

## Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois  
Supplement 207 - January 2010  
Includes Ordinances: 09-31, 09-33, 09-34, 09-35

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NONE (New Chapter)

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FREEDOM OF INFORMATION  
OFFICERS

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4-1-6 3. If the cost of the project

4-4-1 CHAPTER 4  
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#### TITLE 10:

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10-9-1 CHAPTER 9  
SIGN REGULATIONS



## PREFACE

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This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

09-31, November 16, 2009  
09-33, December 7, 2009  
09-34, December 21, 2009  
09-35, December 21, 2009

Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.



## CHAPTER 22

**FREEDOM OF INFORMATION OFFICERS**

## SECTION:

- 1-22-1: Creation of Office
- 1-22-2: Police Department
- 1-22-3: Fire & Paramedic Departments
- 1-22-4: All Other Departments
- 1-22-20: Designees

- 1-22-1: **CREATION OF OFFICE:** There is hereby created the office of Freedom of Information Officer. There will be one for each department as specified in this Chapter.
- 1-22-2: **POLICE DEPARTMENT:** The Freedom of Information Officer shall be the Deputy Chief of Police.
- 1-22-3: **FIRE & PARAMEDIC DEPARTMENTS:** The Freedom of Information Officer shall be the Director of Fire & Emergency Services.
- 1-22-4: **ALL OTHER DEPARTMENTS:** The Freedom of Information Officer shall be the Village Clerk.
- 1-22-20: **DESIGNEES:** Each Freedom of Information Officer may designate one or more persons to fulfill their duties in their absence. Such designation shall be made in writing and filed with the President of the Board of Trustees. Such designation may be changed at any time by revoking the prior designation and filing a new one, as provided herein. (Ord. 09-35, 12-21-09)



3. If the cost of the project is five million dollars (\$5,000,000) or more, seven hundred twenty (720) days from the permit issue date.

(C) A permit shall be revoked and a notice of violation issued when it shall be found from personal inspection or competent evidence that the rules or regulations under which it has been issued are being violated. (Ord. 90-37, 4-15-91; amd. Ord. 07-28, 8-20-07)

4-1-7: **EXTENSION OF TIME TO COMPLETE WORK:** In the event that the exterior improvements as specified in the building permit will not be completed within three hundred sixty (360) days of the date it was issued, then an extended permit may be issued if all of the following criteria are met:

(A) Application to extend the permit is made at least seven (7) days prior to the original expiration date. (amd. Ord. 04-58, 4-4-05)

The Zoning Office shall have ten (10) days to review the extension request.

(B) The permit applicant or its agents or lessees are not occupying a building or structure which has not been completed per the building permit.

(C) The permit applicant or its agents or lessees are not using any portion of the property which has not been improved as required by the building permit.

(D) If the applicant desires to renew the permit for a period of less than six (6) months, the zoning office may issue same and in such case the permit fee shall be based on the value of the work to be completed, based on the schedule set forth in Title 4, Chapter 1, Section 3(A). (amd. Ord. 04-58, 4-4-05)

(E) If the work cannot be completed within six (6) months, then such application shall be made to the President and Board of Trustees who shall review same and determine whether there is just cause to allow a period greater than six (6) months and, if so, the length of time the permit will be extended. The renewal fee shall be based on the value of the work to be completed based on the schedule set forth in Title 4, Chapter 1, Section 3(A). (amd. Ord. 04-58, 4-4-05)

(F) An applicant may request the extension of a permit one time only, and the maximum extension shall be a period of three hundred sixty (360) days. (Ord. 96-30, 10-21-96)

4-1-8: **CONTRACTOR OR THIRD PARTY RESPONSIBILITY:** It is the intent of all regulations in this chapter that they apply to the owner of the property and any contractor or third party performing any construction work on property pursuant to a permit or in a situation where a permit is required.

The Village has discretion to determine in each case whether an ordinance violation shall be filed in the Circuit Court of Tazewell County, Illinois, against either or all of the following: the owner or owners of the property, the contractor, or a third party performing construction work. (Ord. 06-35, 12-04-06)

4-1-9: **CERTIFICATION OF COMPLETION OF CONSTRUCTION:** The general contractor on each building permit shall, prior to the issuance of a certificate of occupancy, certify to the Zoning Enforcing Officer that the building(s) has been constructed in full and strict compliance with the building permit, site plan, and all Village Ordinances. (Ord. 09-33, 12-7-09)

4-1-10: **VIOLATION OF BUILDING PERMIT, SITE PLAN, OR ORDINANCE:** Any person who constructs any portion of a building that is not in conformity with the building permit or site plan, or which is in violation of any Ordinance of the Village, shall be subject to a fine of fifty dollars (\$50) to seven hundred fifty dollars (\$750) per day. Each and every day that a violation exists shall be deemed a separate offense.

The issuance of a certificate of occupancy for a building shall not be a bar to prosecuting a person under this section. (Ord. 09-33, 12-7-09)



CHAPTER 4  
ELECTRICAL CODE

SECTION:

- 4-4-1: Adoption Of National Electrical Code
- 4-4-2: Permit Required
- 4-4-3: Permits
- 4-4-4: Scheduling Inspections
- 4-4-5: Re-inspection Fee
- 4-4-6: Certifications

4-4-1: **ADOPTION OF NATIONAL ELECTRICAL CODE:** The 2008 National Electrical Code, and any subsequent editions or amendments thereto, copyrighted by the National Fire Protection Association, a copy of which is on file in the office of the Village Clerk, is hereby adopted for the purpose of establishing rules and regulations for the installation of all electrical wiring, installation of electrical fixtures, apparatus, or electrical appliances for furnishing light, heat, or power, or other electrical work introduced into or placed in or upon, or in any way connected to, any building or structure within the Village. The same is hereby incorporated as fully as if set out at length herein. All amendments and new or revised editions shall be effective sixty (60) days after the Village publishes a notice indicating that such amendments or new or revised editions have been placed on file at the office of the Village Clerk. Until such date, the prior editions shall remain in effect. (Ord. 90-37, 4-15-91; amd. Ord. 94-24, 11-21-94; amd. Ord. 08-26, 12-1-08)

4-4-2: **PERMIT REQUIRED:** Any electrical job in excess of one thousand dollars (\$1,000.00), or any increase in the electrical service, will require a permit and appropriate inspections. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09)

4-4-3: **PERMITS:**

(A) Residential Permits:

New residential construction	\$400
Remodel projects and additions	\$200
Service inspection	\$100

(B) Commercial/Industrial Permits:

Based on Cost of Electrical for New Construction & Remodel Valuation	
	Fee
\$1,001 - \$2,500	\$100
\$2,501 - \$10,000	\$250
\$10,001 - \$15,000	\$350
\$15,001 - \$20,000	\$500
Over \$20,000	\$500 plus \$4 per \$1,000 over \$20,000 (rounded to nearest \$1,000)

(C) Sign Permits: \$100

(D) Service: \$100

In the event any work is started prior to the time a permit is obtained, the permit fee shall be doubled. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09)

4-4-4: **SCHEDULING INSPECTIONS:** If a scheduled inspection is to be cancelled, the owner of the property or the contractor must contact the zoning department at least two (2) hours prior to the scheduled inspection time. All inspections not cancelled at least two (2) hours before the scheduled time shall be charged a re-inspection fee.

It is the responsibility of the owner or his contractor to request all inspections. Inspections shall be requested by notifying the zoning department during normal business hours and notification must be a minimum of twenty four (24) hours in advance of the needed inspection except for the final inspection which requires a forty eight (48) hours advanced notice. (Ord. 08-26, 12-1-08)

4-4-5: **RE-INSPECTION FEE:** In the event any re-inspections are needed the following fees shall apply:

1st re-inspection	\$50
2nd re-inspection	\$75
3rd re-inspection	\$100
4th re-inspection	\$125

(Ord. 08-26, 12-1-08)

4-4-6: **CERTIFICATIONS:** No electrician shall install any electrical equipment, systems, components, or materials without first having obtained a certificate of registration to do so from the Village of Morton, Tazewell County, Illinois.

A certificate of registration is not required for residential work provided the work is being done solely by the owner of the subject property. All electrical equipment must be installed in compliance with the National Electrical Code.

In order to obtain a certificate of registration to install electrical equipment as provided above, an electrician shall submit evidence of the following to the Zoning and Enforcing Officer:

1. A current license issued by any of the following communities:
  - a. Peoria, IL
  - b. Bloomington, IL
  - c. Springfield, IL
  - d. Decatur, IL
  - e. Pekin, IL
  - f. Ottawa, IL
  - g. Joliet, IL
  - h. any other Illinois testing community upon verification by the Zoning and Enforcing Officer; or
2. Evidence of successful completion of a test administered by any of the communities listed in subdivision (1) of this paragraph, or a national fire protection association test pertaining to the National Electrical Code and knowledge thereof.

Upon presentation by an electrician of satisfactory evidence of either of the items listed in (1) or paragraph (2) above, the Zoning and Enforcing Officer shall issue an electrical certification of registration to such an electrician. The electrical certification shall cost one hundred dollars (\$100) per year and shall be issued on a calendar year basis. No electrical work may be done without an electrical certification. (Ord. 08-26, 12-1-08, amd. Ord. 09-31, 11-16-09)

CHAPTER 2  
DEFINITIONS

## SECTION:

10-2-1: Definitions

10-2-1: **DEFINITIONS:** Wherever anywhere in this Title any of the following terms are used, they shall have the meaning indicated hereafter in this Chapter.

**ACCESSORY USE, ACCESSORY AREA, ACCESSORY BUILDING:** A use customarily incidental and subordinate to the principal use, principal area or principal building and located on the same lot, parcel, or tract of land with said principal use, area, or building, and an accessory use, area, or building shall be deemed to constitute occupancy of that part of the lot, parcel, or tract of land so used or upon which the accessory building is located. Private garage shall not be considered an accessory use. A solar unit shall be considered an accessory use. A swimming pool shall be considered an accessory use. (Ord. 78-31, 3-5-79; amd. Ord. 83-4, 5-16-83; amd. Ord. 91-8, 7-15-91)

**ALLEY:** An alley is a public way not more than thirty feet (30') wide affording secondary access to abutting property.

**ANIMAL HOSPITAL:** An establishment for the treatment, and necessary boarding incidental thereto, of small animals such as dogs, cats, rabbits, and birds by a veterinarian.

**APARTMENT:** A room or suite of rooms with complete kitchen and sanitary facilities in a structure designed to accommodate two (2) or more such units.

**AUTOMOBILE WRECKING YARD:** Any place where one (1) 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 the wrecking or storing of such automobiles or the parts thereof. Any location for storage of motor vehicles awaiting repair for more than seven (7) consecutive days shall be considered an automobile wrecking yard.

**BARKER:** An individual, operating outside of a business's primary structure, who attempts to engage passersby through verbal, physical, or other contact in order to entice them into patronizing said business. (Ord. 07-31, 9-4-07)

**BARKER SIGNS:** Any temporary signs used to advertise a business or business event that are not affixed to any type of building or support structure, but are instead carried by an individual serving as a "barker" on behalf of the business entity. (Ord. 07-31, 9-4-07)

**BED AND BREAKFAST ESTABLISHMENTS:** An owner/operator occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms, each limited to two (2) transient adult guests per night, for rent, in operation for more than ten (10) nights in a twelve (12) month period. Bed and Breakfast establishments shall not include motels, hotels, boarding houses, or lodging houses. (Ord. 09-20, 8-3-09)

BOARDING OR LODGING HOUSE:	A building other than a hotel where meals or sleeping accommodations or both are provided for compensation for three (3), but not more than ten (10), persons.
BRICK	A molded rectangular block primarily comprised of clay and/or shale, fired with natural gas or coal at approximately two thousand degrees (2000°) to fuse the shale or clay into a durable building unit that is laid contiguously with the joints between the units filled with mortar. (Ord. 09-34, 12-21-09)
BUILDING:	A building is 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 HEIGHT:	The vertical distance measured from the sidewalk level or its equivalent established grade to the highest point of the roof. Where buildings are set back from the building setback line, the height will be measured from the average elevation of the finished lot grade. (Ord. 78-31, 3-5-79; amd. Ord. 05-20, 9-6-05)
CLINIC:	An establishment, including the operation of a professional pharmacy, but excluding facilities for in-patient nursing care, where one (1) or more physicians and other medical professionals diagnose and treat human physical and/or mental ailments. (Ord. 79-39, 3-3-80)
COMMUNITY RESIDENCE:	A group home or specialized residential care home serving unrelated persons with disabilities which is licensed, certified, or accredited by appropriate local, State, or national bodies. This Ordinance shall not be construed to require a license, certification, or accreditation and same shall only be required where State or Federal law requires same. Community residence does not include a residence which serves persons as any alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance or alcohol abuse, or persons whose primary reason for placement is treatment for a communicable disease. (Ord. 89-19, 2-5-90)
CONSTRUCTION SIGNS:	A temporary sign, which includes those indicating construction or home improvement, or the offering of services such as lawn maintenance and landscaping, at a specific location at which they are located. (Ord. 07-31, 9-4-07)
COVERAGE:	The portion of the lot area covered by the building area.
CURB LEVEL:	The average elevation of the established curb of a street taken along the curb line between the points of intersection of the curb line and the lot lines. Where no curb has been established, the curb level shall be the average elevation of the land surface taken along the street right of way and the lot lines.
DAY CARE CENTER:	A child care facility receiving more than eight (8) children for care during all or part of a day. Day care centers are not to be construed as public or private school facilities. (Ord. 78-31, 3-5-79)

- LOT OF RECORD:** A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Tazewell County, Illinois; or a parcel of land described by metes and bounds, the deed or description of which was recorded in the office of the Recorder of Deeds prior to the adoption of this Title. Ord. 78-31, 3-5-79)
- MANUFACTURED HOME:** A structure, transportable in one or more sections, which, in traveling mode, is eight body feet (8') or more in width or forty body feet (40') or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning, and electrical systems contained therein. (Ord 98-45, 3-15-99)
- MOBILE HOME:** Any portable or mobile vehicle or trailer coach used for residential living purposes temporarily or permanently. For the purpose of this Title, such vehicle shall be classified as a mobile home whether or not its wheels, rollers, skids, or other rolling equipment have been removed, or whether or not any addition thereto has been built on the ground. (Ord. 78-31, 3-5-79; amd. Ord. 82-8, 8-2-82; amd. Ord. 84-9, 9-17-84; amd. Ord. 00-50, 3-5-01)
- MOBILE HOME PARK  
MOBILE HOME COURT:** A tract of land meeting the standards of the Tazewell County Health authorities and by the Illinois State Department of Health:
- (A) Where one (1) or more trailer coach, manufactured home or mobile home is parked, excepting trailers used exclusively for transporting property as distinguished from persons;
  - (B) Which is used by the public as parking space for one (1) or more trailer coach, manufactured home, or mobile home. (Ord. 78-31, 3-5-79; amd. Ord. 98-45, 3-15-99)
- MODULAR HOME:** A building assembly or system of building sub-assemblies, designed for habitation as a dwelling place for one (1) or more persons, including the necessary electrical, plumbing, heating, ventilating, and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation, on the building site, with a permanent foundation. (Ord. 78-31, 3-5-79; amd. Ord. 82-8, 82-82; amd. Ord. 98-45, 3-15-99)
- MOTOR FREIGHT  
TERMINAL:** A structure, facility, or premise for the handling of goods and materials in transit, including the parking, loading, and repairing of commercial motor vehicles. Employee sleeping accommodations shall be considered allowable by special use permit only. (Ord. 82-32, 4-4-83)
- NONCONFORMING  
STRUCTURE:** A structure lawfully existing at the time of adoption of this Zoning Ordinance which does not conform to the regulations of the district in which it is located.
- NONCONFORMING USE:** A use which lawfully occupied a structure or land at the time of adoption of this Zoning Ordinance which does not conform with the regulations of the district in which it is located. For the purposes of this Title, any use lawfully established on the effective date of this Zoning Ordinance which is nonconforming solely by virtue of lacking off-street parking or loading facilities as required hereafter for new uses, shall not be deemed a nonconforming use. (Ord. 78-31, 3-5-79)

NURSERY SCHOOL:	A place where preschool education and instructional programs are offered for children. (Ord. 84-1, 5-21-84)
OUTDOOR RECREATION FACILITIES:	Facilities including but not limited to miniature golf, driving range, and related activities. (Ord. 86-21, 4-20-87)
PARKING AREA, OFF STREET:	An open, hard-surfaced area of land, other than a street or public way, 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 SPACE:	An area to the dimensions and layout as contained in Chapter 8, sufficient to accommodate one (1) automobile, convenient, accessible, and usable at all times without having to move any other vehicle.
PLANNED RESIDENTIAL DEVELOPMENT:	A tract of land which is developed as a residential development under single ownership or control and which may not completely conform to all of the regulations of the district regulations.
PLANT MATERIALS FOR LANDSCAPE SCREENING:	<p>(A) Deciduous shrub means a lower story plant that generally will not attain a mature height of more than fifteen feet (15') and usually has a dense branching pattern which is close to ground level. Such plants shed their leaves in winter. Any similar plant that will not attain a mature height of more than one foot (1') will not be regarded as a shrub. Examples include honeysuckle, lilac, forsythia, rose of sharon, and sumac.</p> <p>(B) Evergreen shrub means a lower story plant that generally will not attain a mature height of more than fifteen feet (15') and usually has a dense branching pattern which is close to ground level. Such plants retain their foliage throughout the year. Any similar plant that will not attain a mature height of more than one foot (1') will not be regarded as a shrub. Examples include douglas arbor-vitae, chinese juniper, swiss stone pine, and irish yew.</p> <p>(C) Evergreen tree means a tree that retains its foliage throughout the year which generally develops a pyramidal shape and grows to a mature height and spread that is greater than any pyramidal shaped evergreen shrub such as upright junipers and upright arbor vitae. Examples include spruce, pine, hemlock, and douglas fir.</p> <p>(D) Intermediate tree means a deciduous plant characterized by a height and/or spread that is generally smaller than that of a shade tree under natural growing conditions. Such plants will shed their leaves and are dormant during the winter. Intermediate trees may have a single trunk or multiple trunk. Examples include bradford pear, crimson king maple, and crab apple.</p> <p>(E) Shade tree means a deciduous plant which generally creates a tall and wide overhead canopy under nature growing conditions. Such plants will shed their leaves and are dormant during the winter. Shade trees will usually have a single trunk. Examples include oak, hard maple, birch, linden, and beech. (amd. Ord. 00-51, 3-19-01)</p>

## CHAPTER 4

**GENERAL REGULATIONS AND EXCEPTIONS**

## SECTION:

- 10-4-1: Application Of Regulations, Zoning Permits, And Certificates
- 10-4-2: Nonconforming Uses
- 10-4-3: Building Height, Bulk, Lot Coverage, And Yards
- 10-4-4: Lots Of Record
- 10-4-5: Buildings, Required Street, And Lot Relationships
- 10-4-6: Site Plan Review
- 10-4-7: Site Plan Review For Interstate Corridor
- 10-4-8: Existing Buildings In Interstate Corridors
- 10-4-9: Special Variance Procedure For Property In Interstate Corridor
- 10-4-10: Planned Commercial Developments
- 10-4-11: Large Scale Development
- 10-4-12: Wind Energy Conversion System (WECS)
- 10-4-13: Dumpsters
- 10-4-14: Portable Storage Units
- 10-4-15: Shelters/Tents

10-4-1: **APPLICATION OF REGULATIONS, ZONING PERMITS, AND CERTIFICATES:** No building or land shall hereafter be used or occupied, and no building or part thereof shall be erected, moved, or altered, unless in conformity with the regulations herein specified for the district in which it is located, and unless having received the appropriate required permits or certificates as outlined in this Title. (Ord. 78-31, 3-5-79)

10-4-2: **NONCONFORMING USES:** Any lawfully established use of land or buildings at the effective date of this Title or of amendments, which does not comply with the regulations of the district in which it is located, is subject to the following regulations:

- (A) **Continuance Of Use:** A nonconforming use may be continued in use provided there is no physical change other than necessary maintenance and repair except as otherwise provided herein.
- (B) **Nonconforming Use Discontinued For One (1) Year Not To Re-Establish:** If a nonconforming use involving a building or structure has discontinued for a period of one (1) year or more, it shall not be re-established unless it was in a building specifically designed for such use. If nonconforming use of land not involving a principal building or structure is discontinued for six (6) months, it shall not be re-established.
- (C) **Reconstruction, Alterations, Or Expansions Of Nonconforming Building Limited:** A nonconforming building may not be structurally altered or reconstructed within its bounding walls to an extent exceeding in aggregate cost twenty five percent (25%) of its fair market value including land value except for non-conforming buildings which are used as an owner occupied residence, in which case the 25% limitation does not apply. A nonconforming use may not expand its bounding walls or increase its building area. In instances where a building has been specifically designed for a nonconforming use, the Board of Appeals, by variance action, may permit this limitation to be exceeded after required public hearing. (Ord. 78-31, 3-5-79; amd. Ord. 08-17, 10-06-08)

Notwithstanding the foregoing, a nonconforming building may be added on to or attached to where the following applies:

1. The building is in a district zoned R-1, "One-family and Planned Residential District"; and
  2. Pursuant to the zoning law in effect at the time the building was constructed, the building was allowed to be built up to five feet (5') from the side lot line; and
  3. Any addition shall not be closer to the side lot line than five feet (5'). (Ord. 83-12, 8-1-83)
  4. The building is in a district zoned industrial, and pursuant to the zoning law in effect at the time the building was constructed, the building was allowed to be built up to thirty feet (30') from the side lot line. Any addition shall not be closer to the side lot line than thirty feet (30'). (Ord. 92-23, 11-2-92)
- (D) Conforming Uses Not To Revert To Nonconforming Uses: Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use.
- (E) Substitution Of Nonconforming Uses Prohibited: Except where otherwise provided herein, nonconforming use shall not be substituted for or added to another nonconforming use. (Ord. 78-31, 3-5-79)

10-4-3: **BUILDING HEIGHT, BULK, LOT COVERAGE, AND YARDS:**

- (A) General Application: No building shall be erected, reconstructed, relocated, or structurally altered to have a greater height, lot coverage, or smaller open spaces than permitted under the restrictions for the district in which it is located, except as otherwise provided in this Title. (Ord. 78-31, 3-5-79)
- (B) Exceptions To Height Limitations: All structural or architectural towers, spires, cupolas, parapet walls, chimneys, cooling towers, water towers, elevator bulkheads, stacks, stage towers or scenery lofts, mechanical appurtenances, structures, towers, antennas, or other similar structures may exceed the general height limitations in a zoning district only if a special use in accordance with the provisions of Section 10-10-2 of this Title is granted. Notwithstanding the foregoing, no special use shall be granted for a tower or other structure that can or will accommodate a personal wireless service facility as defined in Title 13 Chapter 1 of this Code. Warning sirens are exempt from any height limitation imposed by any other Sections of this Code. (Ord. 81-21, 8-17-81; amd. Ord. 00-52, 3-5-01; amd. Ord. 06-01, 5-1-06)
- (C) Open Space To Meet Requirements For One Property Not To Be Used For Another: No space allocated to a building or group of buildings for the purpose of satisfying the yard, open space, or lot area requirements of one property shall be used to satisfy the yard, open space, or lot area requirements of another property. (Ord. 78-31, 3-5-79)
- (D) Exceptions To Yard Requirements; Parking, Drives, Walks, Parking Lots, And Garages: Notwithstanding the foregoing, the following shall be permitted in the required yards:
1. Pavements:
    - (a) For access walks, drives, and parking areas not encroaching on the landscaped front yard, such pavements shall be no closer than ten feet (10') to the side property line and eight feet (8') to the rear property line in B-1 and B-2.
    - (b) For R-3, B-3, I-1, and I-2, pavement shall be no closer than ten feet (10') to the side and rear property lines.



- (H) Landscaped Buffers Or Screening Required: Newly established industrial uses adjacent to or backing on residential or business districts, or newly established business uses adjacent to or backing on residential districts, or newly established multi-family uses adjacent to or backing on single-family uses, shall provide and continuously maintain on that property line a dense hedge, tree row, or other similar landscape device suitable to visually screen the differing types of adjacent uses from one another.
- (I) Obstructions To Visibility At Intersections Prohibited: On a corner lot, no obstruction to visibility shall be allowed within a triangular area formed by the intersecting property lines along the fronting streets and a straight line joining said lot lines at points the following distances from the intersection of such intersecting lot lines for types of streets as designated on the Official Map:
1. Twenty feet (20') for local streets, and
  2. Thirty five feet (35') for all other streets.
- This provision shall apply to obstructions on and after September 17, 2001.  
(amd. Ord. 01-17, 9-17-01)
- (J) Minimum Square Footage For Single-Family Residences: Any building used as a single-family residence shall contain on the ground floor eight hundred (800) square feet of livable floor space.
- (K) Zoning Of Bona Fide Agricultural Uses: Notwithstanding the above, none of the following regulations, with the exception of yard requirements, shall be applicable to bona fide agricultural uses. This shall not be construed, however, as eliminating the necessity of agricultural uses from applying for and obtaining the necessary building and zoning permits prior to construction, alteration, or moving of buildings. No fee, however, shall be required for a zoning permit for such bona fide agricultural uses. (Ord. 78-31, 3-5-79)
- (L) Satellite Dishes: A satellite antenna dish, which is defined as a device used for the reception of communications or other signals from orbiting satellites, is permitted in districts zoned R-S, R-1, R-2, and R-3, subject to the following conditions:
1. Dishes mounted on the ground level shall not exceed a height of twelve feet (12').
  2. Dishes mounted on the rooftop or chimney of a structure shall not be greater than two feet (2') in diameter, and the highest point of the dish shall not exceed thirty five feet (35') measured from the top to the curb level.
  3. The dish shall not contain any lettering other than that placed on same identifying the manufacturer and shall not otherwise be used for the display of messages.
  4. Ground-mounted dishes shall be located only in the rear yard and shall be subject to a ten foot (10') setback on the rear yard property line and a ten foot (10') setback on the side yard lot line. If an easement requires a greater setback than the foregoing, then the easement setback shall apply.
  5. Ground-mounted dishes shall be reasonably concealed from the view at ground level of adjacent properties on all sides, except the side to which the dish is directed to receive the signal. On that side the view shall be obscured to the extent possible without interfering with the reception of the signal. Fencing or landscape screening shall be used for such purpose subject to the general requirements for same as provided in other sections of this Code. Any landscape screening that is used must be planted within six (6) months of the date of the installation of the dish and must be continuously maintained. Any landscape screening that is used must be nondeciduous and must be of a minimum height of four feet (4') when planted. (Ord. 84-22, 3-4-85)

6. A ground-mounted dish shall be considered an accessory use. (Ord. 93-2, 5-17-93)
7. A satellite antenna dish may be used only if it is permanently affixed to the ground, rooftop, or chimney of a structure. Satellite antenna dishes may not be located or affixed to any movable object, including, but not limited to, motor vehicles, trailers, or other movable objects. The use of a satellite antenna dish on a temporary basis is expressly prohibited. (Ord. 84-22, 3-4-85; amd. Ord. 93-4, 5-17-93)

(M) One satellite antenna dish is permitted in districts zoned MH, B-1, B-2, B-3, I-1, or I-2. The satellite antenna dish may be located only on the rooftop or in the rear yard, shall be subject to all other zoning requirements and restrictions, and shall be subject to site plan review. (Ord. 83-4, 5-16-83)

(N) Swimming pools where permitted shall be subject to the following:

1. Each swimming pool shall conform to the requirements of an accessory use.
2. Surrounding each swimming pool, whether the pool be inground or above ground, there shall be erected an enclosure fence which shall be at least five feet (5') in height. A wall of at least five feet (5') in height is sufficient for one (1) or more sides of the enclosure. A screened-in patio area completely enclosing a pool shall be considered appropriate enclosure.

All existing swimming pools that have an enclosure fence of at least four feet (4') in height and/or walls of at least four feet (4') in height may remain in existence, and no modifications are needed to same. In such cases, said fences or walls may be repaired or maintained, but they shall not be replaced or moved from their present location.

3. The gates of the required fence shall be self-closing and have self-latching latches placed at least four feet (4') above the ground. The fence shall be so constructed as to not allow a five inch (5") diameter sphere to pass through the fence.
4. No pool, the construction of which is completed after the effective date of this Ordinance, shall be filled with water of a depth of two feet (2') or more until the enclosure required by this Section has been provided.
5. The enclosure required by this Chapter shall be installed around all existing pools no later than May 1, 1992, subject to the provisions of Subsection 2 of this Section. (Ord. 91-8, 7-15-91)
6. If on July 15, 1991, there was a fence of at least thirty six inches (36") in height located around an existing swimming pool, then said existing fence shall only have to meet the four foot (4') height requirement if same is modified to said height prior to May 1, 1992. If said existing fence is not modified to four feet (4') prior to said date, then it must meet the five foot (5') height requirement after that date. (Ord. 91-12, 2-3-92)
7. If on March 3, 1997, there existed a swimming pool which had been constructed without external buttresses, but which otherwise met the definition of a swimming pool prior to March 3, 1997, then the owner of the property where said swimming pool is located shall have until May 1, 1998, to erect a fence on the property that is in compliance with the provisions of this Section. (Ord. 96-39, 3-17-97)

- (O) A semi-trailer, truck body, container, manufactured home, or trailer coach shall not be used as a storage structure other than as a temporary field office for contractors or on-site equipment storage on a permitted construction site, or in conjunction with the sale of goods or the manufacturing of goods by a business located on the site where such equipment is located. The use of such equipment as a storage structure is expressly prohibited. A trailer coach may be used by a bona fide not-for-profit organization in conjunction with the sale of merchandise, provided such does not exceed once a year for a period of thirty (30) consecutive days and is in a district zoned for business or industrial uses. Except to the extent allowed for a bona fide not-for-profit organization, a semi-trailer, truck body, container, manufactured home, or trailer coach shall not be used for the sale of merchandise.

A semi-trailer, truck body, or container may only be stored on a property that is used as a truck terminal or has a special use permit for contractor outdoor storage. A trailer coach or manufactured home may only be stored in a MH (mobile home) district.

(Ord. 00-57, 4-2-01)

Trucks and/or shipping containers may not be stacked. This provision applies to all districts where storage of truck and/or shipping containers is allowed, either as a permitted use or a special use. (amd. Ord. 05-04, 5-16-05)

- (P) A building permit (but no fee) shall be required for a play structure. With respect to the location of a play structure, the following criteria applies:

1. It must meet the required six feet (6') side and rear setbacks for accessory structures. (Ord. 06-05, 5-1-06)
2. It must be placed in the rear yard.

If a structure does not meet all of the criteria of a play structure, it shall be considered an accessory structure and shall be subject to all of the criteria of same, and a building permit fee shall apply. (Ord. 05-41, 2-6-06)

Notwithstanding the foregoing, no building permit fee shall be charged for any play structure that the owner of the property upon which it will be located, elects to have the structure considered as an accessory building. (Ord. 06-05, 5-1-06)

10-4-4: **LOTS OF RECORD:**

- (A) **Single Ownership Lots Of Record:** Single ownership lots of record at the date of adoption of this Title may be used for a permitted use providing the required area, lot width, and side or rear yards are not reduced to less than seventy five percent (75%) of the required dimensions. Use of lots of record requiring further reductions of yards may be approved by the Board of Appeals.
- (B) **Adjoining Lots Of Record Under Single Ownership:** When two (2) or more lots of record at the date of adoption of this Title, lacking the required area and dimension for a permitted use are contiguous and in single ownership, they shall be combined to the extent necessary to meet the zoning requirements for that district.

- (C) Buildings Under Construction Or Approved For Construction; Status Of Buildings On Previously Approved Plats: Buildings lawfully under construction or approved for such construction prior to the adoption of this Title shall not be required to modify or change the approved plans providing that such construction is completed within one year from the date of passage of this Title.

Building will be allowed to proceed on lots within plats having Village Board approval prior to the adoption of this Title, even though lacking the required area and dimensions, providing only that such construction is completed within five (5) years of the date of passage of this Title. (Ord. 78-31, 3-5-79)

10-4-5: **BUILDINGS, REQUIRED STREET, AND LOT RELATIONSHIPS:**

- (A) Buildings To Have Access To Public Streets: Except for private street planned developments and access easements as included on the approved plat, or as otherwise specifically provided for in this Title, every building shall be constructed upon a lot or parcel abutting a public street. (Ord. 78-31, 3-5-79)
- (B) Buildings On Zoning Lot: Except for planned developments, multifamily residential, multi-building institutional, commercial and industrial uses, and two (2) duplexes as provided in 10-5-4-B-3, every principal building erected or structurally altered shall be on a zoning lot, and in no case shall there be more than one (1) principal building per zoning lot. (Ord. 78-31, 3-5-79; amd. Ord. 83-15, 8-1-83; amd. Ord. 02-12, 7-1-02)
- (C) All towers or other structures that can or will accommodate a personal wireless service facility as defined in Title 13 Chapter 1, shall not be considered buildings for purposes of general height requirements. All such towers or structures shall be regulated pursuant to Title 13 Chapter 1 of this Code. Any height limitations shall be determined pursuant to the provisions in that Chapter. (amd. Ord. 00-52, 3-5-01)

10-4-6: **SITE PLAN REVIEW:**

- (A) Uses For Which Site Plan Review Is Required: In order to minimize adverse effects of any proposed development upon existing uses, to clarify the concept of a proposed development when seeking local building and zoning approvals, and to better conserve and enhance the visual environment of the Village, the following types of proposed uses or developments shall not be permitted without administrative site plan review and approval by the SPW.
1. All R-3 and R-4 residential, commercial, or industrial uses indicated as "permitted use" in the district in which located, and mobile home districts. (amd. Ord. 05-46, 3-6-06)
  2. Any special use for any zoning category. (Ord. 78-31, 3-5-79)
  3. Any property except that located in a district zoned R-1 (single family) and R-2 (two-family) within an interstate corridor shall also be subject to the provisions of Title 10, Chapter 4, Section 7. (Ord. 94-31, 5-15-95)
  4. Any large scale developments shall also be subject to the provisions of Title 10, Chapter 4, Section 11. (amd. Ord. 02-26, 1-6-03)
- (B) Site plans submitted for site plan review by the SPW shall include a hard paper copy, as well as a digital media copy in an ESRI Shapefile, or other computer readable format compatible with the Village of Morton mapping software, and shall be drawn to the following scales and include the following data:  
(amd. Ord. 05-46, 3-6-06)

1. A scale of not smaller than one inch equals fifty feet (1" = 50') for areas of fifteen (15) acres or less or where the longest dimension does not exceed eight hundred feet (800'); for all larger projects, one inch equals one hundred feet (1" = 100'), plan to show date, north point, and scale.
2. Property lines of the subject and abutting properties.
3. Location of existing and proposed structures, drives, and parking areas on the subject property and existing structures within one hundred feet (100') of the subject property.
4. Location, right-of-way width, and street width of abutting streets and alleys.
5. Landscaping and screening
  - (a) All landscape plans shall fully meet the following performance standards in order to receive approval from the Zoning Officer:
    - (1) Landscaping shall not hinder the vision of motorists and pedestrians necessary for safe movement into, out of, and within the site.
    - (2) Landscaping materials shall be selected and placed in such a manner so as not to interfere with or damage existing utilities.
    - (3) Landscaping materials shall be selected and placed so as not to inhibit the safe and enjoyable use of surrounding properties.
    - (4) Landscaping shall be selected and placed with a sensitivity toward the ultimate size to be achieved over time through growth of vegetation.
    - (5) Landscaping with thorns, berries, and other unsuitable characteristics shall be carefully placed to avoid potential harm to people or property on- and off-site.
    - (6) Weak wooded trees shall be used only where other species are not available.
  - (b) The amount of landscaping required shall be calculated by the point system hereinafter described. The requirements for any zoning lot shall be the total of all front yards. In calculating any requirement, a fraction of one-half (0.5) or greater shall be rounded up to the next whole number.

The following point allocations shall apply for all required landscaping:

<u>Tree Classification</u>	<u>Base Value</u>
Shade Tree	15 points
Evergreen Tree	15 points
Intermediate Tree	10 points
<u>Shrub Classification</u>	<u>Base Value</u>
Evergreen Shrubs	2 points
Deciduous Shrubs	1 point

At the time of planting, shade trees and intermediate trees shall have a caliper size of not less than two inches (2"). Evergreen trees shall be a minimum of five feet (5') in height and evergreen shrubs shall be a minimum of two feet (2') in height at the time of planting. (amd. Ord. 05-44, 2-6-06)

- (c) All developed zoning lots, other than those located within R-1 and R-2 zoning districts, shall have front yard landscaping installed, as provided for in this subsection. All yards, such as those on corner lots or irregularly shaped lots, which are adjacent to any street, road, or interstate highway, shall meet the landscaping requirements for front yards.
- (1) The number of points required for landscaping of front yards shall be based on the overall lot frontage, as measured along the property line, divided by two (2). For example, if the front yard lot frontage is two hundred twenty feet (220') in length, then the landscaping must generate one hundred ten (110) points.
  - (2) Not less than fifty percent (50%) of the points required for landscaping of front yards shall be achieved by utilizing plants from tree classification.
  - (3) Front yard landscaping shall be planted in the required front yard. If there is an additional area between the required front yard and the closest on-site parking lot or building, all or some of the required landscaping may be planted within such additional area upon approval by the Zoning Officer.
- (d) Screening requirements in accordance with Section 10-4-3-H of this Title shall meet the size requirements set forth in this section. The screening requirements shall be greater than landscaping requirements so as to achieve the desired visual barrier, as approved by the Zoning Officer.
- (e) Any landscaping materials required in this section which may, for any reason, die or fail to thrive shall be replaced with other landscaping materials having an equal or greater point value and similar characteristics as soon as good horticultural practice permits, though not to exceed six (6) months.
- (f) Landscaping shall be completed within one (1) year of the issue date of the building permit. If landscaping is not completed within the required time frame, then the procedure outlined in Section 4-1-7 of this Code shall be applied.  
(amd. Ord. 00-51, 3-19-01)
6. Names and addresses of the architect, engineer, landscape architect, planner, or designer responsible for the site plan.
  7. Location of utilities, existing and proposed, on the subject property and within one hundred feet (100') of the subject property.
  8. Location of existing storm water drainage conduits and ditches on the subject property and within one hundred feet (100') of the subject property.
  9. For the purposes of this section, decorative masonry shall consist of the following: brick, natural/native stone, split-faced block, ground-faced block, fluted block, glazed block, concrete mortarless veneer siding systems, exterior insulation and finish systems (EIFS), exposed aggregate concrete wall panels, pre-cast concrete wall panels that have been painted or stained, glass block, and simulated stone. Neither simulated panelized sheeting mechanically attached to the structure, nor painted and/or scored block, shall be considered decorative masonry.

The following materials are acceptable as decorative finishes for exterior walls that front a street or highway: glass, prefinished steel or aluminum, decorative masonry finishes, and wood (cedar, redwood, or cypress). In addition to these materials, all other building walls may be of concrete block, prefabricated exterior materials, and other similar materials, excluding non-coated galvanized siding.

In commercially zoned areas and the interstate corridor, there shall be a minimum percentage of decorative masonry and/or decorative finish required for exterior walls, as follows:

Street frontage, or any elevation with public access or facing a public parking lot:	A minimum of fifty percent (50%) decorative masonry with the remainder to be a decorative finish
Side or rear abutting an interstate:	A minimum of fifty percent (50%) decorative masonry, which must run the length of the building to a minimum of three feet (3') from grade level up
Side or rear adjacent to a residential area:	A minimum of fifty percent (50%) decorative finish
Side or rear not fronting a street or abutting a residential area:	No requirements

On all other projects requiring site plan review, there shall be thirty five percent (35%) of brick stone work or decorative masonry on the portion of the building fronting a street or highway.

The Board of Trustees may alter or waive the requirements subject to the following: suitable landscaping and an alternative material of decorative wood which is stained or painted. In allowing an altering or waiving of the requirements, the Board of Trustees may impose such additional conditions as it may deem appropriate.

The Board of Trustees may alter or waive the requirements for additions to existing buildings that at the time of the addition do not have the required brick stone work or decorative masonry, and may impose such conditions as it may deem appropriate in granting such waiver.

Notwithstanding the foregoing provisions, there shall be no requirement for brick stone work or decorative masonry for a metal-clad and station-type cubical switchgear, which includes equipment for the control and protection of apparatus used for power generation, conversion, and transmission and distribution. (amd. Ord. 04-03, 5-3-04, amd. Ord. 09-34, 12-21-09)

10. Storm water detention plans and calculations.
11. Erosion control plans.
12. EPA water and sewer permit applications, as required. (amd. Ord. 05-46, 3-6-06)

(C) Review Of Site Plan: In reviewing site plans, the SPW shall consider:

1. Location of drives, ingress and egress points to public streets, and installation of sidewalks.
2. Traffic circulation and location of building, parking, loading, and storage areas within the site to ensure that use of the site creates minimum adverse effects on bounding streets and properties.
3. Less attractive or possible nuisance uses to be accommodated on the site which might require landscape screening or fencing. The SPW may require relocation of such uses to areas of the site where they will have less adverse visual or nuisance impact on surrounding properties and bounding roads.

4. Connection to Village utilities, storm water detention, and drainage.
5. Wall Length: Buildings should not exceed one hundred (100) lineal feet of wall length without providing architectural relief in the facade. Architectural relief as used herein shall mean using arcades, cornices, eaves, focal points, and offsets in elevation.

- (D) Superintendent Of Public Works' Action; Applicant's Petition To Village Board: Following the review, the SPW shall, by action, approve or disapprove the issuance of a zoning permit and shall notify the applicant and Zoning Enforcing Officer of his actions including, if disapproved, the reasons for disapproval. If approved, the Zoning Enforcing Officer shall issue the necessary permits providing the proposed structure or use is otherwise in compliance with regulations of the Village.

If the SPW disapproves the project or approves the project with conditions to which the applicant is not agreeable, the applicant may petition the Village Board for review of the project. The Village Board may concur or reverse the action of the SPW by a simple majority vote but shall take no action without receiving a written report from the SPW of the findings and action unless such report is not received within forty five (45) days of his action on the matter.

Site plans upon which issuance of zoning permits have been based after site plan review shall be filed in the office of the Zoning Enforcing Officer. Substantial variance from that site plan without concurrence of the SPW in carrying forth the proposed project shall be deemed to be a violation of this Title, subject to the penalties prescribed herein. (Ord. 78-31, 3-5-79; amd. Ord. 79-42, 4-7-80; amd. Ord. 94-4, 5-2-94; amd. Ord. 98-31, 12-21-98; amd. Ord. 00-35, 10-16-00; amd. Ord. 00-46, 12-18-00; amd. Ord. 02-34, 3-17-03; amd. Ord. 03-31, 11-17-03; amd. Ord. 03-39, 1-19-04)

10-4-7: **SITE PLAN REVIEW FOR INTERSTATE CORRIDOR:**

- (A) Purpose: This Section provides for additional requirements for all development within an interstate corridor, (except for areas zoned R-1 or R-2). The requirements in this Section are in addition to the requirements in Title 10, Chapter 4, Section 6, and any other parts of Title 10 that might apply, and where there is any conflict between the two (2) sections, the more restrictive provisions shall apply.
- (B) Required Lot Size: The minimum lot size shall be forty three thousand five hundred sixty (43,560) square feet [one (1) acre] with a minimum frontage width (meaning width at the building setback line) of one hundred seventy five feet (175').
- (C) Required Yard Areas: Every building hereafter erected or structurally enlarged shall provide the following yard requirements:
1. Front Yard: The front yard shall be at least equal to the building height, and in no case shall be less than forty five feet (45'), with a landscaped front yard of no less than thirty five feet (35').
  2. Side Yard: The side yard shall be not less than fifteen feet (15'). Where the side yard abuts the Interstate, it shall be forty five feet (45'), with a landscaped side yard of no less than twenty five feet (25').
  3. Rear Yards: The rear yard shall not be less than twenty feet (20'). Where the rear yard abuts the Interstate, it shall be forty five feet (45'), with a landscaped rear yard of no less than twenty five feet (25').



4. Driveways And Parking Areas: Driveways and parking areas shall not be closer than ten feet (10') from the side and rear property lines. Driveways connecting adjacent lots are permissible subject to site plan review.

- (D) Building Height: No building shall be erected or enlarged to exceed a height of thirty five feet (35'), except for those general exceptions to height limitations listed in Title 10, Chapter 4, Section 3. Buildings in excess of the aforesaid height may be permitted a special use, subject to the public hearing and other special permit requirements as outlined in Chapter 10 of this Title.
- (E) Required Off-Street Parking And Loading: Required off-street parking and loading shall be provided as outlined in Chapter 8 of this Title.
- (F) Signs: The provisions of Title 10, Chapter 9, pertaining to sign regulations, shall apply to all signs that are located within an interstate corridor.
- (G) Application Of Provisions: The provisions of Subsection (B) set forth above shall apply to any parcel located wholly or partially within an interstate corridor. The provisions of Subsections (C) through (F), inclusive, set forth above, shall apply to any buildings or structures located wholly or partially within an interstate corridor.
- (H) Existing Structures Or Unimproved Land: Notwithstanding the other provisions of this section, the following provisions apply to structures or unimproved land which existed at the time of the adoption of this Section:
1. If the structure was conforming at the time it was built, then it may be expanded, provided that such expansion continues along the same building line, meaning that there would be no further encroachment into the setback requirements.
  2. If, when a structure was built, it encroached into the required setback area (meaning a variance was granted or it was otherwise nonconforming) then such structure may be expanded, with no greater encroachment, only if a variance is obtained pursuant to the provisions of Title 10, Chapter 10, Subsection 2(C).
  3. If, at the time of the adoption of this Section, there existed a lot of record of less than one (1) acre within an interstate corridor, then no structures can be erected without obtaining a variance pursuant to the provisions of Title 10, Chapter 10, Subsection 2(C). Variances for signs or building setbacks shall be the only permitted variances. (Ord. 94-31, 5-15-95)

10-4-8: **EXISTING BUILDINGS IN INTERSTATE CORRIDORS:** All buildings located within an interstate corridor at the date of adoption of Title 10, Chapter 4, Section 7 are nonconforming buildings, (if the building is located within a setback area as defined by this Chapter) and all of the provisions of Title 10, Chapter 4 shall apply to them. Variances may be applied for in conformity with the applicable provisions of Title 10, Chapter 10. (Ord. 94-31, 5-15-95)

10-4-9: **SPECIAL VARIANCE PROCEDURE FOR PROPERTY IN INTERSTATE CORRIDOR:**

- (A) In the event an owner desires a variance from any of the regulations pertaining to property in an interstate corridor, and the variance is for a matter which is not specified in Title 10, Chapter 10, Subsection 2(C)4 as now in effect or as may be amended by proposed Ordinance 94-32, then such owner may request that the Board of Trustees grant a variance. All applications shall be made in the same form, shall require the same fee, and provide public notice all in the same manner as a variance request that would be heard by the Zoning Board of Appeals.
- (B) It shall take the affirmative vote of five (5) members of the appropriate authorities to grant such variance. (The President may provide a fifth vote if necessary.)

- (C) The provisions of Subsection 10-10-2(C) of this Code shall apply to the consideration of any variance request. (Ord. 94-31, 5-15-95)

10-4-10: **PLANNED COMMERCIAL DEVELOPMENTS:**

- (A) Purpose: The purpose of this Section is to allow ownership of business premises while otherwise maintaining all zoning provisions of the applicable zoning district.
- (B) Covenants and Easements: The plan of development shall include covenants, easements, and other provisions as are necessary to the orderly development of the property.
- (C) Application: The planned commercial development shall be reviewed by the plan director. It shall also be subject to site plan review, as provided in Title 10, Chapter 4, Section 6.
- (D) Application of Zoning: All other zoning Ordinances shall apply to the planned commercial development.
- (E) Variances: No variances shall be granted for a planned commercial development.
- (F) Plat: The owner of the property shall provide a plat in accordance with the provisions of the Condominium Property Act and shall provide three (3) copies of same to the plan director. (Ord. 99-49, 3-20-00)

10-4-11 **LARGE SCALE DEVELOPMENT:**

- (A) Purpose: This Section provides for additional requirements for all large scale development within any district zoned B-1, B-2, or B-3. The requirements in this Section are in addition to the requirements in Title 10, Chapter 4, Section 6, and any other parts of Title 10 that might apply, and where there is any conflict between the two (2) sections, the more restrictive provisions shall apply. Large scale development is defined as a building of eighty thousand (80,000) total square feet or more, whether one (1) story or more than one (1) story.
- (B) Wall Length: Buildings should not exceed one hundred (100) lineal feet of wall length without providing architectural relief in the facade. Architectural relief, as used herein, shall mean using arcades, cornices, eaves, focal points, or offsets in elevation on the three (3) sides provided for in Sub-paragraph C.
- (C) Bricks and Stone: Buildings will provide thirty five percent (35%) brick or stone, on a minimum of three (3) sides, as defined in Section 10-4-6-B-9. If Quik Brik is used it must cover one hundred percent (100%) of all sides of the building.
- (D) Set Backs: Buildings, drives, and parking area pavements must maintain side and rear setbacks as required by the regulations of the particular zoning district, but in no event shall they be less than fifteen feet (15').
- (E) Landscaping: The following landscaping provisions shall apply:
1. The provisions of Section 10-4-6-B-5 shall apply to all landscaping requirements.
  2. On the perimeter of the property (the setback area), landscaping shall be provided on three (3) sides.
  3. Landscaping on the interior portion of the lot (being all the lot except the setback area) shall be subject to the following:
    - (a) Provide one hundred and forty (140) points of landscape material for each acre of developed property.

(b) Not less than fifteen percent (15%) of the developed property shall be landscaped area. A landscaped area is a pervious surface of grass or mulch, and shall not include areas used for stormwater detention. Mulch area shall not be larger than necessary to protect trees, shrubs, and flowerbeds. A pervious surface is not paved or covered by a structure.

4. The minimum width of a curbed island on the interior shall be ten feet (10'), and the minimum size shall be one hundred (100) square feet.

Parking lot islands shall be curbed with concrete or a functionally equivalent material that must be approved by the Zoning Administrator. The following materials are not considered functionally equivalent to concrete curbs and are therefore unacceptable for use as curbs within the Village of Morton:

- (a) Landscaping timbers
- (b) Railroad ties
- (c) Wood/lumber
- (d) Concrete wheel stops

The intent of this provision is to break up large expanses of pavement and to provide shading by locating shade trees away from the perimeter and within the interior of parking lots.

5. Ninety-eight percent (98%) of all parking spaces shall be within seventy-five feet (75') of a shade tree trunk.
6. All trees must have a clear trunk of at least six feet (6') above the finished grade to allow vehicular circulation beneath the tree canopy.
7. All shrubs shall be of a variety that when fully grown will not exceed three feet (3') in height.

(F) Variances Expressly Prohibited: There shall be no variances from any of the provisions of this section. (Ord. 02-26, 1-6-03; amd. Ord. 03-31, 11-17-03)

10-4-12: **WIND ENERGY CONVERSION SYSTEM (WECS):**

- (A) All WECS that receive a special use shall be subject to all of the provisions of this Section.
- (B) In addition to the information required for any special use permit, the application shall include the following:
  1. Evidence that the proposed tower height does not exceed the height recommended by the manufacturer or distributor of the system.
  2. A line drawing of the electrical components of the system in sufficient detail to allow for a determination that the manner of installation conforms to the Electric Code.
  3. Sufficient information demonstrating the system will be used primarily to reduce on-site consumption of electricity.

4. Written evidence that the electric utility service provider that serves the proposed site has been informed of the applicant's intent to install an interconnected customer-owned electricity generator, unless the applicant does not plan, and so states in the application, to connect the system to the electricity grid.
5. A visual analysis of the WECS as installed, which may include a computerized photographic simulation, demonstrating the visual impacts from nearby strategic vantage points. The visual analysis shall also indicate the color treatment of the system's components and any visual screening incorporated into the project intended to lessen the system's visual prominence.

(C) All WECS shall adhere to the following standards:

1. No habitable structure or outdoor area where people congregate should be within a fall zone of two (2) times the height of any tower used in the WECS.
2. The system's tower and blades shall be painted a non-reflective, unobtrusive color that blends the system and its components into the surrounding landscape to the greatest extent possible and incorporates non-reflective surfaces to minimize any visual disruption.
3. The system shall be designed and located in such a manner to minimize adverse visual impacts from public viewing areas (e.g. public parks, roads, trails).
4. Exterior lighting on any structure associated with the system shall not be allowed except that which is specifically required by the Federal Aviation Administration.
5. All on-site electrical wires associated with the system shall be installed underground except for connections to a public utility company and public utility company transmission poles, towers, and lines. This standard may be modified by the Village Board if the project terrain is determined to be unsuitable due to reasons of excessive grading, ecological impacts, or similar factors.
6. The system shall be operated such that no disruptive electromagnetic interference is caused, nor can there be any interference to radio reception or television reception on any property. If it has been demonstrated that a system is causing harmful interference, the system operator shall promptly mitigate the harmful interference or cease operation of the system.
7. At least one (1) sign shall be posted on the tower at a height of five feet (5') warning of electrical shock or high voltage and harm from revolving machinery. No brand names, logo, or advertising shall be placed or painted on the tower, rotor, generator, or tail vane where it would be visible from the ground, except the system or tower's manufacturer's logo may be displayed on a system generator housing in an unobtrusive manner.
8. Towers shall be constructed to provide one of the following means of access control, or other appropriate method of access:
  - (a) Tower-climbing apparatus located no closer than twelve feet (12') from the ground.
  - (b) A locked anti-climb device installed on the tower.
  - (c) A locked, protective fence at least six feet (6') in height enclosing the tower.
9. Anchor points for any guy wires for a system tower shall be located within the property the system is located on and not on or across any above-ground electric transmission or distribution lines. The point of attachment for the guy wires shall be enclosed by a fence six feet (6') high or sheathed in bright orange or yellow covering from three to eight feet (3 to 8') above the ground.

10. Construction of on-site access roadways shall be minimized. Temporary access roads utilized for initial installation shall be regraded and re-vegetated to the pre-existing natural condition upon completion of installation, and before the WECS is put into operation.
  11. To prevent harmful wind turbulence from existing structures, the minimum height of the lowest part of any horizontal axis wind turbine blade shall be at least thirty feet (30') above the highest structure or tree within a two hundred fifty foot (250') radius. Modification of this standard may be made when the applicant demonstrates a lower height will not jeopardize the safety of the wind turbine structure.
  12. All small wind energy system tower structures shall be designed and constructed to be in compliance with pertinent provisions of the International Building Code and National Electric Code.
  13. All small wind energy systems shall be equipped with manual and automatic over-speed controls. The conformance of the rotor and over-speed control design and fabrication shall meet good engineering practices and be certified by the manufacturer.
  14. Noise levels shall be regulated by the Illinois Pollution Control Agency rules and regulations, and the applicant shall certify that applicant's facility is in compliance with the same.
  15. The general height limitations for a zoning district shall not apply to any WECS.
- (D) When a system reaches the end of its useful life and can no longer function, the owner of the system shall remove the system within one hundred twenty (120) days of the day on which the system last functioned. The owner is solely responsible for removal of the system and all costs, financial or otherwise, of system removal. The owner shall mean the owner of the property upon which the WECS is located.
- (E) All WECS shall be maintained in good and operable condition. A WECS that is not functional shall be repaired by the owner or removed. In the event the Village becomes aware of any system that is not operated for a continuous period of three (3) months, the Village will notify the landowner by registered mail and provide forty-five (45) days for a written response. The written response shall include reasons for the operational difficulty, the corrective actions to be performed, and a reasonable timetable for completing the corrective actions. If the Village deems the corrective actions and/or the timetable for completing corrective actions as unfeasible and/or unreasonable, the Village shall notify the landowner and such landowner shall remove the turbine within one hundred twenty (120) days of receiving said notice.
- (F) All WECS shall meet all applicable state and federal safety standards and, where applicable, all federal aviation requirements.
- (G) The Village shall require a certification, by a professional engineer qualified to give such certification, stating the WECS complies with all provisions of this ordinance and all applicable state and federal laws. The owner of the property upon which the WECS is located shall pay an annual fee of fifty dollars (\$50.00).
- (H) In addition to general conditions that apply to any special use request, the following shall also be applied and considered:
1. The height of the system relative to the size of the parcel on which the system is proposed to be located;
  2. The need for the proposed height of the system in order to allow the system to operate effectively;

3. The visual impact of the system on adjacent properties and the general area in which the system is proposed to be located;
4. The building density of the general area in which the system is proposed to be located;
5. Whether a substantial adverse effect on public safety will result from the height of the system or some other aspect of the system's design or proposed construction, but only if that aspect of design or construction is modifiable by the applicant.
6. The existing uses on adjacent and nearby properties. (Ord. 07-04, 5-7-07)

10-4-13: **DUMPSTERS:** Dumpsters may be used as follows:

- (A) There shall be no more than one (1) on the property.
- (B) The storage capacity shall not exceed thirty (30) cubic yards.
- (C) The dumpster shall be located as close as practical to the structure.
- (D) If the dumpster is being used while the occupant is in the process of moving, it shall not be on the property for more than thirty (30) consecutive days or thirty (30) days in a calendar year.
- (E) If the dumpster is being used in conjunction with the construction, alteration, or renovation of a principle structure, it shall be removed immediately upon completion of the construction, alteration, or renovation. (Ord. 07-41, 10-1-07)

10-4-14 **PORTABLE STORAGE UNITS:** Portable storage units may be used subject to the following:

- (A) There shall be no more than one (1) portable outdoor storage unit on a property. Stacking of portable outdoor storage units on top of each other is not permissible.
- (B) The property on which the portable storage unit is located must also have a principal building.
- (C) No portable outdoor storage unit shall remain on the property for more than thirty (30) consecutive days or more than a total of thirty (30) days in any calendar year.
- (D) Portable outdoor storage units shall not exceed one hundred twenty eight (128) square feet in size.
- (E) Portable outdoor storage units shall be placed only on a hard surface.
- (F) Portable outdoor storage units shall not be placed in any location that obstructs traffic visibility.
- (G) No permit or permit fee shall be required for any portable outdoor storage unit.
- (H) Portable outdoor storage units shall be maintained in good condition, free from rust, peeling paint, and other forms of visible decay. (Ord. 07-41, 10-1-07)

10-4-15 **SHELTERS/TENTS:** Shelters and tents are permitted if they are not to be used to store or shelter motor vehicles, boats, or any other personal property. (Ord. 07-41, 10-1-07)

CHAPTER 9  
SIGN REGULATIONS

## SECTION:

10-9-1:	Purpose
10-9-2:	Definitions
10-9-3:	General Application Of Sign Regulations; Building Permit Required
10-9-4:	General Regulations For Signs
10-9-5:	Sign Regulations Within Residential Districts
10-9-6:	Sign Regulations Within Business Districts
10-9-7:	Sign Regulations Within Industrial Districts
10-9-8:	Application Of Other Laws
10-9-9:	Severability Clause
10-9-10:	Violation And Penalty

10-9-1:     **PURPOSE:** The following regulations are provided to maintain the attractiveness and orderliness of the appearance of the Village and to protect the public safety.

10-9-2:     **DEFINITIONS:**

ADVERTISING SIGN:	Any sign, including the supporting structure, which directs attention to a business, service, or activity not conducted upon the premises, or a product not offered or sold upon the premises where such a sign is located.
ATTACHED SIGN:	A sign permanently affixed to the exterior surface of a building. No attached sign shall project further than twelve inches (12") from said building.
BACK-TO-BACK SIGN:	A structure with two (2) parallel and directly opposite signs with their faces oriented to opposite directions. Back-to-back signs may be separated by not more than four feet (4'). A back-to-back sign shall constitute one sign.
BUSINESS SIGN:	A sign, including any supporting or framing structure, which directs attention to a business or profession conducted upon the premises or to a commodity, service, or entertainment sold or offered upon the premises on which the sign is located.
DIRECTIONAL SIGN:	An on premises sign giving directions, which may contain the name or logo of an establishment, but not contain any advertising copy. (Ord. 99-36, 11-15-99)
FREE-STANDING SIGN:	Any sign permanently erected on a free-standing framework supported and affixed by one or more uprights or braces in or upon the ground.
ILLUMINATED SIGN:	Any sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes.
PERSON:	Any person, firm, partnership, association, corporation, company, or organization of any kind.
POLITICAL SIGN:	A temporary sign used in connection with a local, state, or national election or referendum. (Ord. 99-36, 11-15-99)

**PORTABLE SIGN:** Any sign not classified as an attached or free-standing sign or a vehicle sign. (amd. Ord. 07-03, 5-7-07)

**SIGN AREA:** The area encompassed within the shortest line drawn around the perimeter of the display, message, or wording, including all letters and designs which are part of the sign; including border and trim, but excluding bases, aprons, supports, and other structural members; whichever is greater. The total allowable sign area for a property includes the total of both business and advertising signs. The terms "sign area" and "gross sign area" are used interchangeably. (amd. Ord. 99-36, 11-15-99)

**VEHICLE SIGN:** A sign located on a vehicle or trailer. (Ord. 07-03, 5-7-07)

**10-9-3: GENERAL APPLICATION OF SIGN REGULATIONS; BUILDING PERMIT REQUIRED:** No sign, outdoor advertising structure, or display of any character shall be permitted except in conformity with the following regulations. A building permit is required for erection, construction, placement, or replacement of any sign to be permanently attached to a building or to be permanently erected as a free-standing sign.

**10-9-4: GENERAL REGULATIONS FOR SIGNS:**

- (A) No illuminated business or advertising sign shall be of such brightness or shall flash, scintillate, or move as to create hazardous or annoying glare. Time and temperature or message signs not otherwise prohibited under this regulation will be allowed, provided they do not create hazardous or annoying glare.
- (B) No business or advertising sign shall be so located as to materially impede or so illuminated as to interfere with the effectiveness of any traffic control device or obstruct a motorist's view at any street or highway intersection or any railroad sign or signal at any railroad crossing.
- (C) Signs used exclusively for the posting or displaying of official notices by a public agency or official or by a person giving legal notice, and signs erected or maintained by a public agency or official, or required by law to be displayed by a public utility for directional warning or informational purposes are not subject to the regulations of this Chapter. Informational and directional signs (which may include a corporate identity symbol) are exempt from this regulation.
- (D) No business or advertising sign shall be pasted or painted directly on the surface of any wall or roof.
- (E) No sign shall be permitted to be placed on a fence in any residential district.
- (F) No sign shall be permitted to be placed on a fence in any commercial or industrial district unless said fence meets setback requirements for a sign in that zoning district.
- (G) Temporary signs are allowed without a permit and are subject to the following:
  1. Real estate signs shall comply with the size limitations of "For Sale" or "For Rent" signs as specified in Sections 10-9-5, 10-9-6, and 10-9-7.
  2. Political signs as defined in Section 10-9-4(S).
  3. Temporary signs on the property where the activity is occurring shall not exceed thirty two (32) square feet unless a more restrictive size is specified in this paragraph. All other temporary signs shall not exceed sixteen (16) square feet unless a more restrictive size is specified in this paragraph.



4. Those announcing a campaign drive or civic event shall not be on the property more than ninety (90) days before the event or seven (7) days after the event has ended.
  5. Barker signs, provided they do not exceed a size of eighteen (18) square feet and are not used for a period of time exceeding four (4) consecutive days. They shall not be used in such a manner as to impede vehicular or pedestrian traffic, or constitute a safety hazard.
  6. Construction signs as defined in 10-9-5(E), 10-9-6(F), and 10-9-7(D). One (1) for each company or service is allowed.
  7. Temporary signs do not count against the total signage otherwise allowed on a lot.
  8. Permission of the property owner must be obtained for any temporary sign.
  9. They shall not be placed on any right-of-way, street, alley, sidewalk, driveway, or other public way or property.
  10. They shall not obstruct a motorist's view on any street or intersection.  
(Ord. 07-31, 9-4-07)
- (H) Signs indicating the time and place of meetings of civic organizations are permitted on the main entry roads into town, provided only one sign structure is utilized to accommodate all such notices on each major entry road.
- (I) Portable signs are allowable only under the following conditions:
1. The sign area shall not exceed thirty two (32) square feet, and any one face shall not exceed sixteen (16) square feet.
  2. A portable sign cannot be illuminated.
  3. A portable sign may be located only in districts zoned B-1, B-2, or B-3.  
(Ord. 83-16, 9-6-83)
  4. Only one (1) portable sign per business location shall be allowed. The location where the portable sign is displayed must be on the same lot where the business is located.  
(Ord. 84-8, 9-4-84)
  5. The height of a portable sign cannot exceed five feet (5'). (Ord. 07-31, 9-4-07)
- (J) Except for low silhouette business signs, no free-standing sign shall be established closer to the street than one-half (1/2) the setback required under the appropriate zoning classification. No portion of any business sign may be placed on or extended over the right of way line of any street or highway, except for one foot (1') of flush signs where existing buildings have no front or side yards. One (1) low silhouette sign per business may be located within the required landscaped yard, provided it is not closer to the proposed right of way line than one-half (1/2) the appropriate landscaped yard requirement and provided it complies with the obstructions to visibility requirements of Section 10-4-3(l). A low silhouette sign shall not exceed four and one-half feet (4 1/2') in height. (amd. Ord. 00-04, 5-15-00)
- (K) All signs shall be maintained in good and safe structural condition. The painted portions of signs shall be periodically repainted and kept in good condition. Illuminated signs shall be kept in proper working order.
- (L) The general area in the vicinity of any sign on undeveloped property must be kept free and clear of sign materials, weeds, debris, trash, and other refuse.

- (M) Advertising signs shall not be established at any location having principal frontage on any street within three hundred feet (300') of any property which is used for public park, public school, church, city hall, or public museum having principal frontage on the same street or within three hundred feet (300') of any residential zone abutting the business or industrial zone when such sign face would face into the residential zone.
- (N) No outdoor advertising sign or part thereof shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.
- (O) **Removal Of Signs:** Any sign which for fourteen (14) consecutive days has directed attention to a product, place, activity, person, institution, or business which is no longer in operation or existence shall be deemed to be abandoned and shall be removed according to the following: a) The sign face shall be removed and replaced with a blank face within forty-six (46) days of the expiration of said fourteen (14) day period; and b) all structural supports, braces, poles, and framework shall be removed within two hundred eighty-five (285) days of the expiration of said fourteen (14) day period. The person who erected the sign on the premises and the owner of said premises, if different, shall be jointly and severally responsible for the removal of said sign, including all structural supports, braces, poles, and framework within the aforesaid time periods. (amd. Ord. 01-24, 10-5-01)
- (P) Except where otherwise specifically stated herein, any sign in existence on the effective date of this Title which does not comply with the provisions of this Title may continue in existence as a matter of right and may be maintained and repaired pursuant to the provisions of Title 10, Chapter 4, Section 2(A) of this Code.
- (Q) Directional Signs are allowable subject to the following conditions.
1. No setback is required.
  2. They shall not exceed a height of four feet (4').
  3. Six (6) square feet per sign is allowed. The square footage is not to be included in computing the total general allowable sign area for the property. (Ord. 99-36, 11-15-99)
- (R) Inflatable Signs are allowed for a period of one (1) week per thirty (30) day period. (Ord. 99-36, 11-15-99)
- (S) Political signs are allowed, subject to the following provisions:
1. They must be removed within seven (7) days of the election they refer to.
  2. The maximum allowable size is four (4) square feet in residential districts, and thirty-two (32) square feet in commercial and industrial districts.
  3. No sign permit is required, but permission of the property owner must be obtained before placing the signs.
  4. They may not be placed on any right-of-way, street, alley, sidewalk, driveway, or other public way or property. (Ord. 99-36, 11-15-99; amd. Ord. 04-41, 11-15-04)

- (T) Signs on a motor vehicle or trailer are expressly prohibited if the motor vehicle or trailer is parked on a property on which the motor vehicle or trailer is not being used in the conducting of any business on that property or if the motor vehicle or trailer is on the property for any purpose other than to make a delivery or take delivery of any item from the property. Conducting of business on the property means that the sign on the motor vehicle or trailer identifies any service, product, or business activity being conducted on the property where the motor vehicle or trailer is parked. Parking a motor vehicle or trailer on property does not constitute conducting business. Signs include anything painted or affixed on a motor vehicle or trailer which is used to identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Only those sign areas on a motor vehicle or trailer being greater than eight (8) square feet are prohibited.

The owner of the property, and the owner of the motor vehicle or trailer, shall be jointly and severally liable for any violations of this provision.

These provisions shall not apply to a motor vehicle or trailer parked on property where the owner of the motor vehicle or trailer is also the owner of the property, or the owner of the motor vehicle or trailer has a written lease of a term of six (6) months or longer for possession for the property, and the motor vehicle or trailer is used in conjunction with a business being lawfully conducted on the property.

This applies to a motor vehicle or trailer whether it is operable or not. (Ord. 07-03, 5-7-07)

- 10-9-5: **SIGN REGULATIONS WITHIN RESIDENTIAL DISTRICTS:** The following sign regulations shall pertain to all residential districts:

(A) Residential Signs Within Residential Districts:

1. Single-Family Or Two (2)-Family Dwellings: For each dwelling, nameplates and identification signs indicating the name and address of the occupant are permitted, providing the sign area does not exceed two (2) square feet. On a corner lot, nameplates or identification signs shall be permitted for each dwelling on each street side.
2. Multi-Family Dwellings: For each residential building, one (1) identification sign indicating only the name and address of the building and the name of the management is permitted, providing the sign area does not exceed sixteen (16) square feet. Such signs shall not be closer than eight feet (8') to any other zoning lot. On a corner lot, identification signs shall be permitted on each street side.
3. Project Identification: A residential project having a number of buildings shall be permitted one (1) additional sign with the name of the project only on each street. The sign area shall be no greater than thirty two (32) square feet. Such signs may not be closer than sixteen feet (16') to any other zoning lot.
4. Height: No attached sign shall exceed one (1) story in height or fourteen feet (14') above the curb level, whichever is lower. No free-standing sign shall exceed seven feet (7') in height.

(B) Nonresidential Signs Within Residential Districts:

1. Church Bulletins, Cemeteries, Educational Institutions, Recreation And Social Facilities, And Other Similar Uses: One (1) identification sign with sign area not to exceed sixty (60) square feet is permitted. No one (1) face shall be greater than thirty (30) square feet. Such signs may not be closer than eight feet (8') to any other zoning lot. On a corner lot, identification signs shall be permitted on each street side.

2. Illuminated signs in all R-1 and R-2 residential districts are prohibited except for church bulletins and educational institutions. Illuminated time and temperature or automated language signs are prohibited in all residential districts. (amd. Ord. 99-36, 11-15-99)
3. Nonconforming business uses may have exterior signs with sign area not to exceed twenty four (24) square feet. (Ord. 83-16, 9-6-83)
4. (Rep. by Ord. 84-3, 6-18-84)
5. Parking Areas: Signs designating parking area entrances or exits are limited to one (1) sign for each such entrance or exit, with sign area not exceeding two (2) square feet each. One (1) sign shall be permitted per parking area designating the conditions of use or identity of such parking area and limited to a sign area of nine (9) square feet.
6. Agricultural Products: Temporary signs advertising the sale of agricultural products grown or produced on the property with sign area not exceeding sixteen (16) square feet are permitted.
7. Height: No attached sign shall exceed one (1) story in height or fourteen feet (14') above the curb level, whichever is lower. No free-standing sign shall exceed seven feet (7') in height.

- (C) "For Sale" Or "For Rent" Signs Within Residential Districts: There shall be no more than one (1) sign per zoning lot, except that on a corner lot, one (1) sign shall be permitted on each street side. No sign may exceed four and one-half feet (4 1/2') in height nor be placed closer than eight feet (8') to any other zoning lot. Sign area shall not exceed twelve (12) square feet.
- (D) Advertising Signs Not Permitted Within Residential Districts: Advertising copy or structures are prohibited in any residential district.
- (E) One (1) construction sign not exceeding sixteen (16) square feet is permitted for a time period no longer than necessary to complete the activity to which it refers. If the sign refers to more than one (1) activity, then the activity completed last shall apply with respect to the time the sign may exist. (Ord. 07-31, 9-4-07)

10-9-6: **SIGN REGULATIONS WITHIN BUSINESS DISTRICTS:** The following sign regulations shall pertain to business districts:

- (A) Sign Uses Permitted In Residential Districts Permitted In Business Districts: The regulations covering permitted signs within residential districts shall also apply in business districts. No Advertising Signs are permitted in B-1 districts except as follows:

# Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois  
Supplement 208 - January 2010  
Includes Ordinances: 09-31, 09-33, 09-34, 09-35

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3. If the cost of the project is five million dollars (\$5,000,000) or more, seven hundred twenty (720) days from the permit issue date.

(C) A permit shall be revoked and a notice of violation issued when it shall be found from personal inspection or competent evidence that the rules or regulations under which it has been issued are being violated. (Ord. 90-37, 4-15-91; amd. Ord. 07-28, 8-20-07)

4-1-7: **EXTENSION OF TIME TO COMPLETE WORK:** In the event that the exterior improvements as specified in the building permit will not be completed within three hundred sixty (360) days of the date it was issued, then an extended permit may be issued if all of the following criteria are met:

(A) Application to extend the permit is made at least seven (7) days prior to the original expiration date. (amd. Ord. 04-58, 4-4-05)

The Zoning Office shall have ten (10) days to review the extension request.

(B) The permit applicant or its agents or lessees are not occupying a building or structure which has not been completed per the building permit.

(C) The permit applicant or its agents or lessees are not using any portion of the property which has not been improved as required by the building permit.

(D) If the applicant desires to renew the permit for a period of less than six (6) months, the zoning office may issue same and in such case the permit fee shall be based on the value of the work to be completed, based on the schedule set forth in Title 4, Chapter 1, Section 3(A). (amd. Ord. 04-58, 4-4-05)

(E) If the work cannot be completed within six (6) months, then such application shall be made to the President and Board of Trustees who shall review same and determine whether there is just cause to allow a period greater than six (6) months and, if so, the length of time the permit will be extended. The renewal fee shall be based on the value of the work to be completed based on the schedule set forth in Title 4, Chapter 1, Section 3(A). (amd. Ord. 04-58, 4-4-05)

(F) An applicant may request the extension of a permit one time only, and the maximum extension shall be a period of three hundred sixty (360) days. (Ord. 96-30, 10-21-96)

4-1-8: **CONTRACTOR OR THIRD PARTY RESPONSIBILITY:** It is the intent of all regulations in this chapter that they apply to the owner of the property and any contractor or third party performing any construction work on property pursuant to a permit or in a situation where a permit is required.

The Village has discretion to determine in each case whether an ordinance violation shall be filed in the Circuit Court of Tazewell County, Illinois, against either or all of the following: the owner or owners of the property, the contractor, or a third party performing construction work. (Ord. 06-35, 12-04-06)

4-1-9: **CERTIFICATION OF COMPLETION OF CONSTRUCTION:** The general contractor on each building permit shall, prior to the issuance of a certificate of occupancy, certify to the Zoning Enforcing Officer that the building(s) has been constructed in full and strict compliance with the building permit, site plan, and all Village Ordinances. (Ord. 09-33, 12-7-09)

4-1-10: **VIOLATION OF BUILDING PERMIT, SITE PLAN, OR ORDINANCE:** Any person who constructs any portion of a building that is not in conformity with the building permit or site plan, or which is in violation of any Ordinance of the Village, shall be subject to a fine of fifty dollars (\$50) to seven hundred fifty dollars (\$750) per day. Each and every day that a violation exists shall be deemed a separate offense.

The issuance of a certificate of occupancy for a building shall not be a bar to prosecuting a person under this section. (Ord. 09-33, 12-7-09)

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## Village of Morton Municipal Code Book

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Supplement 209 - March 2010  
Includes Ordinances: 09-39, 09-40, 09-41, 09-42

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### INSERT PAGES HEADED

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4-4-1 CHAPTER 4  
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4-4-1 CHAPTER 4  
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9-6-2 Thoroughfare  
(H) E. Birchwood St.

#### TITLE 10

10-4-11 (b) Not less than fifteen percent (15%)

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## PREFACE

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This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

09-39, January 4, 2010  
09-40, February 1, 2010  
09-41, March 15, 2010  
09-42, March 15, 2010

Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.



CHAPTER 4  
ELECTRICAL CODE

SECTION:

- 4-4-1: Adoption Of National Electrical Code
- 4-4-2: Permit Required
- 4-4-3: Permits
- 4-4-4: Scheduling Inspections
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4-4-1: **ADOPTION OF NATIONAL ELECTRICAL CODE:** The 2008 National Electrical Code, and any subsequent editions or amendments thereto, copyrighted by the National Fire Protection Association, a copy of which is on file in the office of the Village Clerk, is hereby adopted for the purpose of establishing rules and regulations for the installation of all electrical wiring, installation of electrical fixtures, apparatus, or electrical appliances for furnishing light, heat, or power, or other electrical work introduced into or placed in or upon, or in any way connected to, any building or structure within the Village. The same is hereby incorporated as fully as if set out at length herein. All amendments and new or revised editions shall be effective sixty (60) days after the Village publishes a notice indicating that such amendments or new or revised editions have been placed on file at the office of the Village Clerk. Until such date, the prior editions shall remain in effect. (Ord. 90-37, 4-15-91; amd. Ord. 94-24, 11-21-94; amd. Ord. 08-26, 12-1-08)

4-4-2: **PERMIT REQUIRED:** Any electrical job in excess of one thousand dollars (\$1,000.00), or any increase in the electrical service, will require a permit and appropriate inspections. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09)

4-4-3: **PERMITS:**

(A) Residential Permits:

New Residential Construction:	\$400
Remodel Projects and Additions	\$200
Service Panel Change Out/Generator:	\$100

(B) Commercial/Industrial Permits:

Based on Cost of Electrical for New Construction & Remodel Valuation	
	Fee
\$1,001 - \$2,500	\$100
\$2,501 - \$10,000	\$250
\$10,001 - \$15,000	\$350
\$15,001 - \$20,000	\$500
Over \$20,000	\$500 plus \$4 per \$1,000 over \$20,000 (rounded to nearest \$1,000)

(C) Sign Permits: \$100

(D) Service Panel Change Out/Generator: \$100

In the event any work is started prior to the time a permit is obtained, the permit fee shall be doubled. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09; amd. Ord. 09-39, 1-4-10)

4-4-4: **SCHEDULING INSPECTIONS:** If a scheduled inspection is to be cancelled, the owner of the property or the contractor must contact the zoning department at least two (2) hours prior to the scheduled inspection time. All inspections not cancelled at least two (2) hours before the scheduled time shall be charged a re-inspection fee.

It is the responsibility of the owner or his contractor to request all inspections. Inspections shall be requested by notifying the zoning department during normal business hours and notification must be a minimum of twenty four (24) hours in advance of the needed inspection except for the final inspection which requires a forty eight (48) hours advanced notice. (Ord. 08-26, 12-1-08)

4-4-5: **RE-INSPECTION FEE:** In the event any re-inspections are needed the following fees shall apply:

1st re-inspection	\$50
2nd re-inspection	\$75
3rd re-inspection	\$100
4th re-inspection	\$125

(Ord. 08-26, 12-1-08)

4-4-6: **CERTIFICATIONS:** No electrician shall install any electrical equipment, systems, components, or materials without first having obtained a certificate of registration to do so from the Village of Morton, Tazewell County, Illinois.

A certificate of registration is not required for residential work provided the work is being done solely by the owner of the subject property. All electrical equipment must be installed in compliance with the National Electrical Code.

In order to obtain a certificate of registration to install electrical equipment as provided above, an electrician shall submit evidence of the following to the Zoning and Enforcing Officer:

1. A current license issued by any of the following communities:
  - a. Peoria, IL
  - b. Bloomington, IL
  - c. Springfield, IL
  - d. Decatur, IL
  - e. Pekin, IL
  - f. Ottawa, IL
  - g. Joliet, IL
  - h. any other Illinois testing community upon verification by the Zoning and Enforcing Officer; or
2. Evidence of successful completion of a test administered by any of the communities listed in subdivision (1) of this paragraph, or a national fire protection association test pertaining to the National Electrical Code and knowledge thereof.

Upon presentation by an electrician of satisfactory evidence of either of the items listed in (1) or paragraph (2) above, the Zoning and Enforcing Officer shall issue an electrical certification of registration to such an electrician. The electrical certification shall cost one hundred dollars (\$100) per year and shall be issued on a calendar year basis. No electrical work may be done without an electrical certification. (Ord. 08-26, 12-1-08, amd. Ord. 09-31, 11-16-09)

4. Fourth Priority: Service to any applicant or existing customer for firm, commercial, or industrial gas service, when such service shall increase the demand upon the gas utility by more than seven hundred fifty thousand (750,000) BTU (7.5 therms) per hour, but shall not increase the demand upon the gas utility by more than two million (2,000,000) BTU (20 therms) per hour.
5. Fifth Priority: Service to any applicant or existing customer for firm, commercial, or industrial gas service, when such service shall increase the demand upon the gas utility by more than two million (2,000,000) BTU (20 therms) per hour.
6. Sixth Priority: Service to any applicant or existing customer for interruptible, seasonal, or other non-firm gas service.

