

## Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois  
 Supplement 244 - August 2017  
 Includes Ordinances: 17-01, 17-02, 17-03, 17-04, 17-05, 17-06, 17-07,  
 17-09, 17-10, 17-11, 17-15, 17-16, 17-17, 17-18

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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:

17-01, May 15, 2017  
17-02, June 5, 2017  
17-03, June 5, 2017  
17-04, June 5, 2017  
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17-06, July 17, 2017  
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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 Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.



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CHAPTER 2  
**PLAN COMMISSION**

SECTION:

- 2-2-1: Organization  
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 2-2-3: Rules Of Procedure

2-2-1: **ORGANIZATION:**

(A) A Plan Commission is hereby established in accordance with the provisions of the Statutes applicable thereto. Regular meetings of the Commission shall be held at such time and place within the Village as the Commission may determine. Special meetings may be held at the call of the Chairman, or as determined by the Commission. Such Chairman, or in his absence the Acting Chairman, may administer oaths and compel attendance of witnesses. All meetings of the Commission shall be open to the public. Such Commission shall keep minutes of its proceedings showing the vote of each member on every question. If any member is absent, or fails to vote, the minutes shall indicate such fact. The Commission shall adopt its own rules of procedure not in conflict with Statutes or the provisions of Title 10 of this Code. (Ord. 500, 10-6-69; amd. Ord. 01-43, 4-15-02)

(B) The Plan Commission shall consist of nine (9) members who shall be appointed by the President, subject to confirmation by the Village Trustees, on the basis of their particular fitness and competency for their duties on said Commission. The successor of each member heretofore appointed shall serve for a term of five (5) years. Each member of the Plan Commission shall receive compensation at the rate of fifty dollars (\$50.00) per each Plan Commission meeting attended. Vacancies shall be filled for the unexpired term of any member whose place has become vacant. No hearing shall be conducted without a quorum of the Commission being present, which shall consist of a majority of all the members. (Ord. 77-1, 77; amd. Ord. 84-19, 2-4-85; amd. Ord. 01-43, 4-15-02; amd. Ord. 04-31, 9-7-04)

2-2-2: **POWERS OF THE BOARD:** No plans, plats, or replats of land within the corporate limits of the Village or in contiguous territory outside of and distant not more than one and one-half (1 1/2) miles from such limits shall be entitled to record or shall be valid unless the subdivision shown thereon shall provide for streets and public grounds in conformity with the recommendation of the Commission. In case of the disapproval by the Commission of any such plat, the reasons for such disapproval shall be submitted to the Village Board which may overrule such disapproval by majority vote of its members. The failure of the Commission to disapprove any properly submitted plat within a period of sixty (60) days from the date of its filing shall be deemed acceptance of such plat. (Ord. 500, 10-6-69)

2-2-3: **RULES OF PROCEDURE:** The Plan Commission is authorized to adopt Rules of Procedure governing public hearings conducted before the Plan Commission so long as such Rules of Procedure do not conflict with any provisions of the Morton Municipal Code. In the event of a conflict between the provisions of the Morton Municipal Code and the Rules of Procedure adopted by the Plan Commission, the provisions of the Morton Municipal Code shall apply. (Ord. 17-10, 7-17-17)





## CHAPTER 7

**BOARD OF APPEALS**

## SECTION:

- 2-7-1: Organization  
 2-7-2: Procedures And Powers  
 2-7-3: Appeals To Court

2-7-1: **ORGANIZATION:**

(A) A Board of Appeals is hereby established in accordance with the provisions of the Statutes applicable thereto. Regular meetings of the Board shall be held at such time and place within the Village as the Board may determine. Special meetings may be held at the call of the Chairman, or as determined by the Board. Such Chairman, or in his absence the Acting Chairman, may administer oaths and compel attendance of witnesses. All meetings of the Zoning Board shall be open to the public. Such Board shall keep minutes of its proceedings showing the vote of each member on every question. If any member is absent, or fails to vote, the minutes shall indicate such fact. The Board shall adopt its own rules of procedure not in conflict with Statutes or the provisions of Title 10 of this Code. (Ord. 500, 10-6-69; amd. Ord. 01-43, 4-15-02)

(B) The Board of Appeals shall consist of seven (7) members who shall be appointed by the President, subject to confirmation by the Village Trustees. The successor of each member heretofore appointed shall serve for a term of five (5) years. Each member of the Zoning Board of Appeals shall receive compensation at the rate of fifty dollars (\$50.00) per each Zoning Board of Appeals meeting attended. Vacancies shall be filled for the unexpired term of any member whose place has become vacant. No hearing shall be conducted without a quorum of the Board being present, which shall consist of a majority of all the members. Any absent member who has certified that he has read the transcript of the proceedings before the Board may vote upon any question before the Board. (amd. Ord. 01-43, 4-15-02; amd. Ord. 04-31, 9-7-04)

2-7-2: **PROCEDURES AND POWERS:** The Zoning Board of Appeals proceedings and powers shall be governed by the provisions of Title 10 of the Morton Municipal Code. The Zoning Board of Appeals is hereby authorized to adopt Rules of Procedure governing public hearings conducted before the Zoning Board of Appeals so long as such Rules of Procedure do not conflict with any provisions of the Morton Municipal Code. In the event of a conflict between the provisions of the Morton Municipal Code and the Rules of Procedure adopted by the Zoning Board of Appeals, the provisions of the Morton Municipal Code shall apply. (amd. Ord. 17-10, 7-17-17)

2-7-3: **APPEALS TO COURT:** All final administrative decisions of the Board of Appeals under the terms of this Chapter and Title 10 of the Morton Municipal Code shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act," approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. (Ord. 78-33, 3-5-79)



3-8-6: **LIMITATION ON NUMBER:** In order that the health, safety, and welfare of the people of the Village be protected, and in order that minors shall be prevented from the purchase of alcoholic liquors, and in order that temperance in the consumption of liquors be fostered and promoted, there shall be a limit upon the number of liquor licenses issued and in effect, which is as follows:

Class A-1	Zero (0)
Class A-2	Four (4)
Class A-3	One (1)
Class A-4	Zero (0)
Class B-1	Three (3)
Class B-2	Ten (10)
Class B-3	Three (3)
Class C	One (1)
Class D	Two (2)
Class E	Seven (7)
Class F	No specific limit
Class G	Zero (0)
Class H	No specific limit
Class I	One (1)

(Ord. 86-1, 5-5-86; amd. Ord. 86-14, 11-3-86; Ord. 87-11, 8-17-87; Ord. 88-14, 8-15-88; Ord. 89-10, 8-21-89; Ord. 95-1, 5-15-95; Ord. 97-14, 7-22-97; Ord. 97-38, 4-20-98; Ord. 98-30, 12-7-98; Ord. 98-49, 4-19-99; Ord. 99-12, 8-2-99; Ord. 99-17, 9-7-99; Ord. 99-38, 11-15-99; amd. Ord. 99-48, 2-21-00; amd. Ord. 00-02, 5-1-00; amd. Ord. 01-01, 5-7-01; amd. Ord. 02-10, 7-1-02; amd. Ord. 04-10, 6-21-04; amd. Ord. 04-21, 7-6-04; amd. Ord. 05-22, 10-17-05; amd. Ord. 05-47, 3-20-06; amd. Ord. 06-08, 6-5-06; amd. Ord. 08-10, 8-18-08; amd. Ord. 08-13, 9-15-08; amd. Ord. 08-15, 11-3-08, amd. Ord. 08-29, 12-1-08; amd. Ord. 08-47, 4-20-09; amd. Ord. 09-06, 5-18-09; amd. Ord. 09-09, 6-1-09; amd. Ord. 09-12, 7-6-09; amd. Ord. 09-23, 8-3-09; amd. Ord. 10-23, 11-15-10; amd. Ord. 10-34, 2-21-11; amd. Ord. 10-40, 4-4-11; amd. Ord. 11-02, 5-2-11; amd. Ord. 11-09, 6-20-11; amd. Ord. 11-16, 7-18-11; amd. Ord. 11-33, 3-19-12; amd. Ord. 10-35, 4-2-12; amd. Ord. 12-05, 6-18-12; amd. Ord. 12-22, 12-3-12; amd. Ord. 13-13, 9-3-13; amd. Ord. 13-19, 10-21-13; amd. Ord. 13-28, 2-3-14; amd. Ord. 13-35, 4-7-14; amd. Ord. 14-15, 7-21-14; amd. Ord. 14-35, 3-2-15; amd. Ord. 15-01, 5-18-15; amd. Ord. 15-09, 9-8-15; amd. Ord. 15-19, 3-7-16; amd. Ord. 16-04, 9-19-16; amd. Ord. 16-10, 11-21-16; amd. Ord. 16-15, 3-6-17; amd. Ord. 17-01, 5-15-17; amd. Ord. 17-07, 6-19-17; amd. Ord. 17-16, 8-7-17; amd. Ord. 17-18, 8-21-17)

3-8-7: **LICENSES, APPLICATION REQUIREMENTS:** All applications shall be on forms approved by the local Liquor Control Commission and shall be submitted in writing, executed under oath or affirmation by the applicant seeking a license, shall be accompanied by a bond in the penal sum of one thousand dollars (\$1000.00) with corporate surety authorized to do business in the State of Illinois, and shall set forth the following information and statements:

- (A) The applicant's name and mailing address.
- (B) The name and address of the applicant's business.
- (C) If applicable, the date of the filing of the "assumed name" of the business with the County Clerk.
- (D) In case of a co-partnership, the date of the formation of the partnership; in the case of an Illinois corporation, the date of its incorporation; or, in the case of a foreign corporation, the state where it was incorporated and the date of its becoming qualified under the Illinois Business Corporation Act<sup>1</sup> to transact business in the State of Illinois.
- (E) The name and address of the landlord if the premises are leased.

<sup>1</sup> S.H.A., Ch. 32, 1.01 et seq.

- (F) The date of the applicant's first request for a State liquor license and whether it was granted, denied, or withdrawn.
- (G) Whether the applicant has made an application for a liquor license which has been denied; and, if so, the reasons therefor.
- (H) Whether the applicant has ever had a previous liquor license suspended or revoked; and, if so, the reasons therefor.
- (I) Whether the applicant has ever been convicted of a gambling offense or felony; and, if so, the particulars thereof.
- (J) Whether the applicant possesses a current Federal Wagering or Gaming Device Stamp; and, if so, the particulars thereof.
- (K) Whether the applicant or any other person directly or indirectly in his place of business is a public official; and, if so, the particulars thereof.
- (L) Whether, in the case of an application for the renewal of a license, the applicant has made any political contributions within the past two (2) years; and, if so, the particulars thereof.
- (M) The applicant's name, sex, date of birth, Social Security number, position, and percentage of ownership in the business; and the name, sex, date of birth, Social Security number, position, and percentage of ownership in the business of every sole owner, partner, corporate officer, director, manager, and any person who owns five percent (5%) or more of the shares of the applicant business entity or parent corporations of the applicant business entity.
- (N) That he has not received or borrowed money or anything else of value and that he will not receive or borrow money or anything else of value (other than merchandising credit in the ordinary course of business for a period not to exceed ninety [90] days as herein expressly permitted under section 6-5 of the Liquor Control Act of 1934), directly or indirectly, from any manufacturer, importing distributor, or distributor; or from any representative of any such manufacturer, importing distributor, or distributor; nor be a part in any way, directly or indirectly, to any violation by a manufacturer, distributor, or importing distributor of Section 6-6 of the Liquor Control Act of 1934.
- (O) The length of time the applicant has resided in the Village prior to filing the application and all addresses at which the applicant has resided in the past five (5) years; if a corporation, the length of time the manager has resided in the Village prior to filing the application and all addresses at which the manager has resided in the past five (5) years.
- (P) The character of the business of the applicant; and, in the case of a corporation, the objects for which it was formed.
- (Q) The location and description of the premises or place of business which is to be operated under the license.
- (R) A statement whether applicant is an alcoholic or has received treatment for alcoholism or any drinking problem, or has been involved in any incident involving the police, including traffic, in which he was intoxicated, detailing the dates, locations, and results of any such treatment or incident.
- (S) A statement whether the applicant has received a local license to sell alcoholic liquors at retail from any state or political subdivision thereof.
- (T) A statement that the location where the applicant proposes to sell alcoholic liquors at retail is not within one hundred feet (100') of any church, school, hospital, home for aged, indigent persons, or veterans, undertaking establishment, or mortuary.

4. Buildings that are regulated by State Law and are inspected by the Office of the State Fire Marshall, which may include, but is not limited to day care facilities.
5. Buildings used exclusively for agriculture or farm storage use.
6. Buildings that are not designed to be and are rarely occupied by people, as may be determined by the Director of Fire and Emergency Services. It should be made clear that the intent of this exemption is to exclude, but is not limited to, buildings such as those that are erected only for the purpose of housing or protecting mechanical, electrical, or pump equipment and the like, and are only occupied during maintenance of such equipment. (Ord. 04-07, 06-21-04)

- (D) In addition to the above fees, plans that require more than two (2) reviews shall be billed at a reasonable hourly charge as may be established by, and paid directly to the party the Village has contracted with to perform such review. (Ord. 04-07, 06-21-04)
- (E) In addition to the above fees, there shall be due and owing to the Village of Morton a building inspection fee for building code inspections conducted by the Village of Morton or its agent or authorized representative. The building inspection fee for single family residential construction shall be calculated at a rate of \$0.25 per finished square foot, excluding garage or basement area. The building inspection fee for commercial, industrial or multi-family residential construction shall be calculated at a rate of \$2.00 per \$1,000.00 of construction costs for the first \$1,000,000.00 in construction costs and thereafter \$1.00 per \$1,000.00 of construction costs. The applicant for a building permit shall be required to produce to the Village of Morton verification deemed satisfactory to the Village of Morton of the construction costs, such as a copy of the bid documents or a copy of the general contractor's contract. (Ord. 16-11, 11-21-16; amd. Ord. 17-17, 8-7-17)

4-1-4: **ISSUANCE OF A BUILDING PERMIT:** The Zoning Enforcing Officer shall approve or deny issuance of a building permit within ten (10) business days of the date of filing the application, except when site plan review is required in accordance with Sec. 10-4-6 of this Code. A building permit shall not be issued until such time that all applicable fees have been paid. (Ord. 04-16, 6-21-04)

4-1-5: **REVOCAION:** A permit shall be revoked by the Zoning Enforcing Officer when it shall be found from personal inspection or from competent evidence that the rules or regulations under which it has been issued are being violated.

