

## Village of Morton Municipal Code Book

Instruction Sheet: Morton, Illinois  
Supplement 249 - September 2018  
Includes Ordinances: 19-10, 19-11, 19-12, 19-13, 19-14

### REMOVE PAGES HEADED

### INSERT PAGES HEADED

#### TABLE OF CONTENTS

#### TABLE OF CONTENTS

#### TITLE 4

#### TITLE 4 BUILDING REGULATIONS

4-1-1 CHAPTER 1  
BUILDING CODE AND...  
(and the following page)

4-1-7 (E) If the work cannot be...

4-2-1 CHAPTER 2  
PLUMBING CODE AND...

4-4-1 CHAPTER 4  
ELECTRICAL CODE

**\*\*\* NOTE: Full Chapters 4-5 thru 4-8 replace existing 4-5 thru 4-7 \*\*\*  
(4-5 is new chapter created, 4-6, 4-7, 4-8 shifted and renumbered, references updated)**

4-5-1 CHAPTER 5  
DEMOLITION STANDARDS

4-6-1 CHAPTER 6  
FLOