until all the testimony shall have been taken. Any person desiring to have a transcript of said depositions shall employ and pay a court reporter to take same.

Sec. 6. TESTIMONY LIMITED

No testimony shall be taken or produced on the hearing before the trustees except upon the points set forth in the said statement required to be filed with the Village Clerk and served upon the respondent.

Sec. 7. PROCEEDINGS IN BOARD

When all the evidence shall have been taken, as aforesaid, the same shall be forthwith filed in the office of the Village Clerk, who shall, without delay, lay the same before the trustees and the trustees shall immediately refer the same to the appropriate committees to investigate and report upon the same; which report shall be made by the said committee to the trustees not later than the next regular meeting thereafter, and upon the report of such committee being made, the trustees shall decide the same according to the rights of the matter, and shall declare as elected the person, who shall appear by the evidence to have been elected. The trustees may require all the testimony and proof taken to be read in open meeting of the trustees.

Sec. 8. ELECTION, WHEN VOID

Whenever it shall appear in any case that the person receiving the highest number of votes, is ineligible to the office, by reason of any legal disability, it shall be the duty of the trustees to declare such election to be null and void, and immediately call a special election to fill the contested office.

Sec. 9. RECOUNT OF BALLOTS

In all cases of contested elections, either party shall have the right to have the package or packages of ballots which have been returned to the Village Clerk, as required by law, opened in the presence of the committee of the trustees and of the person having custody thereof, and to have the said ballots counted; or the same may be brought in to be opened by the trustees, and then and there, counted by a committee of three persons appointed for that purpose.

Sec. 10. BALLOTS TO BE DESTROYED, WHEN

The Village Clerk shall carefully preserve all the ballots returned to him by the judge of any Village election, for six months thereafter, and at the expiration of that time he shall destroy the same by burning, under the direction of the Village trustees provided, that if any contest of election shall be pending at such time, in which such ballots may become material as evidence, such ballots shall not be destroyed until such contest is finally determined.

Article 2. OFFICERS

Sec. 1. APPOINTED VILLAGE OFFICER

- a. The President and the trustees shall meet on the first Monday in the month of May in each year, at 7:00 p.m., and shall then, or as soon thereafter as is practicable, make the appointments for the following offices:
 - 1. Village Treasurer
 - 2. Street Commissioner
 - 3. Village Law Enforcement Agency
 - 4. Such other officers as the trustees shall, from time to time, by ordinance designate, or which may by law thereafter be required.

- b. At the same meeting or as soon thereafter as is practicable the President, and the trustees, shall appoint such other subordinate Village officers as the trustees shall, from time to time, deem necessary.
- c. Each and every officer, so chosen, shall hold his respective office from the date of his appointment until the first Monday in the month of May succeeding his appointment, or until his successor is appointed, unless sooner removed.

Sec. 2. APPOINTEES OF PRESIDENT, TERM OF OFFICE

All officers appointed by the President, and the Board of Trustees, whose terms of office are not otherwise expressly provided for by law, or ordinance, shall hold their respective offices for the term of one year, from the first Monday in May immediately preceding their appointment and until their successors are appointed and qualified.

Sec. 3. BONDS OF VILLAGE OFFICERS

The bonds of all officers shall be executed with two or more reliable sureties, conditioned on the faithful performance of the duties of their respective offices, as prescribed by the laws of the state of Illinois, and the ordinances of the Village of Gridley, and the rules and regulations pertaining to their respective offices.

Sec. 4. SALARIES FIXED ANNUALLY

The salaries or compensation of all officers, clerks, and employees of the Village, except trustees and President, shall be determined and fixed by ordinance annually adopted by the trustees.

Sec. 5 SALARIES PAYABLE BI-MONTHLY

The salaries or compensation of all Village officers, clerks, and employees, except the President and members of the Board of Trustees, shall be paid bi-monthly to each person entitled thereto and in the manner to be prescribed by the trustees, and the salary of the President and members of the Board of Trustees shall be paid bi-annually, as provided by appropriate ordinance.

Sec. 6. SOCIAL SECURITY

- a. It is hereby declared to be the policy and purpose of the Village of Gridley, Illinois, to extend to the eligible employees thereof, effective as of January 1, 1959, the benefits of the Federal Old Age and Survivors Insurance System as pursuance of that policy, and for that purpose, the President of the Village of Gridley shall take such action as may be required by the state and federal laws or regulations.
- b. The President of the Village of Gridley, Illinois, is hereby authorized and directed to execute an agreement with the State Employees Retirement System of the State of Illinois (Social Security Unit) to secure coverage of eligible employees as provided in sub-paragraph (a) hereof.
- c. Withholdings from salaries or wages of employees for the purpose provided in paragraph (a) above, are hereby authorized to be made in the amounts and in such times as may be required by the applicable state and

federal laws or regulations, and shall be paid over to the state agency in such amounts and in such times as are designated by the laws of the State of Illinois or its regulations.

- d. Employer contributions and administrative expense shall be paid to the state agency in accordance with applicable state laws and regulations from amounts appropriated for such purposes.
- e. The President shall maintain such records and submit such reports as may be required by applicable state and federal laws and regulations.

Article 3. BOARD OF LOCAL IMPROVEMENTS

Sec. 1. COMPOSITION. TIME OF MEETING

The President and the members of the Board of Trustees shall constitute and be the Board of Local Improvements of the Village. The said Board shall meet at such times and in such places as it shall from time to time determine.

Sec. 2. DUTIES

The said Board is authorized and empowered to investigate, propose and adopt such measures as it deems necessary for the improvement of all public and municipal property; and such Board shall conduct itself in the manner prescribed by statute and in conformity with the Ordinances of the Village of Gridley.

Article 4. ORDINANCES

Sec. 1. RECORD OF PROOF OF

All ordinances passed by the President and the Board of Trustees shall be recorded as the Clerk, in a book or books with index, the originals to be filed in the Clerk's office, and due proof of publication of all ordinances requiring publication by the certificate of the printer or publisher, shall be procured by the Clerk and attached thereto, or written and attested thereon the face of such ordinance.

Sec. 2. REPEAL OF REPEALING ORDINANCE OR NONREVIVER

When any ordinance repealing a former ordinance, clause or provision, shall be itself repealed such repeal shall not be construed to revise such former ordinance, clause or provision; unless it shall be therein so expressly provided.

Sec. 3. WORDS, HOW CONSTRUED

Whenever any words in any ordinance importing the plural number shall be used in describing or referring to any matters, parties, or persons, any single matter, party, or person shall be deemed to be included, although distributive words shall not be used. And, when subject matter, party, or persons shall be referred to in any ordinance by words importing the singular only, or the masculine gender, several matters, parties, or persons, and females as well as males and bodies corporate shall be included; provided, that these rules and constructions shall not be applied to any ordinance which shall contain any expressed provisions excluding such construction, or where the subject matter or context of such ordinance may be repugnant thereto.

Sec. 4. REVISED ORDINANCES, CUSTODY AND DISTRIBUTION OF

All the printed books containing the revised ordinances shall be in the custody and keeping of the Village Clerk. He shall deliver one copy thereof to each officer of the Village and to such other persons as the board may direct.

Sec. 5. AMENDMENTS

This code may be amended as the Board of Trustees, from time to time, deems necessary.

Sec. 6. RECORDS OF AMENDMENTS

The Village Clerk shall keep a separate book containing every amendment or addition passed to this Code, with a reference on each copy of such amendment or addition as to the place in the record or ordinances where the original ordinance may be found.

Chapter 4

STREETS AND SIDEWALKS

Article 1. GENERAL PROVISIONS

Sec. 1. STREETS FOR PUBLIC USE

Streets, avenues, alleys, and sidewalks in the Village of Gridley, shall be kept free and clear of all encumbrances and encroachments, for the public use; and shall not be used or occupied in any other way, except as herein provided in these ordinances.

Sec. 2. MOVING BUILDING IN; PETITION, LICENSE

Whenever any person shall desire to remove any building within the corporate limits of the Village of Gridley, over or upon the streets of said Village, he shall present to the Village trustees a petition, stating the location of such building, the value of the same the place to which it is intended to be removed; and if said removal is approved by said trustees, said trustees may issue a permit for the removal of any such building, which permit shall direct the route to be taken and the time for the removal thereof.

Sec. 3. ENTRY TO PAVEMENTS

It shall be unlawful to walk upon or drive any vehicle or animal upon, or enter any newly laid street or alley pavement while the same is guarded by a warning sign or barricade; or to knowingly injure any street, sidewalk or alley pavement.

Sec. 4. REPAIRS

All public streets, alleys, and sidewalks shall be in good repair. And any such repair, whether done by the Village Street Commissioner or the abutting owner, shall be done under the supervision of the Board of Trustees.

Sec. 5. OBSTRUCTION

It shall be unlawful for any person, firm, or corporation, to cause, create, or maintain any obstruction in any street, alley, sidewalk or other public place, except as may be specifically authorized by ordinance or by the Street Commissioner.

Sec. 6. BARRICADES

- a. Any person, firm, or corporation laying or repairing any pavement on a street, sidewalk or other public place or making an excavation in the same shall maintain suitable barricades to prevent injury to any person or vehicle by reason of the work; such barricade shall be protected by suitable lights during the hours from dusk until dawn.
- b. Any defect in such pavement shall be barricaded to prevent injury; and any person, firm, or corporation properly maintaining any opening or excavation in any such place shall guard such opening or excavation while the same remains open by proper barricades and lights.

Sec. 7. DISTURBING BARRICADES

It shall be unlawful to disturb or interfere with any barricade or light lawfully placed to protect or mark any new pavement or excavation or opening in any public street, alley or sidewalk.

Sec. 8. PRIVATE USE

It shall be unlawful for any person, firm, or corporation to use any street, sidewalk or other public place, as space for the display of goods or merchandise for sale; or to write or mark any signs or advertisements on such pavement, except for community sale days.

Sec. 9. ENCROACHMENTS

It shall be unlawful to erect or maintain any building or structure which encroaches upon any street or property.

Sec. 10. DRAINS

It shall be unlawful to obstruct any drain in any public street or alley.

Sec. 11. POLES AND WIRES

It shall be unlawful to erect any poles or wires or maintain any poles or wires over any public place, street, alley or other public way without having first secured permission from the President and the Board of Trustees.

Sec. 12. EXCAVATIONS

- a. It shall be unlawful to make any excavation in or tunnel under any public street, alley, sidewalk, or other public place in the Village, without having first secured a permit therefore. Applications for such permits shall be made to the Village Clerk, and shall specify the intended location and purpose of the excavation, including an estimate of the cost to repair and replace the surface of the excavated area to its previous condition.
- b. No person shall make any such excavation or tunnel without first having furnished the Village with a bond in the same amount as said estimated cost of repairing and replacing said excavation and a policy or certificate of insurance showing the Village as an additional insured with liability compensation of at least \$1,000,000 Commercial General Liability; said bond shall be conditioned upon the guarantee of the repair and replacement of said excavation and said policy of insurance shall indemnify the Village against public liability and loss resulting from work done or any acts or omissions in connection with said excavation.
- c. Any such person making any such excavation shall refill the same properly and shall restore the surface to its condition before excavation was made, as soon as possible.
- d. All such excavations, refills and resurfacing shall be made subject to the supervision and under the direction of the Street Commissioner.

Sec. 13. OPENINGS

- a. It shall be unlawful to construct or maintain any opening or stairway in any public street or alley or sidewalk or other public place without a permit from the Village Board.
- b. All such lawfully maintained openings shall be guarded by a suitable strong cover or railing to be approved by the Village Board.

Sec. 14. BARBED WIRE FENCES - ELECTRIC CURRENT

It shall be unlawful to maintain or construct any fence composed in whole or in part of barbed wire, or with any similar material designed to cause injury to the person, or charged with electrical current, anywhere within the Village, except to protect industrial property in which case barbed wire must be at least six feet above the sidewalk and extend inward of the property.

Sec. 15. DEPOSITS ON STREETS

It shall be unlawful to deposit on any street, any material, which may be harmful to the pavement thereof, or any glass, or other articles, which may cause injury to any person, animal, or property.

Sec. 16. BURNING LEAVES AND RUBBISH

It shall be unlawful for any person, firm or corporation to burn any leaves, paper, rubbish or other substances upon any of the public streets, sidewalks or alleys in the Village.

Sec. 17. DRIVEWAYS

- a. It shall be unlawful to construct or maintain any driveway in or across any public walk in the Village where this necessitates any interference with or change in the grade of any public sidewalk, curb, or parkway without having first obtained a permit therefore from the Board of Trustees. Applications for such permits shall state the size, location, and material to be used in such driveway; and it shall be unlawful to depart from such specifications or vary from them without permission from the Village Board.
- b. A fee of \$25.00 shall be paid for such permit.
- c. It shall be the duty of the person, firm, or corporation maintaining such driveway to keep the same free from snow and ice or any other obstruction, and to keep the same in good repair where the same crosses a public sidewalk.

Sec. 18. PENALTY

Any person, firm or corporation violating any provision of this article shall be fined not less than \$25.00 or more than \$200.00 for each offense; and a separate offense shall be deemed committed on each day during or on which the violation occurs or continues.

Article 2. TREES AND SHRUBS

Sec. 1. PLANTING

It shall be unlawful to plant any tree or shrub in any public street or parkway or in any other public place without first having secured permit therefore. Applications for such permit shall be made to the Village Clerk, and shall be referred by him to the President and the Board of Trustees of the Village. All trees and shrubs so planted shall be placed subject to the direction and approval of the Street Commissioner.

Sec. 2. REMOVALS

It shall be unlawful to remove or cut down any tree or shrubs in any street, parkway, or other public place without first having secured a permit therefore. All applications for such permit shall be made to the Village Clerk, and shall be referred by him to the Village President and the Board of Trustees for approval before permission shall be granted.

Sec. 3. ADVERTISEMENTS OR NOTICES

It shall be unlawful to attach any sign, advertisement or notice to any tree or shrub in any street, parkway or other public place.

Sec. 4. TREE CARE IN PUBLIC AREAS

It shall be the responsibility of the Board of Local Improvements to develop, administer and update annually a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and alleys, and in public areas. Such plan, upon approval and acceptance by the Board of Trustees shall constitute the official comprehensive village tree plan for the Village of Gridley, Illinois.

The Street Commissioner shall, under the direction of the Trustees and the Tree Committee, be authorized to administer the village tree plan.

The care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in public areas shall be done in accordance with the comprehensive village tree plan for the Village of Gridley. These standards will be updated annually and be complied with the tree planting stock standards established by the American Association of Nurserymen, the tree planting guidelines set forth by the Illinois Department of Natural Resources/Forestry Division, the tree care guidelines of the International Society of Arborists, and the tree care safety guidelines established by the American National Standards Institute (ANSI A300-1995 "For Tree Care Operation, Tree, Shrub and Other Woody Plant Maintenance--Standard Practices").

It shall be unlawful for any person or firm to engage in the business or occupation of pruning, treating, or removing street or park trees with the Village without first applying for and procuring a license. The license fee shall be \$0 annually in advance; provided however that no license shall be required on any public service company or Village employee doing such work in the pursuit of their public service endeavors. Residents

may prune or treat street trees adjoining their property without obtaining a license, so long as such work is done with the prior consent of the Street Commissioner and that such work is done in accordance with Village tree care guidelines. Before any license shall be issued, each applicant shall first file evidence of possession of liability insurance in the minimum amount of \$500,000 indemnifying the Village or any person injured or damaged resulting from the pursuit of such endeavors as herein described.

Sec. 5. DANGEROUS TREES

Any tree or shrub which overhangs any sidewalk, street, or other public place in such a way as to impede or interfere with the traffic or travel upon such public place shall be trimmed by the owner of the abutting premises on which such tree or shrub grows so that the obstruction shall cease.

Any person or company given the right to maintain poles and wires in the streets, alleys or other public places in the Village shall, in the absence of provisions in the franchise concerning the subject, keep such wires and poles free from and away from any trees or shrubs in such places so far as may be possible and shall keep all such trees and shrubs properly trimmed and subject to the supervision of the Commissioner of Streets and Alleys, so that no injury shall be done to the poles or wires or shrubs and trees by contact.

Sec. 6. ABATEMENT OF DANGEROUS TREES

The President of the Board of Trustees shall have the authority to order the trimming or removal of trees upon private property when he shall find such action necessary to public safety or to prevent the spread of disease or insects to public trees and places.

When the President of the Board of Trustees shall find it necessary to order the trimming or removal of trees upon private property, he, or his designate, shall serve a written Order to correct the dangerous condition upon the owner. For purposes of this Ordinance, "owner" shall mean the person or entity to whom the real estate tax bill is sent.

The Order required hereunder shall be served by mailing a copy of the Order to the owner at his last known address by certified mail. "Last known address" shall mean the address owner has provided to the Supervisor of Assessments for McLean County, Illinois.

In the event the owner cannot be served by certified mail, a copy of the order shall be affixed in a conspicuous spot upon the premises in violation and a copy of the Order shall be published in a local newspaper of general circulation.

The Order shall state that unless such tree is trimmed or removed by a specific date, the Village will cause it to be trimmed or removed, the cost thereof will be charged to the owner, and that such cost shall be a lien upon the real property where the tree was trimmed or removed. The Order shall also state that the failure of such owner to abate as required shall be deemed an implied consent for the Village to trim or remove the tree. Such implied consent shall be deemed to form a contract between the owner and the Village. If the owner fails within the time limit specified to remedy as required, the Village may proceed to abate, keeping an account of the expense of the abatement. The

owner shall pay to the Village the actual cost of abatement and a charge of \$100.00 to cover a portion of the administrative costs incurred.

If the cost of abating or removing the nuisance remains unpaid, the Village, at its option, may file a lien upon the real property where the nuisance was abated or removed, or commence proceedings in the Circuit Court seeking a personal judgment from the owner of such property where the nuisance was abated or removed.

When the Village exercises its right to file a lien upon the real property where the nuisance was abated or removed, the City must file a Notice of Lien in the office of the Recorder of deeds of McLean County. Such notice shall consist of a sworn statement setting out:

- a. A description of the real estate sufficient for identification;
- b. The amount of money representing the cost and expense incurred or payable for the service; and
- c. The date or dates when such cost or expense was incurred by the municipality. This lien shall be superior to all other liens except taxes, provided, however, it shall not be valid as to any purchaser whose right in and to such real estate have arisen subsequent to the date on which such costs were incurred and prior to the filing of such notice, and a lien of the Village shall not be valid as to any mortgages, judgment, creditor, or other alienor whose rights in and to such real estate arise prior to the filing of such notice. Upon payment of the costs and expenses by the owner or any other person interested in such property, after the Notice of Lien has been filed, the lien shall be released by the Village and the release may be filed of record as in the case of filing the Notice of Lien. The lien may be enforced by proceeding to foreclosure, as provided by law. Interest on the lien shall accrue at the rate of 6% per year.

Sec. 7. GAS PIPES

Any person, firm, or corporation maintaining any gas pipes in the Village, shall in the absence of provision in the franchise concerning the subject keep such pipes free from leaks.

Sec. 8. EXCAVATIONS

In making excavations of streets or other public places proper care shall be taken to avoid injury to the roots of any tree or shrub, wherever possible.

Sec. 9. PENALTY

Any person, firm, or corporation violating any provisions of this Article shall be fined not less than \$10.00 nor more than \$100.00 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Article 3. HOUSE NUMBERING

Sec. 1. HOUSE NUMBERING REQUIRED

All lots, buildings, and structures in the Village shall be numbered.

Sec. 2. CHART

The Village Clerk shall keep a chart showing the proper street number of every lot in the Village which shall be open to inspection by anyone interested.

Sec. 3. NUMBERS ON HOUSES

It shall be the duty of the owners and occupants of every house in the Village to have placed thereon, in a place visible from the street, figures at least 2 1/2 inches high, showing the number of the house; any person, firm, or corporation failing to so number any house, building, or other structure occupied by him, or if after receiving notice to do so from the Clerk shall continue in his failure to so number such house, building or structure shall be fined \$1.00 for each day during or on which a failure to so number continues.

Article 4. MAINTENANCE OF EXTERIOR PROPERTY

Sec. 1. DUTY OF OWNER

It shall be the duty of the owner or occupant of any premises in the Village to keep the exterior property and premises maintained in a clean, safe and sanitary condition and free from any accumulation of rubbish or garbage.

Sec. 2. NOTICE OF VIOLATION

It shall be the duty of the Village Board to serve or caused to be served a notice upon the owner or occupant of any premises upon which rubbish or garbage is found in violation of this ordinance.

Sec. 3. ABATEMENT

If the person so served does not abate the nuisance within seven days after such notice is provided, the Village Board may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such owner or occupant, and in no event shall such expense be less than \$50.00. If the charges for services are not paid within 45 days after rendition of the bill for such service, such charges shall be deemed and are hereby declared to be delinquent.

Sec. 4. LIENS

Such delinquencies shall constitute liens upon the real estate for which such service is supplied and the Village Clerk is hereby authorized and directed to file sworn detailed statements showing such delinquencies in the office of the Recorder of Deeds of McLean County, Illinois, and the filing of such statements shall be deemed notice of the lien for payment of the service rendered.

Sec. 5. PENALTY

Any person, firm or corporation violating any provisions of this ordinance shall be fined not less than \$50.00 nor more than \$500.00 for each offense; and a separate offense shall be deemed committed on each day during or on which such nuisance continues unabated after 7 days from the issuance of the notice.

Chapter 5

LICENSES AND PERMITS

Sec. 1. APPLICATIONS

Applications for all licenses and permits required by ordinance shall be made in writing to the Village President and deposited with the Village Clerk. Each application shall state the names of the applicant, the permit or license desired, the location to be used, if any, the time covered, and the fee to be paid; and each application shall contain such additional information as may be needed for proper guidance of the Village officials in issuing the permit or license as applied therefore.

Sec. 2. PERSONS SUBJECT TO LICENSE

A license shall be required for the maintenance, operation, or conduct of any business or establishment (not located in an area zoned for business) or for engaging in any activity or occupation; and every person, firm, or corporation shall be deemed subject to the requirement if, by himself, his agent employee, or partner, he holds himself forth as being engaged in the business or occupation or solicits patronage therefore, actively or passively; or performs or attempts to perform any part of such business or occupation in the Village.

Sec. 3. FORMS

Forms for all licenses and permits, and applications therefore, shall be prepared and kept on file by the Village Clerk.

Sec. 4. SIGNATURES

Each license or permit issued shall bear the signature of the President and the Clerk in the absence of any provision.

Sec. 5. INVESTIGATIONS

Upon the receipt of an application for a license or permit where the ordinance of the Village necessitates an inspection or investigation before the issuance of such permit or license, the Village Clerk shall refer such application to the proper committee for making such investigation within 48 hours from the time of such receipt. The committee charged with the duty of making an investigation and inspection shall make a report thereon, favorable or otherwise, within ten days after receiving application or a copy thereof. The President, or a committee designated by him, shall make or cause to be made any such inspections relative to the construction of the building or other structures to be used in the licensed business.

Sec. 6. FEES

In the absence of the provision to the contrary, all fees and charges for licenses or permits shall be paid in advance at the time application therefore is made to the Village Clerk. Except as otherwise provided all license fees shall become part of the corporate fund.

Sec. 7. TERMINATION OF LICENSE

- a. All annual licenses shall terminate on the last day of the fiscal year of the Village, where no provisions to the contrary are made.
- b. The Village Clerk shall mail to all licensees of the Village a statement at least one month prior to the expiration thereof; provided, theta failure to send out such notice, or the failure of the licensee to receive it, shall not excuse the licensee from a failure to secure a new license, or a renewal thereof, nor shall it be a defense in an action for operation without a license.

Sec. 8. BUILDING AND PREMISES

No license shall be issued for the conduct of any business and no permit shall be issued for any thing or act, if the premises and the building to be used for the purpose, do not fully comply with the requirements of the ordinances of the Village. (No such license or permit shall be issued for the conduct of any business or performance of any act which would involve a violation of the ordinances of the Village).

Sec. 9. NUISANCE

No business, licensed or not, shall be so conducted or operated as to amount to a nuisance in fact.

Sec. 10. INSPECTION

- a. Whenever inspection of the premises used for or in connection with the operation of a licensed business or occupation are provided for or required by ordinance or are reasonably necessary thereto to secure compliance with any ordinance provision or to detect violations thereof, it shall be the duty of the licensee or the person in charge of the premises to be inspected, to admit thereto for the purpose of making the inspection any officer or employee of the Village who is authorized or directed to make such inspection at any reasonable time.
- b. Whenever an analysis of any commodity or material is reasonably necessary to secure conformance with any ordinance or provision or to detect violations thereof, it shall be the duty of the licensee of the Village whose business is governed by the provision to give any authorized officer or employee of the Village requesting the same sufficient samples of such material or commodity for such analysis upon request.
- c. In addition to any other penalty which may be provided, the President and the Board of Trustees may revoke the license of any licensed business in the Village who refuses to permit any such officer or employee who is authorized to make such inspection, or to take en adequate sample of the said commodity, or who interferes with such officer or an employee while in performance of his duty in making such inspection, provided that no license shall be revoked for such cause unless written demand is made upon the licensee or person in charge of the premises, in the name of the Village, stating that such inspection and sample is desired at the time he sought to make the inspection or obtain the sample.

Sec. 11. REVOCATION

Any license or permit for a limited time may be revoked by the President and the Board of Trustees during the life of such license or permit for the violation by the licensee or permitted of any ordinance provisions relating to the license or permit, the subject of the license or permit, or to the premises occupied; such revocation may be in addition to any fine imposed.

Sec. 12. POSTING LICENSE

It shall be the duty of any person conducting a licensed business in the Village to keep his license posted in a prominent place on the premises used for such business at all times.

Sec. 13. PENALTY

Any person, firm, or corporation violating any of the provisions of this chapter shall be fined not less than \$10.00 nor more than \$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.

Chapter 6

TRAFFIC

Article 1. DEFINITIONS AND GENERAL PROVISIONS

Sec. 1. DEFINITIONS

Whenever in this article, the following terms are used; they shall have the meanings respectively ascribed to them in this section:

- a. Alley: A highway of less than 24 feet total width used primarily for delivery service.
- b. Business district: A closely built up business portion of the Village.
- c. Commercial vehicle: Any vehicle designed, maintained, or used primarily for the transportation of property.
- d. Driver: Any person who has the actual physical control of a vehicle.
- e. Emergency vehicle: Vehicles of the police or fire department, ambulance and any vehicle conveying a Village official or employee in response to an emergency official call.
- f. Explosives: Any chemical compound or mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing or combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of a part of the compound or mixture may cause such a sudden generation of highly heated gases that contiguous objects or of destroying life or limb.
- g. Farm tractor: Any motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
- h. Flammable liquids: Any liquid which has a flash point of 70 degrees Fahrenheit or less, as determined by a tableau or equivalent closed cup test device.
- i. Improved highway: A roadway of concrete, brick, asphalt, macadam, or gravel.
- j. Intersection: Area embraced within the prolongation of the property lines when two or more streets which join an angle whether or not said streets cross.
- k. Laned highway: A street, the roadway of which is divided into two or more clearly marked lanes for vehicle traffic.
- l. Loading zone: The space adjacent to a curb reserved for the exclusive use of vehicles during the loading and unloading of passengers or materials.
- m. Metal tire: Every tire, the surface of which is in contact with the roadway, is wholly or partly of metal or other hard, non-resilient material.
- n. Motorcycle: Every motor vehicle having a saddle for the use of a rider and designed to travel on not more than three wheels in contact with the ground, but not including a tractor.

- o. Motor vehicle: Every vehicle which is self propelled and every vehicle which is propelled by electric power obtained from overhead wires, but not operated upon rails.
- p. Park: To stand a vehicle, whether occupied or not, for a period of time greater than is reasonably necessary for the actual loading or unloading of persons or property.
- q. Pedestrian: Any person on foot.
- r. Pneumatic tire: Every tire in which compressed air is designed to support the load.
- s. Property line: The line marking the boundary between any street and the lots and property abutting thereon.
- t. Public buildings: Buildings used by the Village or any park district, school district, or the State of Illinois, or by the United States Government.
- u. Road tractor: Any motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.
- v. Residence district: The closely built up residence portion of the Village.
- w. Roadway: That portion of a street designed or ordinarily used for vehicular traffic.
- x. Safety zone: That portion of a roadway reserved for the exclusive use of pedestrians, suitably marked or elevated.
- y. School Bus: Every motor vehicle owned by a public or governmental agency operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.
- z. Semi-trailer: Every vehicle without motor power designed for the carrying of persons or property and being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
- aa. Sidewalk: That portion of the street between the curb line or roadway and the adjacent property line designed for pedestrian use.
- bb. Solid tire: Every tire of rubber or resilient material which does not depend upon compressed air for the sole support of the load.
- cc. Stop, stopping or standing: Where prohibited, means any stopping or standing of a vehicle, whether occupied or not, except, when necessary to avoid conflict with other traffic or compliance with the directions of a police officer or traffic control sign or signal.
- dd. Street: Every way set aside for the public travel except foot paths.
- ee. Suburban district: That portion of the Village other than the closely built up business and residence districts.
- ff. Through highway: Every street or highway or portion thereof the entrances to which vehicular traffic from the intersecting streets is required by law to stop and yield the right of way to approaching traffic before entering or crossing the same and when stop signs are erected as provided in this act.

- gg. Traffic: Vehicles, street cars, pedestrians, and draft or herded animals using any street for travel.
- hh. Trailer: Every vehicle without motive power designed for carrying passengers or property and for being drawn by motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.
- ii. Truck tractor: Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than that part of the weight of the vehicle and load so drawn.
- jj. Vehicle: Every device, upon or by which any person or property is or may be transported upon the highway, including bicycles but not including perambulators or toy vehicles.

Sec. 2. CLASSIFICATION OF VEHICLES

For the purpose of this article, motor vehicles shall be divided into two divisions, to-wit; First, the vehicles which are designed for the carrying of not more than seven persons; second, those vehicles which are designed and used for pulling and carrying freight and also vehicles designed and used for carrying more than seven persons.

Sec. 3. OBEDIENCE TO POLICE

Members of the Village of Gridley Law Enforcement and/or those contracted to enforce the Village laws, are hereby authorized to direct all traffic in accordance with the provisions of this article, or in emergencies as public safety or convenience may require, and it shall be unlawful for any person to fail or refuse to comply with any lawful order, signal, or direction of a policeman. Except in the ease of emergency, it shall be unlawful for any person not authorized by the Village Police to direct or attempt to direct traffic.

Sec. 4. SCENE OF FIRE

The Fire Department officer in command, or any fireman designated by him, may exercise the powers and authority of policeman in directing traffic at the scene of a fire or where the fire department has responded to any emergency call for so long as the fire department equipment is on the scene, in the absence of or assisting the police.

Sec. 5. SIGNALS AND SIGNS

It shall be unlawful for the driver of any vehicle to disobey the instructions of any traffic signs or signal placed in view by the authority of the Board of Trustees or in accordance with the laws of the State of Illinois. All signs established by direction of the governing bodies shall conform to the state standards for traffic signs.

Sec. 6. LIGHT SIGNALS

Whenever traffic at an intersection is regulated by any type of signal, commonly known as a stop and go signal, the following colors shall indicate the following commands:

- a. Red requires that the traffic faced by this color shall stop and remain standing.
- b. Green requires that the traffic faced by this color shall move and continue in motion, except when stopped for the purposes of avoiding an accident or when stopped at the command of a policeman.

- c. Amber or yellow indicates preparation for a change in direction of a traffic movement.
- d. When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the intersection.
- e. When a yellow lens is illuminated by a rapid intermittent flash, drivers of vehicles are to proceed into the intersection only with extra caution.

Sec. 7. UNAUTHORIZED SIGNS - INTERFERENCE WITH SIGNS

- a. It shall be unlawful for any person to place, maintain, or display any device, other than an official warning or direction signal or signal authorized by statute or ordinance, upon or in view of any street, if such device purports to be, or is imitation of an official warning or direction sign or signal, or directs or purports to direct the movement of traffic. Any such unauthorized device is hereby declared to be a nuisance, and may be removed by a policeman.
- b. It shall be unlawful for any person to deface, injure, remove or interfere with any official traffic sign or signal.

Sec. 8. ANIMALS OR BICYCLES

Every person riding a bicycle or animal, or driving any animal drawing a vehicle upon any street shall be subject to the provisions of this article applicable to the driver of the vehicle, except those provisions which have no application to one riding a bicycle or riding an animal. Provided that, except in business districts, bicycles may be ridden on the sidewalks.

Sec. 9. EXEMPTIONS

The provisions of this article regulating the movement or parking of vehicles shall not apply to emergency vehicles while the driver thereof is engaged in a performance of his duty. Nor shall such provisions apply to persons actually engaged in repairing or otherwise improving the street under the authority of the Village Board or the State of Illinois.

Article 2. RULES FOR DRIVING

Sec. 1. REQUIRED POSITION AND METHOD OF TURNING AT INTERSECTIONS

The driver of a vehicle intending to turn at an intersection shall do so as follows:

- a. Both the approach for right turn and a right turn shall be made as close as practicable to the right hand curb or edge of the roadway.
- b. At any intersection where traffic is permitted to move in both directions on each road entering the intersection, an approach for a left turn shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway

- being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection.
- c. At any intersection where traffic is restricted to one direction on one or more of the roadways, the driver of a vehicle intending to turn left at any such intersection shall approach the intersection in the extreme left hand lane lawfully available to the traffic moving in the direction of travel of such vehicle and after entering the intersection a left turn should be made so as to leave the intersection, as nearly as practicable, in the left hand lane lawfully available to traffic moving in such direction upon the roadway being entered.
 - d. The driver of vehicle about to enter or cross a highway from a private road or driveway shall yield the right of way to all vehicles approaching on such highway.

Sec. 2. TURNING ON CREST OF HILL

No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to, or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 500 feet.

Sec. 3. STARTING PARKED VEHICLES

No person shall start a vehicle which was stopped, standing, or parked unless such movement can be made with reasonable safety.

Sec. 4. DRIVER'S SIGNAL

- a. No driver of a vehicle shall suddenly start, slow down, stop or attempt to turn without first giving a suitable signal in such manner as to appraise others who may be affected by his action.
- b. No person shall turn a vehicle from a direct course upon a highway unless and until such movement can be made with reasonable safety and then only after giving a clearly audible signal by sounding his horn if any pedestrian may be affected by such movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by such movement.
- c. The signal of intention to turn right or left shall be given not less than 100 feet traveled by the vehicle before turning.
- d. The signals herein required shall be given either by means of the hand and the arm or by signal lamp or signal device, that when a vehicle is so constructed or loaded that a hand or arm signal would not be visible to the front or rear of such vehicle then such signal must be given by such a lamp or device.
- e. All signals herein required given by hand or arm shall be given from the left side of the vehicle in the following manner and such signal shall indicate as follows:
 - 1. Left turn - hand and arm extended horizontally.
 - 2. Right turn - hand and arm extended upward or moved with a sweeping motion from the rear to the front.

3. Stop or decrease of speed - hand and arm extended downward.

Sec. 5. DRIVING FROM ALLEYS, DRIVEWAYS AND GARAGES

The driver of a vehicle emerging from an alley, driveway or garage, shall stop such vehicle immediately prior to driving on to a sidewalk, or across the sidewalk line projected across such alley, sound the horn of said vehicle, and shall exercise unusual care when driving upon such sidewalk or across such line.

Sec. 6. VEHICLES NOT TO BE DRIVEN ON SIDEWALKS OR IN SAFETY ZONES

No driver of a vehicle shall drive within any sidewalk area, except as a permanent or temporary driveway, nor at any time to or upon any portion of a roadway marked as a safety zone.

Sec. 7. VEHICLES APPROACHING OR ENTERING INTERSECTION

- a. Unless there are traffic control signals, the driver of the vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different highway.
- b. Unless there are traffic control signals when two vehicles enter an intersection from different highways at approximately the same time driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

Sec. 8. VEHICLES TURNING LEFT

The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is so close as to constitute an immediate hazard, but said driver, having so yielded may proceed at such time as a safe interval occurs.

Sec. 9. LIMITATIONS ON TURNING AROUND

It shall be unlawful for the operator of any vehicle to turn such vehicle so as to proceed in the opposite direction unless such moving can be made in safety and without backing into traffic or otherwise interfering with the traffic.

Sec. 10. U-TURNS

It shall be unlawful for the operator of any vehicle to make a U-turn any place where such U-turns are prohibited by ordinance. No U-turns shall be made in the blocks on Center Street between Second and Fifth Streets.

Sec. 11. FOLLOWING FIRE APPARATUS

- a. Upon the sounding of gongs or a warning device used upon fire apparatus or fire patrol vehicles, drivers shall draw their vehicles as near to the right curb as is reasonably possible and shall remain standing until such fire apparatus is passed. It shall be unlawful for the driver of any vehicle other than the one on official business, to follow any fire apparatus in response

- to a fire alarm, closer than one block, or to park any vehicle within the block wherever fire apparatus is stopped to answer a fire alarm.
- b. It shall further be unlawful for the driver of any vehicle to drive over any unprotected hose of the fire department without the consent of the Fire Marshall or the assistant in command.

Sec. 12. DRIVING ON THE RIGHT SIDE OF THE ROADWAY

Upon all roadways of sufficient width the vehicle shall be driven upon the right half of the roadway except as follows:

- a. When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- b. When the right half of the roadway is closed to traffic while under construction or repair;
- c. Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon;
- d. Upon a roadway designated and sign posted for one way traffic;
- e. Whenever there is a single track paved road on the public highway and two vehicles meet thereon, the driver on whose right is the wider shall give the right of way on such pavement to the other vehicle.

Sec. 13. PASSING VEHICLES

Drivers of vehicles proceeding in opposite directions, except as provided above, shall pass each other to the right and upon roadway having width for not more than one line of traffic in each direction each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

Sec. 14. OVERTAKING VEHICLES

The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to those limitations, exceptions, and special rules hereinafter stated:

- a. The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive on to the right side of the roadway until it is safely clear of the overtaken vehicle.
- b. Except when overtaking and passing on the right is permitted, driver of an overtaken vehicle should give way to the right in favor of the overtaking vehicle on audible signal and shall not increase speed of his vehicle until completely passed by the overtaking vehicle.
- c. The business district, on Center Street, between Second and Fifth Streets, is hereby designated a no passing zone.

Sec. 15. OVERTAKING VEHICLES

- a. On the right.
 1. The driver of a vehicle may overtake and pass upon the right of another vehicle which is making or about to make a left turn.

2. The driver of a vehicle may overtake and allowing sufficient clearance, pass another vehicle proceeding in the same direction either on the left or on the right of a roadway with unobstructed pavement of sufficient width for four or more lanes of moving traffic when such movement can be safely made. No person is to drive off of the pavement or upon the shoulder of the roadway in overtaking or passing on the right.
- b. On the left.
1. No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free from oncoming traffic for a sufficient distance ahead to permit such overtaking or passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction of any vehicle overtaken, and in every event the overtaking vehicle must return to the right hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction.
 2. No vehicle shall, in overtaking and passing another vehicle or at any other time, be driven on the left side of the roadway under the following conditions:
 - (a) When approaching the crest of a grade or upon a curve in the highway;
 - (b) When approaching within 100 feet of any bridge, viaduct, or tunnel or when approaching within 100 feet of or traversing any intersection or railroad gate crossing;
 - (c) Where official signs are in place directing that traffic keep to the right, or a distinctive center line is marked with distinctive line also so directs traffic as declared in the sign manual adopted by the department of Public Works and Buildings.

Article 3. PARKING

Sec. 1. STANDING OR PARKING CLOSE TO CURB

- a. No person shall stop, stand, or park a vehicle in a roadway other than parallel with the roadway headed in the direction of the lawful traffic movement and with the right hand or left hand wheels of the vehicle within 18 inches of the curb, if any.
- b. On the following streets all vehicles shall be parked at an angle of 35 degrees in accordance with the painted parking lines thereon. No left turn shall be made into any diagonal parking space.

On Center Street north and south between Third and Fifth Streets.

On Third Street east and west between Woodford and Market Streets.

- c. No double parking shall be allowed in any street within the Village of Gridley nor shall any vehicle be parked in any of the alleys. No vehicle shall be backed up to the curb except tee it actually loading or unloading and in such case no longer then the actual loading or unloading requires.
- d. There shall be no parking between the hours of 2 a.m. and 5 a.m. on the following streets in the Village of Gridley:
 - Center Street between Third and Fourth Street and Third Street for one-half block East and West of Center Street
- e. The President of the Board of Trustees is hereby authorized, when in his judgment, the public safety or convenience demands it, to prohibit parking for a limited time in front of entrances to churches, funeral homes or other buildings where a large number of people are gathered together for a short period of time; such restricted non parking for a limited time shall be evidenced by a written permit from the President of the Board of Trustees, and no parking signs shall be provided for in the said limited period by the parties carrying such permit for said period.
- f. Any person, firm or corporation violating any of the provisions of this section shall be fined not less than \$1.00 nor more than \$350.00 for each offense.

Sec. 2. STOPPING, STANDING OR PARKING PROHIBITED. NO SIGNS REQUIRED

- a. No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic control device, in any of the following places:
 - 1. On a sidewalk;
 - 2. In front of a public or private driveway;
 - 3. Within 15 feet of a fire hydrant;
 - 4. Within an intersection;
 - 5. On a crosswalk;
 - 6. Within 10 feet of a crosswalk at an intersection, unless otherwise marked;
 - 7. Within 10 feet upon any approach to any flashing beacon, stop sign, or traffic control signal located at the side of the roadway;
 - 8. Within 50 feet of the nearest rail of a railroad crossing;
 - 9. Along side or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
 - 10. Within 20 feet of the driveway entrance to the fire station;
 - 11. On the roadway side of any vehicle stopped or parked on the edge or curb of a street;

12. Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
 13. At any place where official signs prohibit stopping.
- b. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from the curb such distance as is unlawful.

Sec. 3. PARKING NOT TO OBSTRUCT TRAFFIC

No person shall park any vehicle upon a street in such a manner or under such conditions as to leave available less than 10 feet of the width of the roadway for free movement of vehicular traffic.

Sec. 4. PARKING IN ALLEYS

No person shall park a vehicle within an alley in such a manner or under such conditions as to leave available less than 10 feet of all the width of the roadway for free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such a position as to block the driveway entrance to any abutting property.

Sec. 5. PARKED ON GRADE, MOTOR RUNNING

No vehicle shall be stopped, parked, or permitted to stand with the engine running on any street unattended, and when any vehicle is stopped, parked, or permitted to stand unattended with the motor off upon a street having a perceptible grade, the brakes shall be set and the front wheels of such vehicle shall be turned to the right side of the street.

Sec. 6. APPLICATION OF ARTICLE

The provisions of this article prohibiting the standing and parking of a vehicle shall apply at all times or at those times herein specified or as indicated on official signs except when it is necessary to stop a vehicle to avoid contact with other traffic or in compliance with the directions of a police officer or official traffic control device.

Sec. 7. PENALTIES

Every person convicted of a violation of any provision of this chapter shall be punished by a fine of not less than \$10.00 nor more than \$500.00, unless otherwise provided herein.

Sec. 8. CITATION ON ILLEGALLY PARKED VEHICLE

Whenever any motor vehicle without driver is found parked or stopped in violation of any of the restrictions imposed by ordinance of this Village or by state law, the officer finding such vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user and shall conspicuously affix to such vehicle a traffic citation, on a form provided by the Village, for the driver to answer to the charge against him within seven days during the hours and the place that is specified in the citation or to enclose the stated fine in cash within the attached envelope provided by the Village and to place it in the United States Mail or to pay the Village Clerk in person and to receive a proper receipt therefrom.

Sec. 9. FAILURE TO COMPLY WITH TRAFFIC CITATION ATTACHED TO PARKED VEHICLE

If a violator of the restrictions on stopping, standing, or parking a vehicle under the traffic laws and ordinances does not appear in response to a traffic citation affixed to such motor vehicle within a period of seven days, the Village Clerk shall send to the owner of the motor vehicle to which the traffic citation was affixed, a letter informing him of the violation and warning him that in the event such letter is disregarded for a period of seven days, a warrant of arrest shall be issued.

Sec. 10. PRESUMPTION IN REFERENCE TO ILLEGAL PARKING

In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking a registered owner of such vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Sec. 11. AUTHORITY TO IMPOUND VEHICLES

- a. The Village Police/Law Enforcement Agency is hereby authorized to remove a vehicle from the street or highway to the nearest garage or other place of safety or to the garage designated or maintained by the Village Police or otherwise maintained or designated by the Village under the circumstances hereinafter enumerated.
 - 1. When any vehicle is left unattended upon any bridge, viaduct, or in any tube or tunnel where such vehicle constitutes an obstruction to traffic.
 - 2. When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
 - 3. When any vehicle is left unattended on a street and is so parked illegally as to constitute a definite hazard or obstruction of the normal movement of traffic or is left unattended for over 48 hours.
- b. Whenever the Village Police removes a vehicle from a street as authorized in this section and the Village Police knows or is able to ascertain from the registration records in the vehicle the name and address of the owner thereof, such Village Police shall immediately give or cause to be given notice in writing to such owner of the facts of such removal and the reasons therefore, and the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be sent to the proprietor of such garage.

- c. Whenever the Village Police/Law Enforcement Agency removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event, he shall immediately send or cause to be sent a written report of such removal by mail to the State Department whose duty is to register motor vehicles and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time, and the place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored.
- d. All costs of towing and storing a vehicle under the provisions of this ordinance shall be paid by the owner or by sale of such vehicle in accordance with the applicable laws of the State of Illinois.

Article 4. CONDITION OF VEHICLE

Sec. 1. CLEAR VISION

It shall be unlawful to operate any vehicle which is so loaded or in such condition that the operator does not have a clear view of all the parts of the roadway essential to the safe operation of the vehicle. If any view of the roadway to the rear is obstructed, the vehicle shall be equipped with a mirror so attached as to give the operator a view of the roadway behind him.

Sec. 2. UNNECESSARY NOISE

It shall be unlawful to operate a vehicle which makes unusually loud or unnecessary noise.

Sec. 3. HORN

- a. Every motor vehicle shall be equipped with a good and sufficiently audible signaling device in proper working condition. Such signaling device shall be sounded when necessary to give timely warning of the approach of a vehicle but such horn or other signaling device shall not be sounded for any purpose other than as a warning of impending danger.
- b. No motor vehicle other than emergency vehicles shall be equipped with a siren or gong signaling device.

Sec. 4. GAS AND SMOKE

It shall be unlawful to operate any vehicle which emits dense smoke or an amount of smoke or fumes as to be dangerous to the health of persons or to constitute a danger to drivers of other vehicles.

Sec. 5. PROJECTING LOADS - WIDTH AND HEIGHT

- a. The minimum width and height of any vehicle and its load shall not exceed the limits expressed in the State traffic law.

- b. No passenger type vehicle shall be operated in the streets with a load extending beyond the lines of the fenders on the left side of the vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof.
- c. No vehicle, unladen or with load, shall exceed a length of forty-two feet extreme overall dimensions.
- d. No combination of vehicles coupled together shall consist of more than two units, and no such combination of vehicles unladen or with a load, shall exceed a total length of forty-five feet; but such length limitations shall not apply to any vehicles operated in the daytime when transporting pipes, poles, machinery, or other objects which cannot be readily dismembered, nor to such vehicles operated at nighttime by a public utility when engaged in emergency repair work; but such loads carried at night shall be clearly marked with sufficient light to show the full dimensions of the load.
- e. No part of the load of a vehicle shall extend more than three feet in front of the extreme front portion of the vehicle.

Sec. 6. BRAKES

It shall be unlawful to drive any motor vehicle upon any street unless such vehicle is equipped with good and sufficient brakes in proper working condition, as required by the State traffic law, or to operate any vehicle which is so loaded that the operator does not have ready access to the mechanism on operating the brakes of such vehicle.

Sec. 7. MUFFLER

No motor vehicle shall be operated on any street unless such vehicle is provided with a muffler in efficient actual working condition; and the use of a cut-out is prohibited.

Sec. 8. LIGHTS

- a. It shall be unlawful to operate or park any vehicle, on any street that is not equipped with adequate lights conforming to the requirements of the State law.
- b. Any motor vehicle owned or usually operated by a volunteer fireman may be equipped with not to exceed two lamps which shall emit blue light without glare. One such lamp may be mounted on the front and one may be mounted on the rear of any such vehicle.

Sec. 9. NON-SKID DEVICES

It shall be unlawful to operate any motor vehicle upon any street equipped with any non-skid device so constructed that any ridges or non-flexible portion thereof comes into contact with the pavement or roadway.

Sec. 10. TIRES

It shall be unlawful to operate on any street any motor vehicle which is not equipped with tires conforming to the requirement of State traffic law.

Sec. 11. WEIGHT

It shall be unlawful to drive on any street any motor vehicle with a weight, including load, in excess of that permitted by the State traffic law for driving on improved highways, or with weight distributed in a manner not conforming to such law.

Sec. 12. SPILLING LOADS

No vehicle shall be so loaded that any part of its load spills or drops on any street or alley in the municipality.

Sec. 13. BICYCLES

- a. Every bicycle when in use at night time, shall be equipped with a lamp on the front which shall make a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps of a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.
- b. Every bicycle shall be equipped with a good and adequate brake.
- c. No bicycle shall be ridden on the sidewalks in the business district.

Sec. 14. PENALTY

Any person, firm, or corporation violating any portion of this article shall be fined not less than \$50.00 nor more than \$500.00 for each offense.

Article 5. DRIVERS

Sec. 1. AGE LIMITS

It shall be unlawful for any person under sixteen years of age to operate any motor vehicle upon any street in the Village.

Sec. 2. LIQUOR OR DRUGS

It shall be unlawful for the habitual user of narcotic drugs to operate any motor vehicle on any street; and it shall be unlawful for any intoxicated person, or any person under the influence of alcohol or of a narcotic drug, to operate or attempt to operate any motor vehicle on any street.

Sec. 3. PENALTY

Any person, firm, or corporation violating any provision of this article shall be fined not less than \$50.00 nor more than \$500.00 for each offense.

Chapter 7

REGULATION OF CERTAIN BUSINESS

Article 1. FILLING STATIONS

Sec. 1. DEFINITION

A filling station is any place of business where gasoline or any highly volatile fuel for motor vehicles or internal combustion engines are sold or offered for sale.

Sec. 2. REGULATION

All filling stations shall comply with the statutes of the State of Illinois, the rules and regulations of the Department of Public Safety of the State of Illinois, and the applicable ordinances of the Village of Gridley, Illinois. All of Ordinance 115 heretofore in force in Gridley, Illinois, with regard to the licensing and regulation of gasoline service stations, is hereby incorporated into and made a part of this code.

Sec. 3.

No gasoline pump shall be placed on any sidewalk, street or alley or within 20 feet of any street. This section shall not apply to existing non-complying installations as of the date hereof.

Article 2. JUNK AND JUNK DEALERS

Sec. 1. PROHIBITED

It shall be unlawful to operate or maintain any junk yard or to carry on the business of junk dealer or to keep any junk shop, store, or place for the purpose of sale of junk, rags, old rope, paper or bagging, old iron, brass, copper, or empty bottles, or any type of auto salvage or machinery salvage.

Sec. 2. KEEPING JUNK PROHIBITED

It shall be unlawful to keep any junk yard in any place in the Village of Gridley. Junk shall be defined as rags, old rope, paper or bagging, old iron, brass, copper, or empty bottles, or any type of auto salvage or machinery salvage or unsightly debris except in such enclosure where the same shall not be open to the view of the public.

Sec. 3. PENALTY

Any person, firm, or corporation violating any provision of this article shall be fined not less than \$25.00 nor more than \$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.

Article 3. KENNELS

Sec. 1. LICENSE REQUIRED

It shall be unlawful to operate a small animal store or kennel anywhere in the Village without first securing a license therefore. The annual fee for such a license shall be \$150.00. No person who has had a license revoked shall be granted a license without approval by the Board.

Sec. 2. DEFINITION

The term "small animal store" shall be defined as any establishment used for the selling of animals or animal supplies.

The term "kennel" shall be defined as any establishment which houses, boards, raises, trains, imports, or sells animals for hire or profit or where more than three dogs or three cats are harbored or kept.

Sec. 3. LOCATION

Small animal stores and kennels shall be operated within an area zoned as an Agricultural District but in no event shall a small animal store or kennel be located within five hundred feet of a residential, school, or religious structure.

Sec. 4. REGULATIONS

All small animal stores and kennels shall have a ten-foot high chain-link fence surrounding each individual exercise area. Such fencing shall be kept in good repair. Each exercise area shall be locked in such a manner so as to prevent the unauthorized entry of any person or the unauthorized release of any animal.

Sec. 5. SANITATION

All small animal stores and kennels shall provide sanitary conditions, which shall include the daily removal of all animal waste. All waste materials shall be removed from the premises and properly disposed of within 24 hours after being collected. Any and all sick animals shall be isolated from other animals and shall receive proper treatment.

Sec. 6. PENALTY

Any person or business violating any provision of this article shall be fined not less than \$100.00 nor more than \$500.00 for each offense. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Any license holder who violates any provision of this Article shall be subject to revocation or suspension of said license by action of the Board.

**Article 4. PROHIBITION OF TRESPASSES AND
REGISTRATION OF SOLICITORS**

Sec. 1. TRESPASSES PROHIBITED

It shall be unlawful for any person, firm or corporation to commit a trespass within this municipality upon either public or private property.

Sec. 2. SPECIFICALLY ENUMERATED TRESPASSES-SUPPRESSION

Without constituting any limitation upon the provisions of section 1 hereof, any of the following acts by any person, firm or corporation shall be deemed included among those that constitute trespasses in violation of the provisions of said section 1, and appropriate action may be taken hereunder at any time, or from time to time, to prevent or suppress any violation or violations of this Ordinance, the aforesaid enumerated acts so included, being as follows, to-wit:

- a. An entry upon the premises, or any part thereof, of another, including any public property in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry or in violation of any notice, warning or protest given orally or in writing, by any owner or occupant thereof; or
- b. The pursuit of a course of conduct or action incidental to the making of an entry upon the land of another in violation of a notice posted or exhibited at the main entrance to said premises or at any point of approach or entry, or in violation of any notice, warning or protest given orally or in writing by any owner or occupant thereof; or
- c. A failure or refusal to depart from the premises of another in case of being requested, either orally or in writing, to leave by any owner or occupant thereof; or
- d. An entry into or upon any vehicle, aircraft or watercraft made without the consent of the person having the right to the possession or control thereof, or a failure or refusal to leave any such vehicle, aircraft or watercraft after being requested to leave by the person having such right.

Sec. 3. SEVERANCE CLAUSE

If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this ordinance.

Sec. 4. DEFINITIONS

That for the purpose of this Article, the following words as used herein shall be construed to have the meaning herein ascribed thereto, to-wit:

- a. "Soliciting": Shall mean and include any one or more of the following activities:
 1. Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services, of any kind, character or description whatever, for any kind of consideration whatever, or

2. Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or character, or
 3. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication, or
 4. Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or non-profit association, organization, corporation, or project.
- b. "Residence": Shall mean and include every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.
 - c. "Registered Solicitor": Shall mean and include any person who has obtained a valid Certificate of Registration as hereinafter provided, and which Certificate is in the possession of the solicitor on his or her person while engaged in soliciting.

Sec. 5. CERTIFICATE OF REGISTRATION

Every person desiring to engage in soliciting as herein defined from persons in residences within this Municipality is hereby required to make written application for a Certificate of Registration as hereinafter provided. The provisions of Section 5, 6 and 7 shall not apply to residents of El Paso - Gridley School District No. 11 of McLean and Livingston Counties Illinois, and no person residing in said school district shall be required to obtain any license or certificate or to make any application in order to solicit or peddle wares or merchandise in the Village of Gridley.

Sec. 6. APPLICATION FOR CERTIFICATE REGISTRATION

Application for a Certificate of Registration shall be made upon a form provided by the Village Clerk of this Municipality and filed with such Clerk. The applicant shall truthfully state in full the information requested on the application, to-wit:

- a. Name and address of present place of residence and length of residence at such address; also business address if other than residence address: also Social Security number;
- b. Address of place of residence during the past three years if other than present address:
- c. Age of applicant and marital status; and if married the name of spouse;
- d. Physical description of the applicant;
- e. Name and address of the person, firm or corporation or association whom the applicant is employed by or represents: and the length of time of such employment or representation;
- f. Name and address of employer during the past three years if other than the present employer;
- g. Description sufficient for identification of the subject matter of the soliciting which the applicant will engage in;
- h. Period of time for which the Certificate is applied for;

- i. The date, or approximate date, of the latest previous application for Certificate under this Ordinance, if any;
- j. Has a Certificate of Registration issued to the applicant under this Ordinance ever been revoked;
- k. Has the applicant ever been convicted of a violation of any of the provisions of this Ordinance, or the Ordinance of any other Illinois Municipality regulating soliciting;
- l. Has the applicant ever been convicted of the commission of a felony under the laws of the State of Illinois or any other State or Federal law of the United States.
- m. Also such additional information as the Clerk may deem necessary to process the application;
- n. All applications shall be accompanied by a fee of \$25.00 for each individual solicitor who comes to town to sell door-to-door.

All statements made by the applicant upon the application or in connection therewith shall be under oath.

The Village Clerk shall cause to be kept in his office an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all Certificates of Registration issued under the provisions of this Ordinance, and of the denial of applications. Applications for Certificates shall be numbered in consecutive order as filed, and every Certificate issued, and any renewal thereof, shall be identified with the duplicate number of the application upon which it was issued.

No Certificate of Registration shall be issued to any person who has been convicted of the commission of a felony under the laws of the State of Illinois or any other State or Federal law of the United States, within five years of the date of the application; nor to any person who has been convicted of a violation of any of the provisions of this Ordinance, nor to any person whose Certificate of Registration issued hereunder has previously been revoked as herein provided.

Sec. 7. ISSUANCE AND REVOCATION OF CERTIFICATE

The Village Clerk, after consideration of the application and all information obtained relative thereto, shall deny the application if the applicant does not possess the qualifications for such Certificate as herein required, and that the issuance of a Certificate of Registration to the applicant would not be in accord with the intent and purpose of this Ordinance. Endorsement shall be made by the Village Clerk upon the application of the denial of the application. When the applicant is found to be fully qualified, the Certificate of Registration shall be issued forthwith.

Any Certificate of Registration issued hereunder shall be revoked by the Village Clerk if the holder of the Certificate is convicted of a violation of any of the provisions of this Ordinance, or has made a false material statement in the application, or otherwise becomes disqualified for the issuance of a Certificate of Registration under the terms of

this Ordinance. Immediately upon such revocation written notice thereof shall be given by the Village Clerk to the holder of the Certificate in person or by certified U.S. mail addressed to his or her residence address set forth in the application.

Immediately upon the giving of such notice the Certificate of Registration shall become null and void.

The Certificate of Registration shall state the expiration date thereof.

Sec. 8. CITY POLICY ON SOLICITING

It is hereby declared to be the policy of the governing body of this Municipality that the occupant or occupants of the residences in this Municipality shall make the determination of whether solicitors shall be, or shall not be, invited to their respective residence.

Sec. 9. NOTICE REGULATING SOLICITING

Every person desiring to secure the protection intended to be provided by the regulations pertaining to soliciting contained in this Ordinance, shall comply with the following directions, to-wit:

Notice of the determination by the occupant of giving invitation to solicitors, or the refusal of invitation to solicitors, to any residence, shall be given in the manner following:

A weatherproof card, approximately three inches by four inches in size, shall be exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words, as follows:

"ONLY SOLICITORS REGISTERED IN _____ INVITED"
or
"NO SOLICITORS INVITED".

The letters shall be at least one-third inch in height. For the purpose of uniformity the cards shall be provided by the Chief of Police to persons requesting, at the cost thereof.

Such card so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

Sec. 10. DUTY OF SOLICITORS

It shall be the duty of every solicitor upon going into any premises in the Municipality upon which a residence as herein defined is located to first examine the notice provided for in Section 185 of this Ordinance, if any is attached, and be governed by the statement contained on the notice. If the notice states "ONLY SOLICITORS REGISTERED IN GRIDLEY INVITED", then the solicitor not possessing a valid Certificate of Registration as herein provided shall immediately and peacefully depart from the premises; and if the notice states "NO SOLICITORS INVITED", then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

Any solicitor who has gained entrance to any residence. whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Sec. 11. UNINVITED SOLICITING PROHIBITED

It is hereby declared to be unlawful and shall constitute a nuisance for any person to go upon any premises and ring the door bell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such r residence for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined in defiance of the notice exhibited at the residence in accordance with the provisions of Section 9 of this Ordinance.

Sec. 12. TIME LIMIT ON SOLICITING

It is hereby declared to be unlawful and shall constitute a nuisance for any person whether registered under this Ordinance or not to go upon any premises and ring the door bell upon or near any door of a residence located thereon, or rap or knock upon any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, prior to 9:00 o'clock a.m. or after sundown of any week day, or at any time on a Sunday or on a State or National Holiday.

Sec. 13. SEVERANCE CLAUSE

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Sec. 14. PENALTY

Any person violating any of the provisions of this Article shall, upon conviction. be subject to a fine of not more than \$500.00 for each offense.

Chapter 8

MOBILE HOMES AND MOBILE HOME COURTS

Article 1. IN GENERAL

Sec. 1. PURPOSE

The purpose of this chapter is to provide basic and uniform standards, in terms of performance objectives implemented by specific requirements governing the construction, occupancy and maintenance of mobile homes and mobile home courts, and establishing reasonable safeguards for the safety, health and welfare of the occupants and users thereof.

Sec. 2. DEFINITIONS

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this action:

Accessory structure: A structure, the use of which is incidental to that of the mobile home, and which is attached thereto or cased on the same mobile home lot. Accessory structures include, but are not limited to, portable, demountable or permanent enclosures, shade structures, and carports.

Community area: An area or space within a mobile home court including fences, walls, and other minor constructions, which is assigned for joint use of occupants or restricted to nonresidential use.

Community structure: A structure within a mobile home court providing laundry, recreation, parking or other common facilities; eluding management office and storage buildings.

Habitable space: Space used for living, sleeping, eating or cooking purposes; excluding kitchenettes, bathrooms, toilet rooms, storage spaces and enclosures for equipment installations.

Mechanical systems and equipment: Mobile home electrical, plumbing, heating, ventilating, air conditioning systems and equipment used for living purposes, including cooking and refrigeration equipment.

Mobile home: A movable living unit equipped with a chassis and provided with the following mechanical systems and equipment: plumbing, heating, electrical, cooking and refrigeration. See "trailer".

Mobile home court: A parcel of land which has been planned and improved for the placement of two or more mobile homes.

Mobile home lot: A designated site within a mobile home court for the exclusive use of the occupants of a single mobile home.

Mobile home stand: That part of an individual mobile home lot which has been reserved for the placement of a mobile home.

Patio: A paved outdoor living space designed to supplement the mobile home living area.

Storage locker. An enclosed space designed to provide auxiliary general storage space for an individual mobile home.

Trailer, travel or vacation: A movable living unit equipped with a chassis but lacking any of the following mechanical systems and equipment: Plumbing, heating, electrical, cooking and refrigeration. See "mobile home".

Sec. 3. MAINTENANCE OF MOBILE HOMES OUTSIDE OF MOBILE HOME COURTS

It shall be unlawful for any person to maintain a mobile home in the Village outside of a mobile home court which is duly licensed under this chapter, except as herein specifically permitted.

Sec. 4. CONVERSION OF TRAILER OR MOBILE HOME INTO PERMANENT STRUCTURE

Removal of the wheels or other transporting device, except the temporary detachment of a towing unit from any trailer or mobile me shall not be construed as converting the same into a permanent structure.

Sec. 5. PARKING TRAILER OR MOBILE HOME IN REAR YARD OF DWELLING

It shall be permissible under the provisions of this chapter for a bona fide guest of the householder to park a mobile home or trailer the rear yard of any dwelling house for a period of time not to exceed fifteen days; provided, however, that such mobile home or trailer may be used for only sleeping purposes during such fifteen day period.

Sec. 6. PARKING OR STORING TRAILERS OR MOBILE HOMES IN VILLAGE

A mobile home or trailer may be parked or stored in the Village, or in the rear yard of a dwelling regardless of the other provisions of this chapter; provided, that it shall not be used for living or sleeping purposes during such time it is so stored or parked; and provided, moreover, that it shall not be a nuisance and does not constitute a fire hazard.

Sec. 7. MAINTENANCE OF TRAILER OR MOBILE HOME AS OFFICE

No mobile home or trailer shall be maintained in the Village as a permanent office. Such office use as is compatible with the demonstration and sale of such articles or services as may be readily transported in a mobile home trailer by a distributor or salesman may be

permitted in a mobile home trailer on a legally located parking lot for a period of time not exceeding seven days; provided, that such mobile home or trailer is not used for living or sleeping purposes during such time.

Article 2. MOBILE HOMES

Sec. 1. MAXIMUM OCCUPANCY

The maximum number of occupants of a mobile home shall be limited to the number determined on the basis of the square feet of floor area of habitable space, exclusive of habitable space used for cooking purposes, in accordance with the following: One-hundred fifty square feet for one or two occupants; two-hundred fifty square feet for three occupants; and eighty square feet additional for each occupant thereafter.

Sec. 2. HEIGHT OF HABITABLE SPACE

Habitable space shall have a minimum ceiling height of seven feet over fifty percent of the floor area; and the floor area where the ceiling height is less than five feet shall not be considered in computing gross floor area.

Sec. 3. BATHROOMS

Bathrooms and toilet rooms shall have provisions for privacy, and shall be provided with floors of moisture resistant material.

Sec. 4. PROHIBITED USES OF BATHROOMS, KITCHENS, ETC.

Bathrooms, toilet rooms, kitchens and kitchenettes shall not be used for sleeping purposes.

Sec. 5. EXITS

A mobile home shall have a safe and unobstructed primary exit and an emergency exit located remote from the primary exit.

Sec. 6. HABITABLE SPACE

A mobile home shall be provided with natural light and ventilation adequate for the intended use of each habitable space in accordance with the following:

Window area shall equal at least ten per cent of the floor area of each habitable space; and

Openable area of windows and other openings used for natural ventilation of each habitable space shall equal at least forty-five per cent of the required window area, or mechanical ventilation shall be provided as set forth in section 9.

Sec. 7. NONHABITABLE SPACE

A mobile home shall be provided with light and ventilation adequate for the intended use of nonhabitable space in accordance with the following:

Kitchenettes, bathrooms and toilet rooms shall be provided with light of sufficient intensity and so distributed as to permit the maintenance of sanitary conditions and the safe use of the space and the appliances, equipment, and fixtures; and

Kitchenettes, bathrooms and toilet rooms shall be provided with natural ventilation consisting of openable areas of not less than one and one-half square feet for bathrooms and toilet rooms, and not less than three square feet for kitchenettes; or mechanical; ventilation shall be provided as set forth in section 9.

Sec. 8. PLUMBING

- a. A mobile home shall contain a kitchen sink, flush type water closet, bathtub or shower, and lavatory.
- b. Hot and cold water supply shall be provided at kitchen sink, bathtub or shower, and lavatory. Cold water shall be supplied to water closet.
- c. The plumbing system shall be designed and arranged so as to facilitate connecting to approved exterior water supply and sewage disposal systems, provide adequate water supply to all plumbing fixtures and dispose of all liquid wastes therefrom.

Sec. 9. HEATING, VENTILATING AND AIR CONDITIONING

- a. A mobile home shall contain space heating equipment, and water heating equipment.
- b. Areas allocated for installation of space heating and water heating equipment shall provide adequate clearance so that the surface of adjacent combustible materials will not exceed a safe temperature. Curtains and draperies shall not be used in such areas.
- c. Space and water heating units shall be of a type approved for installation in a mobile home. Fuel burning water heaters and furnaces other than those having sealed combustion chamber, shall not be located in sleeping rooms, bathrooms and toilet rooms.
- d. Space heating units shall have sufficient capacity to maintain a minimum inside temperature of seventy degrees Fahrenheit, based on the average of the recorded annual minimum outside temperatures for the locality, and shall be provided with manual or automatic temperature control devices.
- e. Water heating units shall have sufficient capacity to deliver at each hot water outlet an ample supply of water at a minimum temperature range of one hundred thirty to one hundred forty degrees Fahrenheit, and such units shall be provided with safety devices arranged to relieve hazardous pressures and excessive temperatures.
- f. Electrical space and water heating equipment shall be of an approved type and shall have adequate circuit protection devices.
- g. Gas and liquid fuel-burning equipment shall be specifically designed for the type of fuel used. Flues and vents shall be suitable for the type of fuel used, and shall be installed so that the surface of adjacent combustible material will not exceed a safe temperature.

- h. Automatically operated heat-producing equipment using utility gas shall have a valve that will automatically shut off the flow of gas to the pilot light and main burner when the pilot flame is extinguished.
- i. Automatically operated heat-producing equipment using liquefied petroleum gas shall have a valve that will automatically shut off the flow of gas to the pilot light and main burner when the pilot flame is extinguished.
- j. Fuel-burning space and water heating units shall be vented. Other fuel-burning equipment shall be vented where the discharge of products of combustion into the space where the equipment is installed would be unsafe.
- k. Liquid fuel-burning equipment shall be vented and shall be provided with means to prevent spilling of fuel.
- l. Fuels storage containers and gas cylinders shall be mounted outside the mobile home, or in a space that is vented to the outside and is vapor-tight to the inside.
- m. Warm air supply ducts and fittings shall be of noncombustible material.
- n. Return air ducts shall be of noncombustible material where exposed to temperatures which are unsafe for combustible materials.
- o. Return air grilles in doors and partitions shall be of a permanent non-closable type. Openings for return air shall not be located in bathrooms, toilet rooms or kitchenettes.
- p. Mechanical ventilation, where required, shall exhaust air at rates not less than the following:
 - For habitable space - two air changes per hour;
 - For bathrooms and toilet rooms - twenty-five cfm; and
 - For kitchenettes- one hundred cfm.
- q. Air conditioning for habitable space provided in lieu of mechanical ventilation shall supply an amount of air not less than that set forth in the proceeding subsection with at least twenty-five per cent of the required quantity taken from the outside.

Sec. 10. ELECTRICAL

- a. A mobile home shall contain an electrical wiring system and service equipment.
- b. Electrical wiring shall have adequate capacity for designed lighting and appliance equipment. Individual circuits shall contain overload protection devices.
- c. At least one receptacle outlet shall be provided for each multiple of twelve linear feet of wall space or major fraction thereof in each habitable space and kitchenette. Bathrooms and toilet rooms shall have permanently installed lighting fixtures and switches located so as not to be an electrical hazard.
- d. Exterior equipment shall be weatherproofed to insure protection of equipment from the elements. Service equipment shall have means for quick disconnection from the source of supply.

- e. Provision shall be made for grounding noncurrent carrying metallic parts of the electrical system. Such grounding shall be common to one external supply points. Provision shall be made for exterior source grounding of electrical system.

Sec. 11. COOKING AND REFRIGERATION

- a. A mobile home shall contain cooking equipment, and refrigeration equipment.
- b. Electrical cooking and refrigeration equipment shall be of an approved type for installation in a mobile home and shall have adequate circuit protection devices.
- c. Gas burning cooking and refrigeration equipment shall be of an approved type for mobile home installation and connections to rigid pipe shall be made with approved flexible metal gas appliance connectors.
- d. Fuel storage shall conform to the requirements of fuel storage for heating.

Sec. 12. SAFE AND SANITARY

A mobile home shall be maintained in a safe and sanitary condition.

Sec. 13. INTERIOR

Floors, walls, ceilings, furnishings and fixtures shall be maintained in a clean and sanitary condition. Exits shall be maintained free of obstructions.

Sec. 14. GARBAGE AND REFUSE

Suitable containers shall be provided for the temporary storage of garbage and refuse within the mobile home.

Sec. 15. SCREENING

From May first to October first, entrances to the mobile home shall be provided with self-closing devices or screens, and windows and other openings used for ventilation shall be appropriately screened.

Sec. 16. EXTERMINATION

Mobile homes shall be maintained free of insects, vermin and rodents. Extermination shall be effected in conformance with generally accepted practice.

Sec. 17. FLAMMABLE MATERIALS

Flammable cleaning liquids and other flammable materials shall be stored in a safe, approved manner.

Article 3. MOBILE HOME COURTS

Sec. 1. LICENSE - REQUIRED

It shall be unlawful for any person to operate a mobile home court within the limits of the Village unless such person shall obtain a license therefore as provided in this subdivision.

Sec. 2. SAME - FEES

The annual license fee for each mobile home court shall be fifty dollars plus three dollars for each mobile home lot in the court; provided, however, that during the calendar year 1972, any applicant for a license to operate a mobile home court shall only be required to pay three-fourths of the annual fee if the license is issued after the thirty-first day of March and before the first day of July, and one-half of the annual fee if the license is issued after June thirtieth and before the first day of October.

The license fee in case of an application for a license for a mobile home court established after the first day of January in any year commencing with the year 1973, shall be prorated for the balance of the calendar year.

Sec. 3. PERMIT TO CONSTRUCT MOBILE HOME COURT

Application for a permit to construct a mobile home court shall be made to the director of inspections, accompanied by the payment of a permit fee of \$150.00 dollars for each ten acres of land or fraction thereof included in the court.

The application shall be in writing, signed by the applicant and shall include the following:

- a. The name and address of the applicant;
- b. The location and legal description of the mobile home court;
- c. A complete plan of the court in conformity with section 4;
- d. Plans and specifications of all buildings, improvements and facilities to be constructed within the mobile home court;
- e. Such further information as may be reasonably required by the Village Board to enable them to determine if the proposed court will comply with legal requirements.

If the proposed mobile home court will, when constructed in accordance with such plans and specifications, be in compliance with all provisions of this chapter and all other applicable provisions of this Code, the Village Board may approve the application, and upon completion of the court according to the plans, the comptroller may issue the license upon payment of the license fee.

Sec. 4. MOBILE HOME COURT PLAN

The mobile home court shall conform to the following requirements:

- a. The court shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
- b. Mobile home lots shall be provided consisting of a minimum of three thousand square feet for each lot which shall be at least forty feet wide and clearly defined; provided, however, that mobile home courts in existence on the effective date of this chapter which provide mobile home spaces having a width or area less than that here in above prescribed may continue to operate with spaces of the existing width and area.
- c. Mobile homes shall be so harbored on each lot that there shall be at least a

fifteen foot clearance between mobile homes; provided, however, that with respect to mobile homes parked end-to-end, the end-to-end clearance may be less than fifteen feet but shall not be less than ten feet. No mobile home shall be located closer than ten feet from any building within the court.

- d. All mobile home lots shall abut upon a driveway of not less than thirty feet in width, which shall have unobstructed access to a public street, alley or highway.
- e. Walkways not less than two and one-half feet wide shall be provided from the mobile home lots to the service buildings and to the roadway walk or roadway.
- f. Each court shall provide community areas and community structures as are hereinafter more particularly prescribed.

Sec. 5. DESIGN AND CONSTRUCTION

- a. Design and construction of mobile home courts shall conform to applicable zoning and building regulations and generally accepted standards for mobile home courts.
- b. Open areas shall be adequate to assure privacy, natural light and ventilation for each mobile home and sufficient for essential outdoor uses.

Sec. 6. STORM WATER DRAINAGE

- a. Mobile home courts shall have adequate facilities for drainage of surface and subsurface water.
- b. Grading of the entire property shall be such as to facilitate the safe and efficient drainage of surface water.
- c. Gutters, culverts, catch basins, drain inlets, storm water sewers, or other satisfactory drainage systems shall be utilized where deemed necessary.

Sec. 7. SURFACING

Walks, driveways and parking spaces shall be provided with paved and durable surfacing so as to provide safe and easy access under normal use and weather conditions.

Sec. 8. OVERHEAD WIRES

Wires installed above driveways and parking spaces shall have a clearance of not less than eighteen feet.

Sec. 9. EXTERIOR LIGHTING

Artificial lighting shall be provided to illuminate walks, driveways and parking spaces for the safe movement of pedestrians and vehicles at night.

Sec. 10. MAINTENANCE

Mobile home court shall be properly maintained so as to assure the desirable residential character of the property.

Sec. 11. TRAVEL OR VACATION TRAILERS

No occupied travel or vacation trailer or other form of temporary type living units shall be permitted in a mobile home court unless approved by the Village Board.

Sec. 12. PLACEMENT

Placement of a mobile home on mobile home stand by jacks or supports shall be such as to insure the retention of the mobile home in a fixed position.

Sec. 13. WATER, SEWAGE, GAS AND ELECTRICITY

- a. A mobile home court shall be provided with the following utilities: Water supply system, sewage disposal system, and electrical system.
- b. Utilities, including gas piping system where provided, shall have sufficient capacity to supply the requirements of the mobile home court and for the maximum number of connected mobile homes.

Sec. 14. WATER SUPPLY SYSTEM

The water supply system shall be designed to provide a sufficient supply of potable water, under adequate pressure, to outlets servicing mobile homes, community structures, drinking fountains, hose connections, hydrants, etc. Each mobile home lot shall be provided with a cold water tap at least four inches above ground.

Sec. 15. PRIVATE WATER SYSTEM

Where a public water supply system is not available, an adequate private water supply system, approved by the Village Board, shall be provided.

Sec. 16. SEWAGE DISPOSAL SYSTEM

The sewage disposal system shall provide each mobile home and community structures containing plumbing fixtures with an adequate and safe method of sewage disposal.

Sec. 17. PRIVATE SEWAGE DISPOSAL SYSTEM

Where a public sewage disposal system is not available, an adequate private sewage disposal system, approved by the Village Board, shall be provided.

Sec. 18. GAS PIPING SYSTEM

The gas piping system shall be designed to provide a supply of gas sufficient to meet the maximum demand without undue loss of pressure at the connection to the mobile home furthest from the source of supply.

Sec. 19. ELECTRICAL SYSTEM

The electrical system shall be designed to provide adequate capacity to supply the connected load without exceeding the allowable current carrying capacity of the conductors.

Article 4. MOBILE HOME LOTS

Sec. 1. MOBILE HOME STAND

- a. A mobile home lot shall contain a mobile home stand capable of maintaining the mobile home in a fixed position.
- b. Mobile home stand shall be adequately compacted and at such elevation, distance, and angle, in relation to the accessway, as to facilitate the safe and efficient placement and removal of the mobile home.

Sec. 2. ACCESSORY STRUCTURES

Accessory structures shall be of durable construction and appropriate for intended use and location.

Temporary porches, canvas-roofed canopies, skirts and auxiliary rooms shall be constructed of fire resistant materials satisfactory to the Village Board.

Sec. 3. PATIOS

Patios shall be located so as to provide safe and easy access from the mobile home.

Sec. 4. STORAGE LOCKERS

Storage lockers shall be designed to provide adequate storage facilities convenient to the mobile home.

Sec. 5. UTILITY CONNECTIONS

- a. A mobile home lot shall be provided with the following utility connections: water supply connection, sanitary drainage connection, and electrical receptacle.
- b. Utility connections, including gas connection where provided, shall be readily accessible at the mobile home stand and shall have means for safe and efficient hookup to the mobile home.
- c. Water supply connection shall be located a safe distance from sanitary drainage connection and shall not be subject to surface drainage. Means shall be provided for a suitable watertight connection, without cross connection and danger of freezing.
- d. Sanitary drainage connection shall be at proper location relative to the mobile home, and piping shall have a continuous grade to the point of disposal. Drainage connection shall be provided with suitable fittings to permit a watertight junction to be made with the mobile home outlet and the receiving sewer. Sewer outlets at unoccupied mobile home lots shall be closed in order to prevent the emission of odors or the creation of a breeding place for insects.
- e. Gas connection shall provide a suitable gaslight connection to the mobile home.
- f. Electric system connection receptacle or terminal box shall be of approved weatherproof type. Such a receptacle shall have provision for an equipment ground.

Article 5. MISCELLANEOUS REQUIREMENTS

Sec. 1. COMMUNITY AREAS

- a. Community areas, including community facilities, shall be appropriate for intended use and location.
- b. Fences, walls, and other minor constructions shall be capable of sustaining anticipated loads.
- c. Swimming pools, playground equipment, etc., shall be designed so as not to be a potential hazard.
- d. Not less than ten per cent of the gross area of the court shall be devoted to recreational facilities for adult recreation, child play areas, swimming pools, and drying yards. Such recreational areas shall not be located on any mobile home lot.
- e. Plantings shall be provided for
 1. screening objectionable views,
 2. adequate shade, and
 3. suitable setting for the mobile homes and other facilities.

Sec. 2. COMMUNITY STRUCTURES; LAUNDRIES

Community structures shall be structurally sound and appropriate for intended use and location.

There shall be provided at least one laundry unit consisting of an automatic washer; or wringer-type washing machine and two rinse tubs or their equivalent.

No laundry facility shall be located in toilets or bathroom.

Sec. 3. COMMUNITY FUEL STORAGE

A mobile home court shall be provided with facilities for the safe and efficient storage of required fuels.

Sec. 4. LIQUEFIED PETROLEUM GAS

Liquefied petroleum gas storage containers having a capacity exceeding one hundred twenty-five gallons shall be located not less than twenty-five feet from the nearest mobile home, structure, building, and lot line and shall not be subject to damage from moving vehicles.

Sec. 5. FUEL OIL

Fuel oil and other flammable materials shall be stored so as not to be a fire hazard.

Sec. 6. FIRE PROTECTION

Every mobile home court shall be equipped at all times with fire extinguishing equipment in good working order, of such type, size and number and so located within the court to satisfy applicable reasonable regulations of the fire department. No open fires shall be permitted.

Article 6. PROPERTY MAINTENANCE

Sec. 1. GENERALLY

A mobile home court shall be maintained in a safe, sanitary, and orderly condition.

Sec. 2. PREMISES

Premises shall be kept clean and free of physical hazards.

Sec. 3. BRUSH AND WEED CONTROL

Open areas shall be maintained free of heavy undergrowths. Accumulations of plant growth which are noxious or detrimental to health shall be eliminated.

Sec. 4. INFESTATION

Grounds and structures shall be maintained free of insect, vermin, and rodent harborage and infestation. Methods used for purposes of extermination shall conform with generally accepted practice.

Sec. 5. STRUCTURES

Exterior wood surfaces of structures that are not inherently resistant to deterioration shall be periodically treated with a protective coating of paint or other suitable preservative.

Sec. 6. GARBAGE AND REFUSE

Adequate sanitary facilities and methods shall be used for the collection, storage, handling and disposal of garbage and refuse by private contractors, and shall be collected and disposed of as frequently as may be necessary to insure that receptacles shall not overflow.

Sec. 7. DOMESTIC ANIMALS AND PETS

Domestic animals and pets shall be kept in an appropriate manner and shall not be permitted to run at large or commit any nuisance within the limits of the court.

Article 7. COMPLIANCE

Sec. 1. INSPECTIONS

- a. Inspectors shall be authorized and have the right, in the performance of their duties, to enter any premises during normal business hours and in emergencies whenever necessary to protect the public interest.
- b. Owners, agents, operators, and occupants shall be responsible for providing access to all parts of the premises within their control to authorized personnel acting in the performance of their duties.

Sec. 2. SUPERVISION

The licensee or a duly authorized attendant or caretaker, shall be in charge at all times to keep the mobile home court, its facilities and equipment in a clean, orderly and sanitary

condition. The attendant or caretaker shall be answerable, with the licensee, for the violation of any provision of this chapter to which the licensee is subject.

Sec. 3. ADDITIONAL DUTIES OF LICENSEES

- a. It shall be the duty of each licensee on the first days of February and September of each year to file with School District 11, a report giving the names and ages of all children of school age living in such mobile home court.
- b. All streets and driveways in every mobile home court must be maintained in a passable and reasonably dustproof condition at all times, and all streets and driveways in every mobile home court not heretofore licensed by the county, shall have a minimum width of thirty feet for streets and driveways.
- c. It shall be the duty of every owner, or operator, or attendant of any mobile home court to report to the health department the full name, age and address of every person who is affected or suspected of being affected with any reportable or communicable disease.
- d. The management of every mobile home court shall assume full responsibility for maintaining in good repair and condition all sanitary and safety appliances of such court, and shall promptly bring such action as is necessary to prosecute or eject from such court any person or persons who willfully or maliciously damage such appliances, or any person or persons who fail to comply with the regulations of this chapter.

Sec. 4. CUSTODIAN'S OFFICE

Each mobile home court shall be provided with a custodian's office where each mobile home entering such court shall be assigned to a lot, given a copy of the court rules, and registered according to the prescribed form. Such registration shall include the name and address of every occupant of such mobile home, the license number of all units, and the state issuing such licenses. The licensee shall keep a registry of all children of school age occupying mobile homes in the court. The above mentioned register shall be signed by an occupant of the mobile home. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed until three years have elapsed following the date of departure of the registrant. The register shall be available at all times for inspection by duly authorized law enforcement officers.

Sec. 5. RESPONSIBILITY OF OCCUPANTS

Occupants of mobile homes in a court shall be responsible for compliance with the provisions of this chapter, regardless of the fact that this chapter may also place similar responsibility on the licensee, in regard to the following:

- a. Limiting occupancy of the mobile home which he occupies to the maximum permitted;
- b. Maintenance of the mobile home which he occupies in a clean, sanitary and safe condition;

- c. Maintenance of all plumbing, cooking and refrigeration fixtures and appliances in the mobile home which he occupies, in a clean and sanitary condition, and providing reasonable care in the operation and use thereof;
- d. Disposal of garbage and refuse into provided facilities in a clean and sanitary manner;
- e. Extermination of insects, rodents or other pests within his mobile home if his mobile home is the only one infested in the court;
- f. Hanging and removing required screens; and
- g. Keeping his domestic animals and pets in an appropriate manner and under control.

Sec. 6. REVOCATION OR SUSPENSION OF LICENSE

Any license granted pursuant to the provisions of this chapter shall be subject to revocation or suspension by the Village Board for violation of this chapter or any other applicable provision of this Code.

Sec. 7. INTERPRETATION

In the event any question arises under the provisions of this chapter as to generally accepted standards relating to plumbing, heating, and electrical systems in mobile homes, the Village will refer to standards of Implementation and authorization of the Mobile Home Park Act [210 ILCS 115].

SOURCE: Adopted March 2, 1973; amended at 4 Ill. Reg. 46, p. 1286, effective January 1, 1981; old rules repealed, new rules adopted and codified at 8 Ill. Reg. 17520, effective September 11, 1984; old Part repealed and new Part adopted at 22 Ill. Reg. 8863, effective May 8, 1998; emergency amendment at 29 Ill. Reg. 10305, effective July 1, 2005, for a maximum of 150 days. See also Zoning Sec. 22.

Sec. 8. PENALTY

Any person, firm, or corporation violating any provision of this article concerning mobile homes shall be fined not less than \$5.00 nor more than \$100.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or is permitted to continue.

Chapter 9

ALCOHOLIC CONSUMPTION ORDINANCE

Sec. 1. DEFINITIONS

For purpose of this Ordinance, alcoholic liquor shall be defined as any spirits, wine, beer, ale or other liquid containing more than one-half of one percent (0.5%) alcohol by volume, which is fit for beverage purposes or intended for beverage purposes.

Sec. 2. AGE REQUIREMENTS

It shall be unlawful for any person under the age of 21 years to consume, purchase, or accept a gift of alcoholic liquor or have alcoholic liquor in his or her possession.

Sec. 3. IDENTIFICATION

It shall be unlawful for any person under the age of 21 years to represent that he or she is 21 years of age or over for the purpose of buying, accepting or receiving alcoholic liquor.

Sec. 4. FALSE IDENTIFICATION

It shall be unlawful for any person under the age of 21 years to present or offer to any Village of Gridley Liquor licensee, agent or employee thereof any written, printed, or photo static evidence of age and identity which is false, fraudulent, or not actually his or her own for the purpose of ordering, purchasing, attempting to purchase, or otherwise procuring or attempting to procure alcoholic liquor.

Sec. 5. FALSE IDENTIFICATION

It shall be unlawful for any person under the age of 21 years to have in his or her possession, any false or fraudulent written, printed, or photo static evidence of age and identity.

Sec. 6. DELIVERY OF ALCOHOL

No person, after purchasing or otherwise obtaining alcoholic liquor, shall give or deliver such alcoholic liquor to another person under the age of 21 years, except in the performance of a religious ceremony or service.

Sec. 7. DELIVERY OF ALCOHOL

It shall be unlawful for any clerk or employee of a licensed liquor establishment to give, deliver, or sell alcoholic liquor to another person under the age of 21 years.

Sec. 8. DELIVERY OF ALCOHOL

No person shall sell any alcoholic liquor to any other person unless the seller has a license to sell liquor in the village of Gridley.

Sec. 9. SUPERVISED OR RELIGIOUS ALLOWANCES

Possession and dispensing, or consumption by a minor of alcoholic liquor in the performance of a religious service or ceremony or the consumption by a minor under the

direct supervision and approval of the parents or parent of such minor in the privacy of a home, is not prohibited by this ordinance.

Sec. 10. PENALTY

Any violation of this ordinance is punishable by a fine of not less than \$100.00 nor more than \$750.00.

Chapter 10

FIREARMS, FIREWORKS, SHOOTING GALLERY

Sec. 1. FIREARMS PROHIBITION

No person shall fire or discharge any gun, pistol, fowling piece, or other firearm within the corporate limits of the Village of Gridley.

Sec. 2. FIREWORKS DISCHARGE

No person shall fire, discharge or set off within the limits of the Village of Gridley, any rocket, fire cracker, torpedo, squib, or other fireworks, or any other thing containing any substance of any explosive nature.

Sec. 3 PENALTY

Any person, firm or corporation violating any provision of this chapter shall be fined not less than \$25.00 nor more than \$500.00 for each offense; and every day or part of a day, any such person, firm or corporation shall engage in such activities or business in violation hereof, or without securing a license therefore, where applicable, shall be deemed a separate offense.

Chapter 11

ARTICLE 1. GARBAGE COLLECTION

Sec. 1. RECEPTACLE REQUIRED

It shall be the duty of every owner or his agent or occupant of any house, building, flat, apartment, or tenement in the Village where people reside, board or lodge, or where animal or vegetable matter is prepared or served, and at all times, to maintain good order and repair, proper receptacles for garbage and refuse.

Sec. 2. SPECIFICATIONS

The can or bag for garbage shall be water tight and made of metal or other water tight material with a close fitting cover, and shall have a capacity so that it can be conveniently handled by the garbage collector. Two receptacles are allowed.

Sec. 3. RECYCLE

All residents are encouraged to use the Village Recycle opportunity and separate glass and paper products for the monthly collection.

Sec. 4. RECEPTACLES

All residents shall place their garbage and refuse at convenient times and places for the garbage collector as designated from time to time by the Village Board.

Sec. 5. PENALTY

Any person, firm or corporation violating any of the provisions of this chapter shall be fined not less than \$2.00 nor more than \$25.00 for each offense.

Chapter 12

DOGS AND OTHER ANIMALS

Sec. 1. CRUELTY

No person shall cruelly treat any animal in the Village in any way; and any person who inhumanely beats, underfeeds, overloads, or abandons any animal shall be deemed guilty of a violation of this section.

Sec. 2. DANGEROUS ANIMALS

It shall be unlawful to possess or keep any dangerous animal or vicious animal of any kind within the Village. For purposes of this ordinance, a Pit Bull shall be considered a dangerous animal. Other dangerous breeds are discouraged for the safety of the community.

Sec. 3. NOISES

It shall be unlawful to harbor or keep any animal, which disturbs the peace by loud noises at any time of the day or night.

Sec. 4. RUNNING AT LARGE

It shall be unlawful to permit any cattle, horses, swine, sheep, goats, poultry, dogs, or any other animal to run at large in the Village: any animal found upon any public street, sidewalk alley, parkway, or any unenclosed place, shall be deemed running at large unless such animal is firmly held by a leash or is in an enclosed vehicle. Any animal found running at large may be apprehended and impounded. The impoundment shall be in accordance with State Law. The owner of any animal apprehended and impounded shall pay a \$25.00 handling fee to the Village and a minimum \$50 for Ordinance Violation. Each owner shall also pay for all shelter costs incurred by the impounded animal.

Sec. 5. INOCULATION

It shall be unlawful to permit any animal capable of contracting the disease of rabies and not on a leash, or muzzled, to be in any public street, parkway, sidewalk, park, or in any store or place of public gathering or in any place in the municipality other than in an enclosed area unless such animal has been inoculated against the disease of rabies by a licensed veterinarian within the preceding year.

Sec. 6. ANIMAL BITES

It shall be the duty of the owner or person having custody of any animal which bites any human being to keep such animal locked up in an enclosure for a period of two weeks, following the time the animal has bitten such person; and to have the animal examined by a physician or a licensed veterinarian at the commencement and termination of this two week period. If such animal during this period shall die or shall show definite signs of illness, it shall be the duty of such owner or person having custody of the animal to turn the animal over to the County Health Office or the Village Marshall, so that it can be determined whether or not such animal has in fact contracted rabies.

Sec. 7. DEFINITION

The term animal referred to herein shall mean any biped or quadruped organism other than a human being.

Sec. 8. KILLING DANGEROUS ANIMALS

The Village Marshall or any other person in the Village is authorized to kill any dangerous animal of any kind when it is necessary for the protection of any person or property.

Sec. 9. DISEASED ANIMALS

No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of a man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of a county health officer or the Village Marshall.

Sec. 10. HOUSING

No person shall cause or allow any stable or place where in any animal is kept or may be kept to become unclean or unwholesome, and it shall be unlawful to keep any live swine, donkeys, asses, cows, horses, goats, sheep, chickens, ducks, guineas, turkeys or geese in the Village.

Sec. 11. PENALTY

Any person, firm or corporation violating this ordinance shall be fined not less than \$50.00 nor more than \$100.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Other fees (boarding and inoculations) may be assessed to have the dog released by the Veterinarian.

Chapter 13

LIQUOR

Sec. 1. DEFINITIONS

Unless otherwise required by the contents, the following terms as used in this chapter shall be construed according to the definitions in this section:

Alcoholic liquor: Any alcohol, spirits, wine, and beer, or any other substance, whether liquid or solid, patented or otherwise, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being.

Sale, sells, or offers for sale: Any transfer, exchange, or barter in any manner or by any means.

Sale at retail: Any sale for use and consumption and not for resale.

Original Package: Any bottle, flask, jug, can, cask, barrel, keg, or other receptacle sealed and labeled by the manufacturer.

Sec. 2. CLASSIFICATION

The President, with the approval of the Board of Trustees, may issue four types of licenses which shall authorize sales in the Village of Gridley as follows:

Class A License: General Tavern License

- a. Sale of beer by the drink for consumption on the premises.
- b. Sale of beer in original container for consumption on the premises.
- c. Sale of beer in the unbroken original container for consumption off the premises.
- d. Sale of alcoholic liquor, other than beer, in the unbroken original container for consumption off the premises.
- e. Sale of alcoholic liquor, other than beer, by the drink for consumption on the premises.

Class B License: Package Store License, Beer, Wine and other Alcoholic Beverages

- a. Sale of beer in the unbroken original container for consumption off the premises.
- b. Sale of wine in the unbroken original container for consumption off the premises.
- c. Sale of alcoholic liquor other than wine or beer in the unbroken original container for consumption off the premises.

Class C License: Beer and Wine Only - Package Store

- a. Sale of beer in the unbroken original container for consumption off the premises.
- b. Sale of wine in the unbroken original container for consumption off the premises.

Class D License: Sale of Beer and Wine for Consumption On and Off the Premises

- a. Sale of beer by the drink for consumption on the premises.
- b. Sale of wine by the drink for consumption on the premises.
- c. Sale of beer in the unbroken original container for consumption off the premises.
- d. Sale of wine in the unbroken original container for consumption off the premises.

Sec. 3. LICENSES, FEES, NUMBER

There may be issued, in the discretion of the President and the Board of Trustees after due consideration and hearing on the application thereof, as many licenses as they feel is appropriate to the size of Village and the demand therefore which said licenses shall be issued for the period of one year or portion thereof remaining prior to the 1st day of July of each year for the following fees payable semi-annually:

Class A License - \$380.00

Class B License - \$180.00

Class C License - \$120.00

Class D License - \$240.00

The first installment shall be paid with the application provided for in section 4. In the event licenses are issued for less than one year, the license fee shall be pro-rated on the basis of three months remaining until the first of July. The fee shall be returned to the applicant if his application is denied and deposited in the general corporate fund if approved.

Sec. 4. APPLICATION FOR LICENSE

All applications for licenses shall be made to the President of the Village, in writing, signed and duly verified by the applicant and containing the following:

- a. Name, age and address of applicant.
- b. Citizenship of applicant with date of naturalization, if any.
- c. Present occupation.
- d. Location and description of premises where the licensed operation is to be carried on, together with a statement of ownership of the same and, if not owned by applicant, consent of the owner to use the same for the purposes intended, and a showing of a lease for the term of the license.
- e. A statement that the applicant has never been convicted of a felony under any state or federal law and that the applicant has not been convicted of any crime involving morality and decency.

- f. A statement as to any previous license involving alcoholic liquor issued by any licensing authority giving the details as to; when application was made; if refused, why; if granted, when; and why surrendered; and any other information which would be relevant to a determination of the character of the applicant and his fitness to be a licensee.
- g. A statement that the applicant understands all the provisions of this ordinance and the state laws in relation to the sale of liquor at retail and that he will abide and be governed thereby.

Any person or organization desiring to serve alcoholic beverages at any function on any public grounds in the Village of Gridley may apply to the Liquor Commissioner for permission to do so. The granting of said permission shall be completely within the discretion of the Liquor Commissioner and any permission shall be subject to any restrictions that said Liquor Commissioner may put on said permission. Any person or organization serving liquor in a public place with permission from the Liquor Commissioner shall not be deemed to be guilty of a violation of Section 1 or this ordinance.

Sec. 5. RESTRICTIONS ON LICENSES

No license shall be issued to any person who:

- a. Is not either a resident of the Village of Gridley or owns real estate in the Village of Gridley.
- b. Is not of good moral character and reputation in the community in which he resides.
- c. Is not a citizen of the United States.
- d. Has been convicted of a felony under any federal or state law or who has been convicted of any crime opposed to decency or morality.
- e. Is a person whose license to sell liquor has been revoked for cause by any licensing authority.
- f. Is a co-partner, unless all members meet with the qualifications of this ordinance.
- g. Is a person who employs in his business any person not qualified to receive a license in his own right.
- h. Is, upon renewal, not qualified as required for an original license.
- i. Is a law enforcing official, town official, or person not qualified under the laws of the State of Illinois to receive a license.

Sec. 6. RESTRICTIONS ON PREMISES

Each license shall designate the premises on which it is to be operated, and any changes of location shall be made only with the written permission of the Village President; and provided further, that no license shall issue for any premise which is:

- a. not owned by or under lease to the applicant for the period of the license.
- b. within 100 feet of any church, school, or hospital.
- c. unsafe, unsanitary, or in the state of disrepair, such as to endanger the public.
- d. not in conformity with the standards of the state liquor law.

Sec. 7. RESTRICTIONS ON HOURS OF OPERATION

It shall be unlawful to sell or offer for sale, or keep open for business, or to admit any person, other than a licensee or his regular employee, to the place of operation, during the following times:

- a. from midnight on Saturday to 6 o'clock a.m. on Monday morning following, and provided further, that in a Class A or Class D establishment no sales shall be made after 11:45 p.m. on Saturday night, and that the premises must be closed and all the public removed by midnight. However, the Village President may extend such hours for special occasions upon written request therefore.
- b. from midnight on a weekday until 6 o'clock a.m. on the next morning following and provided further that no sales shall be made after 11:45 p.m. in the evening in a Class A and Class D licensed establishment and that the premises must be closed and all public removed by midnight. However, the Village President may extend such hours for special occasions upon written request therefore.
- c. on election days, whether national, state, county, or municipal, including primaries, during the hours that the polls are open in the area involved.
- d. Class B and C establishments which sell only packaged goods for consumption off the premises may be open on Sunday afternoon and evening from the hours between 12:00 noon and 10:00 p.m.

Sec. 8. LICENSE NON-TRANSFERABLE

- a. A license is a personal privilege, good only for the term thereof or until sooner revoked and shall not constitute property subject to transfer in any form. Such licenses shall cease upon death of the licensee, provided that the executor or administrator of the estate of the decedent licensee and a trustee of any insolvent or bankrupt licensee when such estate consists in part of alcoholic liquor, may continue the business with the sale of alcoholic liquor under the order of the appropriate court and may exercise the privileges of the decedent or insolvent or bankrupt licensee until the expiration of the license or a period of six months after the date of death, insolvency or bankruptcy, whichever occurs first.
- b. A licensee may, prior to the expiration of the license, make application for a renewal thereof but said application for renewal shall be governed by and be processed as if it was an original application.

Sec. 9. RECORDS TO BE KEPT

The President and the Board of Trustees of the Village shall keep a record of all licenses issued by the Board and revoked with their approval.

Sec. 10. VIOLATIONS BY OTHERS THAN LICENSEES

It shall be unlawful for any person to consume or have in his or her possession in other than the original package with the seal unbroken, any alcoholic liquor in any public park or on any public right-of-way, street or sidewalk or in any public place other than a liquor

establishment appropriately licensed and in such cases only during the hours during which the sale of alcoholic liquor is permitted.

Sec. 11. VIEW FROM THE STREET

Wherever any alcoholic liquor, including beer, for consumption upon the premises is licensed, such premises shall conform to all the rules and regulations embodied in the law of the State of Illinois commonly known as "An act relating to alcoholic liquor."

Sec. 12. REPEAL OF PREVIOUS ORDINANCES

All previous ordinances relating to the sale of alcoholic ordinances or all previous ordinances in conflict with this ordinance are hereby repealed.

Sec. 13. PENALTIES

Any person violating any provision of this ordinance shall be fined upon conviction thereof not less than \$50.00 and not more than \$500.00 for each offense, and in the event of a continuing violation, a separate offense shall be considered to have been committed on each day during or on which a violation occurs or continues.

Chapter 14

ANNEXATION TO SECURE WATER SERVICE

Sec. 1. PETITIONS FOR WATER SERVICE

Any person who petitions for permission to hook up to the Village water service for a property lying outside the Village limits of the Village of Gridley, McLean County, Illinois, shall petition for annexation of the property for which the proposed water service is requested and no water service shall be furnished any property outside the Village of Gridley, until same is annexed to the Village.

Sec. 2. COMPLYING WITH ORDINANCES

Any person so petitioning to be annexed to the Village of Gridley, Illinois, in order to secure water service shall comply with all the rules and regulations heretofore set forth by ordinance in the Village of Gridley, more particularly, the rules and regulations set forth in Ordinance 216 entitled "Subdivision ordinance" and Ordinance 231 entitled "Zoning Ordinance", as enacted prior to the adoption of this code.

Sec. 3. ANNEXATION NOT COMPULSORY UPON BOARD

Nothing in this ordinance contained shall compel the Village to consent to the annexation of property or to furnish water service to any person or persons whomsoever outside the Village of Gridley, Illinois, when the Village Board does not feel that the same would be for the best interest of the Village.

Chapter 15

UTILITY FRANCHISES

Article 1. GAS

Sec. 1. GRANT OF AUTHORITY

The right, permission, and authority is hereby granted to NORTHERN ILLINOIS GAS COMPANY, an Illinois corporation, its successors and assigns, (hereinafter referred to as the "Grantee"), to construct, operate, and maintain in and through the VILLAGE OF GRIDLEY, (hereinafter referred to as the "Municipality"), in the State of Illinois, for a term of fifty (50) years, beginning July 3, 1961, a system for the production, distribution, and sale of gas for fuel, heating, processing, and other purposes within and outside the corporate limits of the Municipality, and to construct, lay, maintain, and operate such gas pipes, mains, conductors, and other devices, apparatus, and equipment as may be necessary or convenient for such system in, under, along, and across each and all of the streets, alleys, avenues, and other public places in the Municipality, subject to the conditions and regulations hereinafter set forth.

Sec. 2. SUPERVISION BY COMMISSIONER ON STREETS AND ALLEYS

All pipes, mains, conductors, and other appliances, including connections with service pipes, hereafter laid in streets, alleys, avenues, or other public places, shall be laid under the supervision of the Committee on Streets and Alleys of the Municipality, or such other duly authorized agent of the Municipality as the Board of Trustees may from time to time designate. All pipes, mains, conductors, and other appliances shall be so located as not to injure unnecessarily any drains, sewers, catch basins, water pipes, pavements, or other like public improvements, but should any drain, sewer, catch basin, water pipe, pavement, or other public improvement be injured by such location, the Grantee shall forthwith repair the damage caused by such injury to the satisfaction of the Committee on Streets and Alleys, or such other duly authorized agent, and in default thereof the Municipality may repair such damage and charge the cost thereof to, and collect the same from, the Grantee. The Grantee shall be subject to all reasonable regulations which may now or hereafter be prescribed by general ordinance of the Municipality with respect to the use of the public streets, alleys, avenues, and other public places of the Municipality.

Sec. 3. INDEMNIFICATION

The Grantee shall indemnify, become responsible for, and forever save harmless the Municipality from any and all judgments, damages, decrees, costs, and expenses, including attorneys' fees, which the Municipality may legally suffer or incur, or which may be legally obtained against the Municipality, for or by reason of the use and occupation of any street, alley, avenue, or other public place in the Municipality by the Grantee pursuant to the terms of this ordinance or legally resulting from the exercise by the Grantee of any of the privileges herein granted, and as additional security therefore the Grantee shall, during the life of this ordinance, keep on file with the Village Clerk of the Municipality a good and sufficient bond in the penal sum of Five Thousand Dollars (\$5,000.00), conditioned to protect and indemnify the Municipality as in this section

provided, and said bond shall be subject to the approval of the Board of Trustees of the Municipality, and the Municipality shall have the right from time to time, whenever in the opinion of said Board of Trustees the same may be necessary, to require the Grantee to renew or provide additional or other security on said bond.

Sec. 4. ACCEPTANCE OF ORDINANCE

After the passage of this ordinance, and within thirty (30) days after passage, this ordinance, if accepted, shall be accepted by the Grantee by its filing with the Village Clerk of the Municipality an unconditional written acceptance hereof, to be duly executed according to law, and a failure of the Grantee to so accept this ordinance within said period of time shall be deemed a rejection hereof by the Grantee, and the rights and privileges herein granted shall after the expiration of said period of thirty (30) days if not so accepted, absolutely cease and determine, unless said period of time shall be extended by the Municipality by ordinance duly passed for that purpose and before the expiration of said period of thirty (30) days.

Sec. 5. SUCCESSORS AND ASSIGNS

All provisions of this ordinance which are obligatory upon, or which inure to the benefit of, said Northern Illinois Gas Company shall also be obligatory upon and shall inure to the benefit of any and all successors and assigns of said Company, and the word "Grantee" wherever appearing in this ordinance shall include and be taken to mean not only said Northern Illinois Gas Company, but also each and all of such successors and assigns.

Article 2. CABLE TV

Sec. 1.

That there is hereby granted to Gridley Cable, Inc., hereinafter called the franchisee and to its successors, lessees and assigns, the full term of twenty-five years (9/2029) from the date thereof, the right, power and authority to establish, construct, acquire, maintain and operate a Community Antenna Television and closed-circuit electronic system within the Village of Gridley; to render, furnish, sell and distribute television signals and programs and entertainment for all purposes, together with closed circuit electronic service from such system to the inhabitants of the Village and its environs; and to use and occupy the streets, alleys, easements and other public places of said Village as the same now exist or may hereafter exist, for the franchisee's Community Antenna Television and closed-circuit electronic system, including the right to enter and construct, erect, locate, re-locate, repair and rebuild in, on, under, along, over and across the streets, alleys, easements and other public places of said Village all towers, poles, cables, amplifiers, conduits and other facilities owned, leased or otherwise used by the grantee for the furnishing of a Community Antenna Television and closed-circuit electronic service within the Village and environs thereof during the continuance of the franchise hereby granted. The company shall not be required to extend its service lines within said Village more than 250 feet from any customer service feeder line to serve a prospective customer located within said Village.

Sec. 2.

The franchisee's transmission and distribution system cable, wires and appurtenances shall be located, erected and maintained so as not to endanger or interfere with any improvements the Village may deem proper to make or hinder unnecessarily or obstruct the free public use of the streets, alleys, easements, bridges, or other public property. That the franchisee's transmission and distribution system shall in no way interfere with other public utilities now in existence and in operation nor will it interfere with the continued operation and expansion of said public utilities.

Sec. 3.

The franchisee shall have the right to bury cable, and to set, erect, install and maintain its own poles for the mounting of its amplifiers, cables and appurtenances; provided, that the franchisee shall keep and maintain a complete set of maps showing the location of all such poles and buried cable, and that the Village shall be provided with a copy of this map; said map to be kept up to date and accurate at all times, such up-dating to be the responsibility of the franchisee.

Sec. 4.

The maintenance and operation of its transmission and distribution system in the streets, alleys, easements and other public places and in the course of any new construction or addition to its facilities, the franchisee shall proceed so as to cause the least possible inconvenience to the general public. All excavations shall be properly guarded and protected and shall be replaced and the surface restored in a good condition promptly after completion of such work. The franchisee shall at all times comply with any and all rules and regulations which the Village has made or may make applying to the public generally with reference to the removal or replacement of pavement and to excavations in the streets and other public places.

Sec. 5.

The Village reserves the right of reasonable regulation of the erection, construction or installation of any facilities by the franchisee and to reasonably designate where such facilities are to be placed within the public ways and places.

Sec. 6.

That in the event the Village shall lawfully elect to change or alter the location or grade of any street, alley, easement or other public place, or change or re-locate or replace its utility poles at any time during the existence of this franchise, the franchisee shall, upon reasonable notice given by the Village, remove, relay and/or re-locate any system installation affected by such change, by and at franchisee's expense.

Sec. 7.

That the franchisee shall, upon the request of any person holding a building or moving permit, temporarily raise or lower its wires to permit the moving of buildings and other structures. The actual and necessary expense of such temporary removal, raising, or lowering of wires shall be paid by the person requesting the same, and the franchisee shall have the authority to request and require such payment in advance. The franchisee

shall be given not less than 48 hours advance notice to arrange for such temporary wire changes.

Sec. 8.

That the franchisee shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places and easements of the Village so as to prevent the branches of such trees from coming in contact with the wires, cables and appurtenances of the franchisee, all trimming to be done under the supervision and direction of the Village and by and at the expense of the franchisee.

Sec. 9.

That the franchisee shall, at all times during the existence of this franchise, be subject to all lawful exercise of the police power by the Village and to such reasonable regulations as the Village shall hereafter by resolution or ordinance provide.

Sec. 10.

The franchisee shall carry sufficient insurance against liability to property damage of not less than \$100,000.00 as to any one accident and not less than \$300,000.00 as to any one accident as it may relate to damage to property and persons. Upon retaining such insurance, the franchisee shall submit to the Village certificates from all companies insuring the franchisee showing that the franchisee is properly insured for all of his liability, and that no such insurance will be canceled or changed except after thirty (30) days notice to the Village.

Sec. 11.

The Village of Gridley is satisfied as to the franchisee's legal, character, financial, technical, and other qualifications, and the adequacy and feasibility of its construction arrangements have been approved by the Village of Gridley as part of a full public proceeding affording due process.

Sec. 12.

The initial franchise period is for a term of twenty-five years commencing upon the date of adoption of this franchise, and any renewal franchise period thereafter granted shall be of reasonable duration.

Sec. 13.

It is understood and agreed that the Village of Gridley will be presented with the regular subscriber service rate when finally determined by the franchisee. The village does not approve or disapprove rates at the present time but agrees that the Village will approve reasonable rates when they are established. The franchisee agrees to work with the Village in establishing reasonable rates for subscribers and to make such surveys and financial projections as may be necessary and to propose reasonable rates.

Sec. 14.

The Village of Gridley directs the franchisee to make investigation of, and resolve, all complaints regarding the quality of service, equipment malfunctions, and similar matters

within 48 hours, and that the franchisee shall maintain a local business office or agent for these purposes.

Sec. 15.

Any modifications of the provisions of this franchise resulting from amendment of the Federal Communications Commission's rules and regulations governing Part 76, shall be incorporated into this franchise within one (1) year of adoption of the modification, or at the time of franchise renewal, whichever occurs first.

Sec. 16.

The franchise fee to be paid to the Village of Gridley shall not exceed 3 percent of the franchisee's gross subscriber revenues per year from the cable television operations in the community (including all forms of consideration, such as lump sum payments) and is affixed by this franchise at the rate of 0 percent per year.

Sec. 17.

All ordinances and parts of ordinances in conflict herewith are hereby repealed as of the effective date of this ordinance.

Sec. 18.

All provisions of this ordinance shall be binding upon the franchisee and all successors, lessees, and assigns of the franchisee whether expressly stated herein or not and all of the right, powers, authorities, grants and privileges secured by this ordinance to the franchisee shall be held to inure to the benefit of the franchisee and all successors, lessees and assigns of the franchisee.

Article 3. TELEPHONE COMPANY

Sec. 1.

That the Gridley Telephone Co., a Corporation, its successors or assigns, are hereby granted the right to install communication facilities consisting of, but not limited to, buried and aerial wires and cables, conduit and manholes, poles and pedestals thereon, upon, over and under such portions of the streets, alleys and utility easements of the Village of Gridley, Illinois, as may not be occupied by it with communication facilities; upon and along such other portions of the streets and alleys of said Village as may from time to time be needed by Gridley Telephone Co. and authorized by the Board of Trustees.

Sec. 2.

That the permit and right granted in and by Section 1 of this Ordinance is granted upon the express conditions hereinafter set forth, and also subject to the conditions and requirements of any Ordinance now in force or in any Ordinances that may hereafter be adopted by said Village. That the said Gridley Telephone Co. shall protect the Village of Gridley, from any and all damages, if any, which any person may sustain to his person or property rights on account of the erection or maintenance of said communication system. Said communication facilities, whenever practicable, shall be placed in the alleys or

utility easements of said Village and where neither is available, the communication facilities shall be installed between the sidewalks and curb or gutter of the streets.

Sec. 3.

That should the Village of Gridley, during the continuance of the rights granted under this Ordinance adopt any Ordinance fixing a tax or fee for the use of its streets and alleys, by the Gridley Telephone Co. facilities erected or maintained under this Ordinance, the said Gridley Telephone Co., its successors or assigns, agree to pay all reasonable license, tax or fees so imposed by such Ordinance.

Sec. 4.

The installation of communication facilities consisting of, but not limited to, buried and aerial wires and cables, conduit and manholes, poles and pedestals under this Ordinance and the future maintenance of the same shall always be subject to the supervision of and the control of the Committee on Streets, Alleys and Sidewalks of said Board of Trustees of the Village of Gridley, Illinois. Where communication facilities have been buried to service patrons, said Committee on Streets, Alleys, and Sidewalks shall notify officials of said Telephone Company in the event any of the communication facilities are likely to be disturbed on account of any proposed construction.

Sec. 5.

The rights herein granted to the Gridley Telephone Co. shall not be exclusive rights to other companies or persons at any time hereafter.

Sec. 6.

This Ordinance shall remain in effect for an initial term ending February 1, 2018 and until replaced by a new ordinance approved by the trustees of the Village of Gridley and the Gridley Telephone Co.

Chapter 16

LICENSING AND CONTROL OF SLAUGHTER HOUSES

Sec. 1. LICENSE REQUIRED

No person shall operate, keep, or maintain a slaughter house, abattoir, or any other place where livestock or live animals of any kind, character, or description are killed or processed within the Village of Gridley without first obtaining a license to do so from the Board of Trustees of the Village of Gridley. The fee for said license shall be \$25.00 per annum and shall be payable to the Village Clerk on or before the last day of April each year. Upon approval by the Village Board and upon payment of the license fee, the license shall be issued by the Village Clerk.

Sec. 2. APPLICATION FOR LICENSE

Any person desiring to operate a slaughter house, abattoir, or other place of killing or processing of animals shall make application for said license to the President and Board of Trustees of the Village of Gridley and shall submit with said application his plan for the building to be used in connection with said operation and a brief description of the type of operation which he proposes to have within the Village of Gridley and no license shall be granted to any person unless his plan meets the following minimum requirements.

- a. The building in which said slaughter house, abattoir, or other processing plant is to be contained shall be located in an industrial zone at least 60 feet from the boundary line of any residential district.
- b. The proposed building shall be of masonry construction with a cement floor under one roof and shall be well adapted for flushing out and cleaning said building. All flushing and cleansing water shall pass through two septic tanks before entering the Village drain tile.
- c. The establishment shall have no open holding pens and all animals shall be received and held in a closed building. They shall not be held before killing for a longer period than 12 hours. All holding pens shall be under the same roof as the main processing plant and shall be a part of the same building and subject to the same minimum requirements.
- d. The blood from slaughtering of animals shall be handled in a clean and sanitary manner and under no circumstances shall said blood be dumped into the public drains nor on to the surface of the streets or lots surrounding the buildings used in connection with said business.
- e. No livestock shall be held in the holding pen overnight, except in an emergency.
- f. No accumulation of manure shall be allowed to stand on the premises.
- g. No slaughtering operations shall be conducted on Sundays.
- h. No slaughtering operations shall be conducted on a 24 hour basis, and except for emergency situations, all the killing and dressing of animals shall be done between the hours of 6:00 o'clock a.m. and 6:00 o'clock p.m.

Sec. 3. SANITATION REQUIREMENTS

That every person owning, leasing, or occupying any place, room or building, where any animals have been or are killed or dressed, and every person owning, leasing, or occupying any room where any such animals may be kept, and having power and authority to do so shall cause such place, room, building, and their appurtenances to be thoroughly cleaned and purified, and all offal, blood, fat, garbage, refuse, and unwholesome or offensive matter, to be removed therefrom at least once in every twenty-four hours, after the use thereof for any of the purposes herein referred to, and shall, also, at all times keep all woodwork, except floors and counters in any such building or place aforesaid, thoroughly painted or whitewashed.

Sec. 4. SLAUGHTER HOUSE NOT TO BE USED AS A DWELLING

No building occupied wholly or in part as a slaughter house shall be occupied as a dwelling or lodging place.

Sec. 5. VENTILATION OF SLAUGHTER HOUSES

Every building, used in whole or in part, as a slaughter house or a place for slaughtering animals, at all times, is to be kept adequately and thoroughly ventilated; no blood shall be allowed to remain therein longer than twenty-four hours after the killing of the animal from which such blood came; the floors of such building on which the slaughtering is done, shall be constructed so as not to absorb blood or any liquid matter, and shall be so arranged as to collect all liquid, and the same shall be disposed of so as not to become offensive.

Sec. 6. TIME AND METHOD OF DISPOSAL

No offal or butcher's refuse shall be conveyed through any street, alley, or other public place within said Village between the hours of 10:00 o'clock p.m. and 6:00 o'clock a.m., and no offal or refuse shall be conveyed at any time, unless the same be in tight boxes, barrels, or vessels from which no odor shall escape.

Sec. 7. PENALTY

Any person, firm, or corporation who fails to comply with any of the provisions hereinbefore stated in the operation of a slaughter house, abattoir, or other place where animals are killed or processed shall be guilty of a misdemeanor and shall be fined for each violation not less than \$50.00 nor more than \$300.00. This penalty shall likewise attach to any future amendments to this Ordinance.

Chapter 17

ABANDONED MOTOR VEHICLES

Sec. 1. DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- a. "Person" shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.
- b. "Vehicle" shall mean a machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy, and wagon.
- c. "Street or highway" shall mean the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- d. "Property" shall mean any real property within the Village which is not a street or highway.

Sec. 2. ABANDONMENT OF VEHICLES

No person shall abandon any vehicle within the Village and no person shall leave any vehicle at any place within the Village for such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.

Sec. 3. LEAVING OF WRECKED, NON-OPERATING VEHICLE ON STREET

No person shall leave any partially dismantled, non-operating, wrecked, or junked vehicle on any street or highway within the Village.

Sec. 4. DISPOSITION OF WRECKED OR DISCARDED VEHICLES

No person in charge or control of any property within the Village, whether as owner, tenant, occupant, lessee, or otherwise, shall allow any partially dismantled non-operating, wrecked, junked, or discarded vehicle to remain on such property longer than 48 hours; and no person shall leave any such vehicle on any property within the Village for longer time than 48 hours, except that this Ordinance shall not apply with regard to a vehicle in an enclosed building; a vehicle on the premises of a business enterprise operated in a lawful place and manner, when necessary to the operation of such business enterprise; or a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the Village.

No unlicensed or unregistered and/or un-inspected motor vehicles shall be parked outside of a garage or other building on any property in residential use or any property zoned for residential use and all such motor vehicles must be in safe operating condition. At no time shall any vehicles of any type undergo a disassembly of parts, commonly called stripping, or a major overhaul, including body work, on such property outside of a garage or other building.

Sec. 5. LAW ENFORCEMENT AUTHORIZED TO REMOVE

The Village Police, or any person designated by him is hereby authorized to remove or to have removed any vehicle left at any place within the Village which reasonably appears to be in violation of this Ordinance or lost, stolen, or unclaimed. Such vehicle shall be impounded until lawfully claimed or disposed of in accordance with Chapter 95 1/2, Illinois Revised Statutes 1965. paragraphs 42-49.

Before a vehicle is towed from a residential area a twenty-four hour notice will have to be attached to the unlicensed, unregistered or inoperable motor vehicle thereby giving the owner a reasonable opportunity to move the vehicle or to contact the police department to discuss the situation.

Sec. 6. PENALTIES

Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding \$500.00. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Chapter 18

DANGEROUS BUILDINGS

Sec. 1. DEFINITIONS

- a. The term "dangerous buildings" as used in this article is hereby defined to mean and include:
 1. Any building, shed, fence, or other man made structure which is dangerous to the public health because of its condition, and which may cause or aid in the spread of disease or injury to the health of its occupants or to neighboring structures
 2. Any building, shed, fence, or other man made structure which because of faulty construction, age, lack of proper repair, or any other cause, is especially liable to fire and constitutes or creates a fire hazard;
 3. Any building, shed, fence, or other man made structure which by reason of faulty construction, or of any other cause, is liable to cause injury to a person by collapsing or by collapse or fall of any part of such structure;
 4. Any building, shed, fence, or other man made structure, which because of its condition or because of lack of doors or windows is available to or frequented by malefactors or disorderly persons who are not lawful occupants of such structure.
- b. Any dangerous building in the Village is hereby declared to be a nuisance.

Sec. 2. PROHIBITION

It shall be unlawful to maintain or permit the existence of any dangerous building in the Village; and it shall be unlawful for the owner, occupant, or person in custody of the dangerous building to permit the same to remain in a dangerous condition or to occupy such building or permit it to be occupied while it is or remains in dangerous condition.

Sec. 3. ABATEMENT

- a. Whenever it shall appear to the Village President and the Board of Trustees, or to their duly designated agent, that any building or structure in the Village is a dangerous building, they shall file a written statement to this effect with the Village Clerk. The Clerk shall thereupon cause written notice to be served upon the owner thereof, and upon the occupant thereof, if any, by registered mail or by personal service. Such notices shall state that the building has been declared to be in a dangerous condition and that such dangerous condition must be removed or remedied by repairing or altering the building or by its demolition, and that the condition must be remedied at once.
- b. Such notice may be made as follows:

"To (Owner-occupant of premises) of the premises known and described as _____, You are hereby notified that (describe the premises) on the premises above mentioned has been condemned as a nuisance and dangerous building, after inspection by

The causes for this decision are: (here insert the facts as to dangerous conditions)

You must remedy this condition or demolish the building immediately, or the Village will proceed to do so, and charge the same to your account."

- c. If the person receiving the notice has not complied therewith or taken an appeal from the determination of the officer employed finding that the dangerous building exists, within ten days from the time this notice is served upon such-person by personal service or registered mail, the Village President and the Board of Trustees, or their duly designated agent, may upon orders of the President and the Board of Trustees, proceed to remedy the condition or demolish the dangerous building

Sec. 4. PENALTY

Any person, firm, or corporation violating any provision of this chapter, by permitting any dangerous building or any building or structure to remain in a dangerous condition, shall be fined not less than \$50.00 nor more than \$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.

Chapter 19

PLANTS AND WEEDS

Sec. 1. WEEDS - NUISANCE

Any weeds such as jimson, burdock, ragweed, cocklebur, or other weeds of a like kind, found growing in any lot or tract of land in the Village are hereby declared to be a nuisance, and it shall be unlawful to permit any such weeds to grow or remain in any such place.

Sec. 2. HEIGHT

It shall be unlawful for anyone to permit any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants to grow to a height exceeding eight inches anywhere in the Village; any such plants or weeds exceeding such height are hereby declared to be a nuisance.

Sec. 3. REMOVAL - NOTICE

It shall be the duty of the Village Board to serve or cause to be served a notice upon the owner or occupant of any premises upon which weeds or plants are permitted to grow in violation of the provisions of this Chapter and to demand the abatement of the nuisance within five days. It shall be necessary to serve such notice only once during any calendar year. Any such violations that occur thereafter may be abated by the Village as set forth in Section 4.

Sec. 4. ABATEMENT

If the person so served does not abate the nuisance within five days after such notice the Village Board may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such owner or occupant, and in no event shall such expense be less than \$50.00.

Sec. 5. PENALTY

After advising a property owner of his nuisance, the Village reserves the right to mow the property of others, when it hinders a resident's view. They will then assess the property owner a charge for their work based on current hourly wages paid to village employees. Any person, firm, or corporation violating any provisions of this Chapter shall be fined not less than \$50.00 nor more than \$100.00 for each offense; and a separate offense shall be deemed committed on each day during or on which such nuisance continues unabated after five days from the issuance of the notice.

Chapter 20

MISDEMEANORS

Sec. 1. BURGLAR'S TOOLS, POSSESSION

It shall be unlawful for any person to have in his possession, any nippers, of the description known as burglar's nippers, pick-lock, skeleton key, key to be used with bit or bits, jimmy or other burglar's instrument or tools, of whatever kind or description, unless it be shown that such possession is innocent or for a lawful purpose.

Sec. 2. ASSAULT, BATTERY

It shall be unlawful to commit an assault, or an assault and battery upon the person of another, or cause an affray within the limits of the Village of Gridley.

Sec. 3. LOUD OR UNUSUAL NOISES

It shall be unlawful to disturb the peace of the Village of Gridley or the quiet of any private family or person therein, by loud or unusual noises, by blowing of horns or other instruments, or by the unnecessary blowing of steam whistles, or by the beating of drums, kettles, or other sounding vessels or instruments, or by the ringing of bells, or crying of goods, or by loud or boisterous laughing or singing, or by creating false alarms, as by crying "fire" or "police", or by violent or tumultuous carriage, or by shouting, cursing, quarreling, challenging to fight, or fighting. or by any disorderly conduct.

Sec. 4. ANIMAL DISTURBING, NOISE BY

No person shall keep or harbor within the Village of Gridley, any dog, cow, calf, hog, or other animal, which by barking, howling, bawling, or by other noises, shall disturb the peace and quiet of any family, individual, or neighborhood.

Sec. 5. CHALLENGE TO FIGHT, OFFENSIVE LANGUAGE

No person shall challenge another to fight, within the Village of Gridley, or shall threaten or intimidate another, or shall use any profane obscene or offensive language, or shall indulge in any conduct toward another pretending to provoke a disturbance or breach of the peace.

Sec. 6. IMPERSONATING A VILLAGE OFFICER

No person within the Village of Gridley shall falsely represent himself to be an officer of the Village, or shall, without being duly authorized by the Village, exercise or attempt to exercise any of the duties, functions, or powers of a Village officer.

Sec. 7. UNLAWFUL ASSEMBLAGE

No two or more persons shall, within the Village of Gridley, assemble together for any unlawful purpose, or being assembled, shall act in concert to do an unlawful act, with force and violence against the property of the Village, or the person or property of another, or against the peace or to the terror of the citizens or other persons in the Village, or shall make any movement or preparations therefore.

Sec. 8. PERMITTING UNLAWFUL ASSEMBLAGE ON PREMISES

No person shall, knowingly, suffer or permit any assemblage for the purpose of committing any unlawful act or breach of the peace, or any riotous, offensive, or disorderly conduct, in or upon premises owned or occupied by him or under his control, and within the Village of Gridley.

Sec. 9. DISTURBING RELIGIOUS WORSHIP

No person shall, within the limits of the Village of Gridley, disquiet or disturb any congregation or assembly met for any lawful purpose, religious, or otherwise, by making a noise, or by any rude, indecent behavior, profane discourse, or disorderly conduct, within their place of meeting, or so near the same as to disturb the order or solemnity of the meeting.

Sec. 10. DISTURBING LAWFUL ASSEMBLAGE

No person shall, in the Village of Gridley, disturb or disquiet any lawful assemblage or association of people, by any rude or indecent behavior, or by any disorderly conduct, or who shall create any disturbance, or be guilty of any disorderly conduct, at or near any election poll.

Sec. 11. DISTURBING FUNERAL PROCESSIONS

No person shall interrupt or disturb any funeral assemblage, or shall break into, or drive any horse or vehicle through any funeral procession.

Sec. 12. CONGREGATING IN STAIRWAYS AND ON STREET CORNERS

It shall be unlawful for any person or persons, in the Village of Gridley, to loiter or congregate about, or upon any stairway or doorway, window, or in front of any business or dwelling house, theater, lecture room, church, or street corner, or elsewhere, and by so doing obstruct or interfere with the free passage of persons entering or occupying such building or premises, or by their language, conversation, or conduct, annoy, insult, or disturb any person passing along any street or alley, or occupying, residing, or doing business in any of said houses or other places.

Sec. 13. THROWING MISSILES

No person shall purposely or heedlessly cast or throw any stone, brickbat, clod, snowball, or other missile from or onto any public place, or at any house or person, within the Village of Gridley.

Sec. 14. MOLESTING VEHICLES

No person shall climb upon or into any wagon or other vehicle, while the same may be in motion, or attach any sled or cart to any such vehicle, without the consent of the driver thereof; nor shall any person willfully molest, damage or injure, in any fashion, within the Village of Gridley, any vehicle or other conveyance of another.

Sec. 15. INTOXICATED PERSONS; APPEARANCE OF IN PUBLIC

It shall be unlawful for any person who is in a state of intoxication or drunkenness, to be or appear in any street or public place or places or premises open to public view, within the Village of Gridley, or in any private house, or place, to the annoyance of any person.

Sec. 16. PROFANE OR OBSCENE LANGUAGE

It shall be unlawful for any person to use any profane or obscene language, in any place within the Village of Gridley, so loud as to be overheard by persons passing nearby, or to behave in any disorderly manner.

Sec. 17. INDECENT WRITING, ETC.

Any person who shall, in any public place or place open to the public view, within the Village of Gridley, write, draw, cut, make, exhibit any lewd or indecent word, sentence, design, or figure, shall be deemed guilty of a misdemeanor.

Sec. 18. KEEPING OR POSSESSING INDECENT MATERIALS

No person shall have, keep, possess, or show any indecent writing, picture, movie, or other thing in any public place, within the Village of Gridley.

Sec. 19. INDECENT EXHIBITION OF ANIMAL

No person within the Village of Gridley shall indecently exhibit any horse, jack, or other male animal, or let any horse, jack, or other male animal to any like female animal, unless in some enclosed place to be approved by the trustees and entirely out of public view.

Sec. 20. SALE OR EXHIBITION OF INDECENT MATERIAL

No person shall bring or cause to be brought into the Village of Gridley for the purpose of sale or exhibition, or shall keep, sell offer or expose for sale, any obscene, immoral, or indecent publication, book, pamphlet, paper, print, picture, illustration, model cast, instrument, or article of indecent or immoral use, or shall advertise the same for sale or exhibition.

Sec. 21. SLEEPING IN PUBLIC PLACE

No person shall sleep in or upon any street, avenue, alley, or other public place in the Village of Gridley or in or upon any private lot or premises, without the consent of the owner or occupant of such lot or premises.

Sec. 22. INDECENT EXPOSURE

No person shall make within the Village of Gridley, any indecent exposure of his or her person, or shall appear in any public place, or place exposed to public view, in attire not belonging to his or her sex, or in an indecent or lewd attire, or in a state of nudity or partial nudity, or shall be guilty of any other immoral, indecent, or lewd act.

Sec. 23. INDECENT PLAY

No person shall exhibit or perform, or assist in exhibiting or performing, within the Village of Gridley, any obscene, indecent, or lewd play, or usher representation, or shall

knowingly permit the same to be exhibited or performed in any building or hall owned or controlled by him.

Sec. 24. DOG FIGHT. ETC.

No person shall, within the Village of Gridley, keep or use or be in any way connected with the management of any place kept or used for the fighting or baiting of any dog, cock, or other animal, or shall permit such place to be kept or used on premises owned, rented or controlled by him, or shall frequent or be found therein, for the purpose of baiting.

Sec. 25. CRUELTY TO ANIMALS

No person shall mistreat any animal in any of the ways hereinafter mentioned in this section.

First - By overloading, overdriving, overworking, cruelly beating, torturing, tormenting, mutilating, or cruelly killing any animal, or causing or knowingly allowing the same to be done.

Second - By cruelly working any old, maimed, infirm, sick, or disabled animal, or causing or knowingly allowing the same to be done.

Third - By failing to provide any animal in his charge or custody, as owners or otherwise, with proper and necessary food, drink or shelter.

Fourth - By abandoning or turning out to die, any old, maimed, infirm, sick, or disabled animal.

Fifth - By carrying or driving, or causing to be carried or driven, or kept any animal in an unnecessarily cruel manner.

Sec. 26. LOTTERY TICKETS AND CHANCES

All persons shall adhere to the Illinois State Laws regarding the sale of Lottery Tickets.

Sec. 27. INDUCING TO BET

It shall be unlawful for any person, within the Village of Gridley, to perform, or play any tricks, or sleight of hand, or anything of like nature, with cards, dice, balls, thimbles, figures, numbers, characters, or with any dishonest or fraudulent apparatus or thing, where persons are induced to bet, loan, deposit, or stake money or other property upon the result of such tricks, or the turning or placing of any such instrument or apparatus, or of any figure, letter, number, or character attached to, or played upon any such instrument or apparatus, or by any person.

Sec. 28. SALE OR PURCHASE OF CHANCES

Any sale or purchase, wherein any part of the articles or things sold or received, or to be sold or received, either as to quantity or value, shall in any manner depend upon any chance or hazard, whether by means of checks, cards, envelopes, numbers, dice or by any means whatever, is hereby declared to be gaming within the meaning of the provisions hereof, and as such. unlawful.

Sec. 29. KEEPING HOUSE OF ILL-FAME

No person shall keep or maintain, within the Village of Gridley, either directly or indirectly, any bawdy or disorderly house, or any house of prostitution, or other place for the practice of fornication or adultery.

Sec. 30. PROSTITUTES PROHIBITED FROM BEING ON THE STREETS

It shall be unlawful for any prostitute, lewd, or immoral woman, to be upon the public streets, alleys, or other public places in the Village of Gridley, Illinois, between the hours of seven o'clock in the evening and six o'clock in the morning, except in case of reasonable necessity to be clearly shown by the party charged.

Sec. 31. LEASING PREMISES FOR IMMORAL PURPOSES

No person, within the Village of Gridley, shall let or otherwise permit any building or premises owned by him or under his control to be used, in whole or in part, as a house of prostitution for the practice of fornication or adultery; no person shall lease any building, or premises for a lawful purpose, that may afterwards, with his knowledge, be converted in whole or in part, into a house of prostitution as set out above.

Sec. 32. INMATE OF HOUSE OF III-FAME

No person, within the Village of Gridley, shall be an inmate or occupant of, or shall frequent or be found in any bawdy house, house of prostitution, or other place used for the practice of fornication or adultery.

Sec. 33. ENTICING TO ENTER HOUSE OF III-FAME

No person, within the Village of Gridley, shall entice, influence, attempt to or persuade, any person to enter or frequenting bawdy house, house of prostitution, or other place used for the practice of fornication or adultery; nor shall any person induce or attempt to or persuade any minor to enter, frequent, or remain in any such house or Place.

Sec. 34. EVIDENCE, GENERAL REPUTATION OF HOUSE SUFFICIENT

In any action or suit arising under any of the four last preceding sections of this article, the fact that any house of ill-fame. prostitution, or other place is used for the practice of fornication or adultery, it shall be prima facie evidence that such is the general reputation of the same.

Sec. 35. DEFORMED, ETC. PERSON, EXPOSURE OF

No person, firm or corporation shall show or otherwise exhibit any diseased, maimed, mutilated, or otherwise deformed person or animal to the public view and for gain, in the Village of Gridley.

Sec. 36. BIRDS, PROTECTION

No person shall kill, attempt to kill, or wound, by the use of firearms, bow and arrow, pelting with stones, sling shots, or otherwise, any birds, or squirrels, within the limits of the Village of Gridley.

Sec. 37. EXCAVATION IN STREETS, PROTECTION

No person within the Village of Gridley shall dig, make, or otherwise cause to be made, any hole, pit, ditch, vault, or other excavation, in or upon any street, lane, avenue, alley, sidewalk, or other public place. No person shall dig, make, or cause to be made any hole, pit, ditch, or vault in any lane, avenue, alley, public place, or sidewalk, and who shall not during the night cause the same to be fenced in with a substantial fence, at least three feet high, the boards or rails of which shall be not more than one foot apart, and no person shall fail to place sufficient red lights in conspicuous places in and around such fence.

Sec. 38. CASTING REFUSE ON SIDEWALKS

No person shall throw, cast, lay or place on any sidewalk, within the Village of Gridley, any rind, peel, or other refuse.

Sec. 39. MEDICINE BY DECEPTIVE NAME

No doctor, druggist, or other person shall make, sell, put up, prepare, or administer any prescription, concoction, or medicine under any deceptive or fraudulent name, direction, or pretense.

Sec. 40. SALE OF POISON, LABELS

No poisonous concoction or other substance shall be held for sale or sold, except for lawful purposes and with proper motives, and by persons competent to give the proper directions and precautions as to the use of the same; nor shall any bottle, box, parcel, or receptacle thereof be delivered to any person unless the same is marked "poison", nor shall any person deliver up the same to any person whom he has reason to think intends to use it for any illegal or improper use or purpose.

Sec. 41. GETTING ON CARS IN MOTION

It shall be unlawful for any person to play upon, or about, any railroad track, depot, locomotive, or car, within the Village of Gridley, or to climb upon or to jump from any car, or train of cars, or from one car to another, while the same may be in motion.

Sec. 42. DISTRIBUTION OF HAND BILLS ON STREETS

The Village of Gridley will abide by Illinois State Laws.

Sec. 43. STREET OBSTRUCTION, EXHIBITION, ETC.

No person shall engage in any game, sport, amusement, or exhibit any machine or show, or any animal, or indulge in any acrobatic feats, or do anything else in the streets, or upon the sidewalks, which shall interfere with the passage of vehicles or persons along the streets and sidewalks.

Sec. 44. LOITERING

No person shall obstruct any street corner or public place of the Village of Gridley by lounging, loitering, or otherwise remaining about such place.

Sec. 45. DANGEROUS ANIMAL IN STREET

No person shall permit any dangerous animal to run at large, or shall lead any such animal with a chain or rope, or other appliance, whether such animal be muzzled or unmuzzled, in any street, avenue, lane, highway, or public place, within the corporate limits of this village.

Sec. 46. AIR GUN, ETC., DISCHARGE OF

No person shall fire, discharge, set off, or use, within the limits of the Village of Gridley, any "B-B" gun, pellet gun, or other similar instrument from which a missile is discharged.

Sec. 47. BREAC OF PEACE

It shall be unlawful to make, aid, countenance, or assist in making any improper noise, riot, disturbance, breach of the peace, or diversion tending to a breach of the peace, in the street or elsewhere in the Village of Gridley, or to collect in bodies or crowds, for unlawful purposes, or for any purpose to the annoyance or disturbance of travelers and residents in the Village.

Sec. 48. INJURY TO PROPERTY

No person shall willfully, maliciously, or negligently break, deface, injure, or destroy any property of the state, county, or village, Or any private property.

Sec. 49. TRESPASS, INJURY TO TREE

No person shall, within the Village of Gridley, cut, injure, remove, or destroy any fruit, ornamental, or shade tree, or boxing around the same; shall injure, remove, or destroy any fence, railing, gate, post, or sign, upon any public ground, sidewalk, or private premises; or who shall enter any private premises against the consent of the owner or occupant thereof, or shall trespass upon any private premises, or public grounds, or injure, take away, or destroy any tree, shrub, fruit, flower, plant, vegetable or other thing, which may be therein for ornament or utility.

Sec. 50. CASTING OF MISSILES, INJURING OR DEFACING PROPERTY

No person shall purposely or heedlessly cast or throw any stone, brick, or other missile, from, or into, any street or other public place, or at, against, or into any building, shade tree, or other property, or shall climb upon or walk upon the top, or capping of any fence, or railing, or climb into any shade or ornamental tree upon any sidewalk or elsewhere, without the consent of the owner or occupant thereof, or shall in any way injure or deface any building, fence, gate, or shade tree, or shall meddle with or injure any well, cistern, hydrant, pump, or other property within the Village of Gridley.

Sec. 51. POSTING BILLS ON FENCE OR BUILDING

No person shall, without the consent of the owner or occupant of premises, post, stick, or place any hand bill, show bill, placard, or notice upon any building, wall, fence, telegraph, telephone, or electric light pole, or tree, or shall mark, scratch, cut, or otherwise deface any part of any building, fence, or tree.

Sec. 52. INJURY TO PUBLIC BUILDINGS, STREET LAMP, TELEGRAPH, TELEPHONE OR ELECTRIC LIGHT POLES

It shall be unlawful for any person to willfully, maliciously, or negligently break, deface, injure, or destroy any public building, fire apparatus, public lamp, telegraph, telephone, or electric light pole, or other posts; or any telegraph, telephone or electric light therewith, within the Village of Gridley.

Sec. 53. CORNER STONE, TAMPERING WITH

It shall be unlawful to willfully or maliciously change, remove, or destroy any stone, stake, or post set or placed to mark the corner of any lot or parcel of ground, street, or alley, or to show the grade of any street, alley, or sidewalk in the Village of Gridley.

Sec. 54. SODS, DIGGING OF

No person shall dig, cut, or remove any sod or earth from any street or other place within the Village of Gridley, without a permit from the Street Commissioner, or from any premises not his own, without the consent of the owner.

Sec. 55. GRASS PLAT, TRESPASSING UPON

It shall be unlawful to willfully, maliciously, or negligently walk upon or across, or ride or drive any animal or vehicle upon or across any lawn, grass plat, or flower bed, in or upon any of the streets, avenues, parks, or public places of the Village of Gridley or to walk upon or across, or ride or drive any animal or vehicle upon or across any private lawn, grass plat, or flower bed, without the consent of the owner thereof.

Sec. 56. VAGRANCY

All idle persons, who have no visible means of support, or live without lawful employment, or habitually loiter or wander about, or lodge in outhouses, market places, sheds, barns, or in the open air, or beg or go from door to door, or place themselves in the streets, or other public places to beg or receive alms, shall be deemed vagrants.

Sec. 57. CAUSING PAUPER TO BE CHARGE ON VILLAGE

No person shall knowingly send, bring, or leave any pauper in the Village of Gridley, not belonging thereto, or shall aid or abet the same, or shall supply with means or assist any such pauper, or person likely to become a pauper, to come into or remain in the said village, in order that he or she may become a charge to the corporation.

Sec. 58. RESISTING OFFICER

No person shall resist any member of the police force, in the discharge of his duty, or shall in any way interfere with or prevent him from discharging his duty, or shall attempt to do so; and no person shall, in any manner, assist any person, in the custody of any member of the police force, to escape, or attempt to escape, from such custody.

Sec. 59. SALE OF UNWHOLESOME FOOD

No person shall bring or cause to be brought into the Village of Gridley with intent to sell the same as food for human consumption, or to sell, expose, or offer for sale within the Village, for human consumption, any sick, diseased, unsound, or crippled animal, fish, bird, or fowl, or the flesh thereof, or the flesh of any animal, fish, bird, or fowl, that may have died of any disease or accident, or which was in an overheated condition, when killed, or any blown, cased, plaited, raised, stuffed, putrid, impure, or unwholesome meat, or the flesh of any calf, pig, or lamb, under four weeks old, or the flesh of any animal so far advanced in pregnancy as to make the meat unfit for food, or the flesh of any horse, bull, boar, ram, dog, or cat or the flesh of any animal not commonly known, or used as, or deemed wholesome or fit for food, or any stale, unsound, damaged, or unwholesome vegetables, fruit, bread, flour, or other article of provisions or substance or material, used as food for human consumption, or any milk adulterated with water or other substance, or milk from diseased cows, or from cows fed upon slop, swill, or garbage, or milk from cows for the most part kept tied up in stables, or any butter, or cheese made from any such milk, or other article or substance used for human consumption. Each and every sale or offering or exposing to sale of said unsound, unwholesome, or adulterated article, as aforesaid, shall constitute a separate and distinct offense under this section; provided also, that all articles exhibited or kept at any place within the Village where such articles are usually kept for sale, whether the same be sold or not, shall be deemed an exposure for sale within the meaning of this section.

Sec. 60. OFFENSIVE VAULT; NOTICE TO OWNER; WORK DONE BY VILLAGE; EXPENSE, HOW PAID

It shall be unlawful to keep or maintain any privy, vault, cesspool or sink, in the Village of Gridley in an offensive or unclean condition. The Village Police shall notify the owner, agent, or occupant of the premises to which any such vault belongs, to cleanse the same within five days and in a manner so as to eliminate the unsanitary condition. Any person so notified shall comply, within the time and in the manner mentioned in said notice.

Sec. 61. CURFEW

1. AGE AND TIME RESTRICTIONS

For the preservation and promotion of peace in the Village, there is imposed within the Village a curfew as follows: No person less than eighteen(18) years of age shall be present at or upon any public assembly, building, place, street or highway at the following times unless accompanied and supervised by a parent, legal guardian or other responsible companion at least eighteen(18) years of age approved by a parent or legal guardian, or unless engaged in a business or occupation which the law of the State of Illinois authorizes a person less than eighteen (18) years of age to perform:

- a. Between 12:01 A.M. and 5:00 A.M. Saturday and Sunday; or
- b. Between 11:00 P.M. Sunday to Thursday, inclusive, and 5:00 A.M. on the following day.

Sec. 2. PENALTY

Any person, firm or corporation violating any of the provisions of this chapter shall be fined not less than \$25.00 nor more than \$750.00.

Sec. 3. The Village Clerk shall cause a copy of this ordinance to be published.

Sec. 4. This ordinance shall be in full force and effect 30 days from and after the date of its publication.

Sec. 62. USE OF TOBACCO

1. AGE REQUIREMENTS

No person under eighteen (18) years of age shall possess any cigar, cigarette or other tobacco product in any of its forms. It shall not be a violation of this section for any person under eighteen (18) years of age to possess tobacco while in the presence of his parents or guardian, or in the performance of a religious ceremony, or while participating in a theatrical performance.

2. SALE OR DELIVERY

The sale or delivery of any tobacco product to any person under the age of eighteen is prohibited.

3. PENALTY

Any person, firm or corporation violating any of the provisions of this chapter shall be fined not less than \$25.00 nor more than \$750.00.

Sec. 4. The Village Clerk shall cause a copy of this ordinance to be published.

Sec. 5. This ordinance shall be in full force and effect 30 days from and after the date of its publication.

Sec. 61. PENALTY

Any person, firm or corporation violating any of the provisions of this chapter shall be fined not less than \$25.00 nor more than \$750.00.

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SUBDIVISION ORDINANCE

Chapter 21
VILLAGE OF GRIDLEY SUBDIVISION ORDINANCE

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Chapter 21

AN ORDINANCE FOR THE SUBDIVISION AND PLATTING OF LAND AND PROVIDING FOR INSTALLATION OF SUBDIVISION IMPROVEMENTS

Article I. Purpose.

This ordinance, establishing regulations for the subdivision of land, is hereby made a part of the Ordinances of the Village of Gridley and contiguous areas. It is to provide for the harmonious development of the Village of Gridley and its environs; for the coordination of streets within new subdivisions with other existing or planned streets; for the dedication and acceptance of land for public use; for the installation and construction of utilities, roadways and other improvements essential to service the subdivided land; for the dedication and acceptance of land required for schools, parks, playgrounds, and other public uses; for the preparation of subdivision plans and the procedure for the submittal, approval and recording of subdivision plats in and about the Village of Gridley, Illinois, in accordance with the authority vested in the municipality under the provisions of the "revised Cities and Villages Act" of the State of Illinois.

Article 2. Jurisdiction.

Wherever any subdivision of land shall hereafter be laid out within the incorporated limits of the Village of Gridley or within contiguous territory and not more than one and one-half miles beyond the incorporated boundary of the Village of Gridley, the subdivider thereof, or his agent, shall submit both a preliminary plan and a final subdivision plat to the Village of Gridley. Said plan and plats, proposed improvements, and all procedure relating thereto, shall in all respects, be in full compliance with the regulations hereinafter contained in this ordinance.

All lands offered to the Village for use as streets, highways, alleys, parks and other public use, shall be referred to the Village Trustees of the Village of Gridley for their review and acceptance or rejection, or prior to the review and acceptance of any other governing body that may have any jurisdiction.

Article 3. Approvals, Interpretations and Exceptions

A. No land shall, after the adoption of these regulations, be subdivided or filed for record, nor any street laid out, nor any improvements made to the land, until the plat or plans of the subdivision or street improvements shall have been certified to and approved by action of the Village Trustees of the Village of Gridley. This approval must be in writing and placed on the original tracing of the final plats, according to the procedure outlined in Section VI herein.

B. No lot, tract or parcel of land within any such subdivision shall be offered for sale, nor shall any sale be made or given until such subdivision plans have been properly reviewed by, and officially approved by the Village Trustees of the Village of Gridley.

C. No improvements, such as sidewalks, water supply, storm water drainage, sewerage facilities, gas service, electric service or lighting, or grading, paving or surfacing of streets, shall hereafter be made within any such subdivision by any owner or owners or his or their agent, or by any public service corporation at the request of such owner or owners or his or their agent until the plats for the subdivision and also the plans for improvements thereto have been formally approved by the Village Trustees of the Village of Gridley.

D. Subdivisions of land lying outside of the Village and within one and one-half miles of the Village limits, shall also be required to conform with the requirements of this ordinance.

E. All interpretations of these rules and regulations are reserved to the administrative bodies referred to herein.

F. The Village Board may vary and make exceptions as set forth herein in instances where there is sufficient evidence, in its opinion, of hardship caused by topographic conditions, or where any other reasonable deterrents prevail, provided the variations or exceptions are in substantial conformance with the recommendations of the

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Village of Gridley.

Article 4. Definitions.

1. *Alley.* Alley shall mean a strip of land, not less than 20 feet in width and not more than 40 feet, along the side of or in the rear of properties, intended to provide access to these properties.
2. *Building Line.* Building line shall mean a line within a lot or other parcel of land, so designated on the plat of the proposed subdivision.
3. *Village.* Any reference of Village shall mean the Village of Gridley, Illinois.
4. *Village Clerk.* Village clerk shall mean the Village Clerk of the Village of Gridley, Illinois.
5. *Council.* Council shall mean the Village Trustees of the Village of Gridley, Illinois.
6. *Cross-walkway.* Cross-walkway shall mean a strip of land dedicated to public use, which is reserved across a block to provide pedestrian access to adjacent areas.
7. *Cul-de-sac.* Cul-de-sac shall mean a street having one open end and being permanently terminated by a vehicle turnaround.
8. *Easement.* Easement shall mean a grant by a property owner for the use of a strip of land by the general public, a corporation, or a certain person or persons for a specific purpose or purposes.
9. *Final Plat.* Final Plat shall mean the drawings and documents described in Section VI, "B."
10. *Lot.* Lot shall mean a portion of a subdivision or other parcel of land intended for transfer of ownership or for building development.
11. *Marginal Access Street.* Marginal access street shall mean a minor street which is parallel to and adjacent to primary streets and highways, and which provides access to abutting properties and protection to local traffic from fast, through-moving traffic on the primary streets.
12. *Minor Street.* Minor street shall mean a street intended primarily as access to abutting properties.
13. *Preliminary Plan.* Preliminary Plan shall mean the drawings and documents described in Section VI.
14. *Primary or Major Street.* Primary or major street shall mean a street of considerable continuity which serves or is intended to serve as a major traffic artery between the various sections of the Gridley area.
15. *Public Street.* Public street shall mean all primary, secondary and minor streets which are shown on the subdivision plat and are to be dedicated for public use.
16. *Secondary or Collector Street.* A street which carries traffic from minor streets to the primary street system, and may include the principal entrance street of residential development and streets for circulation within such a development.
17. *Street.* A street shall mean an area which serves or is intended to serve as a vehicular and pedestrian access to abutting lands or to other streets.
18. *Street Width/ R.O.W.* Street width shall mean the shortest distance between lines of lots delineating the public street.

19. *Subdivision.* Subdivision shall mean the division of a lot, tract, or parcel of land into two or more lots, parcels or other divisions of land, for the purpose, whether immediate or future, of transfer of ownership or building development, including all changes in street or lot lines, provided, however, that the definition of subdivision shall not include any of the following:
1. The division or subdivision of land into parcels or tracts of five acres or more in size which does not involve any new streets or easement of access.
 2. The division of any single lot of less than one acre as originally platted in any recorded subdivision into no more than two lots which does not involve any new streets or easements of access; provided, that no parcel of land remaining after such a division shall fail to conform to the applicable minimum lot size requirements as set forth in this Ordinance and in the Gridley Zoning Ordinance as amended, whichever shall be the most restrictive;
 3. The sale or exchange of parcels of land between owners of adjoining and contiguous land; provided that no parcel of land remaining after such a sale or exchange shall fail to conform to the applicable minimum lot size requirements as set forth in this Ordinance and in the Gridley Zoning Ordinance, as amended, whichever shall be the most restrictive;
 4. The conveyance of parcels of land or interest therein for use as a right of way for roadways, railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
 5. Conveyances made to correct descriptions in prior conveyances;
 6. The sale of a single lot of less than five acres and not less than one and one-half acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that the larger tract of land remaining as a result of said sale shall be not less than five acres, and that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973.

Article 5. Design Standards.

A. *Street plan.* The subdivision of land, including the arrangement, character, extent, width, grade and location of all streets, alleys, or other land to be dedicated for public use, shall conform to the Standard Requirements of the Village of Gridley and other responsible governmental bodies, if any; and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

B. *Minimum street standards.*

1. All right-of-way shall conform to the following minimum dimensions, or as designated on any official Development Plan for the Village of Gridley.

Collector Streets	80 ft.
Residential Streets	60 ft.
Minor Streets	50 ft.
Cul-de-sac	50 ft.
Cross-walkways	10 ft.
Utility Easements	10 ft.

2. Minor streets shall be so laid out that their use by through traffic will be discouraged.
3. Street Jogs with center line offsets of less than 125 feet shall be avoided.

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4. Clear visibility, measured along the center line of the street, shall be provided for at least 200 feet on secondary and collector streets, and at least 100 feet on all other streets.
5. It must be evidenced that all street intersections and confluences encourage safe traffic flow.
6. Alleys are not permitted, except where deemed necessary, and at the discretion of the Village Board.
7. The maximum length cul-de-sac shall be 1200 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way. Each cul-de-sac shall have a terminus of nearly circular shape with a minimum diameter of 100 feet R.O.W.
8. Half streets shall be prohibited.
9. No street names may be used which will duplicate, or be confused with, the names of existing street. Existing street names must be projected wherever possible.

C. *Easements.*

1. Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary shall be at least ten feet wide.
2. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width or construction, or both, as will be adequate for the purpose.

D. *Block standards.*

1. The maximum lengths of blocks shall be 1,800 feet. Blocks over 800 feet may require cross-walkways. Cross-walk easements not less than 10 feet in width shall be provided where deemed necessary by the Village Board at the approximate centers of the blocks. The use of additional cross-walkways in any instance to provide safe and convenient access to schools, parks or other similar destinations may be recommended or required by the Village Board.
2. No specific rule concerning the shape of blocks is made, but blocks must fit easily into the overall plan of the subdivision and their design must evidence consideration of lot planning, traffic flow, and public areas.
3. Blocks intended for commercial and industrial use must be designated as such, and the plan must show adequate off-street areas to provide for parking, loading docks and such other facilities that may be required to accommodate motor vehicles.

E. *Lot standards.*

1. The minimum lot dimensions for residential development shall be 60 feet wide at the established building line and not less than 120 feet in average depth, except that a corner lot shall have a minimum width of 80 feet, and a minimum depth of 120 feet, and containing not less than 7,200 square feet in area, where permitted under the provisions of the Zoning Ordinance, and provided the subdivided lots are served with municipal water and sanitary sewer facilities. (This minimum requirement shall not apply to land subdivided for non-residential development.)
2. Corner lots shall be sufficiently larger than interior lots to allow maintenance of building lines on both streets.
3. Within the incorporated limits of Gridley, building lines shall conform to the front yard provisions of the

zoning ordinance. Building lines for territory outside the incorporated limits, but within the jurisdiction of this ordinance, shall conform to the provisions of the applicable county ordinance, except that in no instance, shall the building line be less than 25 feet from the street line.

4. All lots shall abut on a publicly dedicated street.
5. Side lines of lots shall be approximately at right angles or radial to the street line.
6. Double frontage lots are forbidden except where lots back upon a primary street (major thoroughfare) and in such instances, vehicular access between the lots and the thoroughfare is prohibited or where topography of the land might render subdividing otherwise unreasonable. Such lots shall have an additional depth of at least 10 feet in order to allow for a protective screen planting.
7. Lots abutting a water course, drainage way, channel or stream, shall have additional minimum width or depth as required to provide an adequate building site and afford the minimum usable area required in the zoning ordinance for front, rear and side yards.

F. *Parks, schools and public areas.*

1. Where a proposed park playground, school or other public use area included within any duly adopted official Comprehensive Plan for the Village of Gridley is located in whole or in part in an area being subdivided, the subdivider may be required to dedicate such lands to the proper public agency or agencies as a part of the final subdivision plat; provided, however, that in no case shall the amount of required public area to be dedicated, in addition to public streets and alleys, exceed ten percent of the total gross acreage owned or controlled by one developer.
2. In the subdividing of any land within the Village, or within one and one-half miles of the corporate limits, due regard shall be shown for all natural features, such as tree growth, water courses, historic spots, or similar conditions which, if preserved, will add attractiveness and value to the proposed development.

Article 6. Procedure and requirements.

A. *Procedure for filing of Preliminary Plans.*

1. Filing.
 - (a) Any owner of land which is within the corporate limits of the Village of Gridley or within one and one-half miles of such corporate limits on unincorporated land, wishing to divide the same into building lots for the purposes of sale or assessment or both, or wishing to dedicate streets, alleys or other lands for public use, shall first submit to the Village of Gridley, a Preliminary Plan in triplicate.
 - (b) The Village Board shall instruct the Village Engineer to collaborate with the subdivider in assembling plans for the design and construction of streets and such other public improvements as are required by this ordinance or any other ordinances. The Village Board shall, within sixty days from receiving said plats and plans, make a determination for approval or disapproval. The failure of the Village Board to act upon any properly submitted plat, as required herein, shall be deemed approval of such plat by the Village Board.
 - (c) The preliminary plans shall be referred to the Village Board at least fifteen days prior to the regular Village Board meeting to receive action thereon at the meeting.
2. The preliminary plan shall contain the following:

Identification and Description.

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- (a) Proposed name of the subdivision.
- (b) Location by township, section, town and range, or by other legal description.
- (c) Names and addresses of developer and designer who made the plan.
- (d) Scale of plan, 1" to 100' or larger.
- (e) Date.
- (f) North Point.

Delineation of Existing Conditions.

- (g) Boundary line of proposed subdivision indicated by solid heavy line and the total approximate acreage encompassed thereby.
 - (h) Location, widths and names of all existing or prior platted streets or other public ways, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements, and section and corporation lines, within or adjacent to the tract. (Up to 25' outside the tract.)
 - (i) Existing sewers, water mains, culverts or other underground facilities within the tract or adjacent to the tract, indicating pipe sizes, grades, manholes and exact location.
 - (j) Boundary lines of adjacent tracts of unsubdivided or subdivided land, showing ownership where possible.
 - (k) Existing zoning of proposed subdivision and adjacent tracts, in zoned areas.
 - (l) Contours at two-foot intervals except where topography of the tract demands one-foot contour intervals.
 - (m) Layout of streets, widths of rights-of-way and, also, the widths of cross-walkways and easements.
 - (n) Layout, numbers and dimensions of lots.
 - (o) Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
 - (p) Building setback lines, showing dimensions.
 - (q) Easements shall be provided for any and all public utilities where alleys are not provided. Proper continuity for the utilities from block to block shall be maintained.
 - (r) Location, size and approximate grades of proposed sewers.
 - (s) Proposed street grades.
 - (t) Proposed location of water and sewer mains.
3. The following qualifications shall govern approval of the preliminary plan.
- (a) The approval of a preliminary plan by the Village Board is tentative only, involving merely the general acceptability of the layout as submitted.
 - (b) The Village Board may require such changes or revisions as are deemed necessary in the interest and needs of the community.
 - (c) Subsequent approval will be required of the engineering proposals pertaining to water supply, storm drainage, sewerage and sewage disposal, gas and electric service, street lighting, fire hydrants, grading, gradients and roadway widths, and the surfacing of streets by the Village Engineer, and the county officials, where concerned, prior to the approval of the final plat by the Village of Gridley.
 - (d) Land subject to flooding or containing poor drainage facilities. No plat will be approved for the subdivision of land which is subject to periodic flooding or which contains extremely poor drainage facilities and which would make adequate drainage of the streets impossible. However, if the subdivider agrees to make improvements which will, in the opinion of the Village Engineer or the County Superintendent of Highways, where concerned, make the area completely safe for residential occupancy and provide adequate street drainage, the preliminary plan of the subdivision may be approved.
 - (e) Tentative approval shall be effective for a maximum period of eighteen(18) months, unless upon application of the developer, the Village Board grants an extension. If the final plat has not been recorded within this time limit, the preliminary plan must again be submitted for approval.

B. *Approval of Final Plat.*

1. Filing.

- (a) After approval of the preliminary plan by the Village Board and the fulfillment of the requirements of these regulations, one tracing of the final plat of the subdivision, drawn in ink on tracing cloth not to exceed 36 inches by 48 inches in size, shall be submitted to the Village Board for approval.
- (b) Action must be taken by the Village Board within sixty days after the final plat has been submitted for approval.
- (c) Upon approval by the Village Board, the developer shall record the final plat with the Recorder of McLean County within twelve(12) months. If not recorded within this time, the approval shall be null and void, unless an extension of time has been granted.
- (d) A print of the final plat, after the plat is recorded, will be filed and retained in the offices of the Village of Gridley.

2. The final plat and accompanying documents shall contain the following:

Identification and Description.

- (a) Name of subdivision.
- (b) Location by township, section, town and range, or by other legal description.
- (c) Names of owners and certification by a licensed surveyor.
- (d) Scale 1" to 100' or larger (shown graphically).
- (e) Date.
- (f) Northpoint.

Delineation.

- (g) Boundary of plat, based on an accurate traverse, with angles and lineal dimensions.
- (h) Exact location, width, and name of all streets within and adjoining the plat, and the exact location and widths of all cross-walkways. Proposed street names shall be checked with the proper village officials.
- (i) True angles and distances to the nearest established street lines or official monuments (not less than three), which shall be accurately described in the plat.
- (j) Municipal, township, county or section lines accurately tied to the lines of the subdivision by distances and angles.
- (k) Radii, internal angles, points and curvatures, tangent bearings and lengths of all arcs and chords.
- (l) All easements for rights-of-way provided for public services and utilities.
- (m) All lot numbers, lot areas and lines, with accurate dimensions in feet and hundredths.
- (n) Accurate location of all monuments shall be shown. Permanent concrete monuments with iron pipes or rods cast in the center, shall be set at each corner or angle on the outside boundary. Pipes or steel rods shall be placed at the corners of each lot and at the beginning and ending of all curves. All U.S., state, county, or other official bench-marks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position.
- (o) Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose indicated thereon, and of any area to be reserved by deed covenant for common uses of all property owners.
- (p) Building setback lines accurately shown by dimensions.
- (q) Protective covenants which meet with the approval of the Village Board shall accompany the final plat.
- (r) Certification by a registered surveyor to the effect that the plat represents a survey made by him and that monuments and markers shown thereon, exist as located and that all dimensional and geodetic details are correct.
- (s) Notarized certification, by owner or owners, or by any mortgage holder of record, of the adoption of the plat and the dedication of streets and other public areas.
- (t) Certifications showing that all taxes and special assessments due on the property to be subdivided

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- have been paid in full.
- (u) Proper form for the approval of the Village Board with space for signature.
 - (v) Approval by signature of city, county and state officials concerned with the specification of utility installations.
 - (w) Approval by signature of the Village Clerk.

Article 7. Agreements.

The final plat to be filed of record shall be accompanied by a statement signed by the owner and subdivider, setting forth the following:

- A. Plans and specifications for such improvements previously approved by the Village Engineer clearly describing the same.
- B. Agreement executed by the owner and the subdivider wherein they agree to make and install the improvements provided for in Section VIII in accordance with the plans and specifications accompanying the final plat.
- C. Bond, or a Letter of Credit on an approved bank in the amount of 110% of the estimate of the Village Engineer of the cost of the installation of such improvements with good and sufficient surety thereon to be approved by the Village Board, conditioned upon the installation of the required improvements within two years of the approval of the final plat.
- D. In lieu of the provisions of Items B and C hereinabove set forth, the owner may install all or part of the improvements prior to the recording of the final plat. If improvements are installed and approved by the Village Engineer prior to recording the final plat, an estimate of any remaining expenses shall be submitted by the Owner. Once approved by the Village Engineer, the Owner will be required to provide a Bond, or a Letter of Credit on an approved bank in the amount of 110% of the estimated cost of any remaining work.

Article 8. Required land improvements.

No subdivision of land shall be approved without receiving a statement signed by the Village Engineer certifying that the improvement described in the subdivider's plans and specifications, together with agreements, meet the minimum requirements of all ordinances of the Village and that they comply with the following:

- A. *Sewers.*
 - 1. Sanitary sewers shall be in-stalled to comply with specifications established by the Village Engineer and shall be connected to the sanitary disposal system of the Village of Gridley if reasonably accessible; otherwise, to a specially constructed sanitary sewage disposal plant in accordance with plans acceptable to the Village. A subdivision plat shall in no case be approved which shall be dependent upon individual septic tanks and private wells, except where lots therein contain not less than 25,000 square feet each and where sewer and water are not reasonably available. If the subdivision is served with public water, the lots with septic tanks shall contain a minimum of 20,000 square feet each.
 - 2. When required by the Village Engineer, storm sewers shall be constructed throughout the entire subdivision which shall be separate and independent of the sanitary sewer system and which shall provide an adequate outlet, or connection with the storm sewer system of the Village. When storm sewers are not installed, adequate facilities for the removal of surface water shall be provided throughout the entire subdivision. If the drainage in the area so dictates, a storm water detention basin may be required based on an evaluation by the Village Engineer.

B. *Street improvements.*

1. Grades of streets shall not be in excess of five percent on primary or secondary streets, nor in excess of six percent on other streets, nor have a minimum grade of less than four-tenths of one percent.
2. All streets within the corporate limits of the Village of Gridley shall be improved with roadways, bounded by integral concrete curbs and gutters, to an overall width in accordance with the following dimensions:

<i>Type of Street</i>	<i>Roadway Width</i>
Secondary Streets	40 feet
Minor Streets	30 feet
Cul-de-sac Term	40 feet radius
Industrial or Commercial	40 feet or as determined

3. Roadways on minor residential streets shall be surfaced with concrete not less than six inches thick or bituminous concrete not less than three (3) inches thick over gravel or crushed stone base not less than eight (8) inches thick after compaction. Roadways on secondary or collector streets shall be improved with reinforced concrete seven inches thick, or bituminous concrete three (3) inches thick after compaction or over a six-inch thick bituminous aggregate mixture base course. Industrial and commercial streets shall be constructed with 8" reinforced concrete.
4. Curbs and gutters on minor residential streets shall be of the integral rolled-type unit, not less than twenty-four inches in overall width, and not less than eight inches thick where curb abuts the street pavement.
5. Storm water inlets shall be provided within the roadway improvement at points specified by the Village Engineer.
6. All curb corners shall have a radii of not less than 20 feet and at major intersections, not less than 25 feet.
7. In subdivisions outside the corporate area, but within the one and one-half mile area, roadway improvements shall conform to the same standards of improvements as required of subdivisions within the corporate area. The curb and gutter may be omitted when approved by the governing authorities.
8. Refer to Table 1 of this document for additional street design requirements.

C. *Public utilities.*

1. Wherever possible, all utility lines for telephone and electric services shall be placed in rear line easements when carried on overhead poles.
2. Where telephone and electric service lines are placed underground entirely throughout a subdivided area, any conduits or cables shall be placed within easements or dedicated public ways, in a manner which will not conflict with other underground services. Further, all transformer boxes shall be located so as not to be unsightly or hazardous to the public.

D. *Sidewalks.*

1. Concrete sidewalks shall be constructed along at least one side of every street shown on the plat, except that concrete sidewalks shall be constructed along both sides of major streets; and provided, however, that where the property is platted in lots having an area of at least 22,000 square feet and a width of at

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least 150 feet, the Village Board may waive those requirements. Location of all sidewalks shall be shown on the Preliminary Plan.

E. *Landscaping.*

1. All parkways within the dedicated street area or other public use areas, shall be graded and seeded in an approved manner
2. Street trees having a trunk diameter of not less than two and one-half inches may be required to be planted along all streets where trees do not exist, and placed in such a manner as to provide an effective appearance for the enhancement of abutting properties. Any trees shall be of a species approved by the Village Board.

F. *Street lighting.*

1. Provisions shall be made for the adequate lighting of public streets within the proposed subdivision, in accordance with the standards and requirements established by the governing authorities.

G. *Cost of Improvements*

1. The cost of all surveying, platting, construction layout and testing shall be at the expense of the subdivision developer.
2. The cost of all of the labor and materials to construct the roadway and associated utilities shall be at the expense of the subdivision developer, except that, any fire hydrants and hydrant shut off valves required to be installed within the public right-of-way will be supplied to the subdivision developer by the Village at the Villages expense. Only the necessary materials will be provided by the Village. The installation of the hydrants and valves will be at the expense of the subdivision developer.

Article 9. Inspection at subdividers expense.

All public improvements proposed to be made under the provisions of this ordinance shall be inspected during the course of construction by the Village Engineer or a duly designated deputy. All fees and costs connected with such inspection and in reviewing the plans and specifications for such improvements, shall be paid to the Village by the subdivider.

Article 10. Fees

The Board of Trustees hereby establishes the following schedule of fees, charges and expenses for permits, applications, amendments or special use and other matters pertaining to this Ordinance.

A. *Filing fees.*

1. Filing Fees for the following petitions: annexation, rezoning, text amendment, special use, preliminary and final subdivision or re-subdivision, and appeals shall be \$100.00 for each petition.
2. Filing fees for each petition shall be \$100.00
3. When two or more petitions are filed concurrently which refer to the same real estate tract, a filing fee of 75.00 for each petition shall be charged.
4. In addition, petitioner shall pay all publication costs incurred to comply with Village Ordinances and State Laws.

B. *Filing procedure.*

1. All petitions which are filed under this Section shall be filed with the Village Clerk in the manner prescribed in the administrative section of the Gridley Sub-Division Ordinance and shall be filed on or before the twelfth day preceding a regularly scheduled Board of Trustees meeting, together with the required fee, at which time the Village Clerk will forward them to the Gridley Board of Trustees for consideration for referral to the appropriate committee, provided, however, that as to any petitions seeking only a rezoning or a special use or a combination thereof, the foregoing filing deadlines shall not apply, but rather, such petitions must be filed on or before the Wednesday preceding the said regularly scheduled Board of Trustees Meeting at which referral to the appropriate committee is made. All such petitions filed under this section, including petitions which are filed concurrently with another petition and which refer to the same real estate tract shall be accompanied by five copies of the text of the petition and five copies of the plat maps.

Article 11. Variations and exceptions.

The Village Board may recommend, and approve, variations from these requirements in specific cases which, in its opinion, do not affect the general plan or the spirit of the ordinance. Such recommendations shall be communicated to any concerned governing county authorities in writing with the reasons therefore.

Article 12. Building permit.

No building permit shall be issued by any governing official for the construction of any building, structure or improvement to the land or any lot within a subdivision as defined herein, which has been approved for platting or re-platting, until the Final Plat is recorded and all requirements, except for the final surfacing of the roadway, of this ordinance have been fully complied with.

Article 13. Occupancy permit.

No occupancy permit shall be granted by any governing official for the use of any structure within a subdivision approved for platting or re-platting until required utility facilities have been installed and made ready to service the property, and that [until] roadways providing access to the subject lot or lots have been constructed with an aggregate base course.

Article 14. Enforcement.

No plat of any subdivision shall be entitled to be recorded in the County Recorder's Office or have any validity until it shall have been approved in the manner prescribed by this ordinance.

Article 15. Record of plats.

All of such plats of subdivisions, after the same have been submitted and approved, as provided in this ordinance, shall be copied upon a book of plats of said Village of Gridley and shall be filed and kept by the said Village of Gridley among the records of the Village of Gridley.

Article 16. Validity.

If any section, subsection, sentence, clause, or phrase of this ordinance is adjudged to be void, such decision shall not affect the validity of the remaining portions of this ordinance.

Article 17. Violation penalty

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1. Any person, firm or corporation who constructs any public improvement or portion thereof in violation of the provisions of this ordinance shall be, upon conviction, fined not less than \$25.00 or more than \$250.00 for each offense; and a separate offense shall be deemed committed on each day during on which a violation occurs or continues.

2. Whoever shall sell or offer for sale, lease or offer for lease, while this ordinance is in effect, any newly subdivided lot or lots or block or blocks within the incorporated limits of the Village of Gridley, or any additions thereto, or any re-subdivision of any lot or block therein, or within contiguous territory and not more than one and one-half miles beyond the incorporated boundary of the Village of Gridley, before all of the requirements of this ordinance have been complied with, shall be fined not less than \$25.00 or more than \$250.00 for each lot, block or part thereof so disposed of, offered for sale, or leased.

Article 18. Effect.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall not be repealed by the passage of this ordinance, but the ordinance with the more restrictive applicable provisions shall be the ordinance that applies.

Article 19. Enforcement Date

This ordinance shall be in full force and effect from and after its passage, approval and publication or posting according to the laws of the State of Illinois.

Chapter 22
VILLAGE OF GRIDLEY ZONING ORDINANCE

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Section 17.10. Fees.

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Article 1.00. TITLE

This Ordinance, including the zoning maps made a part hereof, shall be known and may be cited and referred to as the "Gridley Zoning Ordinance."

Article 2.00. INTENT AND PURPOSE

This comprehensive amendment to the Gridley Zoning Ordinance is adopted for the following purposes:

1. To promote and protect the public health, safety, morals, comfort and general welfare of the people;
2. To divide the Village of Gridley and all contiguous territory not more than one and one-half miles beyond the corporate limits into zones or districts restricting and regulating therein the location, erection, construction, reconstruction, alteration and use of buildings, structures and land for residence, business, manufacturing and other specified uses;
3. To protect the character and the stability of the residential, business and manufacturing areas within the Village of Gridley;
4. To regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings, necessary to provide adequate light and air, and to protect the public health;
5. To establish building lines and the location of buildings designed for residential, business and manufacturing, or other uses within such areas;
6. To fix reasonable standards to which buildings or structures shall conform therein;
7. To prevent additions to or alteration or remodeling of, existing buildings or structures in such a way as to avoid the restrictions and limitations imposed hereunder;
8. To limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles and the loading and unloading of commercial vehicles;
9. To define and limit the powers and duties of the administrative officers and bodies as provided herein;
10. And to prescribe the penalties for the violation of the provisions of this ordinance or any amendments thereto.

Article 3.00. RULES AND DEFINITIONS

Section 3.01. Rules.

In the construction of this ordinance the rules and definitions contained in this section shall be observed and applied, except when the context clearly requires otherwise:

1. Words used in the present tense shall include the future;
2. Words in the singular number include the plural number, and words in the plural number include the singular number;
3. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
4. The word "shall" is mandatory.
5. The word "may" is permissive.

Section 3.02. Definitions.

Accessory Building or Use. An "accessory building or use" is one which:

- a. Is subordinate to and serves a principal building or principal use;
- b. Is subordinate in area, extent or purpose to the principal building or principal use served;
- c. Is located on the same zoning lot as the principal building.

An "accessory" use includes, but is not limited to, the following:

- a. A children's playhouse, garden house and private greenhouse;
- b. A shed, garage or building for domestic storage;
- c. Carports;
- d. Satellite dishes, towers, and other similar structures.

Acreage. Any tract or parcel of land having an area of one acre or more which has not heretofore been subdivided or platted.

Alley. A public way, not more than forty (40) feet wide, which affords only a secondary means of access to abutting property.

Alteration, Structural. Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

Animal Hospital. Any building or portion thereof designed or used for the care, observation or treatment of domestic animals.

Apartment. A room or suite of rooms in a multiple-family structure, which is arranged, designed, used or intended to be used as single housekeeping unit.

Auditorium. A room, hall or building made a part of a church, theatre, school, recreation building or other building assigned to the gathering of people as an audience.

Automobile and Trailer Sales Area. An open area, other than a street, used for the display or sale of new or used automobiles or trailers, and where no repair work is done except for minor incidental repair of automobiles or trailers to be displayed and sold on the premises.

Automobile Laundry. A building or portion thereof where automobiles are washed.

Automobile Repair, Major. Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair, and painting of vehicles.

Automobile Repair, Minor. Incidental repairs, replacement of parts and motor service to automobiles.

Automobile Service Station. A place where gasoline, stored only in underground tanks, kerosene, lubricating oil or grease, for operation of automobiles, are offered for sale directly to the public, on the premises, and including minor accessories and the servicing of automobiles.

Automobile Wrecking Yard. Any place where two or more motor vehicles, not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles of [or] merchandise.

Awning. A roof-like cover, temporary in nature, which projects from the wall of a building or overhangs the public way.

Banks and Financial Institutions. Commercial banks, currency exchanges, savings and loan associations, brokerage offices and other similar financial institutions, but not including loan offices, finance companies and pawn shops.

Basement. A story partly or wholly underground. Where more than one-half of its height is above the established curb level or above the average level of the adjoining ground where the curb level has not been established, a basement shall be counted as a story for purposes of height measurement.

Billboard. Any structure or portion thereof upon which are signs or advertisements used as an outdoor display. This definition does not include bulletin boards used to announce church services or to display court or other public office notices, or signs offering the sale or lease of the premises on which the sign is located.

Block. A tract of land bounded by streets or, in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way.

Boarding House. A building other than a hotel or restaurant where meals are provided for compensation to four or more persons, who are not members of the keeper's family.

Buildable Area. The space remaining on a zoning lot after the minimum open space requirements have been complied with.

Building. Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or openings; and which is designed or intended for the shelter, enclosure or protection of persons, animals or chattels.

Building, Detached. A building surrounded by open space on the same zoning lot.

Building Height. The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest elevation of the roof in the case of a slant or flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.

Building, Non-Conforming. Any building which does not conform to the regulations herein prescribing the maximum floor area ratio, required yards, coverage, height and setbacks, minimum required spacing between buildings on a single lot, and minimum required usable open space for the district in which such building is located.

Building, Principal. A non-accessory building in which the principal use of the zoning lot on which it is located, is conducted.

Building Setback Line. A line parallel to the street line at a distance from it, regulated by the front yard requirements set up herein.

Building, Temporary. Any building not designed to be permanently located in the place where it is or where it is intended to be placed or affixed.

Bulk. The term used to indicate the size and setbacks of buildings or structures and location of same with respect to one another and includes the following:

- a. Size and height of buildings;
- b. Location of exterior walls at all levels in relation to lot lines, streets, or other buildings;
- c. Gross floor area of buildings in relation to lot area (floor area ratio);
- d. All open spaces allocated to the building;
- e. Amount of lot area per dwelling unit;
- f. Required parking areas.

Business and Professional Office. The office of an engineer, doctor, dentist, attorney, real estate broker, insurance broker, architect, or other similar professional person, and any office used primarily for accounting, correspondence, research, editing or administration.

Carport. A roofed-over area attached to the principal building for vehicle storage, which may be open on three sides.

Clinic or Medical Health Center. A medical center or medical clinic is an establishment where three or more licensed doctors of medicine engage in the practice of medicine, operating on a group or individual basis.

Club or Lodge, Private. A non-profit association of persons who are bona fide members paying annual dues, which owns, hires or leases a building or portion thereof, the use of such premises being restricted to members and their guests.

It shall be permissible to serve food and meals on such premises provided that adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to the members and their guests shall be allowed in conjunction with the operation of a dining room for the purpose of serving food and meals.

Commission. The Zoning Committee of the Village of Gridley, as constituted by ordinance.

Court, Outer. An open, unoccupied space opening onto a street, alley or yard.

Curb Level. The level of the established curb in front of the building measured at the center of such front. Where a building faces on more than one street, the "curb level" shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the main level of the land immediately adjacent to the building shall be considered the "curb level."

Decibel. A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in "decibels."

District. A section of the Village of Gridley and all contiguous territory not more than one and one-half (1 1/2) miles beyond the corporate limits for which uniform regulations governing the use, size and intensity of use of land and buildings, and open spaces about buildings, are established by this ordinance.

Dwelling. A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including one-family dwelling units, two-family dwelling units, and multiple-family dwelling units, but not including hotels, motels, boarding or lodging houses. (A garage attached to the house is considered part of the dwelling).

Dwelling, Attached. A dwelling which is joined to another dwelling at one or more sides by a party wall or walls.

Dwelling, Detached. A dwelling which is entirely surrounded by open space on the same lot, and is not connected to any other dwelling unit by roof, walls or porches.

Dwelling, Group. Two or more one-family, two-family or multiple-family dwellings, or boarding or lodging houses, located on one zoning lot, but not including motels.

Dwelling, Multiple-Family. A building or portion thereof, designed or altered for occupancy by three or more families living independently of each other.

Dwelling, One-Family. A dwelling unit designed exclusively for use and occupancy by one family.

Dwelling, Row (Party Wall). A row of two to eight attached one-family, party-wall dwellings, not more than two and one-half stories in height nor more than two rooms in depth, measured from the building line.

Dwelling, Two-Family. A building designed or altered to provide dwelling units for occupancy by two families.

Educational Institution. Public, parochial, charitable or non-profit junior college, college or university, other than trade or business schools.

Efficiency Unit. A dwelling unit consisting of one principal room for living, sleeping and eating, plus facilities for cooking and a complete bath and toilet facilities.

Family. One or more persons related by blood, marriage or adoption, or a group of not more than five persons (excluding servants) who need not be related by blood, marriage or adoption, living together and maintaining a common household.

Family Residential-Care Home. A single housekeeping unit of 4 or fewer persons receiving care in a family-like atmosphere. Oversight and supervisory personnel and their families may reside on the premises in addition to this number.

Floor Area, Gross (For the Purpose of Determining Floor Area Ratio). The floor area of a building or buildings shall be the sum of the gross horizontal areas of the several floors of such building or buildings--measured from the exterior faces of exterior walls or from the center line of party walls separating two buildings. In particular, "gross floor area" shall include:

- a. Basement space if at least one-half of the basement story height is above the established curb or ground level;
- b. Elevator shafts and stairwells at each floor;
- c. Floor space used for mechanical equipment where the structural headroom exceeds seven and one-half feet; except equipment, open or enclosed, located on the roof;
- d. Attic floor space where the structural headroom exceeds seven and one-half feet;
- e. Interior balconies and mezzanines;
- f. Enclosed porches, but not terraces and breezeways;
- g. Accessory buildings.

Floor Area Ratio (F.A.R.). The total floor area of the building or buildings on the zoning lot divided by the area of such zoning lot.

Frontage. All the property fronting on one side of a street between the nearest intersecting streets or between a street and a right-of-way.

Garage, Bus. Any building used or intended to be used for the storage of three or more passenger motor buses, or motor coaches used in public transportation, including school buses.

Garage, Private. Any accessory building or an accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the family or families resident on the premises.

Garage, Public. A building other than a private garage, where motor vehicles are parked or stored.

Garage, Truck. A building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors and commercial vehicles exceeding one and one-half tons capacity.

Golf Course. Public, semi-public, or private grounds over which the game of golf is played.

Grade, Street. The elevation of the established street in front of the building measured at the center of such front.

Group Residential-Care Home. A single housekeeping unit of 5 to 15 persons receiving care and shelter in a family-like atmosphere. Oversight and supervisory personnel and their families may reside on the premises in addition to this number.

Home occupation. Any occupation, business, profession, vocation, avocation, or other activity engaged in for income or profit, conducted by any occupant of any residential property situated in a residential zoning district, which business use meets all of the following requirements:

- (1) The business use engaged in does not alter the residential character of the residential area.
- (2) The business use is not apparent from the exterior appearance of the residential property.
- (3) The business use does not cause apparent traffic and parking congestion in residential areas.
- (4) There is no exterior signage with respect to the business use, except that one sign, not exceeding two (2) square feet may be allowed.
- (5) All advertising with respect to the business use is of such a nature so as not to invite or attract walk-in clients or customers.
- (6) There will be no more than three (3) customers or clients of the business use at the residence at any time.
- (7) All supplies, vehicles, merchandise, equipment, inventory and other property related to the business use shall be stored entirely within an enclosed building or screened outdoor area and not visible by the public.
- (8) The business use is subordinate to the use of the premises for residential purposes and residential use remains the primary use of the premises.
- (9) The owner of the business, or an immediate family member of the owner of the business, must reside in the affected residence.

Garage sales, retail sale parties and other similar functions held at a residence shall not constitute a home occupation and shall be permitted under this ordinance as incidental to a residential use, provided that said activity is not conducted for more than six (6) calendar days during any calendar year.

All business uses which do not satisfy the requirements set forth above for home occupations shall not be permitted in any residential district.

Hotel, Apartment. A building containing dwelling units or individual guest rooms, the majority of which are for permanent guests.

Hotel, Motel, or Inn. An establishment containing lodging accommodations designed for use by transients, or travelers or temporary guests.

Junk Yard. An open area where waste, scrap metal, paper, rags or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto and building wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

Kennel, Commercial. Any lot or premises or portion thereof on which more than four dogs, cats and other household domestic animals over four months of age, are kept or on which more than two such animals are boarded for compensation or kept for sale.

Loading and Unloading Space or Berth, Off-Street. An open, hard-surfaced area of land other than a street or a public way, the principal use of which is for the standing, loading and unloading of motor vehicles. Such space shall not be less than ten feet in width, twenty-five feet in length, and fourteen feet in height.

Lot. A parcel of land legally described as a distinct portion or piece of land of record.

Lot Area. The area of a horizontal plane bounded by vertical planes containing the front, side and rear lot lines.

Lot of Record. An area of land designated as a lot on a plat of subdivision recorded or registered, pursuant to statute.

Lot, Corner. A lot situated at the junction of and abutting on two or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which is 135 degrees or less.

Lot Coverage. The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

Lot Depth. The mean horizontal distance between the front and rear lot lines of a lot measured within the lot boundaries.

Lot Frontage. The front of a lot shall be that boundary of a lot along a public street; for a corner lot the owner may elect either street line as the front lot line.

Lot, Interior. A lot other than a corner or reversed corner lot.

Lot Line. A property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends to the abutting street or alley, the lot line shall be deemed to be the street or alley line.

Lot Line, Front. The front property line of a zoning lot.

Lot Line, Interior. A side lot line common with another lot.

Lot Line, Rear. The lot line or lot lines most nearly parallel to and most remote from the front lot lines.

Lot Line, Side. Lot lines other than front or rear lot lines are side lot lines.

Lot, Reversed Corner. A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.

Lot, Through. A lot having frontage on two parallel or approximately parallel streets, and which is not a corner lot. On a through lot both street lines shall be deemed front lot lines.

Lot Width. The mean horizontal distance between the side lot lines measured within the lot boundaries, or the minimum distance between the side lot lines within the buildable area.

Manufacture. The production, making or processing of products or commodities for general consumption by the public or for sale to specialized institutions or organizations. Also included is the sub-assembly, fabrication, or processing of parts or components for use in other products or commodities.

Mobile Home. Any trailer, as defined herein, used for residential purposes, but not including sports or camping trailers.

Mobile Home Camp or Park. Any premises occupied or designed to accommodate one or more families living in a mobile home.

Motel. See "Hotel."

Motor Freight Terminal. A building in which freight, brought to said building by motor truck, is assembled and sorted for routing in intrastate and interstate shipment by motor truck.

Nameplate. A sign indicating the name and address of a building or the name of an occupant thereof and the practice of a permitted occupation therein.

Net Site Area. The area of a zoning lot, parcel or tract, excluding boundary rights-of-way.

Non-Conforming Use. Any building, structure or land lawfully occupied by a use or lawfully established at the time of the adoption of this ordinance or amendments thereto, which does not conform after the passage of the ordinance or amendments thereto with the use regulations of the ordinance.

Noxious Matter. Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the psychological, social or economic well-being of human beings.

Nursery. A building or portion thereof used for the care for compensation of four or more children under the age of 6 years old, for periods of more than 4 hours, but not exceeding 24 hours.

Nursing Home or Rest Home. A commercial establishment for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, but not including facilities for the treatment of sickness or injuries or for surgical care.

Occupancy Certificate. A certificate issued by the Building Inspector stating that the occupancy and use of land or a building or structure referred to therein complies with the provisions of this ordinance.

Ordinance. Reference to "ordinance" shall be construed as the Gridley Zoning Ordinance.

Parking Area, Private. An open, hard-surfaced area, other than a street or public way, designed, arranged and made available for the storage of private passenger automobiles only, of occupants of the building or buildings for which the parking area is developed and is accessory.

Parking Area, Public. An open, hard-surfaced area, other than a street or public way, intended to be used for the storage of passenger automobiles and commercial vehicles under one and one-half tons capacity, and available to the public, whether for compensation, free or as an accommodation to clients or customers.

Parking Space, Automobile. Space within a public or private parking area of not less than one hundred and eighty (180) square feet (nine feet by twenty feet), exclusive of access drives, or aisles, for the storage of one passenger automobile or commercial vehicle under one and one-half tons capacity.

Particulate Matter. Material which is suspended in or discharged into the atmosphere in finely divided form as a liquid or solid at atmospheric pressure and temperature.

Performance Standard. A criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.

Planned Development. A tract of land which is developed initially as a unit under single ownership or control, which includes two or more principal buildings, and which is at least two (2) acres in area for a residential planned development, two acres for a business planned development, and three (3) acres for a planned development operated by a municipal corporation.

Porch. A roofed-over structure, projecting out from the wall or walls of a main structure and commonly open to the weather in part.

Principal Use. The main use of land or buildings as distinguished from a subordinate or accessory use.

Public Open Space. Any publicly-owned open area, including but not limited to the following: Parks, playgrounds, parkways and streets.

Public Utility. Any person, firm, corporation or municipal department, duly authorized to furnish under public regulation to the public, electricity, gas, steam, telephone, transportation or water.

Railroad Right-of-Way. A strip of land with tracks and auxiliary facilities for track operation, but not including depot loading platforms, stations, warehouses, etc.

Residential-Care Home. Any living quarters wherein unrelated individuals are provided residential care--does not include nursing homes, hospitals, day care centers or licensed foster family homes.

Restaurant. Any land, building or part thereof, other than a boarding house, where meals are provided for compensation, including a cafe, cafeteria, coffee shop, lunch room, drive-in stand, tearoom and dining room.

Reversed Corner Lot. A corner lot that fronts on the intersecting street rather than the street on which the majority of the adjacent lots front.

Sign. A name, identification, description, display or illustration which is affixed to, or painted or represented directly or indirectly upon a building, structure, tree, rock or other object, or piece of land.

Sign, Advertising (Billboard). 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 attached.

Sign, Flashing. Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use.

Sound Level Meter. An instrument standardized by the American Standards Association for measurement of intensity of sound.

Stacking Requirements. For the purposes herein, stacking requirements are the number of cars that must be accommodated in a reservoir space while awaiting ingress or egress to specified business or service establishments.

Story. That portion of a building included between the surface of any floor and the surface of the floor above it.

Street. A public way other than an alley, which affords a primary means of access to abutting property.

Street Line. A line separating a lot, piece or parcel of land from a street.

Structure. Anything constructed or erected which requires location on the ground or is attached to something having location on the ground, including a freestanding wall. A sign, billboard or other advertising medium, detached or projecting, shall be construed to be a structure.

Swimming Pool, Private. A swimming pool and the apparatus and equipment pertaining to the swimming pool maintained by an individual for the sole use of his household and guests. A swimming pool 24" in depth or greater, shall require a fence. All setbacks for a pool shall be the same as those required for an accessory building in the respective zoning district.

Swimming Pool, Public. A swimming pool and the apparatus and equipment pertaining to the swimming pool, maintained and operated by a municipality or other unit of government for the general public, whether or not an admission fee is charged.

Tavern or Lounge. A building where liquors are sold to be consumed on the premises, but not including restaurants where the principal business is serving food.

Toxic Materials. A substance (liquid, solid or gaseous) which, by reason of an inherent deleterious property, tends to destroy life or impair health.

Trailer. Any vehicle, house car, camp car, or any portable or mobile vehicle on wheels, skids, rollers, or blocks, either self propelled or propelled by any other means, which is used or designed to be used for residential, living, sleeping or commercial purposes.

Use. The purpose for which land or a building thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.

Use, Principal. The main use of land or buildings as distinguished from a subordinate or accessory use.

Used Car Lot. A zoning lot on which used or new cars, trailers or trucks are displayed in the open for sale or trade.

Yard, Front. A yard extending along the full length of the front lot line between the side lot lines.

Yard, Rear. A yard extending along the full length of the rear lot line between side lot lines.

Yard, Side. A yard extending along a side lot line from the front yard to the rear yard.

Zoning Lot. A single tract of land located within a single block which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control. Therefore, a zoning lot may

or may not coincide with a lot of record.

Zoning Maps. The official zoning map or maps incorporated herein as a part hereof, designating zoning districts.

Article 4.00. GENERAL PROVISIONS

Section 4.01. Interpretation.

1. *Minimum Requirements.* The provisions herein shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.

2. *Relationship with Other Laws.* Where the conditions imposed by any provision herein upon the use of land or buildings or upon the bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provision herein or any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive (or which impose higher standards or requirements) shall govern.

3. *Effect of Existing Agreements.* The ordinance is not intended to abrogate any easement, covenant, or any other private agreement provided that where the regulations of the ordinance are more restrictive (or impose higher standards or requirements) than such easements, covenants or other private agreements, the requirements herein shall govern.

Section 4.02. Separability.

It is hereby declared to be the intention of the Village of Gridley that the several provisions of this comprehensive amendment are separable, in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provision of this comprehensive amendment to be invalid, such judgment shall not affect any other provisions not specifically included in said judgment.

Section 4.03. Scope of regulations.

1. *Change in Structures or Use.* Except as may otherwise be provided, all buildings erected hereafter, all uses of land or buildings established hereafter, all structural alterations or relocation of existing buildings occurring hereafter, and all enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations herein which are applicable to the zoning districts in which such buildings, uses or land shall be located.

2. *Non-Conforming Buildings, Structures and Uses.* Any lawful building, structure or use existing at the time of the enactment of the zoning ordinance may be continued, even though such building, structure or use does not conform to the provisions herein for the district in which it is located, and whenever a district shall be changed hereafter, the then existing lawful use may be continued, subject to the provisions of Section 5.00.

3. *Building Permits.* Where a building permit for a building or structure has been issued in accordance with law prior to the effective date of the ordinance, and provided that construction is begun within ninety days of such effective date and diligently prosecuted to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit was issued, and further may upon completion be occupied under a certificate of occupancy by the use for which originally designated--subject thereafter to the provisions of Section 5.00.

Section 4.04. Use and bulk regulations.

1. *Use.* No building, structure or land shall hereafter be used or occupied, and no building or part thereof, or other structure, shall be erected, raised, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the district in which it is located.

2. *Bulk.* All new buildings and structures shall conform to the building regulations established herein for the district in which each building shall be located.

Section 4.05. Lot coverage.

1. *Maintenance of Yards, Courts and Other Open Spaces.* The maintenance of yards, courts and other open spaces and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, as long as the building is in existence. Furthermore, no legally required yards, courts or other open space, or minimum lot area allocated to any building, shall by virtue of change of ownership or for any other reason, be used to satisfy yard, court, other open space or minimum lot area requirements for any other building.

2. *Division of Zoning Lots.* No improved zoning lot shall hereafter be divided into two or more zoning lots unless all improved zoning lots resulting from each such division shall conform with all the applicable bulk regulations of the zoning district in which the property is located.

3. *Location of Required Open Space.* All yards, courts and other open spaces allocated to a building or dwelling group shall be located on the same zoning lot as such building or dwelling group.

4. *Required Yards for Existing Buildings.* No yards now or hereafter provided for a building existing on the effective date of the zoning ordinance shall subsequently be reduced below, or further reduced below if already less than, the minimum yard requirements of the ordinance for equivalent new construction.

5. *Permitted Obstructions in Required Yards.* The following shall not be considered to be obstructions when located in the required yards specified:

- a. *In All Yards:*
 - (1) Open terraces not over four feet above the average level of the adjoining ground, but not including permanently roofed over terrace or porch;
 - (2) Awnings and canopies, but not projecting more than ten (10) feet, and at least seven (7) feet above the average level of the adjoining ground;
 - (3) Steps, four feet or less above grade, which are necessary for access to a permitted building or for access to a zoning lot from a street or alley;
 - (4) Chimneys projecting eighteen inches or less into the yard;
 - (5) Arbors or trellises (not exceeding 5 feet in height), flag poles, fountains, sculptures, plant boxes, and other similar ornamental objects;
 - (6) Fences and walls not exceeding four (4) feet in height above natural grade level in front yards and not exceeding six (6) feet in height in side and rear yards.
- b. *In Front Yards.* One-story bay windows projecting three (3) feet or less into the yards; and overhanging eaves and gutters projecting three feet or less into the yard;
- c. *In Rear Yards.* Enclosed, attached or detached off-street parking spaces, open off-street parking spaces, accessory shed, tool rooms and similar buildings or structures for domestic or agricultural storage. In any residential district, no accessory building shall be nearer than three feet to the side lot line nor nearer than three feet to the rear lot line.
- d. *In Side Yards.* Overhanging eaves and gutters projecting into the yard for a distance not exceeding forty (40) percent of the required yard width, but in no case exceeding three (3) feet.

6. *Vision Clearance--Corner Lots.* No building or structure hereafter erected and no planting or other obstruction to the vision of drivers of motor vehicles shall be located:

- a. In any residential district, exceeding a height of three feet above the street grade within twenty-five (25) feet of the intersecting street lines bordering corner lots; and
- b. In any manufacturing district, within twelve (12) feet of the intersecting street lines bordering a corner lot, provided that this regulation shall not apply to that part of a building above the first floor.

7. Exceptions for Existing Developments.

- a. Where forty percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have observed (within a variation of five feet or less) a front yard greater in depth than required herein, new buildings shall not be erected closer to the street than the average front yard so established by the existing building.
- b. Where forty percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have not observed a front yard as herein required, then:
 - (1) Where a building is to be erected within 100 feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the closest front corners of the two existing buildings.
 - (2) Where a building is to be erected within 100 feet of an existing building on one side only, it may be erected as close to the street as the existing building.

Section 4.06. Lot area and dimension.

1. *Contiguous Parcels.* When two or more parcels of land, each of which lacks adequate area and dimension to qualify for a permitted use under the requirements of the use district in which they are located, are contiguous and are held in one ownership, they shall be used as one zoning lot for such use.

Section 4.07. Access to public streets.

Except as otherwise provided for herein, every building shall be constructed or erected upon a lot or parcel of land which abuts upon a public street unless a permanent easement of access to a public street was of record prior to the adoption of the ordinance.

4.08. Number of buildings on a zoning lot.

Except in the case of a planned development, not more than one principal detached residential building shall be located on a residential lot.

Section 4.09. Rezoning of public and semi-public areas.

An area indicated on the zoning map as a public park, recreation area, public school site, cemetery, or other similar open space, shall not be used for any other purpose than that designated, and when the use of the area is discontinued, it shall automatically be zoned to the most restricted adjoining district.

Section 4.10. Accessory buildings.

1. *Location.* When a side yard is required, no part of an accessory building shall be located closer than three feet to the side lot line along such side yard. When a rear yard is required, no part of an accessory building shall be located closer than three (3) feet to the rear lot line.

2. *Time of Construction.* No accessory building or structure shall be constructed on any lot prior to the start of construction of the principal building to which it is accessory.

3. *Percentage of Required Rear Yard Occupied.* No accessory building or buildings shall occupy more than forty (40) percent of the area of a required rear yard.

4. *Height of Accessory Buildings in Required Rear Yards.* No accessory building or portion thereof located in a required rear yard shall exceed twelve feet in height on the eaves.

5. *On Reversed Corner Lots.* On a reversed corner lot in a residential district, no accessory building or portion thereof located in a required rear yard shall be closer to the side lot line abutting the street than the required front yard on the adjacent lot to the rear. Further, in the above instance, no such accessory building shall be located within five feet of any part of a rear lot line which coincides with a side lot line or portion thereof of property in a residential district.

Section 4.11. Temporary buildings.

1. Temporary buildings for construction purposes may be allowed in any district for a period not to exceed the completion date of such construction.

Section 4.12. Performance standards.

The performance standards of the M-1 Manufacturing District shall also apply to all residential or business districts.

Section 4.13. Existing special uses.

Where a use is classified as a Special Use and exists as a permitted use at the date of the adoption of this ordinance, it shall be considered a legal use, without further action of the Village Board or the Zoning Committee.

Section 4.14. Uses not specifically permitted in districts.

When a use is not specifically listed in the sections devoted to Permitted Uses, it shall be assumed that such uses are hereby expressly prohibited unless by a written decision of the Zoning Committee and Village Board it is determined that said use is similar to and not more objectionable than uses listed. Such uses may then be permitted.

Article 5.00. NON-CONFORMING BUILDINGS AND USES

Section 5.01 Continuance of use.

1. Any lawfully established use of a building or land, on the effective date of this ordinance or of amendments thereto, that does not conform to the use regulations for the district in which it is located, shall be deemed to be a legal non-conforming use and may be continued, except as otherwise provided herein.

2. Any legal, non-conforming building or structure may be continued in use provided there is no physical change other than necessary maintenance and repair, except as otherwise permitted herein.

3. Any building for which a permit has been lawfully granted prior to the effective date of the ordinance or of amendments thereto, may be completed in accordance with the approved plans; provided construction is started within ninety days and diligently prosecuted to completion. Such building shall thereafter be deemed a lawfully established building.

Section 5.02. Discontinuance of use.

1. Whenever any part of a building, structure or land occupied by a non-conforming use is changed to or replaced by a use conforming to the provisions of this ordinance, such premises shall not thereafter be used or occupied by a non-conforming use, even though the building may have been originally designed and constructed for the prior non-conforming use.

2. Where no enclosed building is involved, discontinuance of a non-conforming use for a period of twelve months shall constitute abandonment, and shall not thereafter be used in a non-conforming manner.

3. When a non-conforming use is damaged by fire or other acts, and the damage exceeds 50% or more of its value, or when the non-conforming use ceases for a period of 12 months or more, the non-conforming use will no longer be allowed.

Section 5.03. Change of non-conforming use.

The non-conforming use of any building, structure or portion thereof, which is designed or intended for a use not permitted in the district in which it is located, may be changed to another non-conforming use thereof but only if such other use is permitted by a Special Use Permit.

Section 5.04. Additions and enlargements.

1. A non-conforming building may be enlarged or extended only if the entire building is thereafter devoted to a conforming use, and is made to conform to all regulations of the district in

which it is located.

Section 5.05. Conversion to special use.

Certain non-conforming uses may be made a special use by the granting of a special use permit

Section 5.06. Home occupations.

With respect to home occupations which were permitted home occupations under the provisions of the Gridley Zoning Ordinance prior to the adoption of this Ordinance, said nonconforming home occupations shall be permitted to continue as nonconforming uses.

Article 6.00. ZONING DISTRICTS AND MAPS

Section 6.01. Districts.

In order to accomplish the purpose of this ordinance as stated in Section 2.00, the Village of Gridley, Illinois, and all contiguous territory not more than one and one-half miles beyond the corporate limits and not included in other municipalities, is hereby divided into the following districts:

A-1	Agricultural District
R-1	One-Family Residence District
R-2	Two-Family Residence District
R-3	Multiple-Family Residence District
R-4	Multiple-Family Residence District
B-1	Limited Retail Business District
B-2	General Retail Business District
B-3	Business and Wholesale District
M-1	Limited Manufacturing District

MH	Mobile Home Park
P	Public Grounds

Section 6.02. Maps.

The boundaries of the zoning districts are established as shown on the maps entitled "Official Zoning Map of Gridley, Illinois," which maps are made a part hereof, and shall have the same force and effect as if the Zoning Maps, together with all notations, references and other information shown thereon were fully set forth and described herein.

Section 6.03. District boundaries.

When uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Maps, the following rules shall apply;

1. District boundary lines are either the center lines of railroads, highways, streets, alleys or easements, or the boundary lines of sections, quarter-sections, divisions of sections, tracts or lots, or such lines extended [unless] otherwise indicated.
2. In areas not subdivided into lots and blocks, wherever a district is indicated as a strip adjacent to and paralleling a street or highway, the depth of such strips shall be in accordance with the dimensions shown on the maps measured at right angles from the center line of the street or highway, and the length of frontage shall be in accordance with dimensions shown on the map from section, quarter section or division lines, or center lines of streets, highways or railroad rights-of-way unless otherwise indicated.
3. Where a lot held in one ownership and of record on the effective date of the ordinance is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district, provided that the construction shall not apply if it increases the less restricted frontage of the lot by more than twenty-five (25) feet.

Section 6.04. Zoning of public ways.

All streets, alleys, public ways, waterways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting on such alleys, streets, public ways and railroad rights-of-way or waterways. Where the center line of a street, alley, public way, waterway or railroad right-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

Section 6.05. Zoning of annexed land.

Prior to, following, or at the time of annexation of any territory to the Village of Gridley, an application for rezoning may be filed with the Village Clerk and thereafter processed in the manner prescribed for amendments.

Article 7.00. AGRICULTURAL DISTRICT

Section 7.01. A-1 Agricultural District

1. *Purpose.* The A-1 District is established to provide areas in which agriculture crops and certain related uses are encouraged as the principal use of land.

2. *Permitted Uses.* See Chart on Appendix "A"

3. *Special Use.* See Chart on Appendix "A"

4. *Off street parking.* Automobile parking facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot size.*

a. Every one-family detached dwelling hereafter erected shall be located on a zoning lot having an area of not less than one and one-half (1½) acres, and a width at the established building line of not less than two hundred (200) feet. All or part of the zoning lot may be devoted to permitted agricultural uses. There shall be only one (1) dwelling to a zoning lot.

b. All other permitted uses shall be on a tract of land having an area of not less than two (2) acres and a width at the established building line of not less than two hundred (200) feet.

c. Minimum lot sizes for special uses shall be prescribed and conditions stipulated at the time a special use permit is authorized, but in no case shall any such lot have an area of less than 1 acre and a width at the building line of one hundred and fifty (150) feet.

6. *Building setback line.* No building or structure, other than a permitted sign, hereafter erected shall be placed closer than fifty (50) feet to the nearest right-of-way line of any public street, road or highway upon which the subject property abuts, or closer than fifty (50) feet to the nearest right-of-way line of any proposed public street, road or highway set forth in officially adopted plans and upon which the subject property would abut.

7. *Maximum floor area ratio.* The maximum floor area ratio for permitted uses, including accessory uses, shall be as follows:

- a. One-family dwellings: 0.05.
- b. Schools: 0.1.
- c. Churches, rectories and parish houses: 0.50.
- d. Seminaries, convents, monasteries and similar religious institutions: 0.1.

The maximum floor area ratio for special uses shall be established at the time the special use permit is granted.

Article 8.00. RESIDENTIAL DISTRICTS

Section 8.01. R-1 One-Family Residence District.

1. *Purpose.* The R-1 District is established to provide low density residential housing.
2. *Permitted Uses:* See Chart on Appendix "A"
3. *Special Uses.* See Chart on Appendix "A"
4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.
5. *Minimum Lot Size:*
 - a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than eight thousand, four hundred (8,400) square feet, and a width at the established building line of not less than seventy (70) feet.
 - b. Minimum lot sizes for special uses shall be prescribed and conditions imposed at the time a special use permit is authorized, but in no case shall any such lot have an area of less than seven thousand, eight hundred (7,800) square feet.
6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:
 - a. *Front Yard.* A front yard of not less than twenty-five (25) feet from property line.
 - b. *Side Yards.* Each lot shall have two side yards, the combined width of which shall be not less than 20 percent of the width of the lot; provided, however, that neither side yard shall have a width of less than five (5) feet.

On corner lots the side yard adjacent to the street shall have a width of not less than 20 percent of the width of the lot, but need not exceed fifteen (15) feet, and

in the case of a reversed corner lot there shall be maintained a setback from the side street of not less than 60 percent of the front yard required on the lots in the rear of such corner lots. No accessory building on said reversed corner lot shall project beyond the front yard required on the adjacent lot to the rear, nor be located nearer than five (5) feet to the side lot line of said adjacent lot.

On lots upon which a non-residential use is erected or enlarged, there shall be a side yard of not less than ten (10) feet on each side of the main structure and a combined total of side yards of not less than twenty-five (25) feet.

- c. *Rear Yard.* A rear yard of not less than thirty (30) feet.
- d. The burden of proof is on the petitioner, when determining the property line.

7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratio for permitted uses, including accessory uses, and special uses shall be as follows:

- a. *Permitted Uses:*
 - (1) One-family detached dwellings and permitted accessory uses: 0.40.
- b. *Special Uses:*
 - (1) Two-family dwellings: 0.5.

Section 8.02. R-2 Two-Family Residence District.

1. *Purpose.* The R-2 District is established as a general residence district to encourage and allow the redevelopment of predominantly older sections of the Village while preserving the residential character, and to permit the construction of duplexes in new residential subdivisions.

2. *Permitted Uses.* See Chart on Appendix "A"

3. *Special Uses.* See Chart on Appendix "A"

4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot Size:*

- a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than seven thousand, two hundred (7,200) square feet and a width at the established building line of not less than sixty (60) feet.

- b. Every two-family dwelling hereafter erected shall be on a zoning lot having a minimum area of not less than six thousand (6,000) square feet and a minimum width of not less than sixty (60) feet at the building line, provided that where a lot has less width than herein required and was recorded under separate ownership from adjoining lots prior to the date of adoption of this zoning ordinance, such lot may be occupied by a two-family dwelling, but in no case shall the lot area per dwelling unit be less than two thousand, five hundred (2,500) square feet.
- c. All non-residential principal uses as permitted in this district shall be located on a tract of land having an area of not less than six thousand (6,000) square feet and a width of not less than sixty (60) feet at the established building line.
- d. Minimum lot sizes for special uses shall be prescribed at the time a special use permit is authorized, but in no case shall any such lot be less than six thousand (6,000) square feet.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:

- a. *Front Yard.* A front yard of not less than twenty-five (25) feet.
- b. *Side Yards.* Side yards shall be provided as follows:
 - (1) For one-family detached dwellings, the same regulations shall apply as in the R-1 One-Family Residence District.
 - (2) For two-family dwellings, the same regulations shall apply as in the R-1 One-Family Residence District.
 - (3) For non-residential buildings, on a lot improved with a non-residential building, there shall be a side yard of not less than twelve (12) feet on each side of the main structure and a combined total of side yards of not less than thirty (30) feet.
- c. *Rear Yard.* Rear yards shall be provided as follows:
 - (1) For all residential dwellings, a rear yard of not less than thirty (30) feet.
 - (2) For non-residential buildings, a rear yard of not less than thirty (30) feet.
- d. The burden of proof is on the petitioner, when determining the property line.

7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratios shall be as follows:

a. *Permitted Uses:*

- (1) One-family detached dwellings: 0.4.
- (2) Two-family dwellings: 0.5.

9. *Zero Lot Line Duplexes -*

When a duplex (two-family living unit) is constructed in the R-2 District, or any other district in which it is allowed, each side of the unit may be sold off to allow for separate ownership of each unit. In this case, additional restrictions and requirements shall be placed upon the owners of the units as follows:

- a. A boundary survey shall be conducted by and Illinois Professional Land Surveyor, licensed to practice in the State of Illinois, that shall show the separation line of the units along the centerline of the wall that divides the units. A plat of the survey shall be provided to the Village showing the entire lot with said separation and shall contain a legal description of the parcel that will go with each unit.
- b. A document containing a listing of “Protective Covenants” shall be adopted for the living units to provide assurance that each unit will be properly maintained in a manner representative of the units original condition. At a minimum, the covenants shall contain the following language:
 - (1) All exterior wall and roof repairs shall be done with materials consistent in material and color with the original building. If the materials, or color, are changed by mutual agreement of the owners of the units, both units must be changed in the same manner.
 - (2) The portion of the driveways and lawns that belong to each unit, shall be kept in neat appearance, and the grass or vegetation on the lawns shall be mowed so as to not reach over 5” in height.
 - (3) Each lawn shall be landscaped with a scheme consistent with both units and said landscaping shall be kept neatly trimmed throughout the year.
 - (4) Each unit owner shall be required to keep their respective roof in a state of repair that will not allow wind or water damage to the adjoining unit.
 - (5) No abandoned vehicles shall be kept on the premises for a period of longer than 5 days.
 - (6) Any garbage or refuse shall be kept in proper containers and shall not be allowed to accumulate on the premises.

- (7) Routine general maintenance of the units shall include, but not be limited to, painting and staining and repair, replacements and care for roofs, gutters, downspouts, exterior building surfaces, surface water drainage, driveways, walks, and other exterior improvements and glass surfaces.
 - (8) No business shall be conducted in the units.
 - (9) Damage caused by fire, flood, storm, earthquake, vandalism, or other causes shall be the responsibility of each unit owner, and shall be repaired within a reasonable period of time.
- c. These covenants shall also be recorded in the McLean County Records office and shall run with the land.

Section 8.03. R-3 Multiple-Family Residence District.

1. *Purpose.* The R-3 District is established as a general residence district to provide for a wider variety of dwelling accommodations with a higher density of dwelling units than would be permitted in the R-2 District.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot Sizes:*

- a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- b. All two-family dwellings hereafter erected or structurally altered shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- c. All structures or buildings containing three or more dwelling units shall be located on a lot which provides a minimum lot area per dwelling unit as follows:
 - (1) Apartments with three or more bedrooms: 3,500 sq. ft.
 - (2) Apartments with two bedrooms: 2,500 sq. ft.

- (3) Apartments with one bedroom and efficiency apartments: 1,500 sq. ft.

provided, however, that in no case shall the minimum lot area be less than seven thousand, five hundred (7,500) square feet with a width at the building line of not less than sixty (60) feet.

Existing residential buildings in the R-3 District may be altered to provide for not more than four (4) dwelling units, provided that no existing residential building is altered in such a way as to conflict with or further conflict with the foregoing requirements.

- d. All non-residential principal uses permitted in this district shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- e. Minimum lot sizes for special uses shall be prescribed at the time a special use permit is authorized, but in no case shall any such lot be less than six thousand (6,000) square feet.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:

- a. *Front Yard.* The same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.
- b. *Side Yards.* In the R-3 District, the minimum interior side yard requirements for permitted uses shall be not less than those itemized below:
 - (1) For one and two-family buildings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.
 - (2) For buildings containing three or more dwelling units, interior side yards shall not be less than five (5) feet unless the building height exceeds twenty-five (25) feet, in which case the interior side yard on each side of the building shall equal one-fifth (1/5) the building height; however, buildings fifty (50) feet or more in overall width or projected upon the front lot line shall have side yards not less than 10 percent of the building width or 20 percent of the building height, whichever is greater.
 - (3) For one-family row dwellings, the same regulations as paragraph (2) above, except there may be not less than twenty (20) feet between adjacent row buildings.
 - (4) For permitted non-residential buildings, interior side yards on each side of the building shall not be less than fifteen (15) feet, plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.

- (5) For special uses, the interior side yards shall be as specified in the special use permit, but in no case shall the interior side yards be less than those specified for non-residential buildings in paragraph (4) above.
- (6) Minimum Corner Side Yard. In an R-3 District, the minimum corner side yard requirements for permitted uses shall be not less than those itemized below:
 - (a) For one and two-family dwellings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.
 - (b) For buildings containing three or more dwelling units--ten (10) feet, except that buildings fifty (50) feet or more in overall width--as projected upon the front lot line--shall have corner side yards not less than 15 percent of the building width or 30 percent of the building height, whichever is greater.
 - (c) For permitted non-residential uses, twenty-five (25) feet, plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.
 - (d) For special uses, corner side yards shall be as specified in the special use permit, but in no case shall such side yard be less than that specified for non-residential buildings in paragraph (c) above.
- c. *Rear Yard.* For one-family row dwellings a rear yard of not less than thirty (30) feet.
- d. The burden of proof is on the petitioner, when determining the property line.

For all other uses, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.

7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratios shall be as follows:

- a. *Permitted Uses:*
 - (1) One-family dwellings: 0.4.
 - (2) Two-family dwellings: 0.5.

- (3) Multiple-family dwellings: 1.00.
- b. *Special Uses:*
 - (1) Medical and dental clinics: 1.0.
 - (2) Fraternity and sorority houses: 1.0.
 - (3) Hospitals, sanitariums, rest homes and nursing homes: 2.0.
 - (4) Private clubs and lodges: 1.0.
 - (5) Undertaking establishments, funeral parlors: 0.7.

Section 8.04. R-4 Multiple-Family Residence District.

1. *Purpose.* The R-4 General Residence District is established to provide areas of higher density when located in proximity to the service areas of the Village; [and] to encourage the demolition of substandard residential and non-residential structures through greater dwelling unit density, thus increasing the economic use of the land.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Off-Street Parking.* Off-street parking and loading facilities shall be provided as required or permitted in Section 14.00.

5. *Minimum Lot Size:*

- a. Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- b. All two-family dwellings hereafter erected or structurally altered shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- c. All structures or building containing three or more dwelling units shall be located on a lot which provides a minimum lot area per dwelling unit as follows:
 - (1) Apartments with three or more bedrooms: 2,500 sq. ft.
 - (2) Apartments with two bedrooms: 1,500 sq. ft.
 - (3) Apartments with one bedroom and efficiency apartments: 1,000 sq. ft.

provided, however, that in no case shall the minimum lot area be less than seven thousand, five hundred (7,500) square feet with a width at the building line of not less than sixty (60) feet.

Existing residential buildings in the R-4 District may be altered to provide for not more than four (4) dwelling units, provided that no existing residential building is altered in such a way as to conflict with or further conflict with, the foregoing requirements.

- d. All non-residential principal uses permitted in this district shall be located on a lot having an area of not less than six thousand (6,000) square feet and a width at the building line of not less than sixty (60) feet.
- e. Minimum lot sizes for special uses shall be prescribed at the time a special use permit is authorized, but in no case shall any such lot be less than six thousand (6,000) square feet.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained.

- a. *Front Yard.* A front yard of not less than twenty (20) feet.

For buildings exceeding twenty-five (25) feet in height, the minimum front yard determined in paragraph a above, shall be increased by one (1) foot for each two (2) feet or fraction thereof by which the building exceeds twenty-five (25) feet, but in no case shall a front yard of more than forty (40) feet be required.

- b. *Side Yards.* In the R-4 District, the minimum interior side yard requirements for permitted uses shall not be less than those itemized below:

- (1) For one and two-family buildings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.

- (2) For buildings containing three (3) or more dwelling units, interior side yards shall be not less than five (5) feet. If the building height exceeds twenty-five (25) feet, the interior side yard on each side of the building shall equal one-fifth (1/5) the building height; however, buildings fifty (50) feet or more in overall width as projected upon the front lot line shall have side yards not less than 10 percent of the building width or 20 percent of the building height, whichever is greater.

- (3) For one-family row dwellings, the same regulations as paragraph (2) above, except that there may be not less than fifteen (15) feet between adjacent row buildings.

- (4) For permitted non-residential buildings, interior side yards on each side of

the building shall not be less than fifteen (15) feet, plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.

- (5) For special uses, the interior side yards shall be as specified in the special use permit, but in no case shall the interior side yards be less than those specified for non-residential buildings in paragraph (4) above.
- (6) Minimum Corner Side Yard. In an R-4 District, the minimum corner side yard requirements for permitted uses shall not be less than those itemized below:
 - (a) For one and two-family dwellings, the same regulations shall apply as permitted or required in the R-2 Two-Family Residence District.
 - (b) For buildings containing three (3) or more dwelling units, ten (10) feet, except that buildings fifty (50) feet or more in overall width, as projected upon the front lot line, shall have corner side yards not less than 15 percent of the building width or 30 percent of the building height, whichever is greater.
 - (c) For permitted non-residential uses, twenty-five (25) feet plus one (1) foot for each two (2) feet by which the building height exceeds fifteen (15) feet.
 - (d) For special uses, corner side yards shall be as specified in the special use permit, but in no case shall such side yard be less than that specified for non-residential buildings in paragraph (c) above.

- c. *Rear Yard.* The same regulations shall apply as permitted or required in the R-3 Multiple-Family Residence District.
- d. The burden of proof is on the petitioner, when determining the property line.

7. *Maximum Lot Coverage.* Not more than thirty-five (35) percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Floor Area Ratio.* The maximum floor area ratios shall be as follows:

- a. *Permitted Uses:*
 - (1) One-family dwellings: 0.4.
 - (2) Two-family dwellings: 0.5.
 - (3) Multiple-family dwellings: 2.0.

- (4) Boarding house, lodging house, rooming house: 2.0.
 - (5) Apartment hotels: 2.0.
 - (6) Non-residential uses: 1.5.
- b. *Special Uses:*
- (1) Medical and dental clinics and professional offices for related uses: 1.0.
 - (2) Fraternity and sorority houses: 1.25.
 - (3) Hospitals, sanitariums, rest homes and nursing homes: 2.0.
 - (4) Professional offices: 1.0.
 - (5) Nursery schools: 0.8.
 - (6) Undertaking establishments, funeral parlors: 1.0.
 - (7) Institutions for the aged and for children: 1.0.

Article 9.00. BUSINESS DISTRICTS

Section 9.01. B-1 Downtown Business District.

1. *Purpose.* The B-1 District is established to provide areas for a wide range of retail stores and personal service establishments which are desirable to provide for both day-to-day and occasional shopping needs.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Conditions of Use.* All uses permitted in this district, except residence district uses, shall be retail and service establishments dealing directly with consumers and shall be subject to the following conditions:

- a. The sale of foodstuff or articles intended for human consumption shall be conducted wholly within an enclosed building.
- b. Establishments of the "drive-in" type, offering goods or services directly to customers waiting in parked motor vehicles, are not permitted.

- c. There shall be no manufacture, processing or treatment of products other than that which is clearly incidental and essential to the retail business conducted on the same premises.
- d. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes.
- e. Any exterior sign displayed shall pertain only to a use conducted within the building.

5. *Transitional Yards.* Where a B-1 District adjoins a residence district, transitional yards shall be provided in accordance with the following regulations:

- a. Where lots in a B-1 District front on the street and at least 80 percent of the frontage directly across the street between two consecutive intersecting streets is in a residence district, the front yard regulations for the residence districts shall apply to the said lots in the business district.
- b. In a B-1 District, where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residence district.
- c. In a B-1 District, where a rear lot line coincides with a side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on the adjacent property in the residence district.
- d. In a B-1 District, where a rear lot line coincides with a rear lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be twenty (20) feet in depth, but may begin at a height of fifteen (15) feet or one story above grade, whichever is lower.
- e. In a B-1 District, where the extension of a front or side lot line coincides with the front lot line of an adjacent lot located in a residence district, a yard of not less than ten (10) feet shall be provided.
- f. Transitional yards shall be unobstructed from lowest level to sky except as allowed in Section 4.00.

6. *Signs.* Signs shall be as permitted in Section 13.00.

7. *Off-Street Parking and Loading.* Parking and loading facilities shall be provided as required or permitted in Section 14.00.

8. *Maximum Floor Area Ratio and Lot Coverage:*

- a. For other areas in the B-1 Downtown Business District, the maximum floor area ratio and maximum lot coverage, including accessory buildings, shall be permitted in accordance with the following table:

Floor Area Ratio	Maximum Lot Coverage
0.9	90%
1.6	80%
2.1	70%
2.4	60%

Section 9.02. B-2 General Retail Business District.

1. *Purpose.* The B-2 District is established to provide additional business, commercial and limited service uses which are not permitted in the B-1 District.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Conditions of Use.* All permitted uses in this district, except residence district uses, shall be retail and service establishments and shall be subject to the following conditions:

- a. There shall be no manufacture, processing or treatment of products other than those which are clearly incidental and essential to the retail business conducted on the same premises.
- b. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise or vibrations or other similar causes.

5. *Yard Areas.* All yard regulations shall be the same as required in the B-1 Limited Retail Business District.

6. *Signs.* Signs shall be as permitted in Section 13.00.

7. *Off-Street Parking and Loading.* Parking and loading facilities shall be provided as required or permitted in Section 14.00.

8. *Maximum Floor Area Ratio and Lot Coverage.* The same regulations shall apply as required or permitted in the B-1 Limited Retail Business District.

Section 9.03. B-3 Highway Business District.

1. *Purpose.* The B-3 District is established to provide areas for a wide variety of necessary services, wholesale establishments, and other business uses which would be incompatible with the uses permitted in the B-1 and B-2 Districts.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Yard Areas.* The yard regulations shall be the same as required in the B-1 Limited Retail Business District.

5. *Signs.* Signs shall be as permitted in Section 13.00.

6. *Off-Street Parking and Loading.* Parking and loading facilities shall be provided as required or permitted in Section 14.00.

7. *Maximum Floor Area Ratio and Lot Coverage.*

Floor Area Ratio	Maximum Lot Coverage
1.6	80%
2.1	70%
2.4	60%
2.5	50%

Article 10.00. MANUFACTURING DISTRICTS

Section 10.01. M-1 Limited Manufacturing District.

1. *Purpose.* The M-1 District is established to provide areas for manufacturing concerns whose operations are of a high performance standard, and to establish standards of performance so that manufacturing districts may be established in proximity to residential and business districts without adversely affecting such areas; to provide regulations to assure adequate open space between manufacturing uses and the M-1 District boundaries and adjacent residential areas.

2. *Permitted Uses.* See chart on Appendix "A".

3. *Special Uses.* See chart on Appendix "A".

4. *Off-Street Parking and Loading* shall be as permitted or required in Section 14.00.

5. *Conditions of Use.* All permitted uses are subject to the following conditions:

- a. Any production, processing, cleaning, servicing, testing and repair or storage of goods, materials or products shall conform with the performance standards set forth below.
- b. All business, production, servicing, [and] processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred and fifty (150) feet of a residence district, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) at least six (6) feet high, but in no case lower in height than the enclosed storage and suitably landscaped.
- c. Uses established on the effective date of this ordinance and by its provisions rendered non-conforming shall be permitted to continue, subject to the regulations of Section 5.00.
- d. Uses established after the effective date of this ordinance shall conform fully to the performance standards hereinafter set forth for the district.

6. *Yard Areas.* No building or structure shall hereafter be erected or structurally altered unless the following yards are provided and maintained in connection with such building:

- a. *Front Yard.* On every zoning lot a front yard of not less than thirty (30) feet in depth shall be provided. However, where lots within the same block and comprising forty (40) percent of the frontage on the same street are already developed on the effective date of the ordinance with front yards with an average depth of less than thirty (30) feet, then such average depth shall be the required

front yard depth for such frontage in said block.

- b. *Side Yards.* On every zoning lot a side yard shall be provided along each side lot line. Each side yard shall not be less in width than ten (10) percent of the lot width, but need not exceed twenty (20) feet in width, except that a side yard along a street shall conform to the requirements for front yards as set forth above. No side yard shall be less than five (5) feet.
- c. *Rear Yard.* On every zoning lot there shall be a rear yard of not less than thirty (30) feet, except where a use in the M-1 District is adjacent to a residence district a rear yard shall be provided and maintained of not less than fifty (50) feet.

7. *Maximum Lot Coverage.* Not more than sixty (60) percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Maximum Floor Area Ratio.* The maximum floor area ratio shall not exceed 1.5.

9. *Performance Standards.* Any use established in the M-1 Manufacturing District after the effective date of this comprehensive amendment shall be so operated as to comply with the performance standards set forth hereinafter. No use lawfully established on the effective date of this comprehensive amendment shall be so altered or modified as to conflict with, or further conflict with, the performance standards established hereinafter for the M-1 District:

- a. *Noise.* Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to the standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be subject to the performance standards hereinafter prescribed provided that such noises shall be capable of being accurately measured with such equipment. Noises capable of being so measured, for the purpose of this ordinance, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two decibels. Noises incapable of being so measured, such as those of an irregular and intermittent nature shall be controlled so as not to become a nuisance to adjacent uses.

At no point either on the boundary of a residence district or a business district or at one hundred and twenty-five (125) feet from the nearest property line of a plant or operation, whichever distance is greater, shall the sound pressure level of an individual operation or plant (other than the operation of motor vehicles and other transportation facilities) exceed the decibel levels at the designated octave bands shown hereafter for the districts indicated.

Octave Band Cycles Per Second	Maximum Permitted Sound Level in Decibels Boundaries or 125 Feet From Plant or Operation Property Line	
	Residence Districts	Business Districts
0 to 75	74	81
75 to 150	61	70
150 to 300	54	63
300 to 600	48	59
600 to 1200	45	55
1200 to 2400	41	52
2400 to 4800	38	50
4800 and over	36	48

b. *Smoke and Particulate Matter.*

- (1) No stack shall emit more than ten (10) smoke units during any one hour, nor shall smoke of a density in excess of Ringelmann No. 2 be emitted, provided that during a single one-hour period in each twenty-four hour day each stack may emit up to twenty (20) smoke units when blowing soot or cleaning fires, and during such cleaning of fires, smoke of a density of Ringelmann No. 3 may be emitted, but not for longer than four minutes each period.
- (2) No emission of smoke or particulate matter shall exceed a density of Ringelmann No. 3, except for a plume consisting entirely of condensed steam. For the purposes of grading the density of emission, the Ringelmann Chart published and used by the United States Bureau of

Mines shall be employed.

- (3) The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of one (1) pound per acre of lot area during any one hour.
 - (4) Dust and other forms of air pollution borne by the wind from such sources as storage areas, yards, roads and so forth, within lot boundaries shall be kept to a minimum by appropriate landscaping, paving, oiling, or other acceptable means. The emission of particulate matter from such sources shall conform with the requirements of paragraph (3) above.
 - (5) In addition to the performance standards specified herein, the emission of smoke or particulate matter in such manner or quantity as to be detrimental to or endanger the public health, safety, comfort or welfare is hereby declared to be a public nuisance.
- c. *Odorous Matter.* The emission of odorous matter from any property in such concentrations as to be readily detectable at any point along the boundaries of said property or in such concentrations as to create a public nuisance or hazard beyond such boundaries is prohibited.
- d. *Vibration.* Any process or equipment which produces intense earthshaking vibrations--such as are created by heavy drop forges or heavy hydraulic surges--shall be set back at least five hundred (500) feet from the property boundaries on all sides. However, in no case shall such vibrations be allowed to create a public nuisance or hazard beyond the property boundaries.
- e. *Toxic or Noxious Matter.* No use on any property shall discharge across the boundaries of said property toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or welfare, or cause injury or damage to other property or business.
- f. *Glare or Heat.* Any operation producing intense glare or heat shall be performed within a completely enclosed building and effectively screened in such a manner as not to create a public nuisance or hazard along property boundaries. Exposed sources of light shall be shielded so as not to create a nuisance across lot lines.
- g. *Fire and Explosive Hazards.* Fire and explosive hazards shall be controlled as follows:
- (1) Activities involving the storage or manufacture of materials or products which decompose by detonation are not permitted in the M-1 Districts.
 - (2) The storage, utilization or manufacture of materials ranging from incombustible to moderate burning—as determined by the Zoning Administrator--is permitted.

- (3) Storage, utilization or manufacture of materials or products ranging from free or active burning to intense burning--as determined by the Zoning Administrator--is permitted under the following conditions:
 - (a) All storage, utilization or manufacture of such materials, or products shall be within completely enclosed buildings or structures having incombustible exterior walls; and
 - (b) All such buildings or structures shall be set back at least forty (40) feet from property boundaries or, in lieu thereof, shall be protected throughout by an automatic sprinkler system complying with standards for installation prescribed by the National Fire Protection Association.
- (4) Materials or products which produce flammable or explosive vapors or gases under ordinary weather temperatures shall not be permitted in this district, with the exception of the following, which are permitted:
 - (a) Materials required for emergency or standby equipment.
 - (b) Materials used in secondary processes which are auxiliary to a principal operation--such as paint spraying of finished products; and
 - (c) Flammable liquids and oils stored, sold and used in conjunction with the operation of any automobile service station and customarily required or used in such operation.

Article 11.00. MOBILE HOME PARKS

Section 11.01. MH-Mobile Home Park

1. *Purpose:* The Mobile Home Park District is established to provide an area where mobile homes and manufactured homes may be located.

2. *Permitted Uses:* See chart on Appendix "A".

- a. Manufactured homes, factory-built homes or any other similar homes including movable or portable dwellings constructed for towing on its own chassis and connection to utilities without use of a permanent foundation for purposes of single family permanent habitation. No mobile homes older than 20 years will be allowed to be brought in to the Mobile Home Park District.
- b. Club houses/Management office.

- c. Recreation facilities, for use exclusively by the residents of the development.
- 3. *Permitted Accessory Uses:* The following are permitted accessory uses provided they are constructed on a concrete pad and separated from the home by a minimum distance of ten (10) feet.
 - a. One private garage or carport per site not to exceed six hundred (600) square feet. A carport or garage may be attached to the home units.
 - b. Storage shed not to exceed one hundred twenty (120) square feet. No side dimension shall be greater than twelve (12) feet.
- 4. *Lot Size Requirements:*
 - a. Minimum Lot Area: 7,200 square feet.
 - b. Minimum Lot Width: 60 feet.
 - c. Minimum Lot Area for Corner Lots: 9,000 square feet.
 - d. Minimum Corner Lot Width: 75 feet.
 - e. Minimum Manufactured Home Size: 924 square feet.
- 5. *Yard Setback Requirements:*
 - a. Front Setback: 25 feet.
 - b. Side Yard Setbacks: 10 feet.
 - c. Rear Yard Setback: 20 feet.
 - d. Corner Lot Setback: 25 feet.
 - e. Maximum Structure Height: 12 feet.
 - f. Maximum Lot Coverage: 30%.
- 6. *Development Standards:*
 - a. All utilities, including but not limited to: water, sewer, electric, gas, telephone, and cable television must be located in underground unobstructable locations including individual connections to each dwelling unit pad. Each dwelling unit shall be individually metered for utility service.
 - b. Development of the site shall be based on the site analysis to determine: geology and

soil, existing vegetation, structures, and road networks, visual features and present and proposed use of a site.

- c. The development shall be laid out to avoid adversely affecting ground water and aquifer recharge, to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities on neighboring properties. An underground storm sewer system shall be provided, in accordance with Village standards, to serve any manufactured home subdivision.
- d. All developments shall be required to provide at least 25% of the buildable land area as open space. Developed open space shall be designed to provide active recreational facilities to serve the residents of the area. Undeveloped open space shall be designed to preserve important site amenities or environmentally sensitive areas.
- e. Landscaping shall be provided as part of the site plan and subdivision design. It shall be provided comprehensively throughout the site; integrating the various elements of site design, preserving and enhancing the particular identity of the site, and creating a pleasing site character. Landscaping shall include plant materials such as trees, shrubs, ground covers, perennials, and annuals, and other materials such as rocks, water, sculpture, art, walls, fences and paving materials.
- f. A landscape plan prepared by a qualified expert shall be submitted with each subdivision development request. The plan shall identify existing and proposed trees, shrubs, and ground covers; natural features such as rock outcroppings; and other landscaping elements. The plan shall show where they are or will be located and planting and/or construction details. Special attention shall be paid so as to substantially screen the development from all adjoining districts and land uses.
- g. Lot layout shall provide for clustering or various angle arrangements of the lots, as opposed to a grid pattern.

7. *Manufactured Home Stand:*

- a. **Placements:** The manufactured home stand shall be so placed as to provide for the practical placement on the site of both the manufactured home and its appurtenant structures and the retention of the manufactured home on the site in a stable condition and in satisfactory relationship to its surroundings.
- b. **Location:** The location of each manufactured home stand shall be at such elevation, distance and angle in relation to the access street and the manufactured home lot driveway that placement and removal of the manufactured home is practical.
- c. **Construction:** Concrete slab or concrete runways.
- d. **Gradient:** There shall be a minimum of two percent (2%) longitudinal and adequate

crown or cross-gradient and surface drainage.

- e. Undercarriage: Each manufactured home unit shall be skirted via a structural treatment similar to that of the home unit or a landscaping treatment conforming to the subdivision landscaping plan in such a manner so as not to permit the undercarriage of the unit to be visible. Each unit shall have its wheels removed and appropriate means of anchoring the units shall be provided so as to reduce the potential for damage during periods of high winds.
- f. Additions to manufactured homes: No permanent or semi-permanent structure shall be affixed to a manufactured home. This does not apply to awnings or any expansion unit specifically manufactured for manufactured homes. The maximum lot coverage of the manufactured home shall not exceed thirty percent (30%) of the total lot area.

8. *Electric Lighting and Outlets:* All street entrances, exits, and driveways shall be lightened at night. All required lighting shall follow Village lighting standards.

9. *Patios:*

- a. Size: The minimum size of each manufacture home patio shall be two hundred twenty-five (225) square feet.
- b. Location: Every patio shall be conveniently located near the entrance of the manufactured home, open space areas of the site and other facilities, fitted to terrain and natural features, and related to anticipated manufacture home models.
- c. Elevation: Where practical, the elevation of the patio shall equal the elevation of the manufactured home stand. Where conditions permit, the patio and adjoining yard area may be as much a two (2) feet higher than the other manufactured home stand in order that the level of the patio and outdoor living area will be close to the floor of an in-place manufactured home.

10. *Storage:*

- a. Storage facilities shall be provided for the active storage of outdoor equipment, furniture or tools and for the inactive storage for such materials which are used only seasonally or infrequently, and can not be stored in the manufactured home.
- b. Storage facilities shall be designed to enhance the appearance of the park, constructed out of materials similar to the manufactured home, coordinated with appropriate landscaping plan, provide for hazardous weather protection, and must be maintained in accordance with other features of the manufactured home.

11. *Fencing:* All fencing shall comply with the regulations set forth by the Village.

12. *Garbage and Waste:*

- a. A sufficient number of adequate fly-proof and water tight containers shall be supplied for the storage of garbage.
- b. Garbage and waste areas shall be fenced in and completely screened from public rights-of-way.

13. *Park Attendant:*

- a. Each development shall be in charge of a responsible attendant or manager at all times. Duties of the attendant or manager will include the maintenance of the park, its facilities and equipment, in a clean, orderly and sanitary condition, and be answerable for any violation of the provisions of this Ordinance.

14. *Streets and Sidewalks:*

- a. The road system shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; to meet the needs of snow plows, fire trucks, school buses (if necessary), ambulances, and other emergency vehicles; and to present an attractive streetscape. The road system shall be designed to serve the needs of the development and to discourage use by through traffic.
- b. All lots shall front on residential access or sub-collector streets; not on collector streets. The right-of-way of residential street shall be in accordance with the subdivision regulations and recommended by the Village Engineer. All streets shall have curbs, gutters, street lights, street trees, storm sewers, and sidewalks accompanying same in accordance with Village's design standards.
- c. Streets may be either public or private. The responsibility of said roads and their maintenance shall be agreed upon by the developer and the Village Board.
- d. All residential parking will be off-street. No on-street parking is allowed.
- e. Off-street parking shall be provided in front and side yards only. Two (2) off-street parking spaces shall be provided per dwelling unit. The off-street parking surface shall be covered with a concrete surface. Each space shall not be less than ten (10) feet wide and twenty feet (20) feet deep. Enclosed garage space shall not count toward the required off-street parking requirements.
- f. All sidewalks and driveways shall be concrete and meet Village standards.

15. *Manufactured Home Sales:*

- a. Manufactured home sales are permitted on a limited basis. One home may be used

for a model, and one model is allowed for each park. This model must follow all structural and aesthetic guidelines as outlined for a manufactured residence.

16. In addition to the above requirements, all construction and park development shall conform to the State of Illinois Administrative Code, Title 77: Public Health, Chapter I: Department of Public Health, Subchapter q: Mobile Homes, Part 860 Manufactured Home Community Code, Section 860.200 Layout of the Manufactured Home Community.

Article 12.00. PUBLIC GROUNDS

Section 12.01. P-Public Grounds

1. *Purpose:* The Public Grounds District is established to provide parks and open space for leisure and recreational areas for residents and guests of the Village. These districts can be located on public or private land.

2. *Permitted Uses:* See chart on Appendix “A”

3. *Special Uses:* See chart on Appendix “A”

4. *Off-Street Parking:*

a. One (1) off-street parking space for each three (3) employees, plus spaces adequate in number to service the intended use, will be required as determined by the Zoning Administrator. This number will be subject to change as the use of the open space changes.

b. A five foot (5') wide landscape island shall be required at each entrance to the site and one landscape island shall be required for every 15 parking spaces.

5. *Minimum Lot Size:*

a. Every park or open space shall contain an area of not less than ten thousand, (10,000) square feet, and have a minimum width of one-hundred (100) feet.

b. For trail purposes, the minimum open space shall be twenty (20') feet in width. For a continuous trail connecting other trails in the Village, a ten (10) foot wide width is acceptable.

6. *Yard Areas.* No building shall be erected or enlarged unless the following yards are provided and maintained:

a. *Front Yard.* A front yard of not less than twenty-five (25) feet.

b. *Side Yards.* Each lot shall have two side yards which shall be not less than fifteen (15) feet each.

c. *Rear Yard.* A rear yard of not less than thirty (30) feet.

7. *Maximum Lot Coverage.* Not more than 35 percent of the lot area may be occupied by buildings and structures, including accessory buildings.

8. *Site and Structure Requirements:* Open spaces and paths intended for pedestrian use should be designed to incorporate natural features and building and landscape elements to create safe, comfortable, and attractive environments.

9. *General Requirements:*

a. All areas intended for pedestrian use shall be well lit in accordance area standard lighting practices for recreational areas. The lighting shall be so arranged so as not to be offensive to any adjoining residential districts.

b. Pedestrian paths or sidewalks should be clearly distinguished from vehicular paths by landscaping, paving materials or architectural elements. Wherever possible, pedestrian walkways shall be connected to adjacent developments.

c. All pedestrian paths and walks shall be handicap accessible, using ramps and curb cuts conforming to State and Federal ADA standards.

10. *Water Coverage:* Not more than 70% of the land designated as usable open space may be covered by water on a permanent basis. Open space which is used for storm water drainage purposes for a development shall not be considered for active use.

11. *Building Construction Requirements.*

a. All buildings will be limited to one-story in height. The eave height shall not exceed 15'.

b. The exterior of all public buildings (including accessory buildings) constructed in a public park or open space, shall be of a decorative material such as brick, stucco, dryvit, wood, glass or a decorative vinyl siding. Metal sheet siding will not be allowed.

c. The minimum separation between principal buildings shall be fifteen feet (15').

12. *Fences.* Fences around the perimeter of the site shall not exceed six feet (6') in height and shall be constructed of decorative wood or chain link. No fence shall be constructed closer than three feet (3') to a property line when adjacent to a residential zoned neighborhood.

13. *Open Space Ownership and Maintenance.*

a. Public ownership of a park or open space shall be by the Village or a Park

District.

- b. If a park or open space is allowed by the Village to be under Private Ownership, there shall be a Property Owner's Association duly established by Sections of incorporation and bylaws, in accordance with the Illinois Condominium Property Act. The instrument of conveyance shall include restrictive covenants running with the land to guarantee the common open space will be properly cared for and used only for the purposes originally designated. The covenants, restrictions and conditions shall include a provision whereby the Village shall have the right, but not the obligation, to enforce the covenants or obligations of the instrument. The Village shall also have the right to charge or place a lien on upon the property of the association for the repayment of such costs and expenses, including reasonable attorneys' fees in enforcing such obligations.

14. *Discontinuance of Use.*

- a. When any park or open space shall be discontinued to be used by the public, the zoning of the land will revert back to the Village's most restricted residential use.

Article 13.00. SIGNS

Section 13.01. General standards.

1. No sign shall block any required accessway or window.
2. No sign shall be located on vacant property except a sign advertising the premises for sale or lease.
3. No sign shall be attached to a tree or utility pole.
4. The following signs are exempt from the permit required and from the regulations of this Section:
 - a. Memorial signs and tablets displayed on private property.
 - b. Address numerals.

Section 13.02. Permitted signs--All districts.

1. Highway Directional Signs and Markers, which shall be made and installed in accordance with the specifications of the Village of Gridley, announcing the location of, or directing traffic to, given locations which include, but are not limited to, the following:
 - a. Service areas--automobile, food, lodging.

- b. Public and quasi-public information signs.
- c. Business or business districts.

Section 13.03. Permitted signs--Residential districts.

In all residential districts, the following classes of signs are permitted in accordance with the regulations set forth herein:

- 1. *Non-Flashing, Non-Illuminated Accessory Signs:*
 - a. Nameplates and Identification Signs, subject to the following:
 - (1) For one and two-family dwellings, there shall be not more than one 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) For multiple-family dwellings, for apartment hotels and for buildings other than dwellings, a single identification sign not exceeding nine (9) square feet in area and indicating only the name and address of the building and the name of the management thereof may be displayed.
 - (3) In connection with the construction or remodeling of a building, there shall be permitted one sign not exceeding twenty-five (25) square feet in area; on corner lots two such signs, one facing each street shall be permitted. Said signs shall be removed by the person or persons erecting same within two weeks after completion of the structure indicated.
 - (4) Height. No sign shall project higher than one story or fifteen (15) feet above curb level, whichever is lower.
 - (5) Projection. No sign shall project beyond the property line into the public way.
 - b. For Sale and To Rent Signs, subject to the following:
 - (1) Area and Number. There shall be not more than one such sign per zoning lot, except that on a corner lot two signs--one facing each street--shall be permitted. No sign shall exceed twelve (12) square feet in area nor be closer than eight (8) feet to any other zoning lot.
 - (2) Projection. No sign shall project beyond the property line into the public way.

(3) Height. No sign shall project higher than one story or fifteen (15) feet above curb level, whichever is lower.

c. Signs Accessory to Parking Areas, subject to the following:

(1) Area and Number. Signs designating parking area entrances or exits are limited to one sign for each such exit or entrance and to a maximum size of two (2) square feet each. One 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 such signs--one facing each street--shall be permitted.

(2) Projection. No sign shall project beyond the property line into the public way.

(3) Height. No sign shall project higher than seven (7) feet above curb level.

2. *Non-Flashing Signs:*

a. Church Bulletins, subject to the following:

(1) Area and Number. There shall be not more than one sign per zoning lot, except that on a corner lot two signs--one facing each street--shall be permitted. No sign shall exceed twenty-four (24) square feet in area nor be closer than eight (8) feet to any other zoning lot.

(2) Projection. No sign shall project beyond the property line into the public way.

(3) Height. No sign shall project higher than one story or fifteen (15) feet above curb level.

Section 13.04. Permitted signs--Business districts.

In all business districts, the following signs are permitted, subject to the requirements set forth hereinafter:

1. All signs and nameplates permitted in the residential districts.

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--except in residence districts--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, that no sign shall extend vertically or horizontally beyond the limits of said marquee or canopy, except that individual, free-standing 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 except in residence districts, to signs located on awnings, provided that any sign located on an awning shall be affixed flat to the surface thereof, and shall indicate only the name and address of the establishment of the premises. Further, no such sign shall extend vertically or horizontally beyond the limits of said awning.

3. Signs relating only to the name and use of buildings or premises upon which they are placed. Advertising signs and outdoor billboards advertising products or matters not related to the occupancy and use of the premises shall not be permitted.
4. Signs, clocks, or other advertising devices erected upon standards or separate supports shall be placed so as to be entirely within the property lines of the premises upon which it is located. The maximum permitted height of signs on pylons, standards and supports on lots with a frontage of less than eighty (80) feet shall be thirty (30) feet. On lots with a frontage exceeding eighty (80) feet the maximum permitted height shall be twenty-five (25) percent of the lot width on the principal street with a maximum height limit of forty-five (45) feet. The surface area per face of any sign on a pylon, standard or support shall not exceed eight (8) times the height in feet of the sign.
5. For an integrated planned business development in single ownership and management, or under unified control, one additional sign may be erected not exceeding one hundred (100) square feet in area advertising only the name and the location of the integrated shopping center. Such sign shall be placed so as to be entirely within the property lines of the premises upon which it is located, and the bottom edge of such sign shall be at least eight (8) feet above the level of the ground, and the overall height shall not exceed twenty (20) feet above curb level or above the adjoining ground level if such ground level is above the street level.
6. No sign may be pasted, or similarly posted directly on the surface of any wall. Nor shall any sign be permitted to be placed on any wall, fence or standard facing the side of any adjoining lot located in a residence district.
7. Signs which may be in conflict with public traffic signals shall not be permitted.
8. Traffic or directional signs designating entrances, exits and conditions of use of parking facilities accessory to the main use of the premises may be maintained, provided they are located within the property lines of the subject lot.

9. In all business districts, the permitted 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 one tenth (1/10) 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 side wall of a principal building shall not exceed one tenth (1/10) of the area of the side wall (including doors and windows) of the principal building.
 - b. Location. The sign or signs may front on the front, side or rear walls or wall of the principal building. No sign shall be placed as to interfere with any opening or exitway required by the Village of Gridley building code or fire ordinance.
 - c. Projection. Signs suspended from any building shall not project more than thirty-six (36) inches 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.

Any sign projecting or suspended from a building shall not exceed ten (10) feet in height and its location and arrangement shall be subject to approval by the Zoning Administrator. No sign except those suspended from buildings shall be erected or placed between the street line and the building line.
 - d. Height. No sign shall project higher than twenty (20) feet above curb level, and in no case shall a sign project higher than four (4) feet above the roof line.
 - e. Illumination. Signs shall be shaded whenever necessary to avoid casting bright light upon property located in any residential district.
10. Signs Accessory to Automobile Service Stations. The following signs accessory to automobile service stations are permitted.
 - a. Racks for the orderly display of cans of engine oil for convenience in dispensing said oil may be located on or at the ends of pump islands (limit of two to each island).
 - b. Two 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.
 - c. Items for sale on the premises may be openly displayed within ten (10)

feet of the principal building. Products may be displayed under pump island canopies or between pumps within the area of the pump island base.

- d. 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.

Section 13.05. Permitted signs--Manufacturing districts.

The following signs are permitted, and shall be governed as follows:

1. All signs and nameplates permitted in the business districts.
2. Billboard, advertising signs and poster panels having a sign area not exceeding two hundred and seventy-five (275) square feet.
3. All billboards, advertising signs and poster panels shall be set back from the street line a distance of at least the minimum building setback requirement of the district.
4. The minimum distance between any two billboards, advertising signs or poster panels located on the same side of a street or highway shall be not less than four (4) feet for every one (1) square foot of the total area of the two signs.
5. The gross area in square feet of all signs on a zoning lot shall not exceed six (6) times the lineal feet of frontage of such zoning lot.
6. No sign shall project higher than twenty-five (25) feet above the ground level beneath it.
7. No advertising sign shall be located within five hundred (500) feet of any public park of more than five (5) acres in area, or any freeways, expressways and tollroads designated as such in the records of the governing authorities.
8. No advertising sign shall be located within one hundred (100) feet of any residence district.

Section 13.06. Sign permits.

No person shall construct, alter, rebuild, relocate, enlarge, erect or place a sign without first filing with the Zoning Administrator a written application and obtaining a permit therefor in the manner specified as follows:

1. Such application shall be in duplicate and shall contain all such information and drawings as may be required by the Administrator, but at least the names of the property owners, the name of the person in charge of the sign and drawings of the

sign or structure showing type, size, location, and method of attachment.

2. The Zoning Administrator shall examine all applications and if the application is in compliance with all requirements of this ordinance, issue the permit within thirty (30) days or shall, in writing, disapprove the application, [and] failure to act shall be deemed approval thereof.
3. No sign shall be erected or attached to, suspended from, or supported on any building or structure until a permit for the same has been issued by the Zoning Administrator.
4. No permit shall be issued until the required bond or written proof of adequate sign liability insurance has been filed with the Village of Gridley.
5. The owner or person in control of a display sign, awning, canopy or marquee suspended over a street, alley, sidewalk, or other public property shall execute a bond in a sum to be fixed by the Village President with sureties approved by the Village, indemnifying the Village against all loss, cost, damage or expense incurred or sustained by or recovered against the Village by reason or [of] construction of such display sign, awning, canopy or marquee or furnish proof of adequate sign liability insurance in the amount of \$20,000/\$40,000 minimum for bodily injury liability and \$1,000 for any one claim and \$10,000 minimum for property damage liability. Bonds or insurance which are allowed to expire by owners of the property on which [the] sign, awning, canopy or marquee is erected shall be required to remove from their property at once, said sign, awning, canopy or marquee or other object covered by the permit.
6. An application for a permit to install a sign, awning, canopy or marquee shall be accompanied with detail drawings showing how [the] sign, awning, canopy or marquee is to be attached to building and in case of sign a drawing showing the lettering on sign.
7. The Zoning Administrator may require plans drawn by an Architect or Structural Engineer, licensed by the State of Illinois and these drawings with the Architects or Structural Engineers State License seal stamp on same, before a permit is issued.

Section 13.07. Structural standards.

Signs permitted by this ordinance shall meet the following additional standards:

1. Wall signs exceeding forty (40) square feet and attached flat against building wall shall be of noncombustible material. Projecting signs exceeding two and one-half square feet in area shall be made of noncombustible material. Cappings, decorations, lettering and mouldings may be of combustible material on any sign. All awnings, canopies, marquees, etc. shall be of noncombustible material.

2. Signs, awnings, canopies, marquees, etc. shall be securely attached to the building or structure by bolts, anchors, chains, rods or guys. No wood blocks or anchorage with wood used in connection with screws or nails or staples shall be considered proper anchorage. No sign shall be entirely supported by an unbraced parapet wall.
3. Illuminated signs shall be wired in metal conduit by a licensed electrician and an electric permit will be required in addition to sign permit.
4. Notwithstanding the foregoing provisions, removable awnings and canopies shall be allowed in the fire zone and in other business and manufacturing zoning districts, provided the framework of said awnings and canopies is constructed of metal piping or tubing, or of other metal material of substantial strength to support a snow load or live load of thirty pounds per square foot. The covering over the metal framework shall also be of such strength as to support a live load of thirty pounds per square foot and shall be constructed of flame retardant material that will not propagate flame as proved by the Underwriters Laboratories, Inc. The covering material shall also be stain, dirt and weather resistant. Removable awnings and canopies shall be securely anchored to the building by bolts or other means so as not to interfere with the fire rating of the exterior building structure, and shall be sufficient to carry a total live load of thirty pounds per square foot. The framework of said awnings and canopies shall be at least seven feet six inches above the sidewalk, and the material covering the framework shall provide for a seven foot minimum clearance from the sidewalk. No removable awning or canopy shall project beyond the face of a building more than six feet six inches, nor shall it be closer than three feet from the face of the curb when projecting over public ways.

Article 14.00. OFF-STREET PARKING AND LOADING

Section 14.01. Purpose.

The purpose of this section is to alleviate or prevent the congestion of the public streets, and so promote the safety and welfare of the public by establishing minimum requirements for the off-street parking and loading and unloading of motor vehicles in accordance with the use to which property is put.

Section 14.02. General provisions--Parking and loading.

1. *Scope of Regulations.* The off-street parking and loading provisions of this ordinance shall apply as follows:

- a. For all buildings and structures erected and all uses of land established after the effective date of this ordinance, accessory parking and loading facilities shall be

provided as required by the regulations of the district in which such buildings or uses are located. However, where a building permit has been issued prior to the effective date of the ordinance, and provided that construction is begun within one year of such effective date, and diligently prosecuted to completion, parking and loading facilities as required hereinafter need not be provided.

- b. When the intensity of use of any building, structure or premises shall be increased through addition of dwelling units, gross floor area, seating capacity or other unit of measurement specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.

However, no building or structure lawfully erected or use lawfully established prior to the effective date of this ordinance shall be required to provide such additional parking or loading facilities unless and until the aggregate increase in units of measurement shall equal not less than fifteen percent of the unit of measurement existing upon the effective date of this ordinance, in which event parking or loading facilities as required herein shall be provided for the total increase.

- c. Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of this ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this ordinance.
- d. These regulations shall not apply to any uses of new buildings or structures, or any existing principal building or structure which is enlarged or increased in capacity after the adoption of this section, when located within the area bounded as follows:

"Downtown Business District",

an area where it becomes unreasonable and impractical for individual building uses to provide auxiliary parking facilities, and wherein it has been determined that parking facilities to accommodate the requirements of the uses within the designated area can best be provided by public garages and parking areas developed in compliance with a general plan of parking facilities.

2. *Existing Parking and Loading Facilities.* Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and which were in existence on the effective date of this ordinance or were provided voluntarily after such effective date shall not hereafter be reduced below, or if already less than, shall not further be reduced below, the requirements of this ordinance for a similar new building or use.

3. *Submission of Plot Plan.* Any application for a building permit, or for a certificate of occupancy where no building permit is required, shall include therewith a plot plan--drawn to scale and fully dimensioned--showing any parking or loading facilities to be provided in compliance with this ordinance.

Section 14.03. Additional regulations--Parking.

1. *Use of Parking Facilities.* Off-street parking facilities accessory to residential use and developed in any residential district in accordance with the requirements of this section shall be used solely for the parking of passenger automobiles owned by occupants of the dwelling structures to which such facilities are accessory or by guests of said occupants. Under no circumstances shall required parking facilities accessory to residential structures be used for the parking of automobiles belonging to the employees, owners, tenants, visitors or customers of business or manufacturing establishments.

2. *Joint Parking Facilities.* Off-street parking facilities for different buildings, structures or uses, or for mixed uses, may be provided collectively in any zoning district in which separate parking facilities for each constituent use would be permitted, provided that the total number of spaces so located together shall not be less than the sum of the separate requirements for each use.

3. *Computation.* When determination of the number of off-street parking spaces required by this ordinance results in a requirement of a fractional space, any fraction of one-half or less may be disregarded while a fraction in excess of one-half shall be counted as one parking space.

4. *Size.* A required off-street parking space shall be at least nine (9) feet in width and at least twenty (20) feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have a vertical clearance of at least seven (7) feet.

5. *Access.* Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements. No driveway across public property nor curb cut shall exceed a width of thirty (30) feet.

6. *In Yards.* Off-street parking spaces may be located in any yard except required front yards, but shall not be closer than one (1) foot to the lot line.

7. *In Parkways.* No person, firm or corporation shall park, deposit, leave or store any motor vehicle, vehicle or tangible personal property of any type or description at any time between the sidewalk line and curb line at any place within the Village of Gridley, Illinois.

8. *Design and Maintenance:*

a. *Surfacing.* All open off-street parking areas and driveways shall be improved with

an aggregate base, not less than four (4) inches thick, surfaced with at least 1½" of asphaltic concrete or some comparable all weather dustless material.

- b. *Screening and Landscaping.* All open automobile parking areas containing more than five parking spaces shall be effectively screened on each side adjoining or fronting on any property situated in a residence district or any institutional premises by a wall, fence or densely planted compact hedge not less than four feet nor more than seven feet in height. Such required screening shall conform with the front and side yard setback requirements of the district in which the parking is located.
- c. *Lighting.* Any lighting used to illuminate off-street parking areas shall be directed away from residential properties in such a way as not to create a nuisance.
- d. *Signs.* Accessory signs are permitted on parking areas.
- e. The sale of gasoline and motor oil in conjunction with accessory off-street parking facilities is not permitted in any residence district.

Section 14.04. Location of accessory off-street parking facilities.

The location of off-street parking spaces in relation to the use served shall be as prescribed hereinafter. All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.

1. *For Uses in a Residence District.* Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to uses other than dwellings may be located on a lot adjacent to, or directly across a street or alley from, the lot occupied by the use served, but in no case at a distance in excess of three hundred (300) feet from such use.
2. *For Uses in Business and Manufacturing Districts.* All required parking spaces shall be within one thousand (1,000) feet of the use served, except for spaces accessory to dwelling units, which shall be within three hundred (300) feet of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residence district, except that private, free, off-street parking accessory to such uses and municipal parking lots may be allowed by special use permit in accordance with the administrative section within two hundred (200) feet of and adjacent to any business or industrial district.

Section 14.05. Schedule of parking requirements.

For the following uses, accessory off-street parking spaces shall be provided as required hereinafter. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

1. Residential Uses, as follows:

- a. One-Family Dwellings and Two-Family Dwellings. Two (2) parking spaces shall be provided for each dwelling unit; provided, however, that in the case of one-family dwelling situated upon a platted lot having a width of less than sixty-five (65) feet at any point, only one (1) parking space shall be required and that in the case of two-family dwellings situated upon a platted lot having a width of less than eighty (80) feet at any point, only two (2) parking spaces shall be required.
- b. Multiple-Family Dwellings (including Apartment-Hotels). Three (3) parking spaces shall be provided for every two (2) dwelling units. For lodging rooms located in an apartment hotel, one parking space shall be provided for each two (2) lodging rooms.
- c. Motels, Inns and Auto Courts. One (1) parking space shall be provided for each guest or sleeping room or suite, plus one (1) additional space for the owner or manager.
- d. Hotels. One (1) parking space for each dwelling unit and one (1) parking space for each two (2) lodging rooms shall be provided.
- e. Lodging, Rooming and Boarding Houses. One (1) parking space shall be provided for each two (2) lodging rooms, plus one (1) space for the owner or manager.
- f. Private Clubs and Lodges (with Sleeping Facilities for Guests). One (1) parking space shall be provided for each two (2) lodging rooms plus parking spaces equal in number to ten percent of the capacity in persons (exclusive of lodging room capacity) of such club or lodge.

2. Retail and Service Uses, as follows:

- a. Retail Stores and Banks. One (1) parking space shall be provided for each two hundred (200) square feet of floor area in excess of two thousand (2,000) square feet. Drive-in banks or other similar drive-in establishments shall provide three (3) stacking spaces per teller or customer service window.
- b. Automobile Service Stations. One (1) parking space shall be provided for each two (2) employees.
- c. Automobile Laundry. Twenty (20) stacking spaces shall be provided for each wash rack, plus one (1) parking space for each four (4) employees.

- d. Bowling Alleys. Three (3) parking spaces shall be provided for each alley, plus such additional spaces as may be required herein for affiliated uses--bars, restaurants and the like.
 - e. Establishments Dispensing Food or Beverages for Consumption on the Premises. One (1) parking space shall be provided for each three hundred (300) square feet of floor area.
 - f. Furniture and Appliance Stores, Household Equipment or Furniture Repair Shops. One (1) parking space shall be provided for each six hundred (600) square feet of floor area in excess of two thousand (2,000) square feet.
 - g. Motor Vehicle Sales and Machinery Sales. One (1) parking space shall be provided for each three hundred (300) square feet of floor area.
 - h. Theaters (indoor). One (1) parking space shall be provided for each five (5) seats.
 - i. Undertaking Establishments, Funeral Parlors. Six (6) parking spaces shall be provided for each chapel or parlor, plus one (1) parking space for each funeral vehicle kept on the premises.
3. Offices--Business, Professional and Governmental. One (1) parking space shall be provided for each two hundred (200) square feet of floor area.
 4. Medical or Dental Clinics. Three (3) parking spaces for each doctor or dentist, plus one parking space for each two hundred (200) square feet of floor area of the building, shall be provided. (Ord. No. 66, 12-15-75)
 5. Wholesale Establishments (but not including Warehouses and Storage Buildings other than Accessory). One (1) parking space shall be provided for each six hundred (600) square feet of floor area in excess of four thousand (4,000) square feet.
 6. Manufacturing Uses or any Establishments Engaged in Production, Processing, Cleaning, Servicing, Testing or Repair of Materials, Goods or Products. One (1) parking space shall be provided for each two (2) employees, plus one (1) parking space for each vehicle used in the conduct of the enterprise.
 7. Warehouses and Storage Buildings. One (1) parking space shall be provided for each two (2) employees, plus one (1) space for each vehicle used in the conduct of the enterprise.
 8. Community Service Uses, as follows:
 - a. Church, School, College and Other Institutional Auditoriums. One (1)

parking space shall be provided for each three (3) auditorium seats. Adequate space shall also be provided for buses used in connection with the activities of the institution, and all loading and unloading of passengers shall take place upon the premises.

- b. Colleges, Universities and Business, Professional and Trade Schools. One (1) parking space shall be provided for each three (3) employees and one (1) parking space shall be provided for each four (4) students based on the maximum number of students attending classes on the premises at any one time during any twenty-four (24) hour period.
 - c. Health Centers, Government Operated. Three (3) parking spaces shall be provided for each staff and visiting doctor.
 - d. Hospitals. One (1) parking space shall be provided for each two (2) hospital beds, plus one (1) parking space for each two (2) employees (other than staff doctors), plus one (1) parking space for each doctor assigned to the staff.
 - e. Libraries, Art Galleries and Museums--Public. One (1) parking space shall be provided for each one thousand (1,000) square feet of gross floor area.
 - f. Municipal or Privately Owned Recreation Buildings or Community Centers. One (1) parking space shall be provided for each two (2) employees, plus spaces adequate in number, as determined by the Zoning Administrator, to serve the visiting public.
 - g. Public Utility and Public Service Uses. One (1) parking space shall be provided for each three (3) employees, plus spaces adequate in number, as determined by the Zoning Administrator, to serve the public.
 - h. Schools--Nursery, Elementary and High. One (1) parking space shall be provided for each employee.
9. Places of Assembly, as follows:
- a. Stadiums, Arenas, Auditoriums (other than church, college or institutional school), Convention Halls, Dance Halls, Exhibition Halls, Skating Rinks, and Other Similar Places of Assembly. Parking spaces equal in number to twenty-five (25) percent of the capacity in persons shall be provided.
10. Miscellaneous Uses, as follows:
- a. Fraternities, Sororities and Dormitories. One (1) parking space shall be provided for each five (5) active members, plus one (1) parking space for the manager thereof.

- b. Institutions for the Care of the Insane or Feeble-Minded. One (1) parking space shall be provided for each staff doctor, plus spaces adequate in number--as determined by the Zoning Administrator--to serve the visiting public.
 - c. Private Clubs and Lodges (Without Sleeping Facilities for Guests). Parking spaces equal in number to ten (10) percent of the capacity in persons shall be provided.
 - d. Rest Homes and Nursing Homes. One (1) parking space shall be provided for each four (4) beds, plus one (1) parking space for each two (2) employees (other than staff doctors), plus one (1) parking space for each doctor assigned to the staff.
 - e. Sanitariums, Convalescent Homes or Institutions for the Aged or for Children. One (1) parking space shall be provided for each four (4) beds, plus one (1) parking space for each two (2) employees (other than staff doctors), plus one (1) parking space for each doctor assigned to the staff.
 - f. Theaters--Automobile Drive-In. Reservoir parking space equal to ten (10) percent of the vehicle capacity of such theaters shall be provided.
11. Mixed Uses. When two (2) or more uses are located on the same zoning lot within the same building, parking spaces equal in number to the sum of the separate requirements for each such use shall be provided. No parking space or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Zoning Administrator.
12. Other Uses. For uses not listed heretofore in this schedule of parking requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Zoning Administrator.

Section 14.06. Additional regulations--Off-street loading.

1. Location. All required loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons capacity shall be closer than fifty (50) feet to any property in a residence district unless completely enclosed by building walls, or a uniformly painted solid fence or wall, or any combination thereof, not less than six (6) feet in height. No permitted or required loading berth shall be located in any required front or side yard. No permitted or required loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets.

2. Size. Unless otherwise specified, a required loading berth shall be at least ten (10) feet in width by at least twenty-five (25) feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.

3. Access. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.

4. Surfacing. All open off-street loading berths shall be improved with an aggregate base, not less than seven (7) inches thick, surfaced with not less than two (2) inches of asphaltic concrete or some comparable all-weather dustless material.

5. Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

Article 15.00. LANDSCAPING

Section 15.01. Required minimum landscaping.

1. Owners and occupants of properties used for any purpose other than residential uses having not more than four residential units in any building or upon any zoning lot, or agricultural uses, shall be required to install and maintain minimum landscaping on such properties as follows:

- a. When the parking lot for such use abuts any residential district or use, decorative fencing of at least five (5) feet in height or, alternatively, a compact dense screen planting which reasonably is expected to attain the height of five (5) feet within five (5) years from the date of planting, shall be installed and maintained as a buffer between the affected use and the residential use.
- b. Off-street parking areas that contain ten thousand (10,000) square feet or more of surfaced area shall have a landscaped area, or areas, adjacent to, or part of, the parking area, said landscaped area or areas to total at least of ten per cent (10%) of the total parking area; provided that any landscaped area installed to satisfy the foregoing requirement shall contain at least one hundred and twenty (120) square feet of landscaped area and shall contain no dimension of less than six (6) feet.
- c. In addition to the other requirements hereunder, convenience stores, fast food restaurants, service stations, and other similar uses shall install and maintain a landscaped barrier separating parking lots, driveways, or other paved areas, from the public rights-of-way, which landscaped barrier shall be of sufficient height and density to intercept debris generated by the business and its patrons.
- d. For the purposes hereof, landscaping shall be defined as changing, rearranging or adding to the lawns, trees, plants, evergreens, perennials or annuals, and other decorative features of a parcel of land to produce an aesthetic effect appropriate for the use to which the land is put.

- e. All landscaping required to be installed and maintained hereunder shall be maintained by the property owner, or other responsible party in a reasonable and aesthetically pleasing condition at all times.

2. The provisions of this section shall not apply to any existing property for so long as there is no expansion of any existing parking area, but shall be applicable in the event of the expansion of any existing parking area.

Article 16.00. PERMITS

Section 16.01. Where Required.

A written permit shall be obtained by the property owner (not a tenant) from the Village Clerk before starting: (1) To establish any new use of property, (2) To change the use of any building, structure, or land from one classification to another, (3) To erect, construct, reconstruct, enlarge, or move any building or structure, except the replacement of damage caused by fire, lightning, or wind, shall not require a permit, provided, said replacement is otherwise in conformity with the provisions of this Ordinance and later amendments, (4) In the case of a non-conforming use, to change from one use to another, (5) Concrete stone, wood, masonry, or other fences, (6) All swimming pools 24” in depth or greater, shall require a permit. Each pool shall be protected by means of a decorative fence at 48” in height, (7) Governmental bodies shall conform to the provisions of this Ordinance and shall be required to obtain permits, except that no permit fee will be required.

No permit shall be required for (1) routine maintenance or repair of buildings, structures, or equipment such as repainting or re-roofing a building, or reballasting a railroad track, (2) construction or alterations costing less than five hundred dollars (\$500.00).

Section 16.02 Information required.

Applications for permits shall be filed in written form with the Village Clerk, shall state the legal description of the property, the name and address of the owner, the applicant, and the contractor, the estimated cost, and shall give such information as may be required by this Ordinance for its property enforcement.

Section 16.03 Drawing.

All applications shall be accompanied by a dimensional drawing (to scale) of the building plot showing the location of buildings, and structures, lot areas to be used, auto parking arenas, and water and sewage disposal facilities.

16.04 Accessory Buildings.

Each permit issued for a main building shall also cover any accessory structures or buildings constructed at the same time on the same premises, and such permit shall be posted in plain sight

on the premises for which it is issued. All accessory buildings constructed independently from a primary structure shall require a permit.

Section 16.05 Revocation.

All building permits shall expire in six months after the date thereof unless the building which is permitted to be erected shall be commenced within said six month period, and building shall be completed within twelve months from the date of issuance of the permit or the permit shall expire. a permit shall be revoked by the Village Clerk when he shall find from personal inspection or from competent evidence that the rules or regulations under which it had been issued are being violated. All work covered under a permit must be completed within 12 months of the date issued unless otherwise agreed upon when permit is issued. A fine of \$25.00 per day will be assessed for each day in excess of the twelve month period.

Section 16.06. Records.

All applications and a copy of all permits issued shall be systematically filed and kept by the Village Clerk in his office for ready reference.

Section 16.07. Cost.

To partially defray the expense of administering the Ordinance, a fee where required, shall be charged for each permit and collected by the Village Clerk who shall account for the same to the Village Treasurer. A minimum fee of \$25.00 shall be charged for each permit plus an additional \$1.00 for each \$1,000.00 of improvement or fraction thereof.

Section 16.08 Denial of permits.

The Village Clerk shall, where such uses would be detrimental to adjacent property and to the ultimate development, discourage and deny permits for: (1) Unusual locations of buildings and structures such as excessive set back unless justified by topography or other existing structures, (2) Dwellings and structures of a temporary or partially completed nature.

Article 17.00. ADMINISTRATION

Section 17.01. Administrative officer.

The Building Inspector, acting as Zoning Administrator, shall be in charge of the administration and enforcement of this ordinance.

1. *Duties.* The Building Inspector shall:
 - a. Receive applications required, issue permits and furnish certificates, all in his judgment and discretion.

- b. Examine premises for which permits have been issued, and make necessary inspections to determine compliance.
- c. When requested by the Village President or Board of Trustees, or when the interest of the Village so requires, make investigations and render written reports.
- d. Issue such notices or orders as may be necessary.
- e. Adopt rules and procedures consistent with this ordinance.
- f. Keep careful and comprehensive records of applications, permits, certificates, inspections, reports, notices, orders and all localized actions of the Board of Trustees, and shall file the same permanently by street address.
- g. Keep all such records open to public inspection, at reasonable hours, but not for removal from his office.
- h. Report to the Village President at least once each month as to permits and certificates issued, and orders promulgated.
- i. Request and receive the assistance and cooperation of the Police Department, the legal department, and of other Village officials.
- j. Inform the legal department of all violations and all other matters requiring prosecution or legal action.
- k. Be entitled to rely upon any opinion of the legal department as to the interpretation of this ordinance, or the legal application of this ordinance to any factual situation.
- l. Discharge such other duties as may be placed upon him by this ordinance.

Section 17.02. Zoning certificates.

1. No permit as required by the Building Ordinances of the Village of Gridley shall be issued by the Building Inspector for the construction of a building, structure or land improvement or an alteration or enlargement of an existing building, structure or land improvement and the uses thereof, until the Building Inspector certifies in such permit that the application for a permit with accompanying plans and specifications conforms with the regulations of this comprehensive amendment.

2. When a permit is not required by the Building Ordinance of the Village of Gridley for an improvement and the use thereof requiring [requires] conformance with the regulations of this

comprehensive amendment, an application for a zoning certificate shall be filed with the Building Inspector. A zoning certificate shall be issued only when the application shows conformance with the regulations of this comprehensive amendment.

3. All applications for building permits or zoning certificates shall be accompanied by a plan drawing in duplicate drawn to scale showing the actual dimensions of the lot or lots to be built upon, the size of the building or structure to be erected or structurally altered, its location on the lot or lots and such other information as may be necessary to provide for the enforcement of these regulations. A careful record of such applications and plats shall be kept in the office of the Building Inspector. The Building Inspector shall in writing approve or disapprove all building permits or zoning certificates within thirty (30) days after submission thereof; failure to act shall be deemed approval thereof.

Section 17.03. Occupancy certificate.

1. No building or addition thereto, constructed after the effective date of this ordinance and no addition to a previous existing building shall be occupied, and no land vacant on the effective date of this ordinance shall be used for any purpose, until an occupancy certificate has been issued by the Building Inspector. No change in a use in any district shall be made until an occupancy certificate has been issued by the Building Inspector. Every occupancy certificate shall state that the use or occupancy complies with all the provisions of this ordinance.

2. Every application for a building permit shall also be deemed to be an application for an occupancy certificate. Every application for an occupancy certificate for a new or changed use of land or building where no building permit is required shall be made to the Building Inspector.

3. No occupancy certificate for a building or addition thereto, constructed after the effective date of this ordinance, shall be issued until construction has been completed and the premises have been inspected and certified by the Building Inspector to be in full and complete compliance with the plans and specifications upon which the zoning certificate was based. Pending the issuance of a regular certificate, a temporary certificate may be issued to be valid for a period not to exceed six (6) months from its date during the completion of any addition or during partial occupancy of the premises. An occupancy certificate shall be issued, or written notice shall be given to the applicant stating the reasons why a certificate cannot be issued, not later than fourteen (14) days after the Building Inspector is notified in writing that the building or premises is ready for occupancy.

Section 17.04. Appeals.

1. *Authority.* The Village Board shall hear all appeals as brought to them by Building Inspector.

2. *Initiation and Processing.* An appeal may be taken to the Village Board by any person, firm or corporation, or by any office, department, board, bureau or commission, aggrieved by an administrative order, requirement, decision, or determination under this comprehensive amendment.

The Village Board shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the appeal within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney. The Village Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end has all the powers of the officer from whom the appeal is taken.

3. *Decisions.* All decisions, after hearing, of the Village Board on appeals from an administrative order, requirement, decision or determination of the Building Inspector shall, in all instances, be final administrative determinations and shall be subject to judicial review only in accordance with applicable Illinois statutes.

Section 17.05. Variations.

1. *Authority.* The Village Board shall decide variations of the provisions of this ordinance in harmony with its general purpose and intent, and shall vary them only in the specific instances hereinafter set forth where the Village Board shall have made a finding of fact based upon the standards hereinafter prescribed that there are practical difficulties or particular hardship in the way of carrying out the strict letter of the regulations of this ordinance.

2. *Initiation.* An application for a variation may be made by any person, firm, or corporation, or by any office, department, board, bureau or commission requesting or intending to request application for a building permit, zoning certificate or occupancy certificate.

3. *Processing.* An application for a variation shall be filed with the Village Clerk. The Village Clerk shall forward such application to the Village Board, along with a fee of \$100.00 for processing in accordance with applicable statutes of the State of Illinois, and the provisions of this ordinance.

No variation shall be made by the Village Board except after a public hearing before the Village Board, of which there shall be a notice of time and place of the hearing published at least once--not more than 30 nor less than 15 days before the hearing--in one or more newspapers with a general circulation within Gridley.

4. Standards:

- a. For the purpose of determining there are practical difficulties or particular hardship, the Village Board shall take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:
 - (1) That the particular physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out;

- (2) That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoned classification;
 - (3) That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
 - (4) That the alleged difficulty or hardship has not been created by any person presently having an interest in the property;
 - (5) That the granting of the variation will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located; or
 - (6) That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- b. The Village Board may require such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards set forth in this section to reduce or minimize the effect of such variation upon other property in the neighborhood, and to implement the general purpose and intent of this ordinance.

6. *Authorized Variation.* Variations from the regulations of this zoning ordinance shall be granted by the Board only in accordance with the standards set out in this section, and may be granted only in the following instances, and in no others:

- a. To permit up to a 25 percent reduction in the front, side or rear yard required by this ordinance.
- b. To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than 90 percent of the required lot area; and provided that the Village Board in considering any request for permission to build upon an undersized tract including an undersized platted lot or combination of undersized platted lots shall whenever such combination is possible require that two or more undersized lots be combined or redivided into building sites of at least or substantially the size required by this ordinance.
- c. To permit the use of a lot less in width by not more than 17 percent of the lot width as required by this ordinance.
- d. To permit off-street parking facilities to qualify as required facilities for two or more uses, provided the substantial use of such facility by each user does not take

place at approximately the same hours of the same days of the week.

- e. To reduce the applicable number of off-street parking or loading spaces required by not more than one parking space or loading berth or 20 percent of the applicable regulations, whichever number is greater.
- f. To permit in a residence district for a period of not longer than six months from the date of issuance of variation, a temporary use for commerce or industry incidental to residential development.
- g. To permit, for a limited period of time, in any district, temporary uses that are of a seasonal or periodic nature.
- h. To extend the period of time a non-conforming use may continue or remain.
- i. To exceed any of the authorized variations allowed under this section, when a lot of record or zoning lot, vacant or legally used on the effective date of this ordinance, is by reason of the exercise of the right of eminent domain by any authorized governmental body or by reason of a conveyance under threat of an eminent domain proceeding reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one or more of the regulations of the district in which said lot of record or zoning lot or structure is located.
- j. To permit signs of a greater height or surface area than permitted herein but by no more than 25 percent of the applicable regulations.

Section 17.06. Zoning Committee

1. *Jurisdiction.* The Gridley Village Board is the Zoning Committee referred to in this ordinance, and shall have the following duties under this ordinance:

- a. To hear all applications for amendments and special uses.
- b. To initiate, direct and review, from time to time, studies of the provisions of this comprehensive amendment.
- c. To hear and decide all matters upon which it is required to pass under this comprehensive amendment.

2. *Meetings and Rules.* All meetings of the Zoning Committee shall be held at the call of the Chairman, and at such times as the committee may determine. All hearings conducted by the Zoning Committee under this comprehensive amendment shall be in accordance with Illinois statutes. All testimony by witnesses at any hearing provided for in this comprehensive amendment shall be given under oath. The Zoning Committee shall keep minutes of its

proceedings, and shall also keep records of its hearings and other official actions. A copy of every rule or regulation, every amendment and special use, and every recommendation, order, requirement, decision or determination of the Zoning Committee under this comprehensive amendment shall be filed in the office of the Village Clerk and shall be a public record.

Section 17.07. Amendments.

1. *Authority.* The regulations imposed and the districts created under the authority of this ordinance may be amended from time to time, by ordinance in accordance with applicable statutes of the State of Illinois. An amendment shall be granted or denied by the Board of Trustees.

2. *Initiation of Amendment.* Amendments may be proposed by the Board of Trustees, other governmental bodies, or by any resident of or owner of property within the jurisdictional limits of this ordinance.

3. *Processing.* An application for an amendment shall be filed with the Village Clerk who shall introduce it to the Board of Trustees and set the application for a public hearing. Notice shall be given of the time and place of the hearing, not more than 30 nor less than 15 days before the hearing, by publishing a notice thereof at least once in one or more newspapers with a general circulation within Gridley.

4. *Decisions.* The Board of Trustees, shall grant or deny any proposed amendment in accordance with applicable statutes of the State of Illinois.

In cases of a written protest against any proposed amendment of the regulations or districts, signed and acknowledged by the owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across an alley therefrom, or by the owners of 20 percent of the frontage directly opposite the frontage proposed to be altered, is filed with the Clerk of the municipality, the amendment shall not be passed except by a favorable vote of two-thirds of all of the Trustees of the Village of Gridley.

Section 17.08. Special uses.

1. *Purpose.* The development and execution of the zoning ordinance is based upon the division of the Village into districts, within any one [of] which the use of land and buildings and the bulk and location of buildings or structures, as related to the land, are essentially uniform. It is recognized, however, that there are special uses which, because of their unique character, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring lands and upon the public need for the particular use or the particular location. Such special uses fall into two categories:

- a. Uses operated by a public agency or publicly-regulated utilities, or uses traditionally affected with a public interest.
- b. Uses entirely private in character, but of such a nature that the operation may give rise to unique problems with respect to their impact upon neighboring property or

public facilities.

2. *Authority.* Special uses shall be authorized or denied by the Board of Trustees in accordance with the provisions of this ordinance applicable to amendments of this ordinance and the regulations and conditions set forth in this ordinance for special uses.

No application for a special use shall be acted upon by the Board of Trustees until after:

- a. A written report is prepared and forwarded to the Board of Trustees by the Zoning Committee in a manner prescribed herein for amendments to this ordinance; and
- b. A public hearing has been held by the Zoning Committee, after due notice by publication as prescribed herein, for amendments, and the findings and recommendations of the Zoning Committee have been reported to the Board of Trustees.

3. *Initiation.* An application for a special use may be made by any person, firm or corporation, or by any office, department, board, bureau or commission requesting or intending to request a building permit or occupancy certificate.

4. *Processing.* An application for a special use, in such form and accompanied by such information as shall be established from time to time by the Zoning Committee, shall be filed with the Village Clerk along with a processing fee of \$100.00 and thereafter processed in the manner prescribed heretofore for applications for amendments.

5. *Decisions.* The Board of Trustees shall authorize by a special use ordinance, or deny an application for a special use in accordance with the provisions of this ordinance applicable to amendments.

No special use shall be authorized by the Board of Trustees unless the special use:

- a. Is deemed necessary for the public convenience at that location;
- b. Is so designed, located, and proposed to be operated that the public health, safety and welfare will be reasonably protected; and
- c. Would not cause substantial injury to the value of other property in the neighborhood in which it is located.

6. *Conditions.* The Board of Trustees may provide such conditions and restrictions upon the construction, location and operation of a special use, including, but not limited to, provisions for off-street parking and loading as may be deemed necessary to promote the general objectives of this ordinance and to minimize the injury to the value of the property in the neighborhood.

Section 17.09. Planned developments.

Planned developments are of such substantially different character from other special uses that specified and additional standards and exceptions are hereby established to govern the action of the Board of Trustees.

1. *Use Exceptions.* The Board of Trustees may authorize that there be in part of a planned development, and for the duration of the planned development, specified uses not listed as permitted uses in the district regulations herein applicable to the district in which said development is located, provided that the Board of Trustees shall find:
 - a. That the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose of the development;
 - b. That the uses permitted by such exception are not of such a nature or so located as to exercise an undue detrimental influence on the planned development or the surrounding neighborhoods; and
 - c. That the ground area of such development devoted to the uses permitted by such exception shall not exceed 10 percent of the total ground area of such development.

2. *Bulk Regulations.* In any planned development, the Board of Trustees may authorize, exceptions to the bulk regulations set forth herein in the district regulations applicable to the district in which the planned development is located, provided it shall find:
 - a. That such exception shall be solely for the purpose of promoting a unified site plan no less beneficial to the residents or occupants of such development as well as the neighboring property than would be obtained by the bulk regulations of this comprehensive amendment for buildings developed on separate lots.
 - b. That the overall floor area ratio, when applicable, would not exceed by more than 15 percent, the floor area ratio regulations of this comprehensive amendment for the district in which it is located.
 - c. That in the part of the planned development containing only multiple-family residential uses, the minimum lot area per dwelling unit may be not more than 15% less than required for permitted uses in the district regulations applicable to the district in which the planned development is located.

Reduction of such lot area shall be recommended by the Board of Trustees only when there is contained within the planned development permanent

open areas, the area and location of which shall meet with the approval of the Board of Trustees, and that such open space shall not be less than that which would pertain if developed on individual lots.

Such open areas shall be preserved over the life of the planned development, for use only by the residents of the planned development or dedicated to the Village of Gridley for school, park, playground or other public uses; and

- d. That in a planned development devoted to Multiple-Family residential uses, the Board of Trustees may approve, access to a dwelling by a driveway or pedestrian walk easement, however, off-street parking facilities for such dwellings shall be located not more than 200 feet from the dwelling served; [and] yards of lesser widths or depths than required for permitted uses in the district regulations applicable to the district in which the planned development is located [may be permitted]; provided
 - (1) That protective covenants are recorded which perpetuate access easements and off-street parking spaces for use by the residents of the dwellings served;
 - (2) That spacing between buildings shall be consistent with the application of recognized site planning principles for securing a unified development and due consideration is given to the openness normally afforded by intervening streets and alleys.
 - (3) Spacing between principal buildings within a part of a planned development where subsequent transfer of ownership is contemplated, shall be equivalent to such spacing as would be required between buildings by district regulations for the district in which it is located; and

- e. That in a planned business development, the following additional requirements are hereby specified:
 - (1) All buildings shall be set back not less than thirty feet from all streets bounding the site;
 - (2) Required off-street parking space shall be provided in the ratio of not less than ten parking spaces for every one thousand square feet of gross floor area;
 - (3) All walks, streets and driveways within the planned development shall be paved with a hard surfaced material meeting the specifications of the Village Engineer;

- (4) Any part of the planned development not used for buildings, loading and access ways, shall be attractively landscaped with grass, trees, shrubs or pedestrian walkways, according to a landscape plan as approved by the Board of Trustees.
- (5) The buildings in the planned development shall be planned and designed as a unified and single project.

3. *Procedures for Application for Planned Development.*

- a. The application along with a filing fee of \$1,000, shall be filed with the Village Clerk who shall introduce it to the Board of Trustees and set a public hearing. The Village Clerk shall give notice of a public hearing as required herein for a special use.
- b. The Board of Trustees may disapprove, or grant the special use permit for a planned development by ordinance.
- c. The ordinance granting a special use for planned developments shall set forth all the requirements, special conditions and agreements made a part of the planned development. The plans and other documents required as part of the special use application shall be attached to and made a part of the ordinance granting the permit for planned development.

Section 17.10. Fees.

The Board of Trustees hereby establishes the following schedule of fees, charges and expenses for zoning certificates, occupancy certificates, sign permits, appeals, application for amendments or special use and other matters pertaining to this Ordinance. This schedule of fees shall be posted in the office of the Village Clerk and may be altered or amended only by the Board of Trustees.

1. [Filing fees.]
 - (a) Filing fees for the following petitions: annexation, rezoning, text amendment, special use, preliminary and final subdivision or resubdivision of an existing subdivision, and appeals shall be \$100.00 for each petition.
 - (b) Filing fees for filing variance petitions shall be \$100.00 for each petition.
 - (c) When two or more petitions are filed concurrently and which refer to the same real estate tract, a filing fee of \$75.00 for each petition shall be charged; provided, however, that no filing fee in excess of \$150.00 shall be charged for a variance petition.

- (d) Filing fees for sign permits for signs larger than 75 square feet shall be \$20.00 and filing fees for sign permits for signs smaller than 75 square feet shall be \$10.00.
 - (e) Petitioner shall pay all publication costs incurred to comply with the Village Ordinances and State Law.
2. All petitions which are filed under this Section shall be filed with the Village Clerk in the manner prescribed in the administrative section of the Gridley Zoning Ordinance and shall be filed on or before the twelfth day preceding a regularly scheduled Board of Trustees meeting, together with the required fee, at which time the Village Clerk will forward them to the Gridley Board of Trustees for consideration for referral to the appropriate commission or board, provided, however, that as to any petitions seeking only a rezoning or a special use or a combination thereof, the foregoing filing deadlines shall not apply, but rather, such petitions must be filed on or before the Wednesday preceding the said regularly scheduled Board of Trustees Meeting at which referral to the appropriate commission or board is made. All such petitions filed under this section, including petitions which are filed concurrently with another petition and which refer to the same real estate tract shall be accompanied by five copies of the text of the petition and five copies of the plat maps.

Section 17.11. Violation, penalty, enforcement.

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 \$25.00 nor more than \$200.00 for each offense. Each day that a violation is permitted to exist after notification thereof shall constitute a separate offense.

Section 17.12. When effective.

This ordinance shall be in full force and effect immediately after passage, approval and publication in book form according to law.

Approved by me as Village President of the Village of Gridley, Illinois this _____ day of _____, 2006.

Village President

ATTEST:

Village Clerk

Adopted by the Board of Trustees of the Village of Gridley, Illinois on the _____ day of _____, 2006.

Village Clerk

APPENDIX

Appendix "A" District Uses Allowed

Appendix "B" Zoning Map

APPENDIX "A"
Village of Gridley
Zoning Ordinance

Table of Permitted and Special Uses

P=Permitted Use
S=Special Use
A=Accessory Permitted Use
Blank=Use not allowed

	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
Primary Uses											
Residential Uses											
Single-Family Detached Residential	P	P	P	P	P						
Two-Family Residential	S	P	P	P	P						
Zero Lot Line Duplex		S	P	P	P						
Multiple-Family Residential			S	P	P			S			
Residential Above Commercial Use							P	P			
Multiple-Family Residential (Exclusively for the Elderly)			P	P	P		S	S	S		
Attached Single Family Residential (Townhouse)		P	P	P	P						
Manufactured Home						P					
Mobile Home						P					
Home Day Care (1-3 Client Children)	P	P	P	P	P						
Nursing Homes and Assisted Living Facilities	S		S	S	P						
Agency Licensed Family Residential Care Home Permanent with five (5) or fewer residents		P	P	P	P						
Agency Licensed Family Residential Care Home Permanent with six (6) residents		S	P	P	P						
Agency Licensed Family Residential Care Home Transitional		S	S	S	S						
Agency Licensed Group Residential Care Home Permanent				S	P						
Agency Licensed Group Residential Care Home Transitional				S	S						
Boarding House/Rooming House				S	S						
Bed and Breakfast	S	S	S	P	P		P	P	P		

Ledger Key

- A1 Agriculture District
- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multi-Family Residential
- R4 Multi-Family Residential
- B1 Downtown Business District
- B2 General Business District
- B3 Highway Business District
- M1 Manufacturing
- MH Mobile Home Park
- P Public Grounds

	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
Business Uses											

Automobile Service Stations							S	S	P	P	
Automobile Washing, including the use of mechanical conveyors, blowers, and steam-cleaning								S	P	P	
Group Day Care Center (4 or More Client Children)		S	S	P	P		S	S	S	S	
Commercial Indoor Lodging							S	P	P		
Office and Professional Service	S				S		P	P	P	P	
Personal Service					S		P	P	P		
Indoor Business Sales/Services							P	P	P	P	
Indoor Retail Sales of Goods (Other than Groceries or Food), under 10,000 sq. ft.							P	P	P	S	
Indoor Retail Sales of Goods (Other than Groceries or Food), over 10,000 Sq. Ft.								P	P		
Indoor Grocery/Food Sales							S	P	P		
Restaurants							P	P	P	S	
Drive-Through Sales/Service, including fast food restaurants							S	S	P	S	
Radio and Television Broadcasting Stations								P	P		
Bar, Tavern, Lounge							S	S	S		
Vehicle sales and service									P		
Funeral Home					S		S	P	P		
Public, Cultural and Recreation Uses											
Indoor Civic, Cultural, Religious, and Institutional (including schools, hospitals, and government buildings)	P	S	S	P	P		S	S	S		P
Indoor Recreation and Entertainment (Other than in Schools)	P				S		S	P	P	P	P
Outdoor Recreational and Open Space (Public and Private), under 1 acre	P	P	P	P	P		S	P	P	P	P
Outdoor Recreational and Open Space (Public and Private), over 1 acre		S	S	S	P		P	S	S	S	P
Outdoor Entertainment	S							S	S		P

Ledger Key

- A1 Agriculture District
- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multi-Family Residential
- R4 Multi-Family Residential
- B1 Downtown Business District
- B2 General Business District
- B3 Highway Business District
- M1 Manufacturing
- MH Mobile Home Park
- P Public Grounds

	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
Industrial and Higher Intensity Uses											
Outdoor Display								S	S	P	P
Utility Facilities	S			S	S		S	S	S	P	
Warehouse and Wholesale Uses										P	
Light Manufacturing Uses, under 6,000 sq. ft. (NAICS codes 311, 312, 314-321, 3222, 323, 332, 337)1								S	S	P	
Light Manufacturing Uses over 6,000 sq. ft. (NAICS codes 311, 312, 314-321, 3222, 323, 332, 337)1										P	
Heavy Manufacturing Uses (NAICS codes 313, 3221, 324-331, 333-336, 339)1										S	
Indoor Maintenance Service							S	S	P	P	
Outdoor Maintenance Service								S	S	S	
Motor Freight Terminals										P	
Mining and Excavation										S	
Commercial Animal Boarding	S										
Salvage Yards and Recycling Centers										S	
Self-service Storage Facilities								S	S	P	
Adult Uses											
Sanitary Landfill											
Low Mass and Low Intensity Uses											
Agricultural Uses	P ¹										
Agricultural Related Office/Research/Laboratory	P								P	P	
Cemeteries, crematories or mausoleums	P		S	S	S						
Telecommunication Equipment, Including Towers for Radio, Television, and Cellular	S						S	S	S	S	
Mixed Uses and Multi-Function Uses											
Planned Unit Development	S	S	S	S	S		S	S	S	S	

1. Shall be only crop related production.
No livestock operations or livestock boarding shall be permitted.

Note: A maximum of 2 domestic animals shall be allowed per household in any district.

Ledger Key

- A1 Agriculture District
- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multi-Family Residential
- R4 Multi-Family Residential
- B1 Downtown Business District
- B2 General Business District
- B3 Highway Business District
- M1 Manufacturing
- MH Mobile Home Park
- P Public Grounds

	A-1	R-1	R-2	R-3	R-4	MH	B-1	B-2	B-3	M-1	P
OTHER USES ACCESSORY TO PRIMARY USES											
Residential Accessory Uses											
Residential (including caretaker dwelling)	A						S	S	S	A	
Home Occupation	A	A	A	A	A		S	S			
Detached Private Residential Garage/Carport/Utility Shed	A	A	A	A	A		A	A	A		
Swimming Pools	A	A	A	A	A	A					A
Individual Septic System	A	S									
Individual Water Well	A										
Business Accessory Uses											
On-site Parking Lot	A	A					A	A	A	A	
Outdoor Restaurant Seating							S	S	S	S	
Incidental Outdoor Display	S						S	S	S	A	
Incidental In-Vehicle Service							S	S	S	A	
Temporary Produce Stands	A										
Commercial and Industrial Accessory Uses											
Outside Storage								S	S	P	
Indoor/Outdoor Recreational							A	A	A	A	
Incidental Light Assembly Activities							S	S	S	A	
Crematorium and Cemeteries	S										

Ledger Key

- A1 Agriculture District
- R1 Single Family Residential
- R2 Two Family Residential
- R3 Multi-Family Residential
- R4 Multi-Family Residential
- B1 Downtown Business District
- B2 General Business District
- B3 Highway Business District
- M1 Manufacturing
- MH Mobile Home Park
- P Public Grounds

Notes:

- (1) All swimming pools 24" in depth or greater, shall require a permit. Each pool shall be protected by means of a decorative fence at least 48" in height.
- (2) All fences in any district shall require a permit. No fence shall be located closer than 3' from a street or alley line. (property line)
- (3) Camping trailers and recreational vehicles are not considered as an accessory use, but may be allowed to be kept outdoors in a residential district for a period of not more than 14 total days in any calendar year. Boats/trailers cannot be stored in an area visible from the street. Boats 14' or less may be stored in the rear yard.

Chapter 23

COMBINED WATERWORKS AND SEWERAGE DEPARTMENT

Article 1. DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Sec. 1. FEDERAL GOVERNMENT

- a. "Federal Act" means the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq) as amended by the Federal Water Pollution Control Act of Amendments of 1972 (Pub. L. 92-500) and (Pub. L. 93-243).
- b. "Administrator" means the Administrator of the U.S. Environmental Protection Agency.
- c. "Federal Grant" shall mean the U.S. government participation in the financing of the construction of treatment works as provided for by Title II-Grants for Construction of Treatment Works of the Act and implementing regulations.

Sec. 2. STATE GOVERNMENT

- a. "State Act" means the Illinois Anti-Pollution Bond Act of 1970.
- b. "Director" means the Director of the Illinois Environmental Protection Agency.
- c. "State Grant" shall mean the State of Illinois participation in the financing of the construction of treatment works as provided for by the Illinois Anti-Pollution Bond Act and for making such grants as filed with the Secretary of State of the State of Illinois.

Sec. 3. LOCAL GOVERNMENT

- a. "Ordinance" means this ordinance.
- b. "Village Board" means the Board of Trustees of the Village of Gridley.
- c. "Village" shall mean the Village of Gridley, McLean County, Illinois.
- d. "Superintendent" shall mean the superintendent of the Combined Waterworks and Sewerage Departments of the Village of Gridley, or his authorized deputy, agent, or representative.

Sec. 4. GENERAL

- a. "Person" shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency or other entity.

- b. "NPDES Permit" means any permit or equivalent document or requirements issued by the Administrator, or, where appropriated by the Director, after enactment of the Federal Water Pollution Control Amendments of 1972, to regulate the discharge of pollutants pursuant to section 402 of the Federal Act.
- c. Clarification of word usage: "Shall" is mandatory; "may" is permissible.

Sec. 5. WASTEWATER AND ITS CHARACTERISTICS

- a. "Wastewater" shall mean the spent water of a community. From this standpoint of course, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
- b. "Sewage" is used interchangeably with "wastewater."
- c. "Effluent Criteria" are defined in any applicable "NPDES Permit."
- d. "Water Quality Standards" are defined in the Water Pollution Regulations of Illinois.
- e. "Unpolluted Water" is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
- f. "ppm" shall mean parts per million by weight.
- g. "Milligrams per Liter" shall mean a unit of the concentration of water or wastewater constituent. It is 0.001 g of the constituent in 1,000 ml of water. It has replaced the unit formerly used commonly, parts per million, to which it is approximately equivalent, in reporting the results of water and wastewater analysis.
- h. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods."
- i. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure of five (5) days at 20° C, expressed in milligrams per liter.
- j. "pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed by one of the procedures outlined in "Standard Methods."

- k. "Standard Methods" shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.
- l. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.
- m. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- n. "Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.
- o. "Population Equivalent" is a term used to evaluate the impact of industrial or other waste on a treatment works or stream. One population equivalent is 100 gallons of sewage per day, containing 0.17 pounds of BOD and 0.20 pounds of suspended solids.
- p. "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- q. "Industrial Waste" shall mean any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resource as distinct from sanitary sewage.
- r. "Major Contributing Industry" shall mean an industrial user of the publicly owned treatment works that: (a) has a flow of 50,000 gallons or more per average work day; or (b) has a flow greater than ten percent of the flow carried by the municipal system receiving the waste; or (c) has in its waste, a toxic pollutant in toxic amount as defined in standards issued under section 307(a) of the Federal Act; or (d) is found by the permit issuance authority, in connection with the issuance of the NPDES permit to the publicly owned treatment works receiving the waste, to have significant impact, either singly or in combination with other contributing industries, on that treatment works or upon the quality of effluent from that treatment works.

Sec. 6. SEWER TYPES AND APPURTENANCES

- a. "Sewer" shall mean a pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and groundwater drainage.
- b. "Public Sewer" shall mean a sewer provided by or subject to the jurisdiction of the Village. It shall also include sewers within or outside the Village boundaries that serve one or more persons and ultimately discharge into the Village sanitary (or combined sewer system), even though those sewers may not have been constructed with Village funds.
- c. "Sanitary Sewer" shall mean a sewer than conveys sewage or industrial wastes or a combination of both, and into which storm, surface, and groundwaters or unpolluted industrial wastes are not intentionally admitted.
- d. "Storm Sewer" shall mean a sewer than carries storm, surface and groundwater drainage but excludes sewage and industrial wastes other than unpolluted cooling water.
- e. "Combined Sewer" shall mean a sewer which is designed and intended to receive wastewater, storm, surface and groundwater drainage.
- f. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- g. "Building Drain" shall mean that part of the lowest piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer or other approved point of discharge, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- h. "Stormwater Runoff" shall mean that portion of the precipitation that is drained into the sewers.
- i. "Saddle" shall mean a sewer connection device designed for use when tapping an existing main.
- j. "Control Manhole" shall mean a structure located on a site from which industrial wastes are discharged. Where feasible, the manhole shall have an interior drop. The purpose of a "control manhole" is to provide access for the Village representative to sample and/or measure discharges.
- k. "Sewerage" shall mean the system of sewers and appurtenances for the collection, transportation and pumping of sewage.

1. "Easement" shall mean an acquired legal right for the specific use of land owned by others.

Sec. 7. TREATMENT

- a. "Pretreatment" shall mean the treatment of wastewaters from sources before introduction into the wastewater treatment works.
- b. "Wastewater Treatment Works" shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "pollution control plant."
- c. "Wastewater Facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treatment domestic and industrial wastes and transport effluent to a watercourse.

Sec. 8. WATERCOURSE AND CONNECTIONS

- a. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- b. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Sec. 9. USER TYPES

- a. "User Class" shall mean the type of user either "residential or commercial" (non-industrial) or "industrial" as defined herein.
- b. "Residential or Commercial" or "Non-industrial" user shall mean any user of the treatment works not classified as an industrial user or excluded as an industrial user as provided for in this section.
- c. "Industrial User" shall mean any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions:
 - (1) Division A--Agriculture, Forestry, and Fishing
 - (2) Division B--Mining
 - (3) Division D--Manufacturing
 - (4) Division E--Transportation, Communications, Electric, Gas and Sanitary Services
 - (5) Division I--Services

A user in the Divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

Sec. 10. WATER MAINS AND APPURTENANCES

- a. "Water Main" shall mean a pipe or conduit for carrying water.
- b. "Public Water Main" shall mean a water main in which all owners of abutting properties have equal rights, and is controlled by public authority.
- c. "Water Service Pipe" shall mean the pipe extending from a building to water main.

Article 2. GENERAL PROVISIONS

Sec. 1. WATERWORKS AND SEWERAGE DEPARTMENT

The combined waterworks and sewerage system in the Village of Gridley, Illinois, shall be maintained and operated as a separate department and hereafter in this ordinance shall be referred to as the Department.

Sec. 2. DUTIES OF SUPERINTENDENT

There shall be a Superintendent of the Waterworks and Sewerage Department to be appointed by the Village Board. The appointed Superintendent shall have supervision over all buildings, sewers, manholes, mains, treatment works, wells, appurtenances, and equipment used in the furnishing of waterworks and sewerage service in the Village and shall see that the object and purposes of the Waterworks and Sewerage Department are carried out and that the waterworks and sewerage system is conducted on an economical businesslike basis, and for this purpose, it shall be the duty of the Superintendent and all of the officers, employees and servants of said Department to enforce all of the provisions of this ordinance and to observe and obey and carry out the orders and directions of the Village Board. The Superintendent shall prepare and keep at the Village Hall a complete atlas of the waterworks and sewerage system with all connections and other appurtenances distinctly recorded therein.

Sec. 3. COMPENSATION

The Superintendent and other officers and employees of the waterworks and Sewerage Department shall receive as compensation for their services amounts to be fixed by the Village Board from time to time.

Sec. 4. MONTHLY REPORT

The Superintendent shall, not later than the first Monday of every month or oftener if required, submit a report in writing to the Village Board, listing therein, but is not limited to, the following data:

- 1. Applications for service to be approved by the Village Board.
- 2. Number of metered and unmetered customers connected to the system at the beginning and the end of period.

3. Sale of water at plant (automatic salesman).
4. Details of any major repairs and extensions to the system or other facts pertinent to his duties in the conduct of his office.

Sec. 5. BOOKS OF ACCOUNT

The Village Treasurer shall keep or cause to be kept full and complete books of accounts separate and apart from any other records of his office showing in detail all monies received by him for the Waterworks and Sewerage Department with dates and sources. He shall also keep such other books relating to the Waterworks and Sewerage Department as the Village Board may from time to time direct.

Sec. 6. READ METERS, BILL FOR SERVICES, ETC.

The Superintendent or such officer or employees of the Waterworks and Sewerage Department as the Village Board shall direct, shall read water meters of said Village, take water and sewer applications, and shall perform such other duties as now are or may hereafter be imposed upon him by law or the ordinances of the Village.

Sec. 7. APPLICATIONS, CONNECTIONS, ETC.

(a) Any person desiring to make any connection with said waterworks and sewerage system or plant or have the use thereof shall first make application to the Superintendent upon a blank form or forms furnished by said Department. Said application shall contain an agreement on the part of the applicant that all the rules, regulations, conditions and provisions of any ordinance relating to the waterworks and sewerage system will be complied with; that all water and sewerage rates, assessments and rents and all fines and penalties assessed, charged or imposed against said applicant upon the property described in said application will be paid. When the applicant hereunder has complied with all of the provisions of the ordinances of the Village, and the Superintendent has approved the application, a written permit shall then be issued by the Superintendent authorizing the connection to be made and specifying the size thereof.

(b) No building sewer shall be laid or used to serve more than one distinct premise or building.

(c) No building water service shall be laid or used to serve more than one distinct premise or building.

Article 3. USE OF PUBLIC SEWERS REQUIRED

Sec. 1.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village of Gridley or in any area under the jurisdiction of said Village, any human or animal excrement, garbage or other objectionable waste.

Sec. 2.

It shall be unlawful to discharge to any natural outlet within the Village of Gridley, or in any area under the jurisdiction of said Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Sec. 3.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage and shall upon 90 days notice to the owner of said premises, be abated.

Sec. 4.

The Owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Village and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the public sewer in accordance with the provisions of this ordinance.

Sec. 5.

The discharge from plumbing fixtures or commercial or industrial liquid wastes shall be connected to the public sanitary sewer of the Village and shall specifically include basement floor drains.

Sec. 6.

Accessibility to the public sewers of the Village is hereby declared to be properties abutting on any street, alley or right-of-way in which there is located a public sewer main, provided, that such public sewer main is within 250 feet of the property line or building or establishment and provided, further, that is feasible that a sewer connection can be constructed.

Article 4. PRIVATE SEWAGE DISPOSAL

Sec. 1.

Where a public sanitary (or combined) sewer is not available under the provisions of Article 3, Section 6, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article 4.

Sec. 2.

Before commencement of construction of a private sewage disposal system, the Owner shall first obtain a written permit signed by the McLean County Health Department. The application for such permit shall provide any plans, specifications, and other information as are deemed necessary by the McLean County Health Officer. The required permit and inspection fee shall be paid to the McLean County Health Department at the time the application is filed.

Sec. 3.

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the McLean County Health Officer. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the McLean County Health Officer when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of written notice by the McLean County Health Officer.

Sec. 4.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the State of Illinois Private Sewage Disposal Licensing Act and Code and with the State of Illinois Environmental Protection Agency. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Sec. 5.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article 3, Section 6, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

Sec. 6.

The owner shall operate and maintain the private sewage disposal facility in a sanitary manner at all times, and at no expense to the Village.

Sec. 7.

No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the McLean County Health Officer.

Sec. 8.

When a public sewer becomes available, the building sewer shall be connected to said sewer within 90 days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

Article 5. BUILDING SEWERS AND CONNECTIONS

Sec. 1.

No unauthorized person shall uncover, make any connections with, or opening into; use; alter; or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village Clerk.

Sec. 2. Permits Required

a. All non-resident contractors, prior to working on any facet of any hook up for any person including but not limited to digging, furnishing tile, actual hook up to the sewer pipe, and any other phase of the work shall, prior to commencing any work for any person in the Village of Gridley register with the Village Clerk.

- b. Said registration shall contain the contractor's true name and address, his business address, his business name, whether or not he is incorporated, a partnership, or an individual proprietorship. Furthermore, if the contractor uses an assumed name, the correct names and addresses of the real owners of the business.
- c. In addition to registering with the Village Clerk, any contractor desiring to do work for residents in the Village of Gridley in connection with hooking up to said sewer, shall, before commencing any of said work, furnish to and file with the Village Clerk of the Village of Gridley a certificate signed by a reputable insurance company authorized to do business in the State of Illinois showing that they have liability insurance currently in force in limits not less than \$100,000.00 property damage liability and \$300,000.00 bodily injury liability, together with a license or permit bond in the sum of \$3000.00 guaranteeing that the contractor will not violate any ordinances of the Village of Gridley.
- d. Each contractor shall pay a registration fee to the Village of Gridley in the sum of \$25.00.
- e. Any contractor who does work without registering and furnishing the certificate of insurance and bond with the Village Clerk shall be guilty of an ordinance violation and shall pay a fine of \$25.00 to the Village of Gridley. Each day worked shall be deemed a separate offense.
- f. This ordinance shall not apply to contractors who are actual bonafide residents of the Village of Gridley.

Sec. 3.

A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

Sec. 4.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 5.

A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Sec. 6.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent to meet all requirements of this ordinance.

Sec. 7.

The building sewer shall be constructed of one of the following:

- Cast Iron Soil Pipe ASTM A74 with rubber or neoprene joints
- Vitrified Clay Pipe ASTM C-700 with C-425 flexible gasket joints
- Polyvinyl Chloride (PVC) Pipe ASTM D3034 type PSM with standard dimension ratio of 35 with solvent welded joints ASTM D2855 or flexible elastomeric seals ASTM D3212

If more than one type of sewer pipe is used, it shall be connected by tight and waterproof adapters especially designed for such joining and approved by the superintendent. All joints shall be water tight. Size and slope of the building sewer shall be subject to the approval of the superintendent but in no event shall the diameter be less than 6" and slope less than 1/8" per foot.

Sec. 8.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means which is approved in accordance with Article 5, Section 2, and discharged to the building sewer.

Sec. 9.

All excavations required for the installation of the building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM C12-19 except that no backfill shall be placed until the work has been inspected. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in the manner satisfactory to the Superintendent.

Sec. 10.

The connection of the building sewer into the public sewer shall be made at the "Y" or "T" branch, if such branch is available at a suitable location. If no properly located "Y" or "T" branch is available, the owner shall at his expense install a "Y" or "T" branch in the public sewer at the location specified by the Superintendent. Special fittings may be used for the connection only when approved by the Superintendent. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

Sec. 11.

During the time of excavation and as long as an excavated area remains open so as to act as a catch basin, any sewer tile or drainage outlet designed to service the excavated area shall at all times be either capped or furnished with a sufficient standpipe so as to eliminate the possibility of any rain or surface water collecting or draining into the excavated area and hence into the outlets and accordingly into the sewer system of the Village.

Sec. 12.

No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Article 6. USE OF THE PUBLIC SEWERS

Sec. 1.

No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer. All disposal by any person into the sewer system is unlawful except those discharges in compliance with Federal Standards promulgated pursuant to the Federal Act and more stringent State and Local Standards.

Sec. 2.

Stormwater and all other unpolluted drainage shall be discharged to such sewer as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Village Board. Industrial cooling water or unpolluted process waters may be discharged on approval of the Village Board, to a storm sewer, combined sewer, or natural outlet.

Sec. 3.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- (c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Sec. 4.

No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the superintendent that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of these wastes the Village Board upon advice on the Superintendent and Consulting Engineer will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and maximum limits established by regulatory agencies. The substances prohibited are:

- (a) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150o F), (65o C).
- (b) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty degrees Fahrenheit (150o F) (0 and 65o C).
- (c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 HP metric) or greater shall be subject to the review and approval of the superintendent.
- (d) Any waters or wastes containing strong acid, iron pickling waste or concentrated plating solutions whether neutralized or not.
- (e) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Village Board for such materials.
- (f) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Village Board as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village Board in compliance with applicable State or Federal regulations.

(h) Any waters or wastes having a pH in excess of 9.5.

(i) Any mercury or any of its compounds in excess of 0.0005 mg/l as Hg at any time except as permitted by the Village Board in compliance with applicable State and Federal regulations.

(j) Any cyanide in excess of 0.025 mg/l at any time except as permitted by the Village Board in compliance with applicable State and Federal regulations.

(k) Materials which exert or cause:

- (1) unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
- (2) excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
- (3) unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
- (4) unusual volume of flow or concentrations or wastes constituting "slugs" as defined herein.

(l) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

Sec. 5.

If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 5 or this Article, and/or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, sub-chapter D, Water Programs Part 128 - Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973, and any amendments thereto, and which in the judgment of the Village Board may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Village Board may:

- (a) reject the wastes;
- (b) require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) require control over the quantities and rates of discharge; and/or
- (d) require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges, under the provisions of Ordinance providing for the combination of the existing waterworks system and the sanitary sewerage system of the Village of Gridley into a combined single system.

Sec. 6.

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.

Sec. 7.

Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 8.

Each new industry shall be required to install a control manhole and, when required by the Village Board, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Village Board. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

Sec. 9.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine

whether a twenty-four(24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas pH's are determined from periodic grab samples.)

Sec. 10.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Village Board and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village Board for treatment, subject to payment therefore, in accordance with Ordinance providing for the combination of the existing waterworks system and the sanitary sewerage system of the Village of Gridley into a combined single system, by the industrial concern, provided such payments are in accordance with Federal and State guidelines for User Charge System and Industrial Cost Recovery System.

Sec. 11.

The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of water and wastes to illustrate compliance with this ordinance and any special conditions for discharge established by the Village Board or regulatory agencies having jurisdiction over the discharge.

The number, type, and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the Village Board, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure the compliance with the Federal, State and local standards are being met. The owner shall report the results of the measurements and laboratory analyses to the Village Board at such times and in such manner as prescribed by the Village Board. The owner shall bear the expense of all measurements, analyses, and reporting required by the Village Board. At such times as deemed necessary, the Village Board reserves the right to make measurements and samples for analysis by an outside laboratory service.

Article 7. PROTECTION OF SYSTEM FROM DAMAGE

Sec. 1.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or temper with any structure, appurtenance, or equipment which is a part of the waterworks and sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

Sec. 2. DRILLING OF WELLS

Any person, individual, municipality or other entity shall be prohibited from drilling any wells within a 4-mile radius of the Village of Gridley without first obtaining permission from the President and Board of Trustees of the Village of Gridley.

Sec. 3. IMPACT STATEMENT

Any person or entity applying for a permit to drill a well within the 4-mile radius of the Village of Gridley shall supply to the President and Board of Trustees of the Village of Gridley an impact statement which shall be prepared by a registered professional engineer in Illinois licensed by the Department of Education and showing in detail the type of well construction including but not limited to the depth, the proposed formation into which they expect to drill, the amount of water they expect to pump, whether the well will be cased, and how they intend to use the water, and the amount they expect to pump daily, weekly, monthly and annually.

Sec. 4. DATA REPORT

Any person or entity obtaining a permit to drill a well within that area shall report to the President and Board of Trustees of the Village of Gridley all data concerning the drilling of said well, including but not limited to its depth, capacity, water level, draw down and any other information requested by said President and Board of Trustees of the Village of Gridley.

Sec. 5.

The President and Board of Trustees of the Village of Gridley may at any time require any person drilling the well with its permission to cease drilling or if the well is drilled and is in production to cease the use of said well, if, in the opinion of the President and Board of Trustees of the Village of Gridley the well may diminish or pollute the Village of Gridley water supply.

Sec. 6. PENALTIES

Any person or entity drilling a well for any purpose including but not limited to water wells, oil wells and gas wells within the territory of a 4-mile radius of the Village of Gridley without a permit from the President and Board of Trustees of the Village of Gridley shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than \$100.00 nor more than \$1,000.00. The continued operation of drilling and/or pumping a well without permission from the President and Board of Trustees of the Village of Gridley shall be deemed a separate offense for each day's drilling or operation and each day the person or entity may be fined an additional fine of not less than \$100.00 nor more than \$1,000.00 per day. Continuing to pump or operate a well after notification from the President and Board of Trustees of the Village of Gridley to cease said pumping or operation shall also be deemed a misdemeanor and subject to a like fine. Each day of pumping or operation after Notice to Quit shall be deemed a separate offense.

Article 8. POWERS AND AUTHORITY OF INSPECTORS

Sec. 1.

The Superintendent and other duly authorized employees of the Village, the Illinois Environmental Protection Agency, and the U.S. Environmental Protection Agency, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The Superintendent of his representative shall have no authority to inquire into any processes, including

metallurgical, chemical, oil refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterway or facilities for waste treatment.

Sec. 2.

While performing the necessary work on private properties referred to in Article 8, Section 1 above, the Superintendent and duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the employees and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article 4, Section 8.

Sec. 3.

The Superintendent and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Article 9. EXTENSION OF SEWER MAINS

Sec. 1. EXPENSE OF EXTENSION

The person or persons desiring sewer service shall install the extension at their own personal expense upon written consent by the Village Board and compliance with the following:

- (a) The Village must approve all plans and specifications for any extensions.
- (b) Before any extensions are installed, the plans and specifications must be reviewed and approved by the State of Illinois Environmental Protection Agency.
- (c) Ownership, rights-of-way, and title must be conveyed to the Village for all extensions installed. The village will maintain the mains thereafter.
- (d) No extension will be permitted if in the opinion of the Village Board, the system does not have the necessary capacity to serve the proposed extension.

Sec. 2. SIZE AND CONSTRUCTION DETAILS

The size of the sewer to be built shall be determined by the Village Board but in no case shall it be less than 8 inches in diameter. All extensions to the public sewer shall be

made with Vitrified Clay Pipe conforming to ASTM C-700 Extra Strength with ASTM C-425 joints or ABS Pipe conforming to ASTM D-2680 with solvent or mechanical seal type joints. Manholes shall be constructed at each change in direction (horizontal and/or vertical) and not more than 400 feet apart on straight sewers. Construction methods shall be in accordance with the "Standard Specifications for Water and Sewer Main Construction in Illinois" adopted by the Village Board and on file in the office of the Superintendent. All construction shall be subject to the inspection of the Superintendent or other designated representatives.

Article 10. USE OF PUBLIC WATER REQUIRED

Sec. 1. PRIVATE WATER SYSTEMS PROHIBITED

No person having its residence or place of business within the territorial limits of the Village of Gridley Waterworks and Sewerage System shall be permitted to secure water for such residence, or place of business located in the Village, otherwise than through the water mains of the Village, whenever the water mains of the water system of said Village are adjacent to, or within 250 feet of any subdivided lot, or parcel of real estate, upon which said residence or place of business is located.

Sec. 2. CONNECTION TO PUBLIC WATER MAIN REQUIRED

In all cases where a public water main is now installed, or hereafter may be installed in any street, alley, public way or easement in the Village of Gridley all inhabitants or users located on any lot or parcel of real estate fronting, abutting on, or within a distance of 250 feet from said public water main to the nearest property line, of any such subdivided lot, or parcel of real estate on any such street, alley, public way or easement, shall at their expense make, or cause to be made connection to such public water main within three months after the installation of such public water main, if the same be not now installed. All users shall discontinue, within the same period of time, any connection which they theretofore may have had with any other private water supply.

Sec. 3. EXTENSIONS OF WATER MAINS

Any property owner or developer desiring to extend the public water main for the benefit of his property may do so at his own expense. Minimum main size shall be six inches in diameter or larger where required by the master plan on file with the Village Clerk or where required by the Board of Trustees to serve the future growth in the vicinity of the extension. All construction shall be in accordance with the Standard Specifications for Water and Sewer Main Construction in Illinois - 2nd Edition. Pipe to be used shall be Class 150 cast iron or 200 psi PVC pipe conforming to accepted current standards of ASTM 1784 (for schedule 40, 80 and 160 pipe, ASTM 2241 (SDR-DR) and No. 14 of the Sanitation Foundation (NSF) and be appropriately marked as specified by the foundation. Minimum acceptable pipe is one having standard dimension ratio of 21 (SDR-21) and Type 1 Grade 1 materials with a hydrostatic design stress of 2000 psi for water at 23o C for a working pressure of 200 psi. Joints shall be of the rubber gasket type. All construction shall be subject to the inspection of the Superintendent or other designated representatives.

Sec. 4. UNAUTHORIZED CONNECTIONS

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public water main, or appurtenance thereof, without having first obtained a written permit from the Village Board.

Sec. 5. APPLICATION - CONNECTIONS TO WATER SYSTEM

Any person desiring to make any connection with the said water system, or have the use thereof, shall first make application to the Office of the Superintendent upon a blank form or forms furnished by said office. Said application shall contain an agreement on the part of the application, that all the rules, regulations, conditions, and provisions of all ordinances of the Village of Gridley will be complied with; that all fees, deposits, water rates, charges, rents and all fines and penalties assessed, charged or imposed against said applicant, upon the property described in said application will be paid. When the applicant hereunder has complied with all the provisions of the ordinances of the Village of Gridley, a written permit shall then be issued by the Village Board authorizing the connection to be made.

Sec. 6. PERMIT FEES

A permit fee of \$665.00 shall be paid to the Treasurer at the time the application is filed, which fee shall entitle applicant to a 1" meter, connection to main, curb stop and box, and 1" service pipe to the property line; a permit fee of \$595 shall be paid if a ¾" meter, and ¾" service pipe are used. Additional fees may be charged to the applicant for extra materials provided by the Village. All service lines must be copper. An outside meter may be obtained and purchased at market price from the Water Superintendent.

Sec. 7. OPENING IN STREETS - HOW PROTECTED

All openings made in streets and sidewalks shall be protected at all times by sufficient barriers, on which signal lights or flares shall be placed and maintained after dark, together with such other provisions contained in an ordinance pertaining to street openings.

Sec. 8. SEPARATE WATER SERVICE REQUIRED - EXCEPTION

A separate and independent building water main shall be provided for every building; except where one building stands at the rear of another on an interior lot and no water main is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the water main from the front building may be extended to the rear building and the while considered as one building water main.

Sec. 9. TURNING ON WATER - SEALS

(a) No person not duly authorized shall turn on any service stop, or use water therefrom when so turned on, under penalty of a fine of ten dollars (\$10.00) for each offense, and each day shall constitute a separate offense. The person so using or wasting water in such unlawful manner shall further be liable to pay therefore at the regular water rates.

(b) No seal placed by the Waterworks and Sewerage Department for the protection of any meter, valve, fitting or other water connection shall be defaced or broken except on written authority from the Superintendent.

(c) No person or persons, other than members of the Waterworks and Sewerage Department shall use water from any fire hydrant connected with the waterworks system of the Village of Gridley except for extinguishing fires or unless especially authorized by the Superintendent.

Sec. 10. METERS

All permanent water services hereinafter installed, whether for domestic or commercial purposes, shall be metered. Water meters shall be furnished by the Village and the same shall remain the property of the Village. The cost of the meter will be included in the permit fee. There shall be no reimbursement for this initial service fee upon removal of the water meter. The Village will repair and maintain the meters except when a water meter is damaged by freezing or by hot water backing through the meter or by other physical damage, the consumer shall be required to pay the cost of repairs and labor upon receipt of bill for the same. Any such cost of repair shall be a lien against the premises to the same extent and with the same effect as charges for water service. The meter must be attached to the service pipe immediately after such pipe has entered the wall of the building. In any event, all installations and the placing of meters shall be subject to the approval of the Superintendent.

Sec. 11. ACCESS TO PREMISES

The Superintendent and every person authorized by him and all meter inspectors shall have ready and reasonable access to the premises, place or buildings where such meters are located for the purpose of reading, examining, testing and repairing the same, and examining and testing the consumption, use and flow of water, and it shall be unlawful for any person or corporation to interfere with, prevent or obstruct said Superintendent or such other person or inspector in his work hereunder. Every consumer of water shall take the same upon the conditions prescribed in this Ordinance.

Sec. 12. INSTALLATION OF WATER SERVICE PIPE AND METER - PENALTIES

The connection from the main to the curb stop shall be placed at least four (4) feet below the level of the ground and the service pipe shall be laid sufficiently waving so that it shall be at least one (1) foot longer than if laid in a straight line and shall be placed in such manner as to prevent rupture or breakage from settling of the ground. All service pipe shall be Type K Copper Tubing or Polybutylene or Polyethylene Tubing Joints in Polybutylene and Polyethylene shall be made with insert fitting using series 300 stainless steel clamps or compression flared brass clamps. PBD and PE Tubing shall have 160 psi rating at 73.4o F and shall conform to the standards of the National Sanitation Foundation. All service pipe shall be not less than 3/4" nominal diameter.

No person whether owner or occupant in possession or control of any building, structure or premises into which water is supplied through the Village of Gridley waterworks system shall be allowed, without written permission from the Village Board to supply

other persons or families or to supply water from such building or premises to any other building structure or premises. The supply of water to a building structure or premises of any person who violated any of the foregoing provisions of this section, shall be shut off and stopped forthwith, and the water shall not again be turned on to such building, structure or premises from which it was cut off until there shall have been paid to said Village such sum of money as the Village Board shall deem properly due the Village.

If after the water supply shall have been turned on to any building, structure or premises, it shall be found by any officer or employee of the said Village that fraudulent representations have been made by the applicant for such water supply or what water is being used in or upon such building, structure or premises for purposes not set forth in the application made for such water supply or that there is willful and unreasonable use or waste of water, the Superintendent or such employee of the Village as he shall designate shall have the authority and it shall be his duty to cut off and stop the supply of water to such building, structure or premises forthwith, and the water shall not be turned on to such building, structure or premises until the person or persons responsible for such fraudulent representation or for such use of water or willful or unreasonable waste thereof, shall pay the Village such additional sum of money for such water supply or on account of such unreasonable waste of water as the Board shall find properly to be due the Village. Every person supplied with water from the Village of Gridley Waterworks system shall, at his or her own cost and expense, have installed and kept in repair all pipes leading from the curb stop to his or her building, structure or premises as are supplied with water through such service pipe.

Each water service pipe shall be connected with said water main and shall extend horizontally at right angles with said water main to a point at least twenty (20) feet from the center line of the street and shall there be provided with a bronze curb stop of not less than three-quarters (3/4) of an inch in diameter to be installed within a telescopic shut-off box of the best quality of cast iron or first grade steel pipe.

The water main must be tapped at an angle of forty-five (45) degrees with the vertical, and the corporation stop must be turned so that the T handle will be on top.

Article 11. CHARGES AND RATES

Sec. 1. DEFINITIONS

Unless the context specifically indicates otherwise the meaning of terms used in the Ordinance shall be as set out in this Article. The definitions contained in Ordinance No. 332 "An Ordinance Regulating the Operation of the Combined Waterworks and Sewerage System for the Village of Gridley shall apply to this Ordinance.

Types of Charges:

"Water Service Charge" shall be the charge for a one month period levied on all users of the combined waterworks and sewerage system for water service.

"Wastewater Service Charge" shall be the charge per a one month period levied on all users of the Wastewater Facilities. The service charge shall be computed as outlined in Article 4 and shall consist of the total or the Basic User Charge, and a Surcharge, if applicable.

"User Charge" shall mean a charge levied on users of treatment works for the cost of operation and maintenance and a debt service.

"Basic User Charge" shall mean the basic assessment levied on all users of the public sewer system.

"Surcharge" shall mean the assessment in addition to the basic user charge which is levied on those persons whose wastes are greater in strength than the concentration values established in Article 4.

"Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.

"Useful Life" shall mean the estimated period during which the collection system and/or treatment works will be operated and shall be 30 years from the date of start-up of any wastewater facilities constructed with a State grant.

"Sewerage Fund" is the principal accounting designation for all revenues receiving in the operation of the sewerage system.

Sec. 2. DEPOSITS

No service shall be provided to a new or reconnected user of the system (property owner) until such user shall deposit the sum of \$25.00 with the Village Clerk or Collector. The deposit will be refunded after the final bill has been paid, providing there have been no delinquencies on the account and timely payment of bills were received.

All individual non-permanent residences, including trailers, must pay a deposit of \$65.00. If the resident moves, after a 12 (twelve) month period, the deposit will be refunded after the final bill has been paid if there have been no delinquencies on the account and timely payment of bills were received.

Sec. 3. WATER USE CHARGES

That there shall be and there are hereby established charges and rates, effective October 1, 2005 (Ord.# 483), for the use of and for the service supplied by the combined waterworks and sewerage system of the Village of Gridley, McLean County, Illinois, based upon the amount of water consumed as shown by water meters as follows:

WATER SERVICE

A minimum charge of \$5.80 per month is imposed for all users whose water consumption does not exceed 2,000 gallons per month. All usage exceeding 2,000 gallons per month shall incur charges at the rate of \$0.24 pe 100 gallons.

SEWER SERVICE

A minimum charge of \$4.80 per month is imposed to all users whose water consumption does not exceed 2,000 gallons per month. All usage exceeding 2,000 gallons per month shall incur charges at the rate of \$0.24 per 100 gallons.

Sec. 4. WASTEWATER USER CHARGES

Basis for Wastewater User Charges: The wastewater user charge for the use of and for service supplied by the wastewater facilities of the Village of Gridley shall consist of a basic user charge for operation and maintenance plus replacement, and a surcharge, if applicable.

The user charge shall be based on water usage as recorded by water meters for normal waste having the following strengths.

- (a) A five-day, 20 degree Centigrade (20o C) biochemical oxygen demand (BOD) of 200 mg/l.
- (b) A suspended solids (SS) content of 250 mg/l.

Water meter readings shall be assumed to equal sewage flow except in cases where the user may show adequate proof that water passed through the meter is not returned to the sewer. An adjustment in meter readings will be made in such cases if the user furnishes the Village meter readings of water flow not discharged to the sewer.

The user charge shall consist of operation and maintenance costs plus replacement and shall be computed as follows:

- (a) Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund for the year, and the debt service requirements.
- (b) Estimate wastewater volume discharged to the sewer system based on total water meter readings after appropriate adjustment for water not returned to the sewer and/or water from unmetered private sources which is discharged to the sewer system.
- (c) Compute costs per 1000 gallons for normal sewage strength wastes.

A surcharge will be levied to all users whose waters exceed the normal concentrations for BOD (200 mg/l) and SS (250 mg/l). The surcharge will be based on water usage as

recorded by water meters and/or sewage meters for all wastes which exceed the 200 mg/l and 250 mg/l concentration for BOD and SS, respectively.

The adequacy of the wastewater service charge shall be reviewed annually by Certified Public Accountants for the Village in their annual audit report. The wastewater user charge shall be revised periodically to reflect a change in operation and maintenance costs including replacement costs and adjusted as required. One of the purposes of the annual review shall be to maintain service charges in relation to cost and assure that all use classes are being charged an equitable share.

Measurement of Flow: The volume of flow used for computing user charges and surcharges shall be the metered water consumption read to the lowest even increments of 1,000 gallons.

(a) If the person discharging wastes into the public sewers procures any part or all of his water from sources other than the Village of Gridley Water System, all or a part of which is discharged into the public sewers, the person shall install and maintain, at his expense, water meters of a type approved by the superintendent for the purpose of determining the volume of water obtained from these other sources.

(b) Devices for measuring the volume of waste discharged to the sanitary sewer may be required by the Village Board if these volumes cannot otherwise be determined from the metered water consumption records.

(c) Devices for measuring the volume of waste not discharged to the sanitary sewer may be required by the Village Board.

(d) Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person. Following approval and installation, such meters may not be removed, unless service is canceled, without the consent of the Village Board.

User Rate: There shall be and there is hereby established a minimum charge and a basic user rate for the use of and for service supplied by the Wastewater Facilities of the Village.

A minimum charge of \$4.80 per month to all users whose water consumption does not exceed 2000 gallons per month.

A basic user rate of \$0.24 per 100 gallons metered or adjusted (as in Article 4, Section 1) in excess of 2000 gallons per month period to all users who discharge normal strength wastes to the system.

Surcharge Rate: For waste strengths above normal strength of 200 mg/l BOD and 250 mg/l SS, a surcharge of \$0.17 per pound BOD and \$0.06 per pound SS shall be applied. The surcharge for each monthly period shall be computed by the following formulas:

$$SCBOD = (x-200) \times A \times 0.0000083 \times \$0.17$$

$$SCSS = (y-250) \times A \times 0.0000083 \times \$0.06$$

where:

SCBOD = surcharge above the basic user rate for BOD concentration above 200 mg/l.

SCSS = surcharge above the basic user rate for SS concentration above 250 mg/l.

x = average BOD concentration in mg/l

y = average SS concentration in mg/l

A = monthly metered water flow adjusted for appropriate losses in gallons

Computation of Surcharge: The concentration of wastes used for computing surcharges shall be established by waste sampling. Waste sampling shall be performed as often as may be deemed necessary by the Village Board and shall be binding as a basis for surcharges.

Computation of Total Wastewater User Charge: The wastewater user charge shall be computed by the following formula:

$$CW = MC + BC + SCBOD + SCSS$$

where:

CW = total wastewater user charge

MC = minimum charge as set out in Article 4, Section 3

BC = basic user charge as set out in Article 4, Section 3

SCBOD = surcharge for BOD as computed in Article 4, Section 4

SCSS = surcharge for SS as computed in Article 4, Section 4

Sec. 5. INDUSTRIAL COST RECOVERY

Industrial Cost Recovery Required: Each industrial user shall pay that portion of any State grant which has been obtained by the Village for the financing of the construction of wastewater treatment works allocable to the treatment of the wastewater from such user. Such users share shall not include an interest component.

Each year during the industrial cost recovery period, each industrial user of the treatment works shall pay the cost recovery amount determined by Article 5, Section 2 or 3 for such industry, divided by the recovery period. Where an industry is connected to a public sewer after the start-up of the facilities constructed under a State grant, such industry shall only pay its portion of the State grant for each quarter remaining in the recovery period. Such industry will not be required to pay for those quarters of the recovery period prior to connection to a public sewer.

Industrial Cost Recovery Charge: The charge for industrial cost recovery shall be based on a charge per unit volume of normal strength process flow. Normal strength flow shall be waste strength less than or equal to 200 mg/l BOD and 250 mg/l SS. The industrial cost recovery charge will be computed as follows:

(a) Estimate the State grant amount allocable to those treatment units used to process dry weather sewage flow (which includes industrial waste flows).

(b) Divide the allocable State grant amount by the industrial cost recovery period.

(c) Determine the average annual design flow volume by multiplying the daily design flow average of 188,000 gallons/day by 365 days/year. (The result is 68.62 million gallons per year.)

(d) Divide the annual allocable grant amount determined in Paragraph (b) by the average annual design flow volume of 68.62 million gallons.

(e) The resulting charge of \$0.19 per 1000 gallons will be charged all industrial users having a process waste flow.

Surcharge for High Strength Wastes: For waste strengths above normal strength of 200 mg/l BOD and 250 mg/l SS, a surcharge of \$0.037 per pound of BOD and \$0.019 per pound of SS shall be applied to process flow volume and measured waste strength quantities in excess of normal.

Total Charge to an Industrial User: The total industrial cost recovery charge for each billing period shall be determined by multiplying a user's industrial process flow volume discharged during the billing period by \$0.19 per 1000 gallons.

Industrial process flow volume shall be determined by measurement or estimation of all water flow through industrial plant processes. In absence of meter readings, process flow shall be estimated by using the following formula:

$$PF = TWF - DF - CF$$

where:

PF = process flow for billing period

TWF = total water flow for billing period from meter reading, plus estimates of flow from private wells, if any

DF = domestic flow from employees estimated by multiplying the average number of man-shifts worked for the billing period by an allowance of 25 gallons per man-shift worked

CF = flow consumed or otherwise not returned to the sewer

If, in the opinion of the Village Clerk, the Village's interest would be served by making the above estimation on an annual basis, then the Clerk may elect to negotiate with each industry a percentage of the total water flow to estimate process flow each billing period.

Length of Industrial Cost Recovery Period: The industrial cost recovery period shall be equal to the useful life of the treatment works which shall be 30 years from 1979, not to exceed thirty (30) years.

Payments and Billing for Industrial Cost Recovery Period: Industrial cost recovery charges to industrial users shall be included with the regular billing for sewer use charges as specified in Article 5.

Adjustment of Charge Due to Plant Improvement Utilizing State Grant Funds: If there is an expansion or upgrading of the treatment works utilizing a State grant, each existing industrial user's share shall be adjusted accordingly.

No Charge for Unused or Unreserved Capacity: An industrial user's portion of any State grant shall not include any portion of the grant amount allocable to unused or reserved capacity.

Commitment for Increased Use: An industrial user's portion of any State grant shall include allowance for the cost of any firm commitment to the Village for any increased use by such user.

Payment to the State of Illinois Required: The Village shall retain fifty percent (50%) of the amounts recovered from industrial users. The remainder, together with any interest earned thereon, shall be returned to the State of Illinois Anti-Pollution Fund on an annual basis.

Disposition of Retained Amounts: Eighty percent (80%) of the retained amounts, together with interest earned thereon, shall be used solely for the eligible costs of the expansion or reconstruction of treatment works associated with the project and necessary to meet the requirements of the Federal Act and the State of Illinois. The Village, prior to commitment of the retained amounts, shall obtain written approval of the Illinois Environmental Protection Agency for any expansion or reconstruction. The remainder of the retained amounts may be used for such expenditures as the Village deems appropriate.

Investment of Retained Amounts Required: Pending use, the grantee shall invest the retained amounts for reconstruction and expansion in: (1) obligations of the U.S. Government; or (2) obligations guaranteed as to principal and interest by the U.S. Government or any agency thereof; or (3) shall deposit such amounts in accounts fully collateralized by obligations of the U.S. Government or by obligations fully guaranteed as to principal and interest by the U.S. Government or any agency thereof.

Village Clerk's Responsibility: The Village Clerk shall maintain the necessary records for determination of user share of the cost and shall provide the billing and collection services as required.

Village Treasurer's Responsibility: The Village Treasurer shall be responsible for the investment and expenditure of all moneys collected for industrial cost recovery in accordance with Article 5, Sections 9, 10, 11 and 12.

Monitoring Required: The Sewage Plant Superintendent shall maintain a program of monitoring industrial user discharges as the Village Board deems necessary, provided that any major contributing industry shall be monitored no less than twelve (12) times annually.

Sec. 6. GENERAL PROVISIONS

Meters: No free service of the combined waterworks and sewerage system of the Village of Gridley shall be furnished to any user either a person, firm, organization or corporation, public or private. Every user of the combined waterworks and sewerage system and every such water meter shall be sealed. It shall be the duty of the Superintendent of the combined waterworks and sewerage system of said village to maintain all meters of said system in good and accurate working condition, and to replace all meters as he shall determine have become inaccurate or faulty. Also he shall report the master meter reading to the Village Treasurer on the first of each month.

Bills: Said water service charge and sewer user charges, and industrial cost recovery charges, for service shall be payable monthly. The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service to such premises and the service is furnished to the premises by the Village only upon the condition that the owner of premises, occupant and the user of the services are jointly and severally liable therefor to the Village.

If any water meter at any time fails to register the quantity of water running through it, the quantity shall be determined and the charge made based on the amount registered during the month preceding the date of such failure, or the usage for the same month of the preceding year, whichever is the greater.

Bills for the water and sewer service shall be sent out by the Village on the 1st day of the month succeeding the period for which the service is billed.

Any bills are due and payable on the 15th of the same month. A penalty of 10 percent shall be added to all bills not paid within 15 days of the billing.

Delinquent Bills: If the charges for services are not paid within forty-five (45) days after rendition of the bill for such service, such charges shall be deemed and are hereby declared to be delinquent.

Lien Notice of: Such delinquencies shall constitute liens upon the real estate for which such service is supplied and the Village Clerk is hereby authorized and directed to file sworn detailed statements showing such delinquencies in the office of the Recorder of Deeds of McLean County, Illinois, and the filing of such statements shall be deemed notice of the lien for payment of the service rendered. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that

the Village claims a lien for this amount as well as for all charges subsequent to the period covered by the bill. In the event the charges for such services become delinquent, the Village Clerk, or Collector is hereby authorized and directed to cause notification to be given in writing to the Owner of the premises, the occupant thereof, and the user of the service that such delinquency exists and that services shall be discontinued without further notice. It shall be the duty of the Superintendent of the combined waterworks and sewerage system of the Village of Gridley to secure copies of the notices of all delinquencies from the Village Clerk or Collector of said Village on the 16th day of each month and to shutoff services to said delinquent user at the end of the heretofore-mentioned forty-five (45) day period. Upon the disconnecting of any service, a charge of Twenty-five dollars (\$25.00) shall be made for reconnecting the same after settlement of the current as well as delinquent account, in addition to the \$25.00 deposit for homeowners and \$65.00 for renters and trailers as abovementioned hereof unless previously deposited.

The failure of the Village Clerk or Collector to record such lien or to mail such notice or the failure of the Owner to receive such notice shall not affect the right to foreclose the lien for unpaid bills as mentioned in the foregoing section.

Foreclosure of Lien: Property subject to a lien for unpaid charges shall be sold for non-payment of the same, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as in the case in the foreclosure of statutory liens. Such foreclosure shall be by bill-in-equity in the name of the Village. The Village Attorney is hereby authorized and directed to institute such proceeds in the name of the Village in any Court having jurisdiction over such matters against any property for which the bill has remained unpaid forty-five days after it has been rendered.

Revenues: All revenues and money derived from the operation of the system shall be deposited in the waterworks and sewerage account. The President and Board of Trustees shall designate a Collector for the combined waterworks and sewerage system of the Village of Gridley, and it shall be the duty of such Collector to render bills for service and all other charges in connection therewith and to collect all moneys due thereon. Said Collector shall be covered to the maximum amount on hand at any time by an approved corporate surety bond. All such revenues and moneys shall be held by the Village Collector separate and apart from his private funds and separate and apart from all other funds of the Village and all of said sum, without any deductions whatever, shall be delivered to the Village Treasurer not more than ten days after receipt of the same, or at such more frequent intervals as may, from time-to-time, be directed by the President and Board of Trustees.

The Village Collector shall receive all such revenues from the system and all other funds and monies incident to the operation of such system as the same may be delivered to him and deposit the same in the account of the fund designated as the Waterworks & Sewerage Fund for the Village. Said Collector shall administer such fund in every respect the manner provided by the statute of the State of Illinois, Chapter 24 of the "Revised Cities and Village Act," effective January, 1942 and all laws amendatory

thereof and supplementary thereto and according to the provisions of the "Ordinance creating an issue of \$500,000 Waterworks and Sewerage Revenue Bonds of 1978.

Accounts: The Village Clerk or Collector shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the combined waterworks and sewerage system and at regular annual intervals he shall cause to be made an audit by a certified public accountant of the books to show the receipts and disbursements of the combined waterworks and sewerage system as well as other necessary information. Two copies of said audit shall be furnished the underwriter of the aforementioned Bonds. Separate accounts shall be kept for water and sewerage portions of the system.

Furthermore, it shall be the duty of the Village Treasurer to file with the President and Board of Trustees a monthly report which shall include for the month (1) a list of the TURN-OFF NOTICES which he provided the Superintendent of the System, (2) a list of the current month delinquencies, (3) the number of bills mailed, (4) the number of gallons billed or sold, (5) the number of gallons pumped into the system, (6) a list of the various revenues of the system for the month and total year to date along with the expenses for the month and year to date, (7) the Cash Balances and investments on hand in each of the several funds of the waterworks and sewerage system. Reports shall be made until May 1, 2002.

In addition to the customary operating statements, the annual audit report shall also reflect the revenues and operating expenses of the waterworks facilities and wastewater facilities, including a replacement cost, to indicate that the sewer service charges under the waste cost recovery system and capital amounts required to be recovered under the industrial cost recovery system do in fact meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

- (a) Flow data showing total gallons pumped to the water distribution system.
- (b) Flow data showing total gallons received at the wastewater plant for the current fiscal year.
- (c) Billing data to show total number of gallons billed for water use and sewer use.
- (d) Debt service for the next succeeding fiscal year.
- (e) Number of users connected to the system.
- (f) Number of non-metered users.
- (g) A list of users discharging non-domestic wastes (industrial users) and volume of waste discharged.

Notice of Rates: A copy of this article, properly certified by the Village Clerk shall be filed in the office of the Recorder of Deeds of McLean County and shall be deemed notice of all owners of real estate of the charges of the sewerage system of said Village on their properties.

Penalty: Any person, firm or corporation violating any provisions of this article shall be fined not less than \$10.00 nor more than \$1000.00 dollars for each offense.

Access to Records: The Illinois Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the Village which are applicable to the Village system of user charges or industrial cost recovery for the purpose of making audit, examination, excerpts and transcriptions thereof to insure compliance with the terms of the Special and General Conditions to any State Grant.

Chapter 24

AMENDMENTS

Sec. 1. REFERENCE TO CODE

Any additions or amendments to this Code, when passed in such form as to indicate the intention of the President and Board of Trustees to make the same part of this Ordinance, shall be deemed to be incorporated in this Ordinance so that a reference to the Municipal Code of Gridley shall be understood to include them.

Sec. 2. PENALTIES

In case of amendment of any section of this Ordinance containing the provisions for which a penalty is provided in another section, the penalty so provided in such other section shall be held to relate to the section so amended or the amending section, whether enacted in the amendatory Ordinance or not, unless such penalty is specifically repealed therein.

Sec. 3. RECORDING AMENDMENTS

- a. It shall be the duty of the Village Clerk to keep at least one copy of the Municipal Code of Gridley, Illinois, of 2005, which he shall mark in the following manner: Whenever an Ordinance which amends or makes an addition to the Code is passed and approved he shall note on the margin of the section or sections amended that such amendment has been made, with a reference to the place in the amendment book, hereinafter described, where the amendment may be found; and in the case of an addition, he shall mark in the appropriate place a notation that such addition has been made, with a similar reference to the afore mentioned amendment book.
- b. The Village Clerk shall also keep a separate book containing every amendment or addition passed to this Code, with a reference on each copy of such amendment or addition as to the place in the record of Ordinances where the original Ordinance may be found.
- c. The above mentioned record shall be kept in addition to the record of Ordinances which the Clerk is required to keep by statute.

Chapter 25

INCORPORATION OF PREVIOUS ORDINANCES

Sec. 1. CERTAIN ORDINANCES CONTINUED

All ordinances relating to municipal contracts, platted additions to the Village of Gridley, appropriations, the Gridley Telephone Co., water and garbage rates, the water works, all tax levies and bond issues adopted by the Village of Gridley, Illinois, prior to the adoption of this code, are incorporated herein and shall continue to be in full force and effect, unless otherwise resealed.

Sec. 2. OTHER PRIOR ORDINANCES

Nothing in this code shall prevent other ordinances previously enacted and omitted herein from surviving and continuing in full force and effect, provided however, that such ordinances are deemed, whether in whole or in part, to be repealed wherever the same shall conflict with any provision in this code.

Sec. 3. PENDING SUITS

- a. No new ordinance shall be construed or held to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claims arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinances in force at the time of such proceedings, as far as practicable. If any penalty, forfeiture or punishment be mitigated by any provision of a new ordinance, such provision may, by consent of the party affected, be applied to any judgment announced after the new ordinance takes effect.
- b. This section shall extend to all repeals, either by express words or implication, whether the repeal is in the ordinance making any new provisions upon the same subject or any other ordinance.
- c. Nothing contained in this or the preceding section shall be construed as abating any action now pending under or by virtue of any general ordinance of the Village herein repealed; or as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the Village under any section or provision of ordinances existing at the time of the passage of this Ordinance.

Sec. 4. PARTIAL INVALIDITY

Should any court of competent jurisdiction hold any section of this Ordinance to be unconstitutional or invalid for any reason whatsoever, such holding or holdings shall not affect the validity of the remaining sections of the Ordinances.

Sec. 5. AUTHORIZATION

This ordinance shall be printed and published as required by statute.

Sec. 6. DISTRIBUTION OF COPIES

All of the printed copies of this Code belonging to the Village shall be deposited with the Clerk. He shall deliver one copy thereof to the President and each member of the Board of Trustees, and copies to such other persons as the President and Board of Trustees may direct.

Sec. 7. PRESENTATION OF COPIES

The President and Board of Trustees shall have the power to extend or reciprocate courtesies of other municipalities by presenting them with a copy of this Code, bound at the expense of the Village, as to them shall seem suitable, and they shall also have the power to present two copies to the Illinois Municipal League of this Code.

Sec. 8. TIME OF TAKING EFFECT

This Ordinance consisting of 25 chapters, the same being designated as the "Municipal Code of the Village of Gridley", shall take effect and be in full force from and after its passage and publication in book form as provided by statute.

Passed by the President and Board of Trustees of the Village of Gridley, this 5th day of September, A.D. 2005

APPROVED

-s- BRENT KIRKTON
VILLAGE PRESIDENT

ATTEST:

-s- Bonita Sherrill
Village Clerk
December 5, 2005

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Village Treasurer	Ch. 2, art. 1, sec. 1	2.1
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Shooting gallery, license fee	Ch. 10, sec. 3	10.1

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Penalty, violation of Chapter	Ch. 10, sec. 4	10.1
Shooting gallery, license required	Ch. 10, sec. 3	10.1

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