If a permit has been revoked and construction continues, any person continuing such construction shall be subject to a minimum fine of two hundred fifty dollars (\$250.00) up to a maximum fine of seven hundred fifty dollars (\$750.00) for each and every day that construction continues after the permit has been revoked.

Notice of revocation of the permit shall be mailed by first class mail, postage prepaid, to the applicants on the permit as stated on the application, and shall be deemed effective at 5:00 p.m. on the second day after mailing. As an alternative, the Village may use personal delivery of the notice, and then the revocation shall be effective upon receipt by any applicant.

In addition to any other penalties that might apply, utility service to the property may be terminated, if so stated in the notice of revocation, with termination to occur the next day after the effective day of receipt of the notice. In addition to any fines, or other remedies applicable to the Village, the owner shall be responsible for all fees as provided by ordinance to re-institute utility service. If a permit is revoked, construction shall immediately cease until the permit is reinstated.

In addition to any penalties that might apply, the owner of the property where the construction was taking place shall pay a fee of two hundred fifty dollars (\$250.00) for reinstatement of the building permit. (Ord. 90-37, 4-15-91; amd. Ord. 06-35, 12-4-06)

**4-1-6: COMPLETION OF WORK:**

- (A) Work or change in use authorized by the zoning permit, but not started within ninety (90) days, shall require a new permit.
- (B) Permits issued for new building construction or expansion shall require the completion of the exterior of the building(s) and all other exterior improvements specified in the building permit and approved drawing as follows:
1. If the cost of the project is under one million dollars (\$1,000,000), three hundred sixty (360) days from the permit issue date.
  2. If the cost of the project is one million dollars (\$1,000,000) or more, but less than five million dollars (\$5,000,000), five hundred forty (540) days from the permit issue date.
  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)

**TITLE 8**  
**PUBLIC WAYS AND PROPERTY**

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8-1-10: **TREES; SHRUBBERY:**

- (A) No person, firm, corporation, or other legal entity, other than the Village, shall plant any tree or bush in any right-of-way, street, or other public place in the Village, including those portions of streets and roadways not used for traffic purposes and lying between the adjacent property line and the curb line.
- (B) Any tree or shrub which overhangs any right-of-way, street, sidewalk, or other public place in the Village in such a way as to impede or interfere with pedestrians or traffic, or which obstructs visibility of traffic or traffic signs or signals, or obstructs street lights shall be trimmed by the owner of the abutting premises on which such tree or shrub grows, so that the obstruction shall cease. The SPW may trim any such tree or shrub to the right-of-way line if it extends to less than sixteen feet (16') above the pavement or driving surface, or obstructs visibility of traffic or traffic signs or signals, or is less than seven feet (7') above the sidewalk, and is less than or equal to two inches (2") in diameter at the right-of-way line. Otherwise the owner of the premises on which such tree or shrub grows shall be notified and given fourteen (14) days to eliminate the obstruction. If not eliminated within said fourteen (14) days, the SPW may trim or remove any such tree or shrub to the right-of-way line so that the obstruction, danger, or interference to pedestrians, traffic passage, or visibility is eliminated. (amd. Ord. 00-19, 8-7-00; amd. Ord. 05-11, 8-15-05)
- (C) Any tree or limb of a tree which appears likely to fall on or across any public way shall be removed by the owner of the premises on which such tree grows.
- (D) It shall be unlawful to attach any sign or advertising notice, or any wire or rope, to any tree or shrub in any public street, parkway, or other public place, without the permission of the Board of Trustees. Any person or entity who maintains poles and wires in any street, alley, or other public place shall, in the absence of provision in the franchise concerning the subject, keep such wires and poles free from and away from any trees or shrubs in such places so far as may be possible, and shall keep all such trees or shrubs near such wires and poles properly trimmed, subject to the supervision of the SPW, so that no injury will be done either to the poles and wires or to the trees or shrubs by their contact. (Ord. 96-22, 10-7-96; amd. Ord. 98-47, 4-5-99)
- (E) In the event the SPW or his designee or assignee trims any tree or shrub in accordance with the provisions of this Section, the costs thereof shall be recoverable from the owner and the Village may place a lien on the land until payment is made. Within sixty (60) days after the cost and expense is incurred, the Village or the party performing the service by authority of the Village, in his or its name, may file a Notice of Lien in the Office of the Recorder of Deeds in Tazewell County, Illinois. Notice of the person to whom was sent the tax bill for the general taxes on the property for the preceding year shall be sent by certified mail or personally served on the person. The Notice shall consist of a sworn statement setting out (a) a description of the real estate sufficient for identification thereof; (b) the amount of money representing a cost and expense incurred or payable for the service; and (c) the date or dates when such cost and expense was incurred by the Village.
- (F) Upon payment of the cost and expense by the owner, or of persons interested in such property, after a Notice of Lien has been filed, the Lien shall be released by the Village or person whose name the Lien has been filed and the release may be filed of record in the office of the Recorder of Deeds, Tazewell County, Illinois; provided, however, no Lien shall be released until the total cost and expense including the actual cost, filing fees and other costs of administration and interest are satisfied by payment in full.
- (G) In addition to the abatement and lien procedures provided for in this Chapter, any person violating any of the provisions of this Section shall be subject to a minimum fine of \$100.00. The maximum fine is \$750.00. Each and every day a violation occurs shall be deemed a separate offense. (Ord. 17-15, 8-7-17)

8-1-11: **SEVERABILITY CLAUSE:** If any section, subsection, paragraph, sentence, clause, or phrase of this Chapter, or any part thereof, or application thereof, to any person, firm, corporation, public agency, or circumstance, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Chapter or any part thereof. It is hereby declared to be the legislative intent of the Village Board of Trustees that this Chapter would have been adopted had such unconstitutional or invalid section, subsection, paragraph, sentence, clause, or phrase, or any part thereof, not then been included. (Ord. 96-22, 10-7-96; amd. Ord. 98-47, 4-5-99)

## CHAPTER 17

**MEMORIAL PLAZA USE**

## SECTION:

- 8-17-1: Applicability
- 8-17-2: Closed Areas
- 8-17-3: Permit
- 8-17-4: Liability of Permittee
- 8-17-5: Certificate of Insurance
- 8-17-6: Restoration After Permitted Event
- 8-17-7: Additional Permit Fee
- 8-17-8: Prohibited Activities
- 8-17-9: Revocation of Permit

8-17-1: **APPLICABILITY:** The provisions of this Chapter shall apply to use of Memorial Plaza located at 308 S. Main Street, Morton, Illinois.

8-17-2: **CLOSED AREAS:** Any section, area or part of the Memorial Plaza may be declared closed to the public by the Chief of Police or by the Superintendent of Public Works or their designee at any time and for any interval of time, either temporarily or at regular intervals and stated intervals (daily or otherwise) neither entirely or merely for certain uses as the Chief of Police or Superintendent of Public Works may find reasonably necessary.

8-17-3: **PERMIT:**

(A) No person shall conduct, operate, present or manage any of the following activities in Memorial Plaza unless a permit is obtained from the Village of Morton prior to the start of the activity:

1. Any parade, march, rally, speech or public meeting;
2. Any contest, show, exhibit, public entertainment, dramatic performance, play, act, motion picture, dramatic reading, storytelling, poetry reading, bazaar, amusement contraptions, sporting event, ceremony or other event at which more than twelve (12) persons may be reasonably expected to be in attendance.
3. Any use of the Memorial Plaza by a certain person or group or group of persons to the exclusion of others.

(B) Persons desiring to engage in any of the above activities may apply to the Village of Morton for a written permit under policies established by the Village Administrator or her designee, and subject to fees established.

(C) Any application for permit as required by this section must set forth the name, address, telephone number and driver's license number of an adult applicant responsible for the proposed activity or use; name, address and telephone number of the organization or organizations involved with the proposed activity or use, if any; the date, time, duration and requested location for the proposed activity or use; and the anticipated number of attendees.

- (D) Permits are not transferrable and required fees are not refundable. Permits must be applied for at least twenty-one (21) days in advance of the event. Minor changes in the permit may be made upon written permission of the Village Administrator for no additional fee, provided that the specific activity has not changed, the date or dates involved has not changed, the number of designated persons has not increased and a request for change is made at least seventy-two (72) hours prior to the event.

8-17-4: **LIABILITY OF PERMITTEE:** The person, persons, organization or organizations to whom a permit is issued shall be liable for and shall agree to indemnify the Village of Morton for any loss, damage or injury sustained by any person which is caused by the activity or use or any act, error or omission of the person, persons, organization or organizations or their agent or agents to whom such permit shall have been issued.

8-17-5: **CERTIFICATE OF INSURANCE:** As a condition for obtaining a permit, person, persons, organization or organizations to whom the permit is issued must provide a Certificate of Insurance for general liability insurance coverage with a company and in an amount acceptable to the Village of Morton naming the Village of Morton, its Board members, Officers, Agents, Employees and assigns as additional insureds. The Village Administrator, or her designee, at her full and absolute discretion may waive the requirements of this Section when in light of the facts and circumstances of the event for which a permit is requested the Village Administrator determines the requirements of this Section would pose an undue burden on the applicant or may require, in lieu of a certificate of insurance, a waiver of liability be executed by the applicant as a condition of the award of a permit. (amd. Ord. 17-11, 7-17-17)

8-17-6: **RESTORATION AFTER PERMITTED EVENT:** As a condition of the permit, the permittee shall be required at the conclusion of the permitted event to return and restore the Memorial Plaza to a like condition as Memorial Plaza was in prior to the commencement of the event. A deposit of two hundred fifty dollars (\$250.00) shall be paid by the permittee as a condition of the permit, which deposit shall be applied to reimburse the Village of Morton for any cleaning or maintenance necessary to restore Memorial Plaza as required in this Section. Any portion of the deposit which is not consumed by the cost of restoration shall be refunded to the permittee.

8-17-7: **ADDITIONAL PERMIT FEE:** Applications for a permit shall be reviewed by the Chief of Police or his designee. In the event the Chief of Police or his designee determines that the event requires a hiring of auxiliary police to be on duty before, during or after an event for purposes of public safety, an additional fee shall be assessed, which must be paid prior to the event as a condition of receiving the permit, which fee shall be reasonably calculated by the Chief of Police to reimburse the Village for the auxiliary police patrol necessary for the permitted event, which fee shall be non-refundable.

8-17-8: **PROHIBITED ACTIVITIES:** The following activities are prohibited at any time in Memorial Plaza:

1. Smoking or the use of smokeless tobacco products
2. Consumption, possession or sale of alcoholic beverages
3. Any use which is a violation of any Village Ordinance, State Statute or Federal Law
4. Possession of any firearm
5. Possession of any glass bottle
6. Removing or damaging any Memorial Plaza property or equipment
7. Use of skateboards, bicycles, or scooters within the Plaza property
8. Operation of any motor vehicle of any kind within the Memorial Plaza
9. Climbing on any fixtures or property at the Memorial Plaza other than playground equipment.
10. Open burning
11. Sales or solicitation

8-17-9: **REVOCAION OF PERMIT:** In the event of a violation of any provision of this Chapter or of any other provision of the Morton Municipal Code, State Statute or Federal Law by any permittee and the conduct of the permitted event or activity, the Chief of Police or his designee may revoke the permit issued pursuant to the provisions of this Chapter. (Ord. 17-02, 6-5-17)

CHAPTER 1  
DEFINITIONS

## SECTION:

9-1-1: Definitions

9-1-1: **DEFINITIONS:** Whenever in this Title the following terms are used, they shall have the meaning respectively ascribed to them in this Section, except where the context otherwise requires and except where another definition set forth in another section of this Title and applicable to that section or a designated part thereof is applicable.

**ALLEY:** The term “alley” shall mean a public way within a block, generally giving access to the rear of lots or buildings and not used for general traffic circulation.<sup>1</sup>

**AUTHORIZED EMERGENCY VEHICLES:** The term “authorized emergency vehicles” shall mean emergency vehicles of Municipal departments or public service corporations as are designated or authorized by proper local authorities such as police vehicles, vehicles of the Fire Department, and ambulances.<sup>2</sup>

**BICYCLES:** The term “bicycles” shall mean every device propelled by human power upon which any person may ride, having two (2) tandem wheels either of which is more than sixteen inches (16”) in diameter.<sup>3</sup>

**BOAT TRAILER:** A vehicular structure without its own motive power designed to transport a boat or other watercraft for recreational use and which is licensed and registered for highway use. (amd. Ord. 17-06, 7-17-17)

**BUSINESS DISTRICT:** The term “business district” shall mean the territory of the Village contiguous to and including a highway when within any six hundred feet (600’) along such highway there are buildings in use for business or industrial purposes, including but not limited to hotels, banks, or office buildings, railroad stations, and public buildings which occupy at least three hundred feet (300’) of frontage on one (1) side or three hundred feet (300’) collectively on both sides of the highway.<sup>4</sup>

**CAMPING TRAILER:** The term “camping trailer” shall mean a trailer, not used commercially, constructed with partial side walls which fold for towing and unfold to provide temporary living quarters for recreational camping or travel use and of a size or weight not requiring an over-dimension permit when towed on a highway.<sup>5</sup>

**CONTROLLED ACCESS HIGHWAY:** The term “controlled access highway” shall mean every street, highway, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in the manner as may be determined by the public authority having jurisdiction over such street, highway, or roadway.<sup>6</sup>

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<sup>1</sup> For Statute authority, See S.H.A. Ch. 95 1/2, Sec. 1-102.