- (C) Demand Defined: The demand referred to above shall be determined by the aggregate therms per each lot or parcel of land with the same owner.
- (D) Restriction Of Supply: The Village may restrict the amount of gas a customer may use, or it may curtail the entire supply of gas. This may be done at the discretion of the Village, if it deems it to be in the best interest of the Village, due to supply shortages, operational problems, or any other reasons deemed appropriate. (Ord. 96-12, 7-1-96)

8-2-4: **SERVICE LINE INSTALLATION FEE:** Upon approval of an application for natural gas service, a fee of one thousand fifty dollars (\$1,050.00) for the installation of said service line shall become due and payable to the Village. The fee for commercial or industrial gas service lines shall be computed on a "time and material" basis. (Ord. 96-12, 7-1-96; amd. Ord. 03-02, 7-7-03; amd. Ord. 05-43, 2-6-06; amd. Ord. 07-32, 9-17-06; amd. Ord. 07-57, 2-4-08; amd. Ord. 09-41, 3-15-10)

8-2-5: **SPECIAL CHARGE FOR GAS MAIN TAP-INS:** A charge for the right to connect to a gas main of five dollars (\$5.00) per front foot of any land shall be due and payable before any connection is made. This charge shall apply to all gas mains now in existence, as well as those which may from time to time be constructed in the future. This Section shall not apply to any gas main where the cost of same has been paid for by a subdivider or owner, and the Village has otherwise agreed to no further reimbursement. (Ord. 96-12, 7-1-96; amd. Ord. 05-43, 2-6-06)

8-2-6: **EXTENSIONS OF GAS MAINS AND SERVICE:** The Village may, upon approval by its President and Board of Trustees, extend service when said President and Board of Trustees have determined a sufficient gas supply is available therefor. Extension of mains and service shall be in accordance with the terms provided in this Section and pursuant to such main extension agreements as may be from time to time approved by the President and Board of Trustees, and in which said main extension agreements it shall be the general policy of the President and Board of Trustees to provide for such main extensions in such a manner as will result in the applicant therefor initially paying for the entire cost thereof. Gas systems shall be looped (meaning having two (2) distinct sources of supply or points of connection to the existing system) wherever possible. Where not presently possible, main shall be installed to allow for future looping. (Ord. 96-12, 7-1-96; amd. Ord 02-41, 5-5-03)

8-2-8: **ALL SERVICE SHALL BE METERED:** All gas service shall be metered through meters approved by the Village. Each dwelling unit shall be serviced by its own separate meter if said unit contains one (1) or more gas appliances. All meters shall be so placed and installed as to render them accessible at all times for the purpose of reading or repairing, and shall be set outside of the building. Fences, decks, and other structures may not be located so as to hinder access to the gas meter. A fence may not be installed fully enclosing the location of a gas meter, until the gas meter has been relocated (at the owner's expense) outside of the fenced area. Upon notification by the Village, any and all obstructions, including trees or bushes, must be removed by the consumer to allow adequate access to the meter. If the obstruction is not removed within five (5) days of notification, or if the meter is not moved outside the fenced area within thirty (30) days, the Village may terminate service, or in the case of trees or bushes, the Village may remove said obstruction. (Ord. 96-12, 7-1-96; amd. Ord. 06-10, 6-5-06)

**8-2-9: METERS, REGULATORS, FITTINGS, FIXTURES, AND APPURTENANCES CONNECTED WITH THE SYSTEM TO BE OPEN TO INSPECTION:** At all times, meters, regulators, fittings, fixtures, and appurtenances connected to the system and located on private property shall be open for inspection by the proper officers or employees of the Village. Any part found to be defective or not in compliance with the provisions of this Chapter shall be immediately repaired or corrected. Service may be discontinued without notice at any time when the condition at the privately owned facilities creates danger or hazard. All meters, regulators, fittings, fixtures, and appurtenances associated with a service line are and shall remain the property of the Village. Ownership maintenance responsibility transfers to the property owner at the connection to the outlet fitting of the meter, or, in the case of fabricated meter sets, a the first connection point (which may be a union, flange, or coupling) after the fabricated section of the meter setting. (Ord. 96-12, 7-1-96)

**8-2-10: MAIN CONNECTIONS; SERVICE LINES; CUSTOMERS' PIPING; GENERAL RULES, AND REGULATIONS:**

- (A) The Village shall make all connections to the gas mains, shall install all service lines, and shall provide the meter and all labor and materials (at the property owners expense) necessary for said installations. Service line installations will be accomplished in a workmanlike manner, with minimal damage to the property. The property owner is responsible for providing the Village with the location of private underground structures. The Village shall not be required to cure any subsidence or depressions on the property which may occur after the initial backfilling of the trench in which said gas service line is installed. Ownership and maintenance responsibility transfer to the customer at the customer's connection to the outlet fitting of the meter set.
- (B) The final tie-in of the gas line to the outlet (customer) side of the meter is the responsibility of the property owner and must be made by a qualified installer who shall adhere to the guidelines set forth in the latest edition of the American National Standard "National Fuel Gas Code", also identified by National Fire Protection Association #54 and ANSI Z223.1, which is incorporated herein by reference thereto, and is made a part hereof as and to the same extent as if it were fully set forth herein. Installation will not be considered complete until a pressure test is conducted in the presence of Village employees (labor, material, and equipment to be furnished by the contractor).
- (C) All customer piping and necessary venting of appliances shall be in accordance with the regulations of this Chapter and the latest edition of the "National Fuel Gas Code", cited in subsection (B) above.
- (D) For new residential services, or if, in the opinion of the SGD, safety concerns dictate, customer piping shall be installed in accordance with the following guidelines:
1. If customer piping enters the building wall below ground, it must do so not more than three feet (3') from the outlet of the meter.
  2. Customer piping must be black iron.
- (E) Pressure Testing Details:
1. System will be pressurized to two and one-half (2 1/2) times the operating pressure or to five (5) psi, whichever is greater.
  2. Said pressurization shall be held for ten (10) minutes, with no drop in pressure.
  3. The gauge being used shall measure in increments of one-half (1/2) psi.

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(H)	E. Birchwood St.	North side	From S. Main to S. First.
(I)	W. Birchwood St.	Both sides	
(J)	W. Bond St.	Both sides Both sides South side	From W. Jackson to 80' east of W. Jackson. From N. Morton Ave. to 150' west of N. Morton Ave. From McArthur to 148' west of McArthur.
(K)	Bradley St.	North side  South side	From N. Main to W. Jefferson, except from 80' to 125' west of Main St. From N. Main to 150' west of N. Main.
(L)	Clark St.	Both sides	From N. Morton Ave. to 265' west of N. Morton Ave. (amd. Ord. 99-30, 10-18-99)
(M)	Commerce Dr.	Both sides	
(N)	E. Courtland St.	Both sides	
(O)	W. Courtland St.	Both sides	(amd. Ord. 07-44, 11-19-07)
(P)	Detroit Ave.	East side North side West side	From W. Jackson to 400' south of W. Birchwood. From S. Main to 130' west of S. Main. From W. Jackson to S. Main.
(Q)	Detroit Pkwy.	Both sides	
(R)	W. Edgewood Ct.	North side	From Detroit to 125' west of Detroit, and from 290' west of Detroit to 370' west of Detroit.
(S)	Erie Ave.	Both sides	From W. Birchwood to north end.
(T)	Erie Ct.	Both sides	
(U)	E. Fernwood St.	Both sides	From 250' south of Brentwood Rd. to 500' southwest of Brentwood Rd.
(V)	N. First Ave.	West side	From E. Jefferson to E. Madison.
(W)	S. First Ave.	Both sides East side West side West side West side	From E. Washington to 115' south of E. Washington. From E. Adams to 45' south of E. Adams. From E. Adams to 48' north of E. Adams. From E. Washington to 100' north of E. Washington. From 80' south of E. Birchwood to 300' north of E. Wick.
(X)	E. Forestwood St.	North side South side	From S. Fourth to 80' east of S. Fourth. From S. Fourth to 50' east of S. Fourth.
(Y)	N. Fourth Ave.	West side	From E. Jefferson to E. Monroe.
(Z)	S. Fourth Ave.	Both sides Both sides East side East side	From E. Hazelwood to 500' south of E. Queenwood Rd. From E. Jefferson to E. Washington. From E. Washington to E. Birchwood. From E. Greenwood to 150' south of E. Greenwood, between 8:00 A.M. and 4:00 P.M. on school days.

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(AA)	E. Greenwood St.	North side North side North side South side South side	From 90' east of S. First to 310' east of S. First. From 270' west of Lee to 525' west of Lee, between 8:00 A.M. and 4:00 P.M. on school days. From S. Fourth to 300' east of S. Fourth, between 8:00 AM and 4:00 PM on school days. From S. Fourth to 380' east of S. Fourth, between 8:00 A.M. and 4:00 P.M. on school days. From 730' east of S. Fourth to 1065' east of S. Fourth, from Memorial Day to Labor Day, between the hours of 1:00 P.M. and 7:00 P.M.
(BB)	Highland St.	Both sides	
(CC)	N. Illinois Ave.	Both sides  East side  East side East side East side  West side	From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the Morton Police Department (MPD) to residents whose homes front on the prohibited area and their guests. From Rassi to 180' north of E. Monroe, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From 180' north of E. Monroe to 325' north of E. Monroe. From E. Jackson to 125' south of E. Jackson. From 125' south of E. Jackson to 325' north of E. Monroe, between 7:30 A.M. and 4:00 P.M. on school days, except for: (1) Vehicles displaying a valid handicapped parking permit or handicapped license plate. (2) Vehicles displaying a parking permit issued by Morton High School. (3) Vehicles parked in a designated visitor's parking space (a visitor is a person who has been properly registered and designated as such by the Morton High School Office). From Rassi to E. Jackson, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(DD)	S. Illinois Ave.	Both sides	From 160' north of Sunset Rd. to Brentwood Rd.
(EE)	N. Indiana Ave.	Both sides  Both sides	From Rassi to Kay, between 8:00 A.M. and 4:00 P.M. on school days, except 45' south of Kay on the east side of N. Indiana, where no parking is permitted at any time, and except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(FF)	E. Jackson St.	Both sides	(amd. Ord. 07-24, 8-6-07; amd. Ord. 09-42, 3-15-10)



(b) Not less than fifteen percent (15%) of the developed property shall be landscaped area. A landscaped area is a pervious surface of grass or mulch, and shall not include areas used for stormwater detention. Mulch area shall not be larger than necessary to protect trees, shrubs, and flowerbeds. A pervious surface is not paved or covered by a structure.

4. The minimum width of a curbed island on the interior shall be ten feet (10'), and the minimum size shall be one hundred (100) square feet.

Parking lot islands shall be curbed with concrete or a functionally equivalent material that must be approved by the Zoning Administrator. The following materials are not considered functionally equivalent to concrete curbs and are therefore unacceptable for use as curbs within the Village of Morton:

- (a) Landscaping timbers
- (b) Railroad ties
- (c) Wood/lumber
- (d) Concrete wheel stops

The intent of this provision is to break up large expanses of pavement and to provide shading by locating shade trees away from the perimeter and within the interior of parking lots.

5. Ninety-eight percent (98%) of all parking spaces shall be within seventy-five feet (75') of a shade tree trunk.
6. All trees must have a clear trunk of at least six feet (6') above the finished grade to allow vehicular circulation beneath the tree canopy.
7. All shrubs shall be of a variety that when fully grown will not exceed three feet (3') in height.

(F) Variances Expressly Prohibited: There shall be no variances from any of the provisions of this section. (Ord. 02-26, 1-6-03; amd. Ord. 03-31, 11-17-03)

10-4-12: **WIND ENERGY CONVERSION SYSTEM (WECS):**

- (A) All WECS that receive a special use shall be subject to all of the provisions of this Section.
- (B) In addition to the information required for any special use permit, the application shall include the following:
  1. Evidence that the proposed tower height does not exceed the height recommended by the manufacturer or distributor of the system.
  2. A line drawing of the electrical components of the system in sufficient detail to allow for a determination that the manner of installation conforms to the Electric Code.
  3. Sufficient information demonstrating the system will be used primarily to reduce on-site consumption of electricity.

4. Written evidence that the electric utility service provider that serves the proposed site has been informed of the applicant's intent to install an interconnected customer-owned electricity generator, unless the applicant does not plan, and so states in the application, to connect the system to the electricity grid.
5. A visual analysis of the WECS as installed, which may include a computerized photographic simulation, demonstrating the visual impacts from nearby strategic vantage points. The visual analysis shall also indicate the color treatment of the system's components and any visual screening incorporated into the project intended to lessen the system's visual prominence.

(C) All WECS shall adhere to the following standards:

1. No habitable structure shall be within 1.1 times the height of any tower used in the WECS from the property line where the WECS is located. (amd. Ord. 09-40, 2-1-10)
2. The system's tower and blades shall be painted a non-reflective, unobtrusive color that blends the system and its components into the surrounding landscape to the greatest extent possible and incorporates non-reflective surfaces to minimize any visual disruption.
3. The system shall be designed and located in such a manner to minimize adverse visual impacts from public viewing areas (e.g. public parks, roads, trails).
4. Exterior lighting on any structure associated with the system shall not be allowed except that which is specifically required by the Federal Aviation Administration.
5. All on-site electrical wires associated with the system shall be installed underground except for connections to a public utility company and public utility company transmission poles, towers, and lines. This standard may be modified by the Village Board if the project terrain is determined to be unsuitable due to reasons of excessive grading, ecological impacts, or similar factors.
6. The system shall be operated such that no disruptive electromagnetic interference is caused, nor can there be any interference to radio reception or television reception on any property. If it has been demonstrated that a system is causing harmful interference, the system operator shall promptly mitigate the harmful interference or cease operation of the system.
7. At least one (1) sign shall be posted on the tower at a height of five feet (5') warning of electrical shock or high voltage and harm from revolving machinery. No brand names, logo, or advertising shall be placed or painted on the tower, rotor, generator, or tail vane where it would be visible from the ground, except the system or tower's manufacturer's logo may be displayed on a system generator housing in an unobtrusive manner.
8. Towers shall be constructed to provide one of the following means of access control, or other appropriate method of access:
  - (a) Tower-climbing apparatus located no closer than twelve feet (12') from the ground.
  - (b) A locked anti-climb device installed on the tower.
  - (c) A locked, protective fence at least six feet (6') in height enclosing the tower.
9. Anchor points for any guy wires for a system tower shall be located within the property the system is located on and not on or across any above-ground electric transmission or distribution lines. The point of attachment for the guy wires shall be enclosed by a fence six feet (6') high or sheathed in bright orange or yellow covering from three to eight feet (3 to 8') above the ground.

# Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois  
Supplement 210 - April 2010  
Includes Ordinances: 09-45, 09-46

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-B- BUILDING REGULATIONS



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09-45, April 5, 2010

09-46, April 5, 2010

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## CHAPTER 8

**BUSINESS DISTRICT DEVELOPMENT AND REDEVELOPMENT COMMISSION**

## SECTION:

- 2-8-1: Creation
- 2-8-2: Composition; Appointment
- 2-8-3: Terms; Vacancies; Compensation
- 2-8-4: Organization; Meetings
- 2-8-5: Duties, Functions, And Responsibilities
- 2-8-6: Authority

2-8-1: **CREATION:** There is hereby created a commission which shall be known as the Business District Development and Redevelopment Commission.

2-8-2: **COMPOSITION; APPOINTMENT:** The Commission shall consist of nine (9) voting members and three (3) non-voting members. The non-voting members of the Commission shall consist of a member of the Board of Trustees, with another member of the Board of Trustees serving as an alternate, the Business Manager of the Village of Morton, and the Executive Director/Chief Executive Officer of the Morton Economic Development Council. Members of the Commission shall be appointed by the President, by and with the advice and consent of the Board of Trustees.

2-8-3: **TERMS; VACANCIES; COMPENSATION:**

(A) Upon initial appointment, the voting members of the Commission shall be appointed for one-, two-, or three-year terms of office, as designated by the President at the time of appointment. Voting members of the Commission appointed after the initial appointments creating the Commission shall hold office for a term of three (3) years, or until a successor has been chosen and has qualified.

(B) All vacancies occurring on the Commission shall be filled by appointment for the remainder of the unexpired term in the same manner as original appointments.

(C) Members of the Commission shall serve without compensation.

2-8-4: **ORGANIZATION; MEETINGS:**

(A) The Commission shall designate one of its members to serve as Chairperson of the Commission and one of its members to serve as Vice-Chairperson of the Commission. Such designations shall be for a period of one (1) year.

(B) The Commission shall meet at such times and places as it shall determine. Special meetings of the Commission may be called by the Chairperson of the Commission or by any three (3) members of the Commission. All meetings of the Commission shall be held in accordance with the provisions of the Open Meetings Act (5 ILCS 120/1 et seq.). A majority of the voting members of the Commission shall constitute a quorum to do business.

2-8-5: **DUTIES, FUNCTIONS, AND RESPONSIBILITIES:** The Commission shall have the following duties, functions, and responsibilities:

- (A) Prepare policies and procedures, and amendments thereto, pertaining to the administration of any grant or loan program that may be established by the Village pursuant to the Business District Development and Redevelopment Act (65 ILCS 5/11-74.3-1 et seq.), as may be amended from time to time, and in accordance with the Morton Business District Development and Redevelopment Plan, as may be amended from time to time, for approval and adoption by the President and Board of Trustees.
- (B) Review applications for assistance submitted pursuant to any grant or loan program that may be established by the Village pursuant to the Business District Development and Redevelopment Act (65 ILCS 5/11-74.3-1 et seq.), as may be amended from time to time, and in accordance with the Morton Business District Development and Redevelopment Plan, as may be amended from time to time, and make recommendations regarding same for action by the President and Board of Trustees.
- (C) Make such recommendations to the President and Board of Trustees as it may deem necessary to achieve the goals and objectives of the Morton Business District Development and Redevelopment Plan and to perform its duties, functions, and responsibilities.
- (D) Report periodically to the President and Board of Trustees on the progress of the Commission in the performance of its duties, functions, and responsibilities.
- (E) Perform such other duties, functions, and responsibilities that may be assigned to it by the President and Board of Trustees from time to time.

2-8-6: **AUTHORITY:**

- (A) The Commission shall have no independent authority, but shall serve strictly as an advisory body to the President and Board of Trustees with only those powers expressly delegated to it and shall have no authority to act on behalf of the Village.
- (B) The Commission shall expend no monies except as provided in the Annual Appropriation Ordinance of the Village and only upon the prior approval of the President and Board of Trustees.

- (R) Main St. shall be a through street, except at the following locations:
1. Idlewood St. and Detroit Ave. (four-way stop).
  2. Jackson St. (four-way stop).
  3. Queenwood Rd. (four-way stop). (amd. Ord. 00-01, 5-1-00)
- (S) S. Minnesota Ave. shall be a through street at Sunset Rd.
- (T) Missouri Ave. shall be a through street, except at the following locations:
1. E. Jackson St.
  2. E. Jefferson St.
  3. E. Polk St.
  4. Sunset Rd.
- (U) E. Monroe St. shall be a through street, except at the following locations:
1. N. First Ave.
  2. N. Third Ave. (three-way stop).
  3. N. Illinois Ave.
  4. N. Indiana Ave.
  5. N. Missouri Ave.
  6. N. Nebraska Ave.
- (V) N. Morton Ave. shall be a through street, except at W. Jefferson St.
- (W) Nebraska Ave. shall be a through street, except at the following locations:
1. E. Idlewood St.
  2. E. Jackson St.
  3. E. Jefferson St.
  4. N. Main St.
- (X) Northbound Ossami Lake Dr. shall be a through street at Stoneway Dr.
- (Y) Northshore Dr. shall be a through street at Lakeview Dr.
- (Z) Pershing St. shall be a through street at Bauman Ave.
- (AA) S. Plum Ave. shall be a through street at W. Washington St.

- (BB) E. Polk St. shall be a through street at the following locations:
1. N. Kansas Ave.
  2. N. Minnesota Ave.
  3. N. Missouri Ave.
  4. Pierce St.
- (CC) Queenwood Rd. shall be a through street, except at the following locations:
1. S. Fourth Ave. (four-way stop).
  2. S. Main St. (four-way stop).
- (DD) S. Second Ave. shall be a through street at E. Maywood St.
- (EE) Stoneway Dr. shall be a through street, except at Veteran's Road.
- (FF) Sunset Rd. shall be a through street, except at the following locations:
1. S. Illinois Ave.
  2. S. Minnesota Ave.
- (GG) N. Third Ave. shall be a through street at the following locations:
1. Behrends Ct.
  2. E. Harrison St.
  3. E. Madison St.
  4. E. Polk.
  5. E. Tyler.
- (HH) Veteran's Road shall be a through street, except at Jefferson St.
- (II) E. Washington St. shall be a through street at Clifton Ave.
- (JJ) A four-way stop shall be located at the following intersections:
1. E. Edgewood St. and Lee Ave.
  2. S. Fourth Ave. and E. Queenwood Rd.
  3. S. Fourth Ave. and E. Washington St.
  4. N. Main St. and Jackson St.
  5. S. Main St. and Detroit Ave. / E. Idlewood St.
  6. S. Main St. and Queenwood Rd.
  7. Nelson Ave. and W. Wick St.

(KK) A three-way stop shall be located at the intersection of N. Third Ave. and E. Monroe St.

A person required to stop as above shall yield the right-of-way to any vehicle which has entered the intersection from the through street, or which is approaching so closely as to constitute an immediate hazard. (Ord. 96-17, 9-3-96; amd. Ord. 97-18, 8-4-97; amd. Ord. 00-26, 9-5-00; amd. Ord. 00-42, 4-21-03; amd. Ord. 4-26, 8-2-04; amd. Ord. 04-48, 1-3-05; amd. Ord. 06-42, 4-2-07; amd. Ord. 07-33, 9-17-07; amd. Ord. 09-45, 4-5-10)

9-9-2: **ONE-WAY STREETS:** Vehicles traveling on the indicated portions of the streets named below shall travel in the designated direction only. Vehicles traveling other portions of said streets may travel either direction.

(A) E. Monroe Street: One way east, from N. Main Street to N. Illinois Avenue. (Ord. 90-24, 11-19-90; amd. Ord. 96-8, 6-17-96)

(B) Alley west of S. Main Street: One way north, from one hundred fifteen feet (115') north of W. Adams to W. Jefferson. (Ord. 96-8, 6-17-96)

9-9-3: **TURNS PROHIBITED:**

Right hand turns are prohibited from Martha's Parkway onto Clark St. (Ord. 08-11, 8-18-08)





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## CHAPTER 2

**BUSINESS DISTRICT RETAILERS' OCCUPATION TAX AND  
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## SECTION:

- 3-2-1: Business District Retailers' Occupation Tax  
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 3-2-3: Morton Business District Tax Allocation Fund

3-2-1: **BUSINESS DISTRICT RETAILERS' OCCUPATION TAX:** A Business District Retailers' Occupation Tax is hereby imposed upon all persons engaged in the business of selling tangible personal property, other than an item of tangible personal property titled or registered with an agency of this State's government, at retail in the Morton Business District (as described and designated by Ordinance Number 09-43) at the rate of 0.25% of the gross receipts from the sales made in the course of such business. This tax is not imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. This tax shall be in effect for so long as the Morton Business District shall continue in existence and shall terminate upon termination of the Morton Business District. The tax imposed by this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Illinois Department of Revenue and paid over to the Village as provided by the Business District Development And Redevelopment Act (65 ILCS 5/11-74.3-1 et seq.), as may be amended from time to time.

3-2-2: **BUSINESS DISTRICT SERVICE OCCUPATION TAX:** A Business District Service Occupation Tax is hereby imposed upon all persons engaged, in the Morton Business District (as described and designated by Ordinance Number 09-43), in the business of making sales of service, who, as an incident to making those sales of service, transfer tangible personal property within the Morton Business District, either in the form of tangible personal property or in the form of real estate as an incident to a sale of service. The tax shall be imposed at the rate of 0.25% of the selling price of tangible personal property so transferred within the Morton Business District. This tax is not imposed on food for human consumption that is to be consumed off the premises where it is sold (other than alcoholic beverages, soft drinks, and food that has been prepared for immediate consumption), prescription and nonprescription medicines, drugs, medical appliances, modifications to a motor vehicle for the purpose of rendering it usable by a disabled person, and insulin, urine testing materials, syringes, and needles used by diabetics, for human use. This tax shall be in effect for so long as the Morton Business District shall continue in existence and shall terminate upon termination of the Morton Business District. The tax imposed by this Section and all civil penalties that may be assessed as an incident thereof shall be collected and enforced by the Illinois Department of Revenue and paid over to the Village as provided by the Business District Development And Redevelopment Act (65 ILCS 5/11-74.3-1 et seq.), as may be amended from time to time.

3-2-3: **MORTON BUSINESS DISTRICT TAX ALLOCATION FUND:** The proceeds of the taxes imposed herein shall be deposited into a special fund held by the Corporate Authorities called the "Morton Business District Tax Allocation Fund". Money deposited into such fund shall be expended in accordance with the provisions of the Business District Development And Redevelopment Act (65 ILCS 5/11-74.3-1 et seq.), as may be amended from time to time, and in accordance with the Morton Business District Development And Redevelopment Plan approved and adopted by Ordinance Number 09-43, as may be amended from time to time. (Ord. 09-44, 3-15-10)



CHAPTER 4  
ELECTRICAL CODE

SECTION:

- 4-4-1: Adoption Of National Electrical Code
- 4-4-2: Permit Required
- 4-4-3: Permits
- 4-4-4: Scheduling Inspections
- 4-4-5: Re-inspection Fee
- 4-4-6: Certifications

4-4-1: **ADOPTION OF NATIONAL ELECTRICAL CODE:** The 2008 National Electrical Code, and any subsequent editions or amendments thereto, copyrighted by the National Fire Protection Association, a copy of which is on file in the office of the Village Clerk, is hereby adopted for the purpose of establishing rules and regulations for the installation of all electrical wiring, installation of electrical fixtures, apparatus, or electrical appliances for furnishing light, heat, or power, or other electrical work introduced into or placed in or upon, or in any way connected to, any building or structure within the Village. The same is hereby incorporated as fully as if set out at length herein. All amendments and new or revised editions shall be effective sixty (60) days after the Village publishes a notice indicating that such amendments or new or revised editions have been placed on file at the office of the Village Clerk. Until such date, the prior editions shall remain in effect. (Ord. 90-37, 4-15-91; amd. Ord. 94-24, 11-21-94; amd. Ord. 08-26, 12-1-08)

4-4-2: **PERMIT REQUIRED:** Any electrical job in excess of one thousand dollars (\$1,000.00), or any increase in the electrical service, will require a permit and appropriate inspections. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09)

4-4-3: **PERMITS:**

(A) Residential Permits:

Single Family Home:	\$400
Duplex:	\$800
Multi-family (more than 2 units):	\$800, plus \$50 per unit over two units
Additions; Remodel Projects:	\$200
Service Panel Change Out/Generator:	\$100

(B) Commercial/Industrial Permits:

Based on Cost of Electrical for New Construction & Remodel Valuation	Fee
\$1,001 - \$2,500	\$100
\$2,501 - \$10,000	\$250
\$10,001 - \$15,000	\$350
\$15,001 - \$20,000	\$500
Over \$20,000	\$500 plus \$4 per \$1,000 over \$20,000 (rounded to nearest \$1,000)

(C) Sign Permits: \$100

(D) Service Panel Change Out/Generator: \$100

In the event any work is started prior to the time a permit is obtained, the permit fee shall be doubled. (Ord. 08-26, 12-1-08; amd. Ord. 08-40, 3-16-09; amd. Ord. 09-39, 1-4-10; AMD. Ord. 10-02, 5-17-10)

4-4-4: **SCHEDULING INSPECTIONS:** If a scheduled inspection is to be cancelled, the owner of the property or the contractor must contact the zoning department at least two (2) hours prior to the scheduled inspection time. All inspections not cancelled at least two (2) hours before the scheduled time shall be charged a re-inspection fee.

It is the responsibility of the owner or his contractor to request all inspections. Inspections shall be requested by notifying the zoning department during normal business hours and notification must be a minimum of twenty four (24) hours in advance of the needed inspection except for the final inspection which requires a forty eight (48) hours advanced notice. (Ord. 08-26, 12-1-08)

4-4-5: **RE-INSPECTION FEE:** In the event any re-inspections are needed the following fees shall apply:

1st re-inspection	\$50
2nd re-inspection	\$75
3rd re-inspection	\$100
4th re-inspection	\$125

(Ord. 08-26, 12-1-08)

4-4-6: **CERTIFICATIONS:** No electrician shall install any electrical equipment, systems, components, or materials without first having obtained a certificate of registration to do so from the Village of Morton, Tazewell County, Illinois.

A certificate of registration is not required for residential work provided the work is being done solely by the owner of the subject property. All electrical equipment must be installed in compliance with the National Electrical Code.

In order to obtain a certificate of registration to install electrical equipment as provided above, an electrician shall submit evidence of the following to the Zoning and Enforcing Officer:

1. A current license issued by any of the following communities:
  - a. Peoria, IL
  - b. Bloomington, IL
  - c. Springfield, IL
  - d. Decatur, IL
  - e. Pekin, IL
  - f. Ottawa, IL
  - g. Joliet, IL
  - h. any other Illinois testing community upon verification by the Zoning and Enforcing Officer; or
2. Evidence of successful completion of a test administered by any of the communities listed in subdivision (1) of this paragraph, or a national fire protection association test pertaining to the National Electrical Code and knowledge thereof.

Upon presentation by an electrician of satisfactory evidence of either of the items listed in (1) or paragraph (2) above, the Zoning and Enforcing Officer shall issue an electrical certification of registration to such an electrician. The electrical certification shall cost one hundred dollars (\$100) per year and shall be issued on a calendar year basis. No electrical work may be done without an electrical certification. (Ord. 08-26, 12-1-08, amd. Ord. 09-31, 11-16-09)

## CHAPTER 6

**PARKING**

## SECTION:

- 9-6-1: Stopping, Standing, Or Parking Prohibited In Specified Places
- 9-6-2: No-Parking Areas; Times Designated
- 9-6-3: Limited Parking Areas; Times Designated
- 9-6-4: Reserved
- 9-6-5: Parking At Curb
- 9-6-6: Parking Vehicles For Sale
- 9-6-7: Repairing Or Racing Motor
- 9-6-8: Right Of Way
- 9-6-9: Loading/Unloading Zone/No Parking Of Trailers
- 9-6-10: Towing Vehicles Away
- 9-6-11: Prima Facie Proof
- 9-6-12: Parking Violations
- 9-6-13: Twenty Four Hour Limit
- 9-6-14: Handicapped Persons, Parking Privileges
- 9-6-15: Parking Of Vehicle With Expired Registration
- 9-6-16: Handicapped Parking Places, Unauthorized Use Of
- 9-6-17: Removal Of Unauthorized Vehicles
- 9-6-18: Handicapped Parking Violation, Penalty
- 9-6-19: Parking Prohibited On Unpaved Surfaces

9-6-1: **STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED PLACES:**

(A) Except when necessary to avoid conflict with other traffic, or in compliance with law or directions of a police officer or official traffic control device, no person shall:

## 1. Stop, stand, or park a vehicle:

- (a) On the roadway side of any vehicle stopped or parked on the edge of a street;
- (b) On a sidewalk;
- (c) Within an intersection;
- (d) On a crosswalk;
- (e) Between a safety zone and adjacent curb or within thirty feet (30') of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;
- (f) Alongside or opposite any street excavation or construction when stopping, standing, or parking would obstruct traffic;
- (g) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;
- (h) On any railroad tracks;
- (i) At any place where official signs prohibit stopping;

- (j) On any controlled access highway;
  - (k) In the area between roadways and divided highways, including crossovers.
2. Stand or park a vehicle, whether occupied or not, except momentarily to pick up or discharge passengers:
- (a) In front of a public or private driveway;
  - (b) Within fifteen feet (15') of a fire hydrant;
  - (c) Within twenty feet (20') of a crosswalk and an intersection;
  - (d) Within thirty feet (30') upon the approach to any flashing signal, stop sign, yield sign, or traffic control signal located at the side of a roadway;
  - (e) Within twenty feet (20') of a driveway entrance to any fire station and on the side of a street opposite the entrance of a fire station, within seventy five feet (75') of such entrance (where properly sign-posted);
  - (f) At any place where official signs prohibit standing.
3. Park a vehicle, whether occupied or not, except temporarily for the purpose of and while actually engaged in loading or unloading property or passengers:
- (a) Within fifty feet (50') of the nearest rail of a railroad crossing;
  - (b) At any place where official signs or markings prohibit parking.

- (B) It shall be unlawful for any person to move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful. (Ord. 80-5, 6-2-80)
- (C) The Chief of Police is authorized to extend all no parking areas as provided in this Chapter, up to a maximum of twenty-five feet (25') feet. (Ord. 04-23, 9-6-05)

9-6-2: **NO-PARKING AREAS; TIMES DESIGNATED:** Unless otherwise stated below, there shall be no parking at any time upon the streets set forth as follows:

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(A)	E. Adams St.	North side South side South side	From S. Third to 360' west of S.Third. From S. First to 50' east of S. First. From 50' east of S. First to S. Third, between 8:00 A.M. and 4:00 P.M. on school days.
(B)	W. Adams St.	North side South side	From S. Pershing to 250' east of S. Pershing. From S. Pershing to 50' east of S. Pershing.
(C)	Alexander St.	North side South side	From N. Morton Ave. to 250' west of N. Morton Ave. From N. Morton Ave. to McArthur.
(D)	Ashland Ct.	Both sides	
(E)	E. Ashland St.	Both sides	
(F)	W. Ashland St.	Both sides	

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(G)	Bauman Ave.	West side West side	From W. Jackson to St. Paul. From W. Pershing to Wagler.
(H)	E. Birchwood St.	North side	From S. Main to S. First.
(I)	W. Birchwood St.	Both sides	
(J)	W. Bond St.	Both sides Both sides South side	From W. Jackson to 80' east of W. Jackson. From N. Morton Ave. to 150' west of N. Morton Ave. From McArthur to 148' west of McArthur.
(K)	Bradley St.	North side  South side	From N. Main to W. Jefferson, except from 80' to 125' west of Main St. From N. Main to 150' west of N. Main.
(L)	Clark St.	Both sides	From N. Morton Ave. to 265' west of N. Morton Ave.
(M)	Commerce Dr.	Both sides	
(N)	E. Courtland St.	Both sides	
(O)	W. Courtland St.	Both sides	
(P)	Detroit Ave.	East side North side West side	From W. Jackson to 400' south of W. Birchwood. From S. Main to 130' west of S. Main. From W. Jackson to S. Main.
(Q)	Detroit Pkwy.	Both sides	
(R)	W. Edgewood Ct.	North side	From Detroit to 125' west of Detroit, and from 290' west of Detroit to 370' west of Detroit.
(S)	Erie Ave.	Both sides	From W. Birchwood to north end.
(T)	Erie Ct.	Both sides	
(U)	E. Fernwood St.	Both sides	From 250' south of Brentwood Rd. to 500' southwest of Brentwood Rd.
(V)	N. First Ave.	West side	From E. Jefferson to E. Madison.
(W)	S. First Ave.	Both sides East side West side West side West side	From E. Washington to 115' south of E. Washington. From E. Adams to 45' south of E. Adams. From E. Adams to 48' north of E. Adams. From E. Washington to 100' north of E. Washington. From 80' south of E. Birchwood to 300' north of E. Wick.
(X)	E. Forestwood St.	North side South side	From S. Fourth to 80' east of S. Fourth. From S. Fourth to 50' east of S. Fourth.
(Y)	N. Fourth Ave.	West side	From E. Jefferson to E. Monroe.

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(Z)	S. Fourth Ave.	Both sides Both sides East side	From E. Hazelwood to 500' south of E. Queenwood Rd. From E. Jefferson to E. Washington. East side From E. Washington to E. Birchwood. From E. Greenwood to 150' south of E. Greenwood, between 8:00 A.M. and 4:00 P.M. on school days.
(AA)	E. Greenwood St.	North side North side South side South side	From 90' east of S. First to 310' east of S. First. From 270' west of Lee to 525' west of Lee, between 8:00 A.M. and 4:00 P.M. on school days. From S. Fourth to 170' east of S. Fourth, between 8:00 A.M. and 4:00 P.M. on school days. From 730' east of S. Fourth to 1165' east of S. Fourth.
(BB)	Highland St.	Both sides	
(CC)	N. Illinois Ave.	Both sides East side East side East side East side West side	From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the Morton Police Department (MPD) to residents whose homes front on the prohibited area and their guests. From Rassi to 180' north of E. Monroe, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From 180' north of E. Monroe to 325' north of E. Monroe. From E. Jackson to 125' south of E. Jackson. From 125' south of E. Jackson to 325' north of E. Monroe, between 7:30 A.M. and 4:00 P.M. on school days, except for: (1) Vehicles displaying a valid handicapped parking permit or handicapped license plate. (2) Vehicles displaying a parking permit issued by Morton High School. (3) Vehicles parked in a designated visitor's parking space (a visitor is a person who has been properly registered and designated as such by the Morton High School Office). From Rassi to E. Jackson, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(DD)	S. Illinois Ave.	Both sides	From 160' north of Sunset Rd. to Brentwood Rd.
(EE)	N. Indiana Ave.	Both sides Both sides	From Rassi to Kay, between 8:00 A.M. and 4:00 P.M. on school days, except 45' south of Kay on the east side of N. Indiana, where no parking is permitted at any time, and except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(FF)	E. Jackson St.	Both sides	



	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(GG)	W. Jackson St.	Both sides	
(HH)	E. Jefferson St.	Both sides Both sides Both sides North side North side South side South side	From S. Seventh to Illinois. From 110' west of Nebraska to 300' east of Nebraska, between 8:00 A.M. and 4:00 P.M. on school days. From 125' west of Oregon to the eastern corporate limits line. From Main to 200' east of Main. From N. Third to 75' east of N. Third, between 8:00 A.M. and 4:00 P.M. on school days. From Main to 80' east of Main. From S. Third to 228' west of S. Third.
(II)	W. Jefferson St.	Both sides Both sides North side North side South side South side South side South side	From McArthur to the western corporate limits line. From N. Morton Ave. to Pershing. From Bradley to Pershing. From Main to 75' west of Main. From Pershing to 50' east of Pershing. From S. Plum to 85' west of S. Plum. From Main to 290' west of Main. From McArthur to 110' east of McArthur.
(JJ)	N. Kansas Ave.	Both sides Both sides	From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From E. Monroe to 200' south of E. Monroe, between 8:00 A.M. and 4:00 P.M. on school days except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(KK)	Kay St.	North side South side South side	From N. Indiana to 70' east of N. Indiana. From N. Indiana to 55' east of N. Indiana. From 55' east of N. Indiana to N. Missouri, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(LL)	E. Madison St.	Both sides	From N. Main to N. First.
(MM)	W. Madison St.	South side	From N. Main to Bradley.
(NN)	N. Main St.	Both sides East side East side West side West side	From 160' south of N. Third to the northern corporate limits line. From 130' south of Jackson to 250' north of Jackson. From Jefferson to 135' north of Jefferson. From 185' south of Jackson to 160' south of N. Third. From Jefferson to 150' north of Jefferson.
(OO)	S. Main St.	East side East side East side West side West side West side	From 300' north of Birchwood to E. Crestwood. From 270' south of Fernwood to the southern corporate limits line. From Jefferson to 170' south of Jefferson. From 280' north of Birchwood to 130' south of Crestwood. From Fernwood to the southern corporate limits line. From Jefferson to 65' south of Jefferson.

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(PP)	S. Maple Ave.	West side	From W. Jefferson to W. David.
(QQ)	N. McArthur Ave.	Both sides	From W. Jackson to Alexander.
(RR)	S. McArthur Ave.	East side	From W. Jefferson to W. David.
(SS)	E. Monroe St.	Both sides	From N. Illinois to N. Louisiana, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
		North side	From N. Main to N. Illinois.
		South side	From N. Fourth to N. Illinois, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(TT)	N. Morton Ave.	Both sides Both sides	From Mosiman Ave. to Hyde Park Dr. From Timberline Dr. to Forestview Rd., between 8:00 A.M. and 4:00 P.M. on school days.
(UU)	N. Nebraska Ave.	Both sides	From N. Main to 100' east of N. Main.
(VV)	S. Nebraska Ave.	Both sides	South of E. Idlewood.
(WW)	Penn St.	Both sides	From S. First to Clifton.
(XX)	S. Pershing Ave.	Both sides	From W. Jefferson to end of street.
(YY)	W. Pershing St.	North side South side South side	From N. Main to W. Jefferson. From N. Main to 40' west of N. Main. From W. Jefferson to 250' east of W. Jefferson.
(ZZ)	S. Plum Ave.	Both sides East side	From W. Adams to W. Washington. From W. Jefferson to W. Adams.
(AAA)	E. Queenwood Rd.	Both sides	
(BBB)	W. Queenwood Rd.	Both sides	
(CCC)	Rassi St.	North side	From N. Illinois to N. Indiana, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(DDD)	St. Paul St.	Both sides	
(EEE)	N. Second Ave.	East Side West side	From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days. From E. Madison to E. Jackson.
(FFF)	Tennessee Ave.	Both sides	

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(GGG)	N. Third Ave.	Both sides Both sides	From N. Main to E. Polk. From Behrends Ct. to E. Jackson, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests, or for vehicles in a funeral procession.
		East side West side	From E. Jackson to 120' north of E. Jackson. From E. Jackson to Harrison.
(HHH)	Veteran's Rd.	Both sides	From W. Jefferson to the northern corporate limits line.
(III)	Walton Ave.	Both sides	
(JJJ)	E. Washington St.	Both sides North side	From S. Main to S. First. From S. First to S. Fourth.
(KKK)	W. Washington St.	North side	From S. Main to S. Plum.
(LLL)	Yordy Rd.	Both sides South side	From S. Main to 175' east of S. Main. From 60' east of Tuscany Ct. to 245' east of Tuscany Ct.

(Ord. 98-18, 9-8-98; amd. Ord. 98-28, 12-21-98; amd. Ord. 99-2, 5-17-99; amd. Ord. 99-16, 9-7-99; amd. Ord. 99-23, 9-20-99; amd. Ord. 99-30, 10-18-99; amd. Ord. 99-47, 3-6-00; amd. Ord. 00-13, 7-6-00; amd. Ord. 00-24, 8-21-00; amd. Ord. 02-37, 4-7-03; amd. Ord. 03-03, 7-7-03; amd. Ord. 03-12, 8-18-03; 03-15, 8-18-03; amd. Ord. 03-41, 7-19-04; amd. Ord. 04-17, 7-6-04; amd. Ord. 4-22, 7-19-04; amd. Ord. 04-25, 8-2-04; amd. Ord. 04-38, 11-15-04; amd. Ord. 05-09, 7-18-05; amd. Ord. 05-16, 9-6-05; amd. Ord. 07-24, 8-6-07; amd. Ord. 07-44, 11-19-07; amd. Ord. 07-49, 12-17-07; amd. Ord. 09-02, 5-4-09; amd. Ord. 09-16, 7-20-09; amd. Ord. 09-17, 7-20-09; amd. Ord. 09-42, 3-15-10; amd. Ord. 10-04, 5-17-10; amd. Ord. 10-06, 6-7-10)

9-6-3: **LIMITED PARKING AREAS; TIMES DESIGNATED:**

(A) Two Hour Limit: It shall be unlawful to permit any vehicle to stand between eight o'clock (8:00) A.M. and six o'clock (6:00) P.M. on any day, except Sunday, unless different times apply pursuant to this Section, for more than two (2) hours at any time on the following streets:

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
1.	Adams St.	Both sides South side	From S. Plum to S. First. From S. Plum to 80' west of S. Plum.
2.	Alexander St.	North side	From 250' west of N. Morton Ave. to McArthur, between 6:00 A.M. and 6:00 P.M., Monday through Friday.
3.	Bond St.	Both sides	From 150' west of N. Morton Ave. to McArthur, between 6:00 A.M. and 6:00 P.M., Monday through Friday.
4.	Clark St.	Both sides	From 50' west at N. Morton Ave. to McArthur, between 6:00 A.M. and 6:00 P.M., Monday through Friday.
5.	Jefferson St.	Both sides	From S. Plum to S. First.

<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
6. Main St.	Both sides	From Madison to W. Washington, except where no parking is allowed or where parking is limited to 15 minutes.
7. McArthur Ave.	Both sides	From Alexander to Clark.

(B) Fifteen-Minute Limit: It shall be unlawful to permit any vehicle to stand between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. on any day, Monday through Friday, unless different times apply pursuant to this Section, for more than fifteen (15) minutes on the following streets:

<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
1. E. Adams St.	North side	From S. First to 360' west of S. Third between 8:00 A.M. and 4:00 P.M. on school days.
2. Bradley St.	North side	From 80' west of Main St. to 125' west of Main St. at any time.
3. E. Jefferson St.	South side	From 228' west of S. Third to 300' west of S. Third between 8:00 A.M. and 4:00 P.M. on school days.
4. N. Main St.	East side	From 135' north of Jefferson to 40' south of Madison.
5. S. Nebraska Ave.	East side	From E. Jefferson to E. Crestwood between 8:00 A.M. to 4:00 P.M. on school days.
6. S. Plum Ave.	West side	From W. Adams to 100' north of W. Adams at any time.
7. S. Third Ave.	West side	From E. Jefferson to E. Adams between 8:00 A.M. and 4:00 P.M. on school days.

(Ord. 89-21, 4-2-90; Ord. 90-17, 9-4-90; amd. Ord. 92-20, 10-5-92; Ord. 93-28, 3-7-94; amd. Ord. 03-03, 7-7-03; amd. Ord. 04-18, 7-6-04; amd. Ord. 10-06, 6-7-10)

9-6-5: **PARKING AT CURB:** No vehicle shall be parked with the left side of such vehicle at the curb, and it shall be unlawful to stand or park any vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve inches (12") of the regularly established curb line. (1944 Code, Sec. 362)

9-6-6: **PARKING VEHICLES FOR SALE:** It shall be unlawful to park any vehicle upon any Street for the purpose of displaying it for sale, or to park any vehicle upon any street from which vehicle merchandise is peddled or sold. (1944 Code, Sec. 363)

9-6-7: **REPAIRING OR RACING MOTOR:** No person shall adjust or repair any motor vehicle or race the motor of same while standing on the street or alley excepting in case of a breakdown, or other emergency requiring same. (1944 Code, Sec. 364)

9-6-8: **RIGHT OF WAY:** The driver of a parked vehicle about to start shall give moving vehicles the right of way and the driver of the parked vehicle shall give a timely and visible warning in some unmistakable manner before starting. (1944 Code, Sec. 365)

**9-6-9: LOADING/UNLOADING ZONE/NO PARKING OF TRAILERS/TRUCK TRACTORS:**

- (A) It shall be unlawful for the driver of a vehicle to park a passenger vehicle for longer than it is necessary to load or unload passengers, and in no event for more than three (3) minutes in any public alley or street, except where parking is otherwise allowed, and in such case, the vehicle may not be parked longer than the permitted time.
- (B) It shall be unlawful for the driver to stand any freight-carrying vehicle for a period of time longer than is necessary to load, unload, and deliver materials or freight, but in no event for more than thirty (30) minutes in any public alley or street.
- (C) It shall be unlawful to stand any freight-carrying vehicle in any public street or alley or other public way for the purpose of transferring freight or livestock from one vehicle to another. (Ord. 96-2, 5-20-96)
- (D) No semitrailer which is not connected to a truck tractor may be parked on any street or in any public right of way or in any public parking lot. A "semitrailer" is defined as every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for 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. Any person violating this Section shall be subject to a fine of twenty five dollars (\$25.00), if paid within seven (7) days of the date of the violation. Said payment shall be made at the police station. In the event payment is not made within said period, the amount of the fine shall be one hundred dollars (\$100.00), and in such case, the Police Department shall file a violation with the Tazewell County Circuit Court. (Ord. 97-31, 11-17-97)
- (E) No truck tractors (semi-tractors) as defined in 625 ILCS 5/1-212, and no trucks with tandem axles as defined in 625 ILCS 5/11-204.3, as now in effect or as may be amended from time to time, may be parked on any Village street, other than a truck route where parking is permitted. Truck tractors may be parked when loading or unloading subject to the provisions of paragraph (B) in this section. (Ord. 10-03, 6-7-10)

**9-6-10: TOWING VEHICLES AWAY:** The Police Department and all members thereof are hereby authorized to remove and tow away or have removed and towed away any vehicle which has been parked in violation of this Chapter. Such vehicles shall be restored to their owners only after payment of the expense incurred in removing, towing, and/or storage. (Ord. 460, 10-7-68)

**9-6-11: PRIMA FACIE PROOF:** The fact that a vehicle which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the vehicle at the time of such violation. (Ord. 460, 10-7-68)

**9-6-12: PARKING VIOLATIONS:** Except for violations of 9-6-9 (E), any person accused of a violation of any provision of this Code prohibiting parking a vehicle in a designated area or restricting the length of time a vehicle may be there parked may settle and compromise the claim by paying to the Village the sum of ten dollars (\$10.00), if paid within seven (7) days of the date of said violation, and, if not paid, then the sum of twenty dollars (\$20.00), if paid within fourteen (14) days of the date of said violation. Otherwise, the penalty in Section 1-4-1 of this Code shall apply. Such payments shall be made at the police station and the money paid shall be promptly turned over to the Treasurer. The members of the Police Department are directed to refrain from instituting prosecution for such violations where the above amounts are paid, and, where not so paid, until the expiration of fourteen (14) days from the date of such violation.

For violations of 9-6-9(E), the matter may be settled by paying Fifty Dollars (\$50.00) within 14 days of the violation at the police station. Otherwise the penalty in Section 1-4-1 of this code shall apply and an action in court may be filed. (Ord. 80-5, 6-2-80; amd. (Ord. 90-5, 7-2-90; amd. Ord. 01-09, 7-16-01; amd. Ord. 10-03, 6-7-10)

9-6-13: **TWENTY FOUR HOUR LIMIT:** It shall be unlawful to permit any vehicle to stand upon any street, highway, or parking lot within the Village limits for more than twenty four (24) hours at any one time. It shall not be a defense that the owner or possessor of such a vehicle has moved any such vehicle, unless such owner or possessor has moved such vehicle a distance greater than one hundred fifty feet (150'). (Ord. 80-34, 1-5-81)

9-6-14: **HANDICAPPED PERSONS, PARKING PRIVILEGES:** A motor vehicle bearing an identification card specified in this Chapter is exempt from any ordinance imposing time limitations on parking in a business district; but otherwise is subject to all other laws and ordinances of the Village. Any motor vehicle bearing such an identification card may park, in addition to any other lawful place, in any parking place specifically reserved by posting of an official sign for such vehicles. Parking privileges granted by this Section are strictly limited to the person to whom the special identification card was issued and to qualified operators acting under his express direction while the disabled person is present.

No person shall use any area for the parking of any motor vehicle pursuant to this Section or where an official sign controlling such area expressly prohibits parking at any time or during certain hours. (Ord. 80-47, 4-6-81)

9-6-15: **PARKING OF VEHICLE WITH EXPIRED REGISTRATION:** No person may stop, park, or leave standing upon a public street, highway, or roadway a vehicle upon which is displayed an Illinois registration plate or plates or registration sticker after the termination of the registration period for which the registration plate or plates or registration sticker was issued or after the expiration date set under 625 ILCS 5/3-414 and 625 ILCS 5/3-414.1.

Any person accused of violating this Section may settle and compromise the claim by paying to the Village the sum of ten dollars (\$10.00), paid within seven (7) days of the date of the violation, and if not paid, then the sum of twenty dollars (\$20.00) if paid within (14) days of the date of the violation. If not then paid, then the penalty shall be twenty-five dollars (\$25.00). Payments within the fourteen (14) days shall be made at the police station and the money paid shall be promptly turned over to the Treasurer. (Ord. 99-31, 11-1-99; amd. Ord. 01-09, 7-16-01)

9-6-16: **HANDICAPPED PARKING PLACES, UNAUTHORIZED USE OF:** It shall be prohibited to park any motor vehicle which is not bearing registration plates or decals issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Sections 3-616, 11-130.1 or 11-1301.2, or to a disabled veteran pursuant to Section 3-609 of this Act, as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public off-street parking facility, specifically reserved, by the posting of an official sign as designated under Section 11-301, for motor vehicles bearing such registration plates. (References to "the Section" and "the Act" are to the Illinois Vehicle Code.) (Ord. 97-26, 9-15-97)

9-6-17: **REMOVAL OF UNAUTHORIZED VEHICLES:** When any police officer of the Village finds a vehicle in violation of any of the provisions of Section 9-6-16 of this Chapter, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the vehicle. (Ord. 80-47, 4-6-81)

9-6-18: **HANDICAPPED PARKING VIOLATION, PENALTY:** Any person violating the provisions of Section 9-6-16 of this Chapter shall, upon conviction, be fined the sum of three hundred fifty dollars (\$350.00). In addition to said fine, any person violating the provisions of Section 9-6-16 of this Chapter shall pay any costs or charges connected with the removal or storage of any motor vehicle as a result of the removal of same pursuant to Section 9-6-17 of this Chapter. (Ord. 84-18, 2-18-85; amd. Ord. 95-34, 2-5-96; amd. Ord. 05-42, 2-6-06)

9-6-19: **PARKING PROHIBITED ON UNPAVED SURFACES:** Unless it is necessary for the operation of a business enterprise lawfully conducted thereon, motor vehicles must be parked on an all weather, durable and dustless, asphaltic, interlocking, concrete, paver, brick, or cement pavement surface except in the following circumstances:

- (A) During the time that a declaration has been made for snow removal pursuant to Title 9, Chapter 13; or
- (B) In an area no greater than six feet (6') in width which is directly adjacent to a street or private road either of which is not improved with curb and gutter. (amd. Ord. 99-46, 2-21-00)





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Instruction Sheet: Morton, Illinois  
Supplement 212 - July 2010  
Includes Ordinances: 08-19, 10-07, 10-08

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This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

08-19, October 6, 2008

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Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.





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- 8-11-2: Responsibility Of Property Owners
- 8-11-3: Utilities To Be Installed Underground
- 8-11-4: Plowing Prohibited

8-11-1: **NO POLES; EXCEPTIONS:** In all areas of the Village where underground utility distribution lines are installed, there shall be no poles or standards except for street lighting purposes. (amd. Ord. 00-28, 9-18-00)

8-11-2: **RESPONSIBILITY OF PROPERTY OWNERS:** As a matter of public policy within the Village and within the area contiguous to the Village subject to its maps, plats, and subdivision ordinances, the property owners shall be responsible for and shall provide for the necessary and proper installation and maintenance of the required Meter Base Risers, the required service entrance wiring to be served by each underground distribution lines, the cost of installing the underground secondary lines, on their property, not furnished without charge by AmerenCILCO, and restoration of their lawns resulting from the trenching necessary for the secondary line installations.

8-11-3: **UTILITIES TO BE INSTALLED UNDERGROUND:** All utilities shall be installed underground. Notwithstanding the foregoing, in the event it is impractical to install underground service, and the Superintendent of Public Works makes a recommendation to the President and Board of Trustees setting forth the reasons for such impracticality, then the Board of Trustees may approve such impracticality by a majority vote. (Ord. 561, 3-20-72; Ord. 82-3, 6-7-82; amd. Ord. 00-28, 9-18-00; amd. Ord. 10-07, 6-21-10)

8-11-4: **PLOWING PROHIBITED:** Underground utilities shall be installed by trenching or boring. Plowing of utility cables, pipes, or services is prohibited in the Village of Morton right of way. (Ord. 00-28, 9-18-00)



	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(G)	Bauman Ave.	West side West side	From W. Jackson to St. Paul. From W. Pershing to Wagler.
(H)	E. Birchwood St.	North side	From S. Main to S. First.
(I)	W. Birchwood St.	Both sides	
(J)	W. Bond St.	Both sides Both sides South side	From W. Jackson to 80' east of W. Jackson. From N. Morton Ave. to 150' west of N. Morton Ave. From McArthur to 148' west of McArthur.
(K)	Bradley St.	North side  South side	From N. Main to W. Jefferson, except from 80' to 125' west of Main St. From N. Main to 150' west of N. Main.
(L)	Clark St.	Both sides	From N. Morton Ave. to 265' west of N. Morton Ave.
(M)	Commerce Dr.	Both sides	
(N)	E. Courtland St.	Both sides	
(O)	W. Courtland St.	Both sides	
(P)	Detroit Ave.	East side North side West side	From W. Jackson to 400' south of W. Birchwood. From S. Main to 130' west of S. Main. From W. Jackson to S. Main.
(Q)	Detroit Pkwy.	Both sides	
(R)	W. Edgewood Ct.	North side	From Detroit to 125' west of Detroit, and from 290' west of Detroit to 370' west of Detroit.
(S)	Erie Ave.	Both sides	From W. Birchwood to north end.
(T)	Erie Ct.	Both sides	
(U)	E. Fernwood St.	Both sides	From 250' south of Brentwood Rd. to 500' southwest of Brentwood Rd.
(V)	N. First Ave.	West side	From E. Jefferson to E. Madison.
(W)	S. First Ave.	Both sides East side West side West side West side	From E. Washington to 115' south of E. Washington. From E. Adams to 45' south of E. Adams. From E. Adams to 48' north of E. Adams. From E. Washington to 100' north of E. Washington. From 80' south of E. Birchwood to 300' north of E. Wick.
(X)	E. Forestwood St.	North side South side	From S. Fourth to 80' east of S. Fourth. From S. Fourth to 50' east of S. Fourth.
(Y)	N. Fourth Ave.	West side	From E. Jefferson to E. Monroe.

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(Z)	S. Fourth Ave.	Both sides Both sides East side East side	From E. Hazelwood to 500' south of E. Queenwood Rd. From E. Jefferson to E. Washington. From E. Washington to E. Birchwood. From E. Greenwood to 150' south of E. Greenwood, between 8:00 A.M. and 4:00 P.M. on school days.
(AA)	E. Greenwood St.	North side North side  South side  South side	From 90' east of S. First to 310' east of S. First. From 270' west of Lee to 525' west of Lee, between 8:00 A.M. and 4:00 P.M. on school days.  From S. Fourth to 170' east of S. Fourth, between 8:00 A.M. and 4:00 P.M. on school days.  From 730' east of S. Fourth to 1165' east of S. Fourth.
(BB)	Highland St.	Both sides	
(CC)	E. Idlewood St.	Both sides	From 610' west of Parkside to 765' west of Parkside.
(DD)	N. Illinois Ave.	Both sides  East side  East side East side East side  West side	From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the Morton Police Department (MPD) to residents whose homes front on the prohibited area and their guests. From Rassi to 180' north of E. Monroe, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From 180' north of E. Monroe to 325' north of E. Monroe. From E. Jackson to 125' south of E. Jackson. From 125' south of E. Jackson to 325' north of E. Monroe, between 7:30 A.M. and 4:00 P.M. on school days, except for: (1) Vehicles displaying a valid handicapped parking permit or handicapped license plate. (2) Vehicles displaying a parking permit issued by Morton High School. (3) Vehicles parked in a designated visitor's parking space (a visitor is a person who has been properly registered and designated as such by the Morton High School Office). From Rassi to E. Jackson, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(EE)	S. Illinois Ave.	Both sides	From 160' north of Sunset Rd. to Brentwood Rd.
(FF)	N. Indiana Ave.	Both sides  Both sides	From Rassi to Kay, between 8:00 A.M. and 4:00 P.M. on school days, except 45' south of Kay on the east side of N. Indiana, where no parking is permitted at any time, and except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(GG)	E. Jackson St.	Both sides Both sides North side North side  North side South side South side    South side	From N. Main to N. First From N. Montana to the eastern corporate limits. From N. Second to N. Third. From N. Third to N. Kansas, between 8:00 A.M. and 4:00 P.M. on school days. From N. Missouri to 70' west of N. Missouri. From N. Third to N. Illinois. From the intersection of E. Jackson and N. Illinois, the following areas shall be specifically designated as no parking areas: (1) From said intersection to 80' east of the intersection. (2) Between the points 80' east and 200' east of said intersection, between 8:00 A.M. and 4:00 P.M. on school days. (3) Between the points 200' east and 800' east of said intersection. From N. Missouri to 110' west of N. Missouri.
(HH)	W. Jackson St.	Both sides	
(II)	E. Jefferson St.	Both sides Both sides  Both sides  North side North side  South side South side	From S. Seventh to Illinois. From 110' west of Nebraska to 300' east of Nebraska, between 8:00 A.M. and 4:00 P.M. on school days. From 200' west of Oregon to the eastern corporate limits line. From Main to 200' east of Main. From N. Third to 75' east of N. Third, between 8:00 A.M. and 4:00 P.M. on school days. From Main to 80' east of Main. From S. Third to 228' west of S. Third.
(JJ)	W. Jefferson St.	Both sides Both sides North side North side South side South side South side South side	From McArthur to the western corporate limits line. From N. Morton Ave. to Pershing. From Bradley to Pershing. From Main to 75' west of Main. From Pershing to 50' east of Pershing. From S. Plum to 85' west of S. Plum. From Main to 290' west of Main. From McArthur to 110' east of McArthur.
(KK)	N. Kansas Ave.	Both sides   Both sides	From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From E. Monroe to 200' south of E. Monroe, between 8:00 A.M. and 4:00 P.M. on school days except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(LL)	Kay St.	North side South side South side	From N. Indiana to 70' east of N. Indiana. From N. Indiana to 55' east of N. Indiana. From 55' east of N. Indiana to N. Missouri, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(MM)	E. Madison St.	Both sides	From N. Main to N. First.
(NN)	W. Madison St.	South side	From N. Main to Bradley.
(OO)	N. Main St.	Both sides East side East side West side West side	From 160' south of N. Third to the northern corporate limits. From 130' south of Jackson to 250' north of Jackson. From Jefferson to 135' north of Jefferson. From 185' south of Jackson to 160' south of N. Third. From Jefferson to 150' north of Jefferson.
(PP)	S. Main St.	East side East side East side West side West side West side	From 300' north of Birchwood to E. Crestwood. From 270' south of Fernwood to the southern corporate limits. From Jefferson to 170' south of Jefferson. From 280' north of Birchwood to 130' south of Crestwood. From Fernwood to the southern corporate limits. From Jefferson to 65' south of Jefferson.
(QQ)	S. Maple Ave.	West side	From W. Jefferson to W. David.
(RR)	N. McArthur Ave.	Both sides	From W. Jackson to Alexander.
(SS)	S. McArthur Ave.	East side	From W. Jefferson to W. David.
(TT)	E. Monroe St.	Both sides  North side South side	From N. Illinois to N. Louisiana, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests. From N. Main to N. Illinois. From N. Fourth to N. Illinois, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(UU)	N. Morton Ave.	Both sides Both sides	From Mosiman Ave. to Hyde Park Dr. From Timberline Dr. to Forestview Rd., between 8:00 A.M. and 4:00 P.M. on school days.
(VV)	N. Nebraska Ave.	Both sides	From N. Main to 100' east of N. Main.
(WW)	S. Nebraska Ave.	Both sides	South of E. Idlewood.
(XX)	Penn St.	Both sides	From S. First to Clifton.
(YY)	S. Pershing Ave.	Both sides	From W. Jefferson to end of street.
(ZZ)	W. Pershing St.	North side South side South side	From N. Main to W. Jefferson. From N. Main to 40' west of N. Main. From W. Jefferson to 250' east of W. Jefferson.
(AAA)	S. Plum Ave.	Both sides East side	From W. Adams to W. Washington. From W. Jefferson to W. Adams.
(BBB)	E. Queenwood Rd.	Both sides	
(CCC)	W. Queenwood Rd.	Both sides	



	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(DDD)	Rassi St.	North side	From N. Illinois to N. Indiana, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests.
(EEE)	St. Paul St.	Both sides	
(FFF)	N. Second Ave.	East Side West side	From E. Jackson to Harrison, between 8:00 A.M. and 4:00 P.M. on school days. From E. Madison to E. Jackson.
(GGG)	Tennessee Ave.	Both sides	
(HHH)	N. Third Ave.	Both sides Both sides	From N. Main to E. Polk. From Behrends Ct. to E. Jackson, between 8:00 A.M. and 4:00 P.M. on school days, except for vehicles displaying a "PERMIT" issued by the MPD to residents whose homes front on the prohibited area and their guests, or for vehicles in a funeral procession.
		East side West side	From E. Jackson to 120' north of E. Jackson. From E. Jackson to Harrison.
(III)	Veteran's Rd.	Both sides	From W. Jefferson to the northern corporate limits line.
(JJJ)	Walton Ave.	Both sides	
(KKK)	E. Washington St.	Both sides North side	From S. Main to S. First. From S. First to S. Fourth.
(LLL)	W. Washington St.	North side	From S. Main to S. Plum.
(MMM)	Yordy Rd.	Both sides South side	From S. Main to 175' east of S. Main. From 35' east of Tuscany Ct. to 185' east of Tuscany Ct.

(Ord. 98-18, 9-8-98; amd. Ord. 98-28, 12-21-98; amd. Ord. 99-2, 5-17-99; amd. Ord. 99-16, 9-7-99; amd. Ord. 99-23, 9-20-99; amd. Ord. 99-30, 10-18-99; amd. Ord. 99-47, 3-6-00; amd. Ord. 00-13, 7-6-00; amd. Ord. 00-24, 8-21-00; amd. Ord. 02-37, 4-7-03; amd. Ord. 03-03, 7-7-03; amd. Ord. 03-12, 8-18-03; 03-15, 8-18-03; amd. Ord. 03-41, 7-19-04; amd. Ord. 04-17, 7-6-04; amd. Ord. 4-22, 7-19-04; amd. Ord. 04-25, 8-2-04; amd. Ord. 04-38, 11-15-04; amd. Ord. 05-09, 7-18-05; amd. Ord. 05-16, 9-6-05; amd. Ord. 07-24, 8-6-07; amd. Ord. 07-44, 11-19-07; amd. Ord. 07-49, 12-17-07; amd. Ord. 09-02, 5-4-09; amd. Ord. 09-16, 7-20-09; amd. Ord. 09-17, 7-20-09; amd. Ord. 09-42, 3-15-10; amd. Ord. 10-04, 5-17-10; amd. Ord. 10-06, 6-7-10; amd. Ord. 10-08, 6-21-10)

**9-6-3: LIMITED PARKING AREAS; TIMES DESIGNATED:**

(A) Two Hour Limit: It shall be unlawful to permit any vehicle to stand between eight o'clock (8:00) A.M. and six o'clock (6:00) P.M. on any day, except Sunday, unless different times apply pursuant to this Section, for more than two (2) hours at any time on the following streets:

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
1.	Adams St.	Both sides South side	From S. Plum to S. First. From S. Plum to 80' west of S. Plum.

<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
2. Alexander St.	North side	From 250' west of N. Morton Ave. to McArthur, between 6:00 A.M. and 6:00 P.M., Monday through Friday.
3. Bond St.	Both sides	From 150' west of N. Morton Ave. to McArthur, between 6:00 A.M. and 6:00 P.M., Monday through Friday.
4. Clark St.	Both sides	From 50' west at N. Morton Ave. to McArthur, between 6:00 A.M. and 6:00 P.M., Monday through Friday.
5. Jefferson St.	Both sides	From S. Plum to S. First.
6. Main St.	Both sides	From Madison to W. Washington, except where no parking is allowed or where parking is limited to 15 minutes.
7. McArthur Ave.	Both sides	From Alexander to Clark.

(B) Fifteen-Minute Limit: It shall be unlawful to permit any vehicle to stand between eight o'clock (8:00) A.M. and five o'clock (5:00) P.M. on any day, Monday through Friday, unless different times apply pursuant to this Section, for more than fifteen (15) minutes on the following streets:

<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
1. E. Adams St.	North side	From S. First to 360' west of S. Third between 8:00 A.M. and 4:00 P.M. on school days.
2. Bradley St.	North side	From 80' west of Main St. to 125' west of Main St. at any time.
3. E. Jefferson St.	South side	From 228' west of S. Third to 300' west of S. Third between 8:00 A.M. and 4:00 P.M. on school days.
4. N. Main St.	East side	From 135' north of Jefferson to 40' south of Madison.
5. S. Nebraska Ave.	East side	From E. Jefferson to E. Crestwood between 8:00 A.M. to 4:00 P.M. on school days.
6. S. Plum Ave.	West side	From W. Adams to 100' north of W. Adams at any time.
7. S. Third Ave.	West side	From E. Jefferson to E. Adams between 8:00 A.M. and 4:00 P.M. on school days.

(Ord. 89-21, 4-2-90; Ord. 90-17, 9-4-90; amd. Ord. 92-20, 10-5-92; Ord. 93-28, 3-7-94; amd. Ord. 03-03, 7-7-03; amd. Ord. 04-18, 7-6-04; amd. Ord. 10-06, 6-7-10)

9-6-5: **PARKING AT CURB:** No vehicle shall be parked with the left side of such vehicle at the curb, and it shall be unlawful to stand or park any vehicle in a street other than parallel with the curb and with the two (2) right wheels of the vehicle within twelve inches (12") of the regularly established curb line. (1944 Code, Sec. 362)

9-6-6: **PARKING VEHICLES FOR SALE:** It shall be unlawful to park any vehicle upon any Street for the purpose of displaying it for sale, or to park any vehicle upon any street from which vehicle merchandise is peddled or sold. (1944 Code, Sec. 363)

9-6-7: **REPAIRING OR RACING MOTOR:** No person shall adjust or repair any motor vehicle or race the motor of same while standing on the street or alley excepting in case of a breakdown, or other emergency requiring same. (1944 Code, Sec. 364)

9-6-8: **RIGHT OF WAY:** The driver of a parked vehicle about to start shall give moving vehicles the right of way and the driver of the parked vehicle shall give a timely and visible warning in some unmistakable manner before starting. (1944 Code, Sec. 365)

9-6-9: **LOADING/UNLOADING ZONE/NO PARKING OF TRAILERS/TRUCK TRACTORS:**

(A) It shall be unlawful for the driver of a vehicle to park a passenger vehicle for longer than it is necessary to load or unload passengers, and in no event for more than three (3) minutes in any public alley or street, except where parking is otherwise allowed, and in such case, the vehicle may not be parked longer than the permitted time.

(B) It shall be unlawful for the driver to stand any freight-carrying vehicle for a period of time longer than is necessary to load, unload, and deliver materials or freight, but in no event for more than thirty (30) minutes in any public alley or street.

(C) It shall be unlawful to stand any freight-carrying vehicle in any public street or alley or other public way for the purpose of transferring freight or livestock from one vehicle to another. (Ord. 96-2, 5-20-96)

(D) No semitrailer which is not connected to a truck tractor may be parked on any street or in any public right of way or in any public parking lot. A "semitrailer" is defined as every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for 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. Any person violating this Section shall be subject to a fine of twenty five dollars (\$25.00), if paid within seven (7) days of the date of the violation. Said payment shall be made at the police station. In the event payment is not made within said period, the amount of the fine shall be one hundred dollars (\$100.00), and in such case, the Police Department shall file a violation with the Tazewell County Circuit Court. (Ord. 97-31, 11-17-97)

(E) No truck tractors (semi-tractors) as defined in 625 ILCS 5/1-212, and no trucks with tandem axles as defined in 625 ILCS 5/11-204.3, as now in effect or as may be amended from time to time, may be parked on any Village street, other than a truck route where parking is permitted. Truck tractors may be parked when loading or unloading subject to the provisions of paragraph (B) in this section. (Ord. 10-03, 6-7-10)

9-6-10: **TOWING VEHICLES AWAY:** The Police Department and all members thereof are hereby authorized to remove and tow away or have removed and towed away any vehicle which has been parked in violation of this Chapter. Such vehicles shall be restored to their owners only after payment of the expense incurred in removing, towing, and/or storage. (Ord. 460, 10-7-68)

9-6-11: **PRIMA FACIE PROOF:** The fact that a vehicle which is illegally operated or parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the vehicle at the time of such violation. (Ord. 460, 10-7-68)

9-6-12: **PARKING VIOLATIONS:** Except for violations of 9-6-9 (E), any person accused of a violation of any provision of this Code prohibiting parking a vehicle in a designated area or restricting the length of time a vehicle may be there parked may settle and compromise the claim by paying to the Village the sum of ten dollars (\$10.00), if paid within seven (7) days of the date of said violation, and, if not paid, then the sum of twenty dollars (\$20.00), if paid within fourteen (14) days of the date of said violation. Otherwise, the penalty in Section 1-4-1 of this Code shall apply. Such payments shall be made at the police station and the money paid shall be promptly turned over to the Treasurer. The members of the Police Department are directed to refrain from instituting prosecution for such violations where the above amounts are paid, and, where not so paid, until the expiration of fourteen (14) days from the date of such violation.

For violations of 9-6-9(E), the matter may be settled by paying Fifty Dollars (\$50.00) within 14 days of the violation at the police station. Otherwise the penalty in Section 1-4-1 of this code shall apply and an action in court may be filed. (Ord. 80-5, 6-2-80; amd. (Ord. 90-5, 7-2-90; amd. Ord. 01-09, 7-16-01; amd. Ord. 10-03, 6-7-10)

9-6-13: **TWENTY FOUR HOUR LIMIT:** It shall be unlawful to permit any vehicle to stand upon any street, highway, or parking lot within the Village limits for more than twenty four (24) hours at any one time. It shall not be a defense that the owner or possessor of such a vehicle has moved any such vehicle, unless such owner or possessor has moved such vehicle a distance greater than one hundred fifty feet (150'). (Ord. 80-34, 1-5-81)

9-6-14: **HANDICAPPED PERSONS, PARKING PRIVILEGES:** A motor vehicle bearing an identification card specified in this Chapter is exempt from any ordinance imposing time limitations on parking in a business district; but otherwise is subject to all other laws and ordinances of the Village. Any motor vehicle bearing such an identification card may park, in addition to any other lawful place, in any parking place specifically reserved by posting of an official sign for such vehicles. Parking privileges granted by this Section are strictly limited to the person to whom the special identification card was issued and to qualified operators acting under his express direction while the disabled person is present.

No person shall use any area for the parking of any motor vehicle pursuant to this Section or where an official sign controlling such area expressly prohibits parking at any time or during certain hours. (Ord. 80-47, 4-6-81)

9-6-15: **PARKING OF VEHICLE WITH EXPIRED REGISTRATION:** No person may stop, park, or leave standing upon a public street, highway, or roadway a vehicle upon which is displayed an Illinois registration plate or plates or registration sticker after the termination of the registration period for which the registration plate or plates or registration sticker was issued or after the expiration date set under 625 ILCS 5/3-414 and 625 ILCS 5/3-414.1.

Any person accused of violating this Section may settle and compromise the claim by paying to the Village the sum of ten dollars (\$10.00), paid within seven (7) days of the date of the violation, and if not paid, then the sum of twenty dollars (\$20.00) if paid within (14) days of the date of the violation. If not then paid, then the penalty shall be twenty-five dollars (\$25.00). Payments within the fourteen (14) days shall be made at the police station and the money paid shall be promptly turned over to the Treasurer. (Ord. 99-31, 11-1-99; amd. Ord. 01-09, 7-16-01)

9-6-16: **HANDICAPPED PARKING PLACES, UNAUTHORIZED USE OF:** It shall be prohibited to park any motor vehicle which is not bearing registration plates or decals issued to a person with disabilities, as defined by Section 1-159.1, pursuant to Sections 3-616, 11-130.1 or 11-1301.2, or to a disabled veteran pursuant to Section 3-609 of this Act, as evidence that the vehicle is operated by or for a person with disabilities or disabled veteran, in any parking place, including any private or public off-street parking facility, specifically reserved, by the posting of an official sign as designated under Section 11-301, for motor vehicles bearing such registration plates. (References to "the Section" and "the Act" are to the Illinois Vehicle Code.) (Ord. 97-26, 9-15-97)

9-6-17: **REMOVAL OF UNAUTHORIZED VEHICLES:** When any police officer of the Village finds a vehicle in violation of any of the provisions of Section 9-6-16 of this Chapter, such officer is hereby authorized to move such vehicle, or require the driver or other person in charge of the vehicle to move the vehicle. (Ord. 80-47, 4-6-81)

9-6-18: **HANDICAPPED PARKING VIOLATION, PENALTY:** Any person violating the provisions of Section 9-6-16 of this Chapter shall, upon conviction, be fined the sum of three hundred fifty dollars (\$350.00). In addition to said fine, any person violating the provisions of Section 9-6-16 of this Chapter shall pay any costs or charges connected with the removal or storage of any motor vehicle as a result of the removal of same pursuant to Section 9-6-17 of this Chapter. (Ord. 84-18, 2-18-85; amd. Ord. 95-34, 2-5-96; amd. Ord. 05-42, 2-6-06)

9-6-19: **PARKING PROHIBITED ON UNPAVED SURFACES:** Unless it is necessary for the operation of a business enterprise lawfully conducted thereon, motor vehicles must be parked on an all weather, durable and dustless, asphaltic, interlocking, concrete, paver, brick, or cement pavement surface except in the following circumstances:

- (A) During the time that a declaration has been made for snow removal pursuant to Title 9, Chapter 13; or
- (B) In an area no greater than six feet (6') in width which is directly adjacent to a street or private road either of which is not improved with curb and gutter. (amd. Ord. 99-46, 2-21-00)



CHAPTER 5  
RESIDENTIAL DISTRICTS

## SECTION:

- 10-5-1: Purpose  
 10-5-2: R-S Residential Suburban District And Planned Residential Development District  
 10-5-3: R-1 One-Family And Planned Residential Development District  
 10-5-4: R-2 Two-Family And Planned Residential Development District  
 10-5-5: R-3 Multi-Family And Planned Residential Development District  
 10-5-6: R-4 Multi-Family And Planned Residential Development District  
 10-5-7: MH Mobile Home District  
 10-5-8: Planned Residential Developments

10-5-1: **PURPOSE:** The purpose of the residential district regulations herein included is to provide for a range of sound residential environments and housing opportunities compatible with the Comprehensive Plan of the community and appropriately related to the present street, highway, school, park, utility, police, fire, and other similar supporting facilities. (Ord. 78-31, 3-5-79)

10-5-2: **R-S RESIDENTIAL SUBURBAN DISTRICT AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:**

(A) Permitted Uses:

1. Single-family dwellings.
2. Publicly owned parks and conservation areas.
3. Agricultural uses of not less than five (5) acres. The permitted agricultural uses are the growing of crops in the open and raising and feeding of stock and poultry, including farming, truck gardening, apiaries, aviaries, mushroom growing, nurseries, orchards, forestry, and fur farms and said use shall include the necessary structures and farm dwellings for those owning or operating on the premises.
4. Accessory buildings and uses.
5. One (1) unoccupied camper, camping bus, motor home, camping trailer, boat, boat trailer, house trailer, or similar vehicle, may be parked in the side yard or rear yard of a lot if it does not project beyond the front of the residence or garage. (Ord. 78-31, 3-5-79)
6. Community residence. (Ord. 89-19, 2-5-90)

(B) Special Uses: The following uses are permitted subject to the public hearing and other special permit procedure requirements as outlined in Chapter 10 of this Title:

1. Public, parochial, or private elementary, junior high, and high schools offering courses in general education.
2. Junior colleges, colleges, and universities.
3. Public or private country clubs or golf courses, but not lighted courses nor driving ranges.
4. Cemeteries.

5. Churches, temples, convents, and monasteries, but only when located on a collector, major road, or street as so designated on the Official Map of the Village of Morton.
6. Utility and public service buildings and uses.
7. Planned residential developments, as defined in Chapter 2 of this Title, subject to the review procedure and conditions as outlined in Section 10-5-8 of this Chapter. (Ord. 78-31, 3-5-79)
8. Day care centers and nursery schools. (Ord. 84-1, 5-21-84)
9. Outdoor recreation facilities. (Ord. 88-21, 4-20-87)
10. Borrow pits. (Ord. 86-23, 4-20-87)
11. Hospitals, sanitariums, rest homes, and retirement centers. (Ord. 88-27, 3-8-89; amd. Ord. 08-19, 10-6-08)
12. Festivals [not exceeding one (1) week in duration] on property where a special use for a public school offering courses in general education has been granted. (Ord. 99-20, 9-7-99)
13. Wind energy conversion system, provided it is on a lot of a size of five (5) acres or more. (Ord. 07-04, 5-7-07)

(C) Required Lot Area and Lot Width: Every building hereafter erected or structurally enlarged shall be on a lot having an area of not less than forty thousand (40,000) square feet and a width at the building line of one hundred fifty feet (150'), except for planned developments which shall meet the reduced requirements of Section 10-5-8 of this Chapter or for lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title. Any lots within one-half (1/2) mile of a livestock feeding operation that is in operation at the time of the platting of the lots, must be one (1) acre in size. (amd. Ord. 06-19, 7-10-06)

(D) Required Yard Areas: Every building hereafter erected or structurally enlarged within the R-S District shall provide or maintain the following yard requirements, except for the lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title and except for those general exceptions to yard requirements as outlined in Section 10-4-3 of this Title.

1. Front Yard: No building shall be erected or enlarged without providing or maintaining a front yard of thirty five feet (35').
2. Side Yard: No building shall be erected or structurally enlarged without providing or maintaining combined side yards of thirty feet (30'). No single side yard shall be less than twelve feet (12').
3. Rear Yard: No building shall be erected or structurally enlarged without providing or maintaining a rear yard of twenty five feet (25').
4. Fences: Ornamental and enclosure fences meeting the required conditions are exempt from the specific yard requirements as noted.

(a) Front Yard Fences:

- (1) Front Yard Fences on Interior Residential Lots: Ornamental fences not exceeding three and one-half feet (3 1/2') in height are permitted within the front yard. Enclosure fences are not permitted in front yards of interior lots.



(2) Front Yard Fences on Corner Lots: Ornamental fences not exceeding three and one-half feet (3 1/2') in height are permitted in either front yard. An enclosure fence not exceeding six feet (6') in height is permitted in that front yard which the building does not face, providing such front yard enclosure fence is set back from the property line one-half (1/2) the required front yard distance for that district or ten feet (10'), whichever is greater. It is further required that fences respect obstruction to visibility requirements of 10-4-3(l).

(b) Side and Rear Yard Fences: Ornamental and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. (amd. Ord. 08-30, 12-1-08)

(E) Building Height: No building hereafter erected or portion of a building structurally enlarged shall exceed the following height limitations except for those general exceptions to height limitations listed in Section 10-4-3 of this Title.

1. Churches: forty five feet (45') for the main structure.
2. All other permitted buildings: thirty five feet (35') or two and one-half (2 1/2) stories.

10-5-3: **R-1 ONE-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT:**

(A) Permitted Uses:

1. Single-family dwellings.
2. Agricultural uses consisting only of growing crops, truck gardening, and flower gardening.
3. Temporary construction buildings and uses at the construction site and only during the construction period.
4. Accessory buildings and uses.
5. One (1) unoccupied camper, camping bus, motor home, camping trailer, boat, boat trailer, house trailer, or similar vehicle may be parked in the side yard or rear yard of a lot if it does not project beyond the front of the residence or garage. (Ord. 73-31, 2-5-79; amd. Ord. 84-1, 5-21-84; Ord. 84-3, 6-18-84)
6. Community residence. (Ord. 89-19, 2-5-90)

(B) Special Uses: The following uses are permitted subject to the public hearing and other special permit procedure requirements as outlined in Chapter 10 of this Title. (Ord. 73-31, 3-5-79; amd. Ord. 84-1, 5-21-84; amd. Ord. 84-3, 6-18-84)

1. Any use permitted as a special use in the R-S and Planned Residential Development District, except outdoor recreation facilities and borrow pits. (Ord. 86-21, 4-20-87; amd. Ord. 07-09, 6-4-07)
2. Hospitals, sanitariums, rest homes, and retirement centers. (Ord. 78-31, 3-5-79; amd. Ord. 84-1, 5-21-84; amd. Ord. 84-3, 6-18-84; amd. Ord. 84-25, 4-15-85; amd. Ord. 08-19, 10-6-08)
3. Publicly owned parks.
4. Private recreation areas. (Ord. 78-31, 3-5-79; amd. Ord. 84-1, 5-21-84; amd. Ord. 84-3, 6-18-84)

- (C) Required Lot Area And Width: Every building hereafter erected or structurally enlarged shall be on a lot having an area of not less than seven thousand five hundred (7,500) square feet for interior lots and nine thousand five hundred (9,500) square feet for corner lots, and a width of the building line of not less than seventy five feet (75') for interior lots and not less than ninety five feet (95') for corner lots. This requirement shall not apply to planned residential developments which shall meet the requirements of Section 10-5-8 of this Title or for lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title. Any lots within one-half (1/2) mile of a livestock feeding operation that is in operation at the time of the platting of the lots, must be one (1) acre in size. (amd. Ord. 06-19, 7-10-06)
- (D) Required Yard Areas: Every building hereafter erected or structurally enlarged shall provide or maintain the following yard requirements, except for lots of record which shall meet the reduced requirements of Section 10-4-4 of this Title and except for those general exceptions to yard requirements outlined in Section 10-4-3 of this Title.
1. Front Yard: No building shall be erected without providing or maintaining a front yard of thirty five feet (35') unless the depth of the lot is less than one hundred thirty five feet (135') in which case the front yard shall be no less than twenty five feet (25'). In the event the building is constructed in an established area on one side of the street between two (2) intersecting streets that is improved with buildings that have observed a front yard depth which is less than the thirty five feet (35') or twenty five feet (25') requirement, then in such established districts the front yard depth may be the same as, but no less than, the building immediately adjacent to either side of the proposed building.
  2. Side Yard: No building shall be erected or enlarged without providing or maintaining combined side yards of twenty feet (20') or twenty percent (20%) of the lot width as measured at the building line, whichever is less; no single side yard shall be less than seven feet (7').
  3. Rear Yard: No building shall be erected or enlarged without providing or maintaining a rear yard of twenty five feet (25').
  4. Fences: Ornamental and enclosure fences meeting the required conditions are exempt from the specific yard requirements as noted.
    - (a) Front Yard Fences:
      - (1) Front Yard Fences on Interior Residential Lots: Ornamental fences not exceeding three and one-half feet (3 1/2') in height are permitted within the front yard. Enclosure fences are not permitted in front yards of interior lots.
      - (2) Front Yard Fences on Corner Lots: Ornamental fences not exceeding three and one-half feet (3 1/2') in height are permitted in either front yard. An enclosure fence not exceeding six feet (6') in height is permitted in that front yard which the building does not face, providing such front yard enclosure fence is set back from the property line one-half (1/2) the required front yard distance for that district or ten feet (10'), whichever is greater. It is further required that fences respect obstruction to visibility requirements of 10-4-3(l).
    - (b) Side and Rear Yard Fences: Ornamental and enclosure fences not exceeding six feet (6') in height are permitted in the side and rear yards. (amd. Ord. 08-30, 12-1-08)
- (E) Building Height: No building hereafter erected or portion of a building structurally enlarged shall exceed the following height limitations, except for those general exceptions to height limitations listed in Section 10-4-3 of this Title:
1. Churches: forty five feet (45') for the main structure.

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Supplement 213 - August 2010  
Includes Ordinances: 10-14, 10-15

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PLUMBING CODE AND INSPECTIONS

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## PREFACE

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This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

10-14, August 2, 2010  
10-15, August 16, 2010

Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.





CHAPTER 2

PLUMBING CODE AND INSPECTIONS

SECTION:

- 4-2-1: Adoption Of Plumbing Codes
- 4-2-2: Inspections
- 4-2-3: Duty To Request
- 4-2-4: Permit Required
- 4-2-5: Cancellations/Re-Inspection Fee
- 4-2-6: Responsible Parties

4-2-1: **ADOPTION OF PLUMBING CODES:** The current Edition of the Illinois Plumbing Code, and any subsequent editions or amendments thereto, as published by the Illinois Department of Public Health, is hereby adopted for the purpose of establishing minimum standards of design, materials, and workmanship for all water and sewer plumbing hereafter installed, altered, or repaired, and to establish methods of procedure within the limits of the Village. The current edition, and all subsequent editions or amendments thereto, of the American National Standard “National Fuel Gas Code”, also identified by National Fire Protection Association #54 and ANSI Z223.1, is hereby adopted for the purpose of establishing minimum standards of design, materials, and workmanship for all gas plumbing hereafter installed, altered, or repaired, and to establish methods of procedure within the limits of the Village. A copy of each is on file in the office of the Village Clerk, and the same are hereby incorporated as fully as if set out at length herein, with the provisions thereof controlling in the installation, alteration, or repair of all plumbing. All amendments and new or revised editions shall be effective sixty (60) days after the Village publishes a notice indicating that such amendments or new or revised editions have been placed on file at the office of the Village Clerk. Until such date, the prior editions shall remain in effect. (Ord. 90-37, 4-15-91; amd. Ord. 94-24, 11-21-94)

4-2-2: **INSPECTIONS:** All new construction and all building additions may require three (3) inspections. The first inspection shall be of the underground and is required before concrete is poured or piping is graded over. The second inspection is of the rough plumbing and shall be done prior to insulation. The third inspection is the final and shall be accomplished after all fixtures are set. (Ord. 06-39, 2-19-07)

4-2-3: **DUTY TO REQUEST:** It is the responsibility of the owner or his contractor to request all inspections. Inspections shall be requested by notifying the zoning department during normal business hours and notification must be a minimum of twenty four (24) hours in advance of the needed inspection. The inspection shall take place as soon thereafter as reasonably possible. (Ord. 06-39, 2-19-07)

4-2-4: **PERMIT REQUIRED:** Any plumbing job in excess of one thousand dollars (\$1000) that is all labor and material will require a permit and the appropriate inspections.

The following are the plumbing inspection fees:

<u>NEW CONTRUCTION</u>	<u>ADDITIONS/REMODELS</u>
Base charge . . . . . \$55.00	Base charge . . . . . \$75.00
Fixture, each @ . . . \$15.00	Fixture, each @ . . . . . \$25.00
Sprinkler (Fire) . . . \$100.00	
Sprinkler (Lawn)	
per head . . . . . \$ 4.00	
Minimum . . . . . \$55.00	

(Ord. 06-39, 2-19-07; amd. Ord. 07-55, 1-21-08; amd. Ord. 10-15, 8-16-10)

4-2-5: **CANCELLATIONS/RE-INSPECTION FEE:** If a scheduled inspection is to be cancelled, the owner of the property or the contractor must contact the zoning department at least two (2) hours prior to the scheduled inspection time. All inspections not cancelled at least two (2) hours before the scheduled inspection time shall be charged a re-inspection fee.

The re-inspection fee shall be as follows:

- 1st re-inspection request . . . . . \$ 50.00
- 2nd re-inspection request . . . . . \$ 75.00
- 3rd re-inspection request . . . . . \$100.00
- 4th re-inspection request . . . . . \$125.00

(Ord. 06-39, 2-19-07)

4-2-6: **RESPONSIBLE PARTIES:** The owner of the property, the tenant of a property having plumbing work done, and the contractor shall all be jointly and severably responsible for compliance with all provisions of this chapter. (Ord. 06-39, 2-19-07)

## CHAPTER 8

**OFF-STREET PARKING AND LOADING**

## SECTION:

- 10-8-1: Purpose
- 10-8-2: Procedure
- 10-8-3: General Requirements Applying To Both Off-Street Parking And Loading
- 10-8-4: Additional Regulations Applying To Off-Street Parking Only
- 10-8-5: Location Of Required Off-Street Parking
- 10-8-6: Schedule Of Parking Requirements
- 10-8-7: Additional Regulations Applying To Off-Street Loading Only
- 10-8-8: Schedule Of Off-Street Loading Requirements
- 10-8-9: Special Parking Provisions For Old Morton District

10-8-1: **PURPOSE:** The purpose of this Chapter is to alleviate or prevent congestion of the public streets by establishing minimum requirements for off-street parking and loading of motor vehicles in accordance with the use to be made of the property.

10-8-2: **PROCEDURE:** For all uses except one (1) and two (2)-family residential structures, an application for a building permit for a new or enlarged building, structure, or use shall include a plot plan drawn to scale and fully dimensioned showing any parking or loading facilities to be provided to meet the requirements specified herein.

10-8-3: **GENERAL REQUIREMENTS APPLYING TO BOTH OFF-STREET PARKING AND LOADING:**

- (A) **General Application:** No buildings or structures shall be erected or land uses initiated after the effective date of this Title without providing accessory off-street parking and loading as required herein.
- (B) **Buildings Under Construction:** Buildings lawfully under construction or approved for construction prior to the adoption of this Title shall not be required to modify or change the approved plans for off-street parking and loading, provided that such construction is completed within one (1) year from the date of passage of this Title.  
(Passage date, March 5, 1979)
- (C) **Reduction In Parking Or Loading Need:** When a building or structure shall undergo any decrease in number of dwelling units, gross floor area, seating capacity, number of employees, or other unit of measurement specified hereinafter for required parking or loading facilities, and further, when said decrease would result in a requirement for fewer total parking or loading spaces through application of the provisions of this Chapter, parking and loading facilities may be reduced accordingly, provided that existing parking or loading facilities remaining would at least equal the parking or loading requirements resulting from application of the provisions of this Chapter to the entire building or structure as modified.
- (D) **Increase In Parking Or Loading Need:** When a building or structure shall undergo any increase in the number of dwelling units, gross floor area, seating capacity, or other unit of measurement specified hereinafter for required parking or loading facilities, and further, when said increase would result in a measurement for additional parking or loading spaces through application of the provisions of this Chapter thereto, parking and loading facilities shall be increased to accommodate only the additional need as a result of such change.

- (E) Existing Parking Or Loading Not To Be Reduced: Accessory off-street parking and loading spaces in existence on the effective date of this Title may not be reduced in number unless already exceeding the requirements of this Chapter for equivalent new construction; in which event, said spaces shall not be reduced below the number required herein for such equivalent new construction.
- (F) Parking And Loading For Reconstructed Nonconforming Uses: Any nonconforming building, structure, or use in existence on the effective date of this Title shall, if partially destroyed by fire, collapse, or other cause and permitted to rebuild or reconstruct under appropriate provisions of this Title, provide off-street parking and loading equivalent to those maintained prior to such damage being sustained.
- (G) Schedule Of Requirements For Off-Street Parking And Loading; Requirements For Uses Not Specified: Schedule for requirements for the number of off-street parking and loading spaces for various uses is provided in this Chapter.<sup>1</sup> The parking and loading requirements for any use not specified shall be the same as the use in this table most closely approximating the proposed use.

10-8-4: **ADDITIONAL REGULATIONS APPLYING TO OFF-STREET PARKING ONLY:**

- (A) Limitation Of Residential Off-Street Parking: Residential off-street parking limited to uses for which required off-street parking accessory to residential uses and provided in accordance with the requirements of this Chapter shall be used solely for the parking of vehicles of the owners, occupants, or guests of the property to which said parking is accessory.
- (B) Joint Or Shared Off-Street Parking: Off-street parking for different buildings, structures, or uses may be provided collectively, provided the total number of spaces will equal the total requirements for all such uses sharing the parking facility.
- (C) Guarantee Of Off-Site Parking: When required, off-street parking is to be provided elsewhere than on the lot on which the principal use is located, the control and continuing availability of the off-site parking will be guaranteed either by deed or long term lease, and the owner shall be bound by covenants properly recorded, requiring the owner, his or her heirs and assigns, to maintain the required number of parking spaces during the existence of the principal use.
- (D) Districts In Which Off-Site Parking Is Permitted: Accessory parking facilities, when provided elsewhere than on the same zoning lot, shall adhere to the following requirements:
1. No parking facilities accessory to an apartment use shall be located in an R-1 or R-2 Residential District, except as included in a planned residential development.
  2. No parking facilities accessory to a business or industrial use shall be permitted in a residential district, except for adjacent lots approved by special permit as outlined in Chapter 10 of this Title; no parking accessory to an industrial use shall be permitted in a business district, except as approved by special permit as outlined in Chapter 10 of this Title.

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<sup>1</sup> Sections 10-8-6 and 10-8-8 of this Chapter.

10-8-7: **ADDITIONAL REGULATIONS APPLYING TO OFF-STREET LOADING ONLY:**

- (A) Location And Layout Of Off-Street Loading: Off-street loading spaces shall be as provided in the schedule of off-street loading requirements.<sup>1</sup> An off-street loading berth shall be a hard-surfaced area of land open or enclosed, other than a street or public way, used principally for the standing, loading, or unloading of motor trucks, tractors, and trailers so as to avoid undue interference with public streets and alleys. Loading spaces, where required, shall be not less than ten feet in width, forty five feet in length and fourteen feet in height (10' x 45' x 14'), exclusive of access aisles and maneuvering space. Plans for location and layout of off-street loading areas shall meet the following minimum requirements:
1. Loading berths shall be no closer than one hundred feet (100') to an adjoining residential zoning district unless completely screened along that adjoining side by a building wall not less than eight feet (8') in height.
  2. Location of loading berths shall meet the minimum requirements of Chapter 4 of this Title so vehicles parked in such space shall not obstruct the visibility at intersections.
  3. Loading berths open to the sky may be located in any required side or rear yard, provided that loading berths within one hundred feet (100') of residential districts are enclosed as specified above; loading berths shall not be located in front yards.
  4. Interpretation of fractional loading berth spaces resulting from the application of the schedule of off-street loading requirements shall be as follows: less than one-half (1/2) loading berths shall be disregarded; fractions of one-half (1/2) or more shall be considered as one (1) loading berth.
  5. Off-street loading areas are to be surfaced in accordance with the requirements of Chapter 4.

10-8-8: **SCHEDULE OF OFF-STREET LOADING REQUIREMENTS:**

- (A) For all property uses where loading or unloading of materials and merchandise is an essential part of such business, the following requirements shall apply:
1. Hospitals, sanitariums, and clinics      One (1) off-street loading space for the first forty thousand square feet (40,000) of gross floor area, plus one (1) additional space for each one hundred fifty thousand square feet (150,000) of gross floor area.
  2. Retail shops, bowling alleys, taverns, and restaurants      One (1) off-street loading space for each structure containing ten thousand (10,000) to one hundred thousand (100,000) square feet of gross floor area, plus one (1) additional space for each one hundred thousand (100,000) square feet of gross floor area in excess of one hundred thousand (100,000) square feet.
  3. Office buildings, including banks, business, and professional offices      One (1) off-street loading space for each structure containing forty thousand (40,000) to one hundred thousand (100,000) square feet of gross floor area plus one (1) additional space for each one hundred thousand (100,000) square feet of gross floor area in excess of one hundred thousand (100,000) square feet.

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<sup>1</sup> See Section 10-8-8 of this Chapter.

- |  |  |
|--|--|
| 4. Furniture and appliance outlets, motor vehicle sales, wholesale stores, household equipment, or machinery sales   | One (1) off-street loading space for each building of eight thousand (8,000) to twenty five thousand (25,000) square feet of gross floor area, plus one (1) space for each twenty five thousand (25,000) square feet of gross floor area in excess of twenty five thousand (25,000) square feet. |
| 5. Manufacturing, research and testing laboratories, laundry and cleaning plants, printing, binding and publishing, warehouse and storage, processing and distribution of materials and products<br>(Ord. 78-31, 3-5-79) | One (1) off-street loading space for each ten thousand (10,000) to forty thousand (40,000) square feet of gross floor area, plus one (1) space for each sixty thousand (60,000) square feet of gross floor area in excess of forty thousand (40,000) square feet.                                |

10-8-9: **SPECIAL PARKING PROVISIONS FOR OLD MORTON DISTRICT:**

- (A) Old Morton District Area: See map on following page.
- (B) All business zoned properties in the Old Morton District are exempt from the parking requirements of 10-8-6. (amd. Ord. 10-14, 8-2-10)







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## PREFACE

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This volume of the Village Code of the Village of Morton, as supplemented, contains ordinances up to and including ordinances:

10-16, September 7, 2010  
10-17, September 7, 2010  
10-19, October 4, 2010  
10-20, October 4, 2010

Ordinances of the Village adopted after said ordinances supersede the provisions of this Village Code to the extent that they are in conflict or inconsistent therewith. Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.



CHAPTER 8  
TREASURER

## SECTION:

- 1-8-1: Appointment; Compensation
- 1-8-2: Bond
- 1-8-3: General Duties
- 1-8-4: Deposit Of Funds
- 1-8-5: Records
- 1-8-6: Accounting
- 1-8-7: Checks
- 1-8-8: Assistant Treasurer

1-8-1: **APPOINTMENT; COMPENSATION:** The office of Treasurer shall be appointed by the President and Board of Trustees, and the Treasurer shall receive such compensation at the rate of twenty four thousand dollars (\$24,000.00) per year. (Ord. 97-35, 2-16-98; amd. Ord. 00-17, 7-17-00)

1-8-2: **BOND:** He shall give a bond before entering upon his duties, in the sum required by the Board of Trustees, but such amount shall not be less, or more, than that required by Statute.<sup>1</sup> This bond shall be conditioned to indemnify the Village for any loss by reason of any neglect of duty or any act of the Treasurer. (1944 Code, Sec. 27)

1-8-3: **GENERAL DUTIES:** The Treasurer shall perform such duties as may be prescribed by Statute or Ordinance. The Treasurer shall oversee the receipt of all money paid into the Village, either directly from the person paying the money, or from the hands of such other official or employee as may receive it, and shall oversee the pay out of money only on vouchers or orders properly signed by the President and designated member of the Board of Trustees.<sup>2</sup> (1944 Code, Sec. 28; amd. Ord. 97-35, 2-16-98; amd. Ord. 10-17, 9-7-10)

(A) The Treasurer shall be the custodian of all funds belonging to the Village of Morton. The Treasurer is authorized to oversee receipt of all funds due the Village, and shall keep a record of these activities and books which show a separate account for each fund. The Treasurer shall also be the custodian of the police and firemen pension funds. (amd. Ord. 10-17, 9-7-10)

(B) The Treasurer shall have the following responsibilities:

1. Payroll Cycle. The Treasurer will receive the payroll clearing account bank statement unopened from the bank and will oversee the preparation of the monthly bank reconciliation. The reconciled bank balance will be compared to the general ledger balance on a monthly basis.

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<sup>1</sup> 65 ILCS 5/3-14-3.

<sup>2</sup> 65 ILCS 5/3-13-2.

2. Accounts Receivable/Cash Receipts and Accounts Payable/Cash Disbursements. The Treasurer will receive all bank statements unopened and oversee the preparation of the bank reconciliation for all financial institution accounts.

In addition, the treasurer will be responsible for reviewing and approving all proposed accounts receivable adjustments as recommended by the business manager.

The Treasurer shall oversee the deposit of and record all miscellaneous receipts. (amd. Ord. 10-17, 9-7-10)

3. Accounting Records/General Ledger. The Treasurer will review all subsidiary ledger reconciliation to the general ledger on a monthly basis.
4. Audits. The Treasurer will be available to consult with the business manager and Village Board of Trustees on various audit matters.
5. Internal Controls. The business manager and Treasurer are responsible for monitoring and revising the internal control structure of the Village, subject to approval by the Village Board of Trustees.
6. Cash Flow Requirements. The Treasurer will consult with the business manager and Village Board of Trustees on cash flow requirements.

The Treasurer will be responsible for investment of Village funds, per guidelines established by the Village Board of Trustees, recording all investment transactions in the general ledger, maintaining a detailed listing of all investments including holder of the funds, amount, investment date, maturity date, rate of annual return, and payment frequency, and provide a copy to the Village Trustees on a quarterly basis beginning with a report as of June 30, 2000. This listing will be reconciled to the appropriate general ledger accounts on a monthly basis.

7. Legal and Regulatory Matters. The Treasurer will be responsible for being current on all legal and regulatory matters applicable to the Treasurer's functions and responsibilities.
8. Police and Firemen Pension Treasurers. The Treasurer shall be custodian of the Police Pension Fund and the Firemen Pension Fund.
9. The Treasurer shall perform such other duties applicable to the Treasurer's functions and responsibilities as may be prescribed from time to time by the Village Board of Trustees. (amd. Ord. 00-17, 7-17-00)

1-8-4: **DEPOSIT OF FUNDS:** The Treasurer shall oversee the deposit of Village funds in the following depositories: Heartland Bank and Trust Company (Morton division), Morton Community Bank (Morton division), PNC Bank (Morton division), Commerce Bank, Peoria, IL, JP Morgan Chase Bank, N.A., United States Department of the Treasury, Bureau of the Public Debt (Treasury Direct), and State of Illinois Public Treasurer's Investment Pool. The Treasurer 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. (amd. Ord. 10-17, 9-7-10)

The amount of public funds deposited in a financial institution shall not exceed the amount of insurance provided by the Federal Deposit Insurance Corporation or Federal Savings and Loan Insurance Corporation unless the amount by which such deposit exceeds the applicable insured amount is collateralized. For purposes of this procedure the Treasurer is authorized to accept only United States Government bonds or treasury bills as collateral. (Ord. 82-16, 1-17-83; amd. Ord. 01-22, 10-1-01; amd. Ord. 08-21, 10-20-08)



1-8-5:       **RECORDS:** The Treasurer shall keep the records showing all money received by the Village, showing the source from which it is received and the purpose for which it is paid, and shall keep records at all times showing the financial status of the Village. (1944 Code, Sec. 30; amd. Ord. 10-17, 9-7-10)

1-8-6:       **ACCOUNTING:** The Treasurer shall keep such books and accounts as may be required by Statute or Ordinance, and he shall keep them in the manner required by the Board of Trustees. (1944 Code, Sec. 31)

1-8-7:       **CHECKS:** The signatures of the President and the designated member of the Board of Trustees shall be required for all checks executed by the Village. (Ord. 97-35, 2-16-98)

1-8-8:       **ASSISTANT TREASURER:** There is hereby created the office of Assistant Treasurer which shall be subject to the following:

(A)       The Assistant Treasurer shall not perform any duties nor have any responsibilities unless the Treasurer has notified the President of the Board of Trustees that he or she is unable to perform his or her duties.

(B)       In the event the President has been so notified, he shall then notify the Assistant Treasurer, and in such case, the Assistant Treasurer shall have all the powers, duties, and responsibilities that the Treasurer has. Said powers, duties, and responsibilities shall be in effect only until such time as the Treasurer notifies the President that he or she can then resume his or her duties; and, in such case, the Assistant Treasurer's powers, duties, and responsibilities shall immediately cease.

(C)       During the time the Assistant Treasurer is performing the Treasurer's duties, the Assistant Treasurer shall receive the compensation the Treasurer would have; and the Treasurer shall not receive any compensation.

(D)       The Assistant Treasurer shall be appointed by the President and approved by the Board of Trustees. (Ord. 86-18, 2-16-87)



## CHAPTER 3

**FIRE PREVENTION CODE**

## SECTION:

- 5-3-1: Fire Prevention
- 5-3-2: Designating Qualified Personnel
- 5-3-3: Availability to General Public
- 5-3-4: Reviewing Plans
- 5-3-5: Determining Code Violations
- 5-3-6: Monetary Penalty For Violation Of Chapter

5-3-1: **FIRE PREVENTION:** There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as National Fire Protection Association 1 (1997 edition), as now in effect, or as may be amended from time to time. (Ord. 95-7, 6-19-95; amd. Ord. 01-19, 9-17-01)

5-3-2: **DESIGNATING QUALIFIED PERSONNEL:** The Village of Morton shall designate or otherwise contract with a qualified private fire and life safety contractor, who shall report to the Director of Fire and Emergency Services, and shall be responsible for fire prevention, fire protection and life safety related reviews, inspections, enforcement and other similar services for and on behalf of the Village. (Ord. 04-08, 6-21-04)

5-3-3: **AVAILABILITY TO GENERAL PUBLIC:** Fire and Life Safety Code interpretation and consulting services related to the Village's fire prevention, fire protection and life safety codes and requirements shall be made available to the general public for a reasonable fee, as may be determined by and paid directly to the designated fire and life safety contractor. (Ord. 04-08, 6-21-04)

5-3-4: **REVIEWING PLANS:** Plans reviewed by the Village's fire and life safety contractor will be reviewed and acted upon by within ten (10) business days after said contractor receives all plans and documents as may be required. (Ord. 04-08, 6-21-04)

5-3-5: **DETERMINING CODE VIOLATIONS:** When, in the opinion of the Director of Fire and Emergency Services or his/her designee, it becomes necessary for the Village to consult with its designated fire and life safety contractor, including site inspection when appropriate, to establish if one (1) or more code violations exist at or on privately owned property within the Village, and if said violation(s) is determined to in fact exist, and a notice to correct said violation is issued or other necessary and appropriate action is taken by or on behalf of the Village to compel the property owner or other responsible person or business to correct said violation(s), then, in addition to any fines or fees that may be imposed pursuant to the violation(s), the property owner shall pay either to the Village or directly to the designated fire and life safety contractor, any and all fees or charges related to the Village's consultation related to the violation(s) including any fees or costs that may be incurred while determining if the violation has been corrected. (Ord. 04-08, 6-21-04)

5-3-6: **MONETARY PENALTY FOR VIOLATION OF CHAPTER:** Any person, firm, corporation, or customer who violates, neglects, or refuses to comply with, or who resists or opposes the enforcement of any provision of this Chapter shall be subject to a fine of not less than fifty dollars (\$50.00), nor more than seven hundred fifty dollars (\$750.00), and such person shall be deemed guilty of a separate offense for each and every day during which said violation, neglect, or refusal to comply with the provisions of this Chapter shall continue. (Ord. 04-08, 6-21-04)



CHAPTER 4

**FIRE DETECTION SYSTEMS**

SECTION:

- 5-4-1: Fire Detection System
- 5-4-2: Maintenance Of Fire Detection Systems
- 5-4-3: Presumption Of Improper Working Condition
- 5-4-4: Violations
- 5-4-5: Inspection
- 5-4-6: Penalty

5-4-1: **FIRE DETECTION SYSTEM:** A fire detection system is defined as any type of mechanical device or devices which automatically activates a fire alarm.

5-4-2: **MAINTENANCE OF FIRE DETECTION SYSTEMS:** The owner, occupant, or lessee of a premises containing a fire detection system shall maintain said system in proper working condition.

5-4-3: **PRESUMPTION OF IMPROPER WORKING CONDITION:** Any fire detection system which activates a fire alarm due to any cause other than smoke or heat shall be presumed not to be in proper working condition.

5-4-4: **VIOLATIONS:** The Village Fire Chief shall have authority to file a complaint for and on behalf of the Village against any owner, occupant, or lessee of a premises containing a fire protection device not maintained in proper working condition.

5-4-5: **INSPECTION:** In the event a fire detection system is activated, the Village Fire Chief or any party acting in his stead shall have the right to inspect said fire detection system.

5-4-6: **PENALTY:** Any owner, occupant, or lessee of a premises who fails to maintain a fire protection device or devices in proper working condition shall be fined a minimum of one hundred fifty dollars (\$150.00) and a maximum of seven hundred fifty dollars (\$750.00). (Ord. 78-20, 10-2-78; amd. Ord. 99-37, 12-6-99)



CHAPTER 6  
FIRE HYDRANTS

## SECTION:

- 5-6-1: Removal Of Obstructions  
5-6-2: Notification  
5-6-3: Penalty

5-6-1: **REMOVAL OF OBSTRUCTIONS:** All fire hydrants that are maintained by the Village for the purpose of fire protection shall be free from obstruction at all times so that they are clearly visible in either direction from the adjacent street. Owners or occupants of property adjacent to a fire hydrant shall be responsible for maintaining their adjacent property as follows:

- (A) Trees, shrubs, bushes, or evergreens that overhang the hydrant must be trimmed so that they are at least four feet (4') above the top of the hydrant, are at least two feet (2') from the edge of the fire hydrant, and are not located so as to obstruct the view of the hydrant from the street.
- (B) No fences or other structures may be located on adjacent property that would be in violation if they were trees, shrubs, bushes, or evergreens. (Ord. 97-37, 4-20-98)

5-6-2: **NOTIFICATION:** Upon notification by the Village of any obstruction as defined in Subsection 5-6-1(A) or (B) of this Chapter, the adjacent property owner or occupant of the property shall have five (5) days to remove the obstruction. In the event the obstruction is not removed within that time, the Village, in the case of trees, shrubs, bushes, or evergreens may remove the obstruction. (Ord. 97-37, 4-20-98)

5-6-3: **PENALTY:** In the event that an adjacent property owner or occupant of the property fails to remove the obstruction after notification, then the owner or occupant of the adjacent property shall be deemed to have violated this Chapter, and upon conviction, shall be subject to a fine of at least fifty dollars (\$50.00) but no more than seven hundred fifty dollars (\$750.00). A separate violation shall be deemed to have occurred for each and every day from the date of the initial notice until removal. (Ord. 97-37, 4-20-98; amd. Ord. 99-37, 12-6-99)





## CHAPTER 11

**UNDERGROUND UTILITY SERVICE**

## SECTION:

- 8-11-1: No Poles
- 8-11-2: Responsibility Of Property Owners
- 8-11-3: Utilities To Be Installed Underground
- 8-11-4: Plowing Prohibited

8-11-1: **NO POLES:** In all areas of the Village where underground utility distribution lines are installed, there shall be no poles for overhead utilities. (amd. Ord. 00-28, 9-18-00; amd. Ord. 10-16, 9-7-10)

8-11-2: **RESPONSIBILITY OF PROPERTY OWNERS:** As a matter of public policy within the Village and within the area contiguous to the Village subject to its maps, plats, and subdivision ordinances, the property owners shall be responsible for and shall provide for the necessary and proper installation and maintenance of the required Meter Base Risers, the required service entrance wiring to be served by each underground distribution lines, the cost of installing the underground secondary lines, on their property, not furnished without charge by AmerenCILCO, and restoration of their lawns resulting from the trenching necessary for the secondary line installations.

8-11-3: **UTILITIES TO BE INSTALLED UNDERGROUND:** All utilities shall be installed underground. Notwithstanding the foregoing, in the event it is impractical to install underground service, and the Superintendent of Public Works makes a recommendation to the President and Board of Trustees setting forth the reasons for such impracticality, then the Board of Trustees may approve such impracticality by a majority vote. (Ord. 561, 3-20-72; Ord. 82-3, 6-7-82; amd. Ord. 00-28, 9-18-00; amd. Ord. 10-07, 6-21-10)

8-11-4: **PLOWING PROHIBITED:** Underground utilities shall be installed by trenching or boring. Plowing of utility cables, pipes, or services is prohibited in the Village of Morton right of way. (Ord. 00-28, 9-18-00)



CHAPTER 2  
DEFINITIONS

## SECTION:

10-2-1: Definitions

10-2-1: **DEFINITIONS:** Wherever anywhere in this Title any of the following terms are used, they shall have the meaning indicated hereafter in this Chapter.