<sup>2</sup> For Statute authority, See S.H.A. Ch. 95 1/2, Sec. 1-105.

<sup>3</sup> For Statute authority, See S.H.A. Ch. 95 1/2, Sec. 1-106.

<sup>4</sup> For Statute authority, See S.H.A. Ch. 95 1/2, Sec. 1-108.

<sup>5</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-109.01.

<sup>6</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-112.

- CROSSWALK:** The term “crosswalk” shall mean:
- (a) That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or in the absence of curbs, from the edges of the transversable roadway.
  - (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.<sup>1</sup>
- DRIVER:** The term “driver” shall mean every person who drives or is in actual physical control of a vehicle.<sup>2</sup>
- EXPLOSIVES:** The term “explosives” shall mean any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.<sup>3</sup>
- FLAMMABLE LIQUIDS:** The term “flammable liquids” shall mean any liquids which have a flash point of seventy degrees (70°) Fahrenheit or less, as determined by a tagliabue or equivalent closed cup test device.<sup>4</sup>
- HIGHWAY:** The term “highway” shall mean the entire width between the boundary lines of every highway publicly maintained when any part thereof is open to the use of the public for the purposes of vehicular travel.<sup>5</sup>
- HOUSE TRAILER:** The term “house trailer” shall mean:
- (a) A trailer or semitrailer equipped and used for living quarters or for human habitation (temporarily or permanently) rather than for the transportation of freight, goods, wares, and merchandise; or
  - (b) A house trailer or a semitrailer which is used commercially (temporarily or permanently), that is, for the advertising, sales, display, or promotion of merchandise or services, or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier.<sup>6</sup>
- IMPROVED HIGHWAY:** The term “improved highway” shall be construed to include roadways of concrete, brick, asphalt, macadam, and crushed stone or gravel whenever said term is used in this Title.<sup>7</sup>

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<sup>1</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-113.

<sup>2</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-116.

<sup>3</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-119.

<sup>4</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-121.

<sup>5</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-126.

<sup>6</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-128.

<sup>7</sup> For Statute authority, see S.H.A. Ch. 95 1/2, Sec. 1-131.

## 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
- 9-6-20: Parking Of Trucks, Semi Trailers, Trailers, Pole Trailers, And Recreational Vehicles

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	



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)

9-6-20: **PARKING OF TRUCKS, SEMI TRAILERS, TRAILERS, POLE TRAILERS AND RECREATIONAL VEHICLES:**

(A) Parking of Semitrailers, Pole Trailers, Tow Trucks, Tractors and Truck Tractors: It shall be unlawful for any person, firm or corporation to park any semitrailer, pole trailer, tow truck, tractor or truck tractor, whether connected to a vehicle or not, on any public street or highway within the Village of Morton, or on any lot zoned in a residential district in the Village of Morton, except as otherwise specifically permitted in this Code.

(B) Parking of Recreational Vehicle or Boat Trailer: It shall be unlawful for any person, firm, or corporation to park any recreational vehicle or boat trailer on any public street or highway within the Village of Morton from 10:00 pm until 6:00 am, or at any time on a lot zoned in a residential zoning district in the Village of Morton in a method or manner in which such trailer or vehicle projects beyond the front of the residence or garage, except as follows:

1. It shall be lawful for a person, firm, or corporation to park no more than one (1) recreational vehicle or boat trailer on a lot zoned in the residential zoning district projecting beyond the front of the residence or garage for no longer a period than is necessary for the reasonably expeditious loading or unloading of such trailer or vehicle, and in no event for a period to exceed seventy-two (72) consecutive hours.

2. It shall be lawful for a person, firm, or corporation to park no more than one (1) recreational vehicle or boat trailer which cannot lawfully be parked on the driveway of the residence on any public street or highway immediately abutting to the residential property of the owner of the recreational vehicle or boat owner for a period not longer than is necessary for the reasonably expeditious loading or unloading of such vehicles, and in no event for a period to exceed seventy-two (72) consecutive hours, so long as a traffic safety cone not shorter than eighteen (18) inches in height containing retroreflective markings is placed behind and in front of the trailer or vehicle to alert motorists to the presence of the parked trailer.
3. Notwithstanding any other provision of this section no recreational vehicle or boat trailer may be parked on any curve or street corner.
4. The total days in which a recreational vehicle or boat trailer may be lawfully parked on any public street or on a lot in the residential district in a manner which projects beyond the front of the residence or garage shall not exceed eight (8) days per calendar month.

(C) Parking of Trailers: It shall be unlawful for any person, firm, or corporation to park any trailer, whether connected to a vehicle or not, on any public street or highway within the Village of Morton from 10:00 pm until 6:00 am, or at any time on a lot zoned in a residential zoning district in the Village of Morton in a method or manner in which such trailer projects beyond the front of the residence or garage, except as follows:

1. It shall be lawful for a person, firm, or corporation to park no more than one (1) trailer on a lot in the residential zoning district in a method or manner that projects beyond the front of the residence or garage in conjunction with the performance of a service or delivery for the benefit of the lot or the owners or occupants of said lot, for so long as may be reasonably necessary for the expeditious performance of the service or delivery.
2. It shall be lawful for a person, firm, or corporation to park no more than one (1) trailer in the residential zoning district on a residential lot in a method or manner that projects beyond the front of the residence or garage on a temporary basis not to exceed 36 total hours in any seven calendar days, regardless of whether such hours are consecutive.
3. No trailer used for the transportation of flammable liquids, explosives, toxic or noxious materials shall be parked or stored in a residential district in any capacity.

(Ord. 17-06, 7-17-17)

DISABILITY:	<p>Any person whose disability:</p> <p>(A) Is attributable to mental, intellectual, or physical impairments or a combination of mental, intellectual, or physical impairments; and</p> <p>(B) Is likely to continue for a significant amount of time or indefinitely; and</p> <p>(C) Results in functional limitations in one (1) or more of the following areas of major life activities:</p> <ol style="list-style-type: none"> <li>1. Self care;</li> <li>2. Receptive or expressive language;</li> <li>3. Learning;</li> <li>4. Mobility;</li> <li>5. Self direction;</li> <li>6. Capacity for independent living;</li> <li>7. Economic self-sufficiency; and</li> </ol> <p>(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)</p>
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.
- FIREARM FIRING RANGE:** An area or facility designed and operated for individuals to engage in the activity of practice shooting of archery and/or firearms for commercial purposes. (Ord. 17-03, 6-5-17)
- FIREARM RESALE SHOP:** A retail store that derives its principal income from buying and selling firearms with or without the sale of ammunition and/or firearm accessories. (Ord. 17-03, 6-5-17)
- 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:**
- (A) The word "Village" shall mean the Village of Morton, Illinois.
  - (B) The words "Village Board" shall mean the President and Trustees of the Village of Morton.
  - (C) The words "Plan Commission" or "Planning Commission" shall mean the Village of Morton Plan Commission.
  - (D) The words "Zoning Enforcing Officer" shall mean the officer designated by the Board of Trustees to enforce the Village of Morton Zoning Ordinance.
  - (E) The words "Zoning Board of Appeals" shall mean the Zoning Board of Appeals of the Village of Morton.
- HEIGHT:** See "Building Height." (Ord. 78-31, 3-5-79; amd. Ord. 84-3, 6-18-84)

**HOSPITAL:** A building having facilities for in-patient nursing care where physicians and other medical professionals diagnose and treat human ailments. (Ord. 78-31, 3-5-79)

**INTERSTATE CORRIDOR:** Each and every parcels of land located within the corporate limits of the Village of Morton, which is bounded on any side in any manner by any interstate right-of-way or fifty percent (50%) or more of the area of such parcel is located within five hundred (500) feet of any interstate right-of-way. (Ord. 94-31, 5-15-95; amd. Ord. 17-09, 7-5-17)

**KENNEL:** A structure for sheltering or keeping cats, dogs, bitches, and puppies for compensation, which either keeps or boards animals not belonging to a family dwelling on the premises, or keeps more than three (3) such animals that are more than six (6) months old.

**LANDSCAPED SCREENING:** A hedge of trees or shrubs suitable at maturity to visually screen one property from another. The term “landscaped buffers” and “landscape screening” are used interchangeably. See the “Plant Materials For Landscape Screening” section for appropriate plant materials and minimum sizes required. Equivalent materials of equal sizes may be substituted with approval of the Zoning Enforcing Officer. Landscaped screening, where required, must be continuously maintained. (Ord. 78-31, 3-5-79)

**LANDSCAPED YARD:** See “Yard, Landscaped.”

**LIVESTOCK FEEDING** Any operation which stables or confines and feeds or maintains, for a total of forty-five (45) days or more in any twelve (12) month period, a combination of at least fifty (50) animal units, or its equivalency, as defined: (amd. Ord. 06-19, 7-10-06)

<u>Category</u>	<u>Animal Unit</u>
Brood cows and slaughter feeder cattle	1 animal unit
Milking dairy cows	1.4 animal units
Young dairy stock	0.6 animal units
Swine weighing over fifty-five (55) pounds	0.4 animal units
Swine weighing under fifty-five (55) pounds	0.03 animal units
Sheep, lambs, or goats	0.1 animal units
Horses	2 animal units
Laying hens or broilers (facilities with continuous overflow watering)	0.01 animal units
Laying hens or broilers (facilities with liquid manure handling system)	0.03 animal units
Ducks	0.02 animal units

**LOADING AND UNLOADING SPACE:** See 10-8-7 of this Title.

**LODGING HOUSE:** See “Boarding House.”

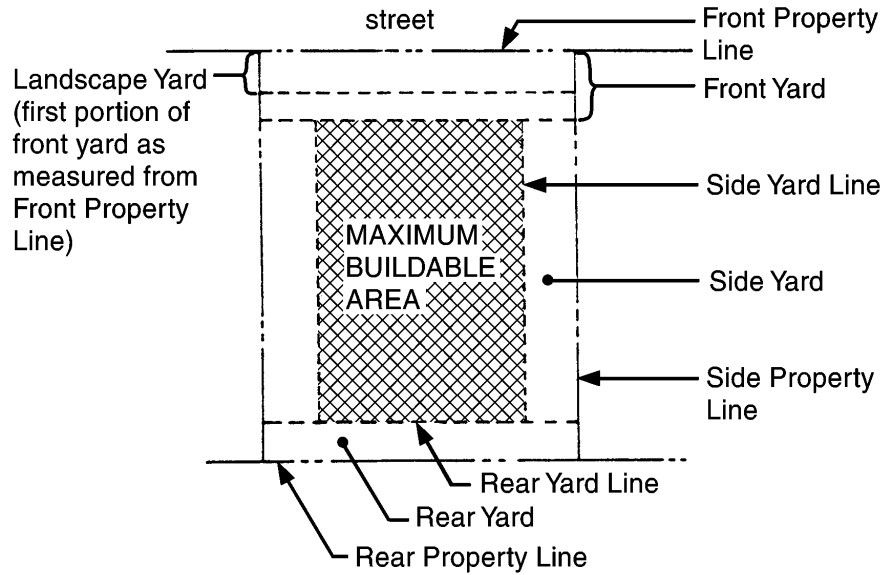
**LOT:** A portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use and the customary accessories and open spaces belonging to the same.

LOT, CORNER:

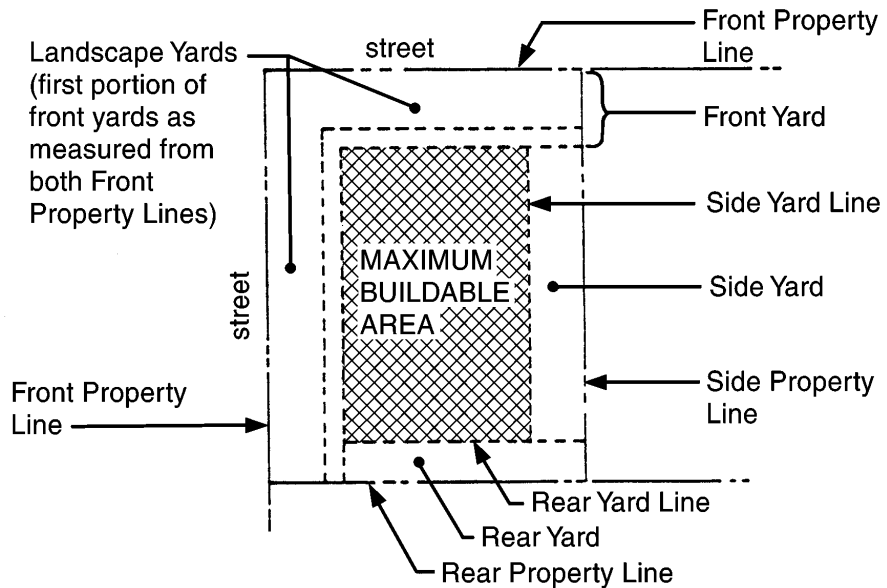
Parcel of land situated at the intersection of two (2) or more streets, or at and abutting the point or abrupt change of a single street where the interior angle is less than one hundred thirty five degrees (135°) and the radius of the street is less than one hundred feet (100').

LOT, INTERIOR:

A lot other than a corner lot and which has lots on either side.



Zoning Lot - Interior



Zoning Lot - Corner

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. Notwithstanding the foregoing, no variance may be granted for the height of a sign in the Interstate Corridor District. (amd. Ord. 17-04, 6-5-17)
- (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.



5. Frozen food stores, including locker rental in conjunction therewith.
6. Funeral homes, mortuaries, and crematories.
7. Radio and television broadcasting studios and transmitting towers.
8. Restricted production and repair, limited to the following: art, needlework, clothing, custom manufacturing, and alterations for retail only, jewelry from precious metals, watches, dentures, and optical lenses.
9. Service, cleaning, or repair shops for personal, household, or garden equipment.
10. Veterinarian or animal hospital without outdoor kennels or runways.
11. Food processing and retail sales.
12. Retail sale of automobile supplies and auto parts. (amd. Ord. 01-28, 11-5-01)
13. Restaurants, taverns, and similar establishments serving alcoholic liquors with an outdoor eating, drinking, or seating area. (amd. Ord. 08-44, 4-20-09)
14. Car Washes. (amd. Ord. 13-31, 3-3-14)
15. Firearm resale shop. (amd. Ord. 17-03, 6-5-17)
16. Firearm firing range. (amd. Ord. 17-03, 6-5-17)

(C) Required Yard Area: Every building hereafter erected or structurally enlarged shall provide the following yard requirements, except for lots of record which shall meet reduced requirements of Section 10-4-4, and except for those general exceptions to yard requirements as outlined in Section 10-4-3:

1. Front Yard: The front yard shall equal the building height but in no case less than twenty five feet (25'), except for new B-2 business development located within the defined area for which reduced landscaped yards are required in Section 10-4-3. New business uses within this area need to provide a front yard of only ten feet (10').
2. Side Yard: The side yard shall be a minimum of ten feet (10') for buildings of two and one-half (2 1/2) stories or less, unless an existing adjoining property provides no side yard, in which case the property need provide no side yard. Ten foot (10') side yard is minimum required side yard for buildings of two and one-half (2 1/2) stories or less where buildings are separated. For unattached building of more than two and one-half (2 1/2) stories, the side yard shall be increased five feet (5') for each story or portion of story above two and one-half (2 1/2) stories.
3. Rear Yard: The rear yard shall be not less than eight feet (8').
4. Fences: Ornamental and enclosure fences meeting the required conditions are exempt from the specific yard requirements as noted.
  - (a) Ornamental fences not exceeding six feet (6') in height are permitted within the front yard. Enclosure fences are not permitted in front yards.
  - (b) 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)

- (D) **Building Height:** No building shall be erected or enlarged to exceed a height of two and one-half (2 1/2) stories or thirty five feet (35'), except for those general exceptions to height limitations listed in Section 10-4-3. Buildings of up to five (5) stories or seventy feet (70') in height may be permitted as 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. (Ord. 78-31, 3-5-79)
- (F) **Required Construction Area And Composition:** A building which is erected or enlarged shall conform to the following:
1. It shall rest upon footing or foundation. This shall not be construed to prohibit pole buildings or post frame buildings if set in concrete.
  2. It shall have sanitary facilities which comply with all other requirements of the Morton Municipal Code. This provision shall not apply to those buildings used exclusively for storage or warehousing.
- (G) **Interstate Corridor:** In the event the property is located within an interstate corridor, then the required lot size, required yard area, and driveways and parking areas, shall be as set forth in Title 10, Chapter 4, Subsections 7(B) and (C). The provisions of Title 10, Chapter 4, Subsection 7(G) shall also apply. (Ord. 94-31, 5-15-95)

10-6-4: **B-3 HIGHWAY AND SERVICE COMMERCIAL DISTRICT:**

- (A) **Permitted Uses:**
1. All uses permitted as a "permitted use" in the B-1 Professional Office District and in the B-2 General Business District.
  2. All other retail stores, shops, and service establishments not permitted in the B-1 or B-2 Districts, including those uses specifically mentioned below and providing within enclosed buildings except as noted below, not however, to include uses involving any manufacturing or processing except as expressly permitted below.
  3. Automobile supplies and auto parts.
  4. Auto washing establishments.
  5. Boat sales.
  6. Bowling alleys.
  7. Branch banks.
  8. Catering establishments.
  9. Clubs, lodges, fraternal and business organization meeting halls, and recreational facilities.
  10. Drive-in food, refreshment, and other business establishments servicing customers in parked cars.
  11. Dry cleaning and laundry establishments.

12. Earth moving and material handling indoor equipment displays and sales rooms.
13. Exterminating shops.
14. Farm supplies (not to include outdoor storage of farm equipment).
15. Feed stores.
16. Garages for repair and servicing of automobiles and trucks (but not to include outdoor storage other than vehicles awaiting repair or pick-up).
17. Machinery sales (not to include outdoor storage of machinery).
18. Motels and hotels.
19. Printing and publishing having not more than twenty five (25) employees other than office and maintenance employees.
20. Roller rinks and ice skating rinks.
21. Service, cleaning, or repair shops for personal, household, or garden equipment.
22. Sheet metal shops.
23. Storage, warehousing, and wholesale establishments provided carried out within enclosed buildings.
24. Veterinarian or animal hospital without outdoor kennels or runways.
25. Welding shops.

(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. Any use permitted as a special use in the B-2 General Business District.
2. Any of the foregoing uses where outdoor storage of products or goods used or sold on the premises is a necessary part of the operation.

In making its recommendation to the Village Board to permit special uses involving outdoor storage areas, the Plan Commission shall require such outdoor storage areas, except those for the display of sale items, be located at least seventy feet (70') from the nearest collector or major street, highway, or interstate highway, as defined on the "Official Map" of the Village, and to be so located on the site and screened from public view from such streets and highways to the fullest extent possible. Such screening shall be by landscape screening or by a screening fence appropriately located, and as defined in Chapter 2 of this Title.

3. Automobile sales, including lots for the outdoor storage and display of new or used automobiles.
4. Building material establishments for the sale of dimensioned lumber, millwork, cabinets, and other building materials, provided no milling, planing, jointing, or manufacturing of millwork shall be conducted on the premises.

5. Cartage and express facilities, including the storage of goods, motor trucks, and other equipment.
6. Contractor's or construction offices and shops, such as building, concrete, electrical, masonry, printing, plumbing, refrigeration, and roofing, including any related outdoor storage areas.
7. Earthmoving and material handling equipment, including lots for the outdoor storage and display of such equipment.
8. Farm machinery and supplies, including lots for the outdoor storage and display of new or used farm equipment.
9. Mobile home and recreational vehicle sales and storage, not, however, to include the storage or parking of occupied mobile homes or recreational vehicles.
10. Monument sales, including outdoor storage and display of monuments.
11. Storage and warehousing involving outdoor storage.
12. Outdoor recreation facilities.
13. Fuel sales (not bulk plants) except where retail sales are incidental to another permitted use. (amd. Ord. 01-28, 11-5-01)
14. Lumber yards. (amd. Ord. 02-34, 3-17-03)
15. School bus storage yards and related buildings. (Ord. 13-07, 7-1-13)

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

1. Front Yard: The front yard shall equal the building height but in no case shall it be less than forty five feet (45'), except that on the west side of Detroit Avenue south of Birchwood Street, the minimum front yard shall be sixty feet (60').
2. Side Yard: The side yard shall be a minimum of ten feet (10') unless an existing adjoining property provides no side yard, in which case the property need provide no side yard. Where adjoining structures are not attached, the side yard for a building of two and one-half (2 1/2) stories shall be a minimum of ten feet (10'). For each story or portion of story above two and one-half (2 1/2) stories, the side yard shall be increased by five feet (5').
3. Rear Yard: The rear yard shall be a minimum of twenty feet (20').
4. Fences: Ornamental and enclosure fences meeting the required conditions are exempt from the specific yard requirements as noted.
  - (a) Ornamental fences not exceeding six feet (6') in height are permitted within the front yard. Enclosure fences are not permitted in front yards.
  - (b) 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)

- (D) **Building Height:** No building shall be erected or enlarged to exceed a height of two and one-half (2 1/2) stories or thirty five feet (35') except for those general exceptions to height limitations listed in Section 10-4-3. Buildings of up to five (5) stories or seventy feet (70') in height may be permitted as 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:** Off-street parking and loading shall be provided as outlined in Chapter 8 of this Title. (Ord. 78-31, 3-5-79)
- (F) **Required Construction Area And Composition:** A building which is erected or enlarged shall conform to the following:
1. It shall rest upon footing or foundation. This shall not be construed to prohibit pole buildings or post frame buildings if set in concrete.
  2. It shall have sanitary facilities which comply with all other requirements of the Morton Municipal Code. This provision shall not apply to those buildings used exclusively for storage or warehousing.
- (G) **Interstate Corridor:** In the event the property is located within an interstate corridor, then the required lot size and required yard area size shall be as set forth in Title 10, Chapter 4, Subsection 7(B) and (C). The provisions of Title 10, Chapter 4, Subsection 7(G) shall also apply. (Ord. 94-31, 5-15-95)



## CHAPTER 7

**INDUSTRIAL DISTRICTS**

## SECTION:

- 10-7-1: Purpose
- 10-7-2: I-1 Restricted Industrial District
- 10-7-3: I-2 General Industrial District
- 10-7-4: Performance Standards In Industrial Districts
- 10-7-4.1: Noise
- 10-7-4.2: Smoke and Particulate Matter
- 10-7-4.3: Toxic or Noxious Matter
- 10-7-4.4: Odors
- 10-7-4.5: Fire and Explosion Hazards
- 10-7-4.6: Vibration Limitations
- 10-7-4.7: Glare or Heat Limitations

10-7-1: **PURPOSE:** The purpose of the manufacturing districts is to provide locations for industries, compatible with one another and with their surroundings to add to the economic well being of the community by providing employment and industrial real estate tax base yet doing so in a manner that minimizes adverse effects such as traffic, noise, vibration, smoke, dust, heat, glare, fire hazards, and similar effects. (Ord. 78-31, 3-5-79)

10-7-2: **I-1 RESTRICTED INDUSTRIAL DISTRICT:**

## (A) Permitted Uses:

1. Light manufacturing, fabricating, assembling, packaging, repairing, servicing, and processing of materials, goods, and products provided entirely within enclosed buildings.
2. Agricultural implement service and sales lots.
3. Bottling plants, creameries, or dairies.
4. Research and testing laboratories.
5. Public utility stations, distribution centers, and regulator stations.
6. Wholesale outlets, storage, and warehousing. (amd. Ord. 02-34, 3-17-03)

## (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. 78-31, 3-5-79)

1. Any use not listed above which is permitted as a "permitted use" or a "special use" in the B-1, B-2, or B-3 districts, except a community activity center. (Ord. 94-13, 8-1-94)
2. Storage, sale, distribution, or primary usage of explosive, highly flammable, highly toxic, or radioactive materials.
3. Bus or truck garages and storage yards.

4. Open air storage, including automobile wrecking yards. In making its recommendation to the Village Board to permit special uses involving outdoor storage areas, the Plan Commission shall require such outdoor storage areas, except those for the display of sale items, be located at least seventy feet (70') from the nearest collector or major street, highway, or interstate highway as defined on the "Official Map" of the Village, and be so located on the site and screened from public view from such streets and highways to the fullest extent possible. Such screening shall be by landscape screening or by a screening fence appropriately located, and as defined in Chapter 2 of this Title.
5. Airports and landing strips.
6. Wind energy conversion system. (Ord. 07-04, 5-7-07)
7. Firearm resale shop. (amd. Ord. 17-03, 6-5-17)
8. Firearm firing range. (amd. Ord. 17-03, 6-5-17)

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

1. **Front Yard:** The front yard shall be twice the height of the portion of the building nearest the street line but in no case less than sixty feet (60').
2. **Side Yard:** The side yard shall not be less than forty feet (40').
3. **Rear Yard:** The rear yard shall not be less than forty feet (40').
4. **Exceptions To Side And Rear Yard Requirements:** Where either side or rear property line is adjacent to a railroad spur to be used for loading or unloading directly to or from a building, no side or rear yard shall be required in those instances. (Ord. 78-31, 3-5-79)
5. **Fences And Lighting:** Industrial security fences only and lighting shall be allowed on the side and rear yard property lines except where the side or rear yard property line is adjacent to a street or highway, except that this provision shall not apply to any requirements of a special use under Subsection (B) of this Section. Any lighting erected pursuant to the provisions of this Section shall be such that it does not flash, scintillate, move, or otherwise create a hazardous or annoying glare. (Ord. 79-44, 4-21-80)

(D) **Building Height:** No building shall be erected or enlarged to exceed seventy feet (70') in height, except for those general exceptions to height limitations listed in Section 10-4-3.

(E) **Required Off-Street Parking And Loading:** Required off-street parking and loading shall be provided as outlined in Chapter 8 of this Title. (Ord. 78-31, 3-5-79)

(F) **Interstate Corridor:** Notwithstanding the foregoing provisions, in the event the property is located within an interstate corridor, then with respect to rear yards, the provisions of Title 10, Chapter 4, Subsection 7(C)3 shall apply. With respect to required lot size, the provisions of Title 10, Chapter 4, Subsection 7(B) shall apply. The provisions of Title 10, Chapter 4, Subsection 7(G) shall also apply. (Ord. 94-31, 5-15-95)

10-7-3: **I-2 GENERAL INDUSTRIAL DISTRICT:**

(A) **Permitted Uses:**

1. All uses permitted as "permitted uses" in the I-1 District.



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: The sign face shall be removed and replaced with a blank face on any sign which for sixty (60) consecutive days has directed attention to a product, place, activity, person, institution or business which is no longer in operation or existence. All structural supports, braces poles and framework shall be removed from any sign which without regard to the blank face has for 365 consecutive days directed attention to a product, place, activity, person, institution or business which is no longer in operation or in existence. The owner of the premises on which the sign is situated and any person with a present possessory interest in said premises shall be jointly and separately responsible for compliance with all provisions of this section. (amd. Ord. 01-24, 10-5-01; amd. Ord. 17-05, 6-5-17)
- (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)

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