**ACCESSORY USE, ACCESSORY AREA, ACCESSORY BUILDING:** A use customarily incidental and subordinate to the principal use, principal area or principal building and located on the same lot, parcel, or tract of land with said principal use, area, or building, and an accessory use, area, or building shall be deemed to constitute occupancy of that part of the lot, parcel, or tract of land so used or upon which the accessory building is located. Private garage shall not be considered an accessory use. A ground mounted solar system shall be considered an accessory use. A swimming pool shall be considered an accessory use. (Ord. 78-31, 3-5-79; amd. Ord. 83-4, 5-16-83; amd. Ord. 91-8, 7-15-91; amd. Ord. 10-20, 10-4-10)

**ALLEY:** An alley is a public way not more than thirty feet (30') wide affording secondary access to abutting property.

**ANIMAL HOSPITAL:** An establishment for the treatment, and necessary boarding incidental thereto, of small animals such as dogs, cats, rabbits, and birds by a veterinarian.

**APARTMENT:** A room or suite of rooms with complete kitchen and sanitary facilities in a structure designed to accommodate two (2) or more such units.

**AUTOMOBILE WRECKING YARD:** Any place where one (1) 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 the wrecking or storing of such automobiles or the parts thereof. Any location for storage of motor vehicles awaiting repair for more than seven (7) consecutive days shall be considered an automobile wrecking yard.

**BARKER:** An individual, operating outside of a business's primary structure, who attempts to engage passersby through verbal, physical, or other contact in order to entice them into patronizing said business. (Ord. 07-31, 9-4-07)

**BARKER SIGNS:** Any temporary signs used to advertise a business or business event that are not affixed to any type of building or support structure, but are instead carried by an individual serving as a "barker" on behalf of the business entity. (Ord. 07-31, 9-4-07)

**BED AND BREAKFAST ESTABLISHMENTS:** An owner/operator occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms, each limited to two (2) transient adult guests per night, for rent, in operation for more than ten (10) nights in a twelve (12) month period. Bed and Breakfast establishments shall not include motels, hotels, boarding houses, or lodging houses. (Ord. 09-20, 8-3-09)

BOARDING OR LODGING HOUSE:	A building other than a hotel where meals or sleeping accommodations or both are provided for compensation for three (3), but not more than ten (10), persons.
BRICK	A molded rectangular block primarily comprised of clay and/or shale, fired with natural gas or coal at approximately two thousand degrees (2000°) to fuse the shale or clay into a durable building unit that is laid contiguously with the joints between the units filled with mortar. (Ord. 09-34, 12-21-09)
BUILDING:	A building is 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 HEIGHT:	The vertical distance measured from the sidewalk level or its equivalent established grade to the highest point of the roof. Where buildings are set back from the building setback line, the height will be measured from the average elevation of the finished lot grade. (Ord. 78-31, 3-5-79; amd. Ord. 05-20, 9-6-05)
CLINIC:	An establishment, including the operation of a professional pharmacy, but excluding facilities for in-patient nursing care, where one (1) or more physicians and other medical professionals diagnose and treat human physical and/or mental ailments. (Ord. 79-39, 3-3-80)
COMMUNITY RESIDENCE:	A group home or specialized residential care home serving unrelated persons with disabilities which is licensed, certified, or accredited by appropriate local, State, or national bodies. This Ordinance shall not be construed to require a license, certification, or accreditation and same shall only be required where State or Federal law requires same. Community residence does not include a residence which serves persons as any alternative to incarceration for a criminal offense, or persons whose primary reason for placement is substance or alcohol abuse, or persons whose primary reason for placement is treatment for a communicable disease. (Ord. 89-19, 2-5-90)
CONSTRUCTION SIGNS:	A temporary sign, which includes those indicating construction or home improvement, or the offering of services such as lawn maintenance and landscaping, at a specific location at which they are located. (Ord. 07-31, 9-4-07)
COVERAGE:	The portion of the lot area covered by the building area.
CURB LEVEL:	The average elevation of the established curb of a street taken along the curb line between the points of intersection of the curb line and the lot lines. Where no curb has been established, the curb level shall be the average elevation of the land surface taken along the street right of way and the lot lines.
DAY CARE CENTER:	A child care facility receiving more than eight (8) children for care during all or part of a day. Day care centers are not to be construed as public or private school facilities. (Ord. 78-31, 3-5-79)

- DISABILITY:** Any person whose disability:
- (A) Is attributable to mental, intellectual, or physical impairments or a combination of mental, intellectual, or physical impairments; and
  - (B) Is likely to continue for a significant amount of time or indefinitely; and
  - (C) Results in functional limitations in one (1) or more of the following areas of major life activities:
    1. Self care;
    2. Receptive or expressive language;
    3. Learning;
    4. Mobility;
    5. Self direction;
    6. Capacity for independent living;
    7. Economic self-sufficiency; and
  - (D) Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment, or other services which are of a life-long or extended duration. (Ord. 89-19, 2-5-90)
- DUMPSTERS** A portable receptacle designed and used for accumulating debris. (Ord. 07-41, 10-1-07)
- DWELLING:** A building or portion thereof designed or used exclusively for residential occupancy, but not including house trailers, mobile homes, hotels, motels, boarding or lodging houses or manufactured home. The terms "dwelling" and "dwelling unit" are used interchangeably. (Ord. 78-31, 3-5-79; amd. Ord. 82-8, 8-2-82)
- DWELLING,  
MULTIPLE-FAMILY:** A building used as a residence for more than two (2) families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, group houses, and row houses. The term "multiple-family dwelling" and "multi-family dwelling" are used interchangeably.
- DWELLING,  
SINGLE-FAMILY:** A building used as a residence exclusively by one (1) family.
- DWELLING,  
TWO-FAMILY:** A building used as a residence exclusively by two (2) families with completely separate living facilities for each family.
- ELECTRIC SOLAR SYSTEM:** An electric solar system is one which produces electrical power for the structure. (Ord. 10-20, 10-4-10)

FAMILY:	An individual or two (2) or more persons related by blood, marriage, or adoption, together with his or their domestic servants and a gratuitous guest maintaining common household in a dwelling unit or lodging unit.
FENCE:	A man-made structure which is constructed for the purpose of or has the effect of enclosing or screening the area it is constructed upon. (Ord. 78-31, 3-5-79)
FENCE, ENCLOSURE:	A fence primarily for providing privacy or visual screening.
FENCE, INDUSTRIAL SECURITY:	A fence provided primarily for security which shall be of chain link construction and which shall be at least seventy five percent (75%) open. (Ord. 79-43, 4-21-80)
FENCE, ORNAMENTAL:	An ornamental fence is a fence, the surface area of the fence being more than seventy five percent (75%) open. Ornamental fences may not be chain link or wire construction and may not have pointed or dangerous projections.
FLOOR AREA:	The total horizontal area of living space enclosed by the exterior walls of a building measured at the outside of such exterior walls including partitions, closets, bath, and utility rooms, but not including cellars, basements, unfinished attics, garages, breezeways, porches, and patios, and other spaces not used ordinarily for living, eating, and sleeping purposes. (Ord. 78-31, 3-5-79)
GARAGE, PRIVATE:	A use housing not more than four (4) motor vehicles, not more than one (1) of which may be a commercial vehicle of not more than one and one-half (1 1/2) tons capacity, and not more than one (1) of which may be a camper, for the use of the occupants of the lot on which the private garage is located. Garages shall meet required yard areas as specified in this Title. Only one (1) garage per dwelling unit shall be allowed, either attached or unattached. Attached shall mean a minimum of a common roof and foundation between the dwelling unit and garage. If a garage will house more than four (4) motor vehicles, plans shall be submitted for site plan review and shall be subject to approval of the Village. (Ord. 78-31, 3-5-79; amd. Ord. 80-30, 11-17-80; amd. Ord. 02-25, 1-6-03; amd. Ord. 08-25, 11-3-08)
GOVERNMENTAL UNITS, BOARDS AND OFFICIALS:	<p>(A) The word "Village" shall mean the Village of Morton, Illinois.</p> <p>(B) The words "Village Board" shall mean the President and Trustees of the Village of Morton.</p> <p>(C) The words "Plan Commission" or "Planning Commission" shall mean the Village of Morton Plan Commission.</p> <p>(D) The words "Zoning Enforcing Officer" shall mean the officer designated by the Board of Trustees to enforce the Village of Morton Zoning Ordinance.</p> <p>(E) The words "Zoning Board of Appeals" shall mean the Zoning Board of Appeals of the Village of Morton.</p>
HEIGHT:	See "Building Height." (Ord. 78-31, 3-5-79; amd. Ord. 84-3, 6-18-84)

- PLAY STRUCTURE:
- (A) Length is less than forty percent (40%) of average yard width.
  - (B) Width is less than twenty-five percent (25%) of average yard width.
  - (C) Interior of enclosed structure may not exceed seven feet, six inches (7'6") in height.
  - (D) Interior of enclosed structure may not exceed sixty (60) square feet.
  - (E) Tallest point of structure cannot exceed fourteen feet, six inches (14'6") of the average soil height of the yard.
  - (F) Enclosed structure may not be insulated.
  - (G) Enclosed structure may not be used for storage of anything other than toys. Bikes, wagons, tricycles, or other wheeled structures are not considered toys.
  - (H) Only one (1) enclosed structure is allowed per play structure.
  - (I) A play structure may not be placed in or on a concrete foundation; however, posts are acceptable and may be set in concrete.
  - (J) Only one (1) play structure is allowed per lot. (Ord. 05-41, 2-6-06)
  - (K) Shall not include swing sets.

A swing set is defined as follows:

1. Structure constructed of metal, wood, or other materials with swings, a glider, and a slide.
2. Shall be exempt from the building permit process.
3. Shall meet all required setbacks for accessory structures. (Ord. 06-05, 5-1-06)

PORTABLE STORAGE UNITS: Any container, storage unit, shed-like container, or other portable structure that can be or is used for the storage of personal property. (Ord. 07-41, 10-1-07)

RESIDENTIAL TREATMENT CENTER: An establishment, including the operation of a professional pharmacy, and facilities for 24 hour in-patient care, where one or more physicians, psychologists, counselors, or other medical professionals diagnose and treat human physical and/or mental disorders. (Ord. 07-37, 10-1-07)

REST HOME OR NURSING HOME:	A home for the aged, chronically ill, or incurable persons in which three (3) or more persons not of the immediate family are received, kept, or provided with food and shelter and care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis, treatment, or care of the sick or injured. (Ord. 78-31, 3-5-79)
RETIREMENT CENTER:	A building where three (3) or more persons not of the immediate family are lodged for hire and where they may be provided meals, health care, and rehabilitation activities, including physical and occupational rehabilitation services. The center may also provide adult day care and home health care services. (Ord. 84-25, 4-15-85)
RINGELMANN NUMBER:	A particular designation of an area on the Ringelmann Chart that coincides most nearly with the visual density of smoke or particulate matter being observed.
SHELTERS/TENTS	Something which has no foundation, metal frame, and which can be used to enclose an area. (Ord. 07-41, 10-1-07)
SIGNS:	Any commercial structure or device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government or governmental agency, of any civic, charitable, religious, patriotic, fraternal, or similar organization, or any sign indicating address.
SIGNS, ADVERTISING:	A sign which directs attention to a business, commodity, service, or entertainment, not exclusively related to the premises where such sign is located or to which it is affixed.
SIGNS, BUSINESS:	A sign which directs attention to a business or profession conducted or to a commodity, service, or entertainment sold or offered upon the premises on which such sign is located or to which it is affixed.
SIGNS, TEMPORARY:	A non-permanent sign intended to be used for a short fixed period of time, including, but not limited to, political, real estate, construction, barker, and signs announcing a campaign drive or civic event. (Ord. 07-31, 9-4-07)
SOLAR WATER SYSTEM:	A solar water system is one which produces domestic hot water. (Ord. 10-20, 10-4-10)
SPECIAL USES:	Any use of land or buildings described and permitted herein in accordance with the procedures of Section 10-10-2 of this Title.
STORY:	That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen feet (14') in height shall be considered as an additional story for each fourteen feet (14') or fraction thereof. Any basement or cellar with more than one-half (1/2) its height above the established curb level, or above the level of the adjoining ground where curb level has not been established, shall be considered a story for purposes of height measurements.



## CHAPTER 4

**GENERAL REGULATIONS AND EXCEPTIONS**

## SECTION:

- 10-4-1: Application Of Regulations, Zoning Permits, And Certificates
- 10-4-2: Nonconforming Uses
- 10-4-3: Building Height, Bulk, Lot Coverage, And Yards
- 10-4-4: Lots Of Record
- 10-4-5: Buildings, Required Street, And Lot Relationships
- 10-4-6: Site Plan Review
- 10-4-7: Site Plan Review For Interstate Corridor
- 10-4-8: Existing Buildings In Interstate Corridors
- 10-4-9: Special Variance Procedure For Property In Interstate Corridor
- 10-4-10: Planned Commercial Developments
- 10-4-11: Large Scale Development
- 10-4-12: Wind Energy Conversion System (WECS)
- 10-4-13: Dumpsters
- 10-4-14: Portable Storage Units
- 10-4-15: Shelters/Tents
- 10-4-16: Solar Water Systems
- 10-4-17: Electric Solar Systems

10-4-1: **APPLICATION OF REGULATIONS, ZONING PERMITS, AND CERTIFICATES:** No building or land shall hereafter be used or occupied, and no building or part thereof shall be erected, moved, or altered, unless in conformity with the regulations herein specified for the district in which it is located, and unless having received the appropriate required permits or certificates as outlined in this Title. (Ord. 78-31, 3-5-79)

10-4-2: **NONCONFORMING USES:** Any lawfully established use of land or buildings at the effective date of this Title or of amendments, which does not comply with the regulations of the district in which it is located, is subject to the following regulations:

- (A) **Continuance Of Use:** A nonconforming use may be continued in use provided there is no physical change other than necessary maintenance and repair except as otherwise provided herein.
- (B) **Nonconforming Use Discontinued For One (1) Year Not To Re-Establish:** If a nonconforming use involving a building or structure has discontinued for a period of one (1) year or more, it shall not be re-established unless it was in a building specifically designed for such use. If nonconforming use of land not involving a principal building or structure is discontinued for six (6) months, it shall not be re-established.
- (C) **Reconstruction, Alterations, Or Expansions Of Nonconforming Building Limited:** A nonconforming building may not be structurally altered or reconstructed within its bounding walls to an extent exceeding in aggregate cost twenty five percent (25%) of its fair market value including land value except for non-conforming buildings which are used as an owner occupied residence, in which case the 25% limitation does not apply. A nonconforming use may not expand its bounding walls or increase its building area. In instances where a building has been specifically designed for a nonconforming use, the Board of Appeals, by variance action, may permit this limitation to be exceeded after required public hearing. (Ord. 78-31, 3-5-79; amd. Ord. 08-17, 10-06-08)

Notwithstanding the foregoing, a nonconforming building may be added on to or attached to where the following applies:

1. The building is in a district zoned R-1, "One-family and Planned Residential District"; and
2. Pursuant to the zoning law in effect at the time the building was constructed, the building was allowed to be built up to five feet (5') from the side lot line; and
3. Any addition shall not be closer to the side lot line than five feet (5'). (Ord. 83-12, 8-1-83)
4. The building is in a district zoned industrial, and pursuant to the zoning law in effect at the time the building was constructed, the building was allowed to be built up to thirty feet (30') from the side lot line. Any addition shall not be closer to the side lot line than thirty feet (30'). (Ord. 92-23, 11-2-92)

(D) Conforming Uses Not To Revert To Nonconforming Uses: Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use.

(E) Substitution Of Nonconforming Uses Prohibited: Except where otherwise provided herein, nonconforming use shall not be substituted for or added to another nonconforming use. (Ord. 78-31, 3-5-79)

10-4-3: **BUILDING HEIGHT, BULK, LOT COVERAGE, AND YARDS:**

(A) General Application: No building shall be erected, reconstructed, relocated, or structurally altered to have a greater height, lot coverage, or smaller open spaces than permitted under the restrictions for the district in which it is located, except as otherwise provided in this Title. (Ord. 78-31, 3-5-79)

(B) Exceptions To Height Limitations: All structural or architectural towers, spires, cupolas, parapet walls, chimneys, cooling towers, water towers, elevator bulkheads, stacks, stage towers or scenery lofts, mechanical appurtenances, structures, towers, antennas, or other similar structures may exceed the general height limitations in a zoning district only if a special use in accordance with the provisions of Section 10-10-2 of this Title is granted. Notwithstanding the foregoing, no special use shall be granted for a tower or other structure that can or will accommodate a personal wireless service facility as defined in Title 13 Chapter 1 of this Code. Warning sirens are exempt from any height limitation imposed by any other Sections of this Code. (Ord. 81-21, 8-17-81; amd. Ord. 00-52, 3-5-01; amd. Ord. 06-01, 5-1-06)

(C) Open Space To Meet Requirements For One Property Not To Be Used For Another: No space allocated to a building or group of buildings for the purpose of satisfying the yard, open space, or lot area requirements of one property shall be used to satisfy the yard, open space, or lot area requirements of another property. (Ord. 78-31, 3-5-79)

(D) Exceptions To Yard Requirements; Parking, Drives, Walks, Parking Lots, And Garages: Notwithstanding the foregoing, the following shall be permitted in the required yards:

1. Pavements:

- (a) For access walks, drives, and parking areas not encroaching on the landscaped front yard, such pavements shall be no closer than ten feet (10') to the side property line and eight feet (8') to the rear property line in B-1 and B-2.
- (b) For R-3, B-3, I-1, and I-2, pavement shall be no closer than ten feet (10') to the side and rear property lines.

10-4-16      **SOLAR WATER SYSTEMS:** Ground mounted hot water solar systems shall be no higher than seven (7) feet and shall have a footprint no greater than eight (8) feet by ten (10) feet. No variances may be granted for a hot water solar system. All other provisions of 10-4-3-D-6 that are not in conflict with the foregoing shall apply.

Solar water systems may be allowed as roof or wall mounts as long as they are not on the side of a structure facing the street. If it is a roof mount, it cannot project above the ridge height or be visible from the street facing side. (Ord. 10-20, 10-4-10)

10-4-17      **ELECTRIC SOLAR SYSTEMS:** Electric solar systems may be allowed on all sides of the roof and on all walls of the structure except those facing the street. (Ord. 10-20, 10-4-10)



4. Those announcing a campaign drive or civic event shall not be on the property more than ninety (90) days before the event or seven (7) days after the event has ended.
  5. Barker signs, provided they do not exceed a size of eighteen (18) square feet and are not used for a period of time exceeding four (4) consecutive days. They shall not be used in such a manner as to impede vehicular or pedestrian traffic, or constitute a safety hazard.
  6. Construction signs as defined in 10-9-5(E), 10-9-6(F), and 10-9-7(D). One (1) for each company or service is allowed.
  7. Temporary signs do not count against the total signage otherwise allowed on a lot.
  8. Permission of the property owner must be obtained for any temporary sign.
  9. They shall not be placed on any right-of-way, street, alley, sidewalk, driveway, or other public way or property.
  10. They shall not obstruct a motorist's view on any street or intersection.  
(Ord. 07-31, 9-4-07)
- (H) Signs indicating the time and place of meetings of civic organizations are permitted on the main entry roads into town, provided only one sign structure is utilized to accommodate all such notices on each major entry road.
- (I) Portable signs are allowable only under the following conditions:
1. The sign area shall not exceed thirty two (32) square feet, and any one face shall not exceed sixteen (16) square feet.
  2. A portable sign cannot be illuminated.
  3. A portable sign may be located only in districts zoned B-1, B-2, or B-3.  
(Ord. 83-16, 9-6-83)
  4. Only one (1) portable sign per business location shall be allowed. The location where the portable sign is displayed must be on the same lot where the business is located.  
(Ord. 84-8, 9-4-84)
  5. The height of a portable sign cannot exceed five feet (5'). (Ord. 07-31, 9-4-07)
- (J) Except for low silhouette business signs, no free-standing sign shall be established closer to the street than one-half (1/2) the setback required under the appropriate zoning classification. No portion of any business sign may be placed on or extended over the right of way line of any street or highway, except for one foot (1') of flush signs where existing buildings have no front or side yards. One (1) low silhouette sign per business may be located within the required landscaped yard, provided it is not closer to the proposed right of way line than one-half (1/2) the appropriate landscaped yard requirement and provided it complies with the obstructions to visibility requirements of Section 10-4-3(I). A low silhouette sign shall not exceed four and one-half feet (4 1/2') in height. (amd. Ord. 00-04, 5-15-00)
- (K) All signs shall be maintained in good and safe structural condition. The painted portions of signs shall be periodically repainted and kept in good condition. Illuminated signs shall be kept in proper working order.
- (L) The general area in the vicinity of any sign on undeveloped property must be kept free and clear of sign materials, weeds, debris, trash, and other refuse.

- (M) Advertising signs shall not be established at any location having principal frontage on any street within three hundred feet (300') of any property which is used for public park, public school, church, city hall, or public museum having principal frontage on the same street or within three hundred feet (300') of any residential zone abutting the business or industrial zone when such sign face would face into the residential zone.
- (N) No outdoor advertising sign or part thereof shall be located on any property without the consent of the owner, holder, lessee, agent, or trustee.
- (O) **Removal Of Signs:** Any sign which for fourteen (14) consecutive days has directed attention to a product, place, activity, person, institution, or business which is no longer in operation or existence shall be deemed to be abandoned and shall be removed according to the following: a) The sign face shall be removed and replaced with a blank face within forty-six (46) days of the expiration of said fourteen (14) day period; and b) all structural supports, braces, poles, and framework shall be removed within two hundred eighty-five (285) days of the expiration of said fourteen (14) day period. The person who erected the sign on the premises and the owner of said premises, if different, shall be jointly and severally responsible for the removal of said sign, including all structural supports, braces, poles, and framework within the aforesaid time periods. (amd. Ord. 01-24, 10-5-01)
- (P) Except where otherwise specifically stated herein, any sign in existence on the effective date of this Title which does not comply with the provisions of this Title may continue in existence as a matter of right and may be maintained and repaired pursuant to the provisions of Title 10, Chapter 4, Section 2(A) of this Code.
- (Q) Directional Signs are allowable subject to the following conditions.
1. No setback is required.
  2. They shall not exceed a height of four feet (4').
  3. Six (6) square feet per sign is allowed. The square footage is not to be included in computing the total general allowable sign area for the property. (Ord. 99-36, 11-15-99)
- (R) Inflatable Signs are allowed for a period of one (1) week per thirty (30) day period. (Ord. 99-36, 11-15-99)
- (S) Political signs are allowed, subject to the following provisions:
1. They must be removed within seven (7) days of the election they refer to unless they are on property zoned residential. (amd. Ord. 10-19, 10-4-10)
  2. The maximum allowable size is four (4) square feet in residential districts, and thirty-two (32) square feet in commercial and industrial districts.
  3. No sign permit is required, but permission of the property owner must be obtained before placing the signs.
  4. They may not be placed on any right-of-way, street, alley, sidewalk, driveway, or other public way or property. (Ord. 99-36, 11-15-99; amd. Ord. 04-41, 11-15-04)

- (e) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
- (f) The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion of the public street, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The Zoning Board of Appeals may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards, to reduce or minimize the effect of such variation upon other properties in the neighborhood, and to better carry out the general intent of this Title.

4. The following situations, and only those situations, are permissible areas in which variations from the regulations of this Title are allowed to be granted by the Zoning Board of Appeals when in accordance with the standards established in this Section:
- (a) To permit reconstruction of a building accommodating a nonconforming use, when the building was specifically designed for such use and destroyed to an extent exceeding twenty five percent (25%) of its fair market value.
  - (b) To permit any yard or open space requirement less than the yard or open space requirement.
  - (c) To permit a reduction of the parking or loading requirements for a specific use whenever the character or use of the building or property is such as to make unnecessary the full provision of such facilities.
  - (d) To permit an increase by not more than twenty five percent (25%) to the distance required parking spaces are to be from the use served.
  - (e) To permit a variation of these regulations to secure an appropriate development of a lot where adjacent to such lot on two (2) or more sides there are structures not conforming to the regulations of the district.
  - (f) To permit the extension of a zoning district line in a specific instance where the rules of this Title for interpreting the zoning district line are unclear in relation to a single property.
  - (g) To vary the sign regulations where, because of unique conditions of the property on which the sign is to be placed, the regulations contained herein would be inappropriate<sup>1</sup>. The height of a sign may not be varied in any property lying outside of the Interstate Corridor. Notwithstanding the foregoing, no variance may be granted for advertising signs where permitted in the B-1 district. (Ord. 78-31, 3-5-79; amd. Ord. 01-41, 3-18-02; amd. Ord. 04-42, 12-6-04)
  - (h) To permit more than one (1) driveway per residential lot.
  - (i) To permit a nonconforming building to be structurally altered or reconstructed within its bounding walls to an extent exceeding in aggregate cost twenty five percent (25%) of its fair market value including land value. (Ord. 81-28, 11-16-81)

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<sup>1</sup> See Chapter 9 of this Title.

- (j) Nothing herein contained shall be construed to give or grant to the Board the power or authority to alter or change the zoning classifications of the District Map or to permit a use not otherwise permitted; such power and authority being reserved to the Board of Trustees. (Ord. 78-31, 3-5-79; Ord. 81-28, 11-16-81)
- (k) To permit a variance in number, size, or location of accessory use, accessory area, accessory buildings, or structures, except solar water systems. (Ord. 81-35, 1-18-82, amd. Ord. 10-20 10-4-10)
- (l) To permit a variation of the regulations pertaining to satellite antenna dishes. (Ord. 84-22, 3-4-85)
- (m) To permit only the following types of variances for property located in an interstate corridor:
  1. Sign regulations;
  2. Side, rear, and front yard setbacks for lots of record (less than one acre) existing at the time of adoption of Ordinance 94-31; and
  3. Side, rear, and front yard setbacks for structures as described in Title 10, Chapter 4, Subsection 7(l)2. (Ord. 94-32, 5-15-95)
- 5. The concurring vote of four (4) members of the Board of Appeals shall be necessary to grant a variation. (Ord. 78-31, 3-5-79)
- 6. If a variance is granted, work or construction shall commence within ninety (90) days of the granting of the variance; and said work or construction shall be completed within three hundred sixty (360) days of the granting of said variance. Completion means the completion of the exterior of the building(s) and/or all other improvements as specified in the building permit issued for the work or construction. Failure to comply with either time requirement shall mean automatic revocation of the variance upon the expiration of the time limit. The variance may only be reinstated upon reapplication, public hearing, and approval of the Zoning Board of Appeals. In the alternative, the Zoning Board of Appeals may reject the reapplication.

This paragraph shall be effective August 1, 1987; and all variances that have been granted prior to said date shall be subject to the provisions of same. For purposes of applying the time limit provisions, the date of August 1, 1987, shall be the commencement point for all variances granted prior to said date. (Ord. 87-8, 7-20-87)

(D) Appeals Procedure:

1. An appeal may be taken to the Zoning Board of Appeals by any person or by any officer, department, board, or bureau aggrieved by a decision of the ZEO or his authorized agent. Such an appeal shall be taken within forty five (45) days of the action complained of, by filing with the ZEO a notice of appeal specifying the grounds thereof. The ZEO shall forthwith transmit to the Zoning Board of Appeals all of the papers constituting a record upon which the action appealed from was taken.
2. An appeal shall stay all proceedings in furtherance of the action appealed unless the ZEO certifies to the Zoning Board of Appeals, after notice of the appeal has been filed, that by reason of facts stated in the appeal a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed unless by a restraining order which may be granted by the Zoning Board of Appeals or by a court of record on application of the ZEO and on due cause shown. (Ord. 04-53, 3-7-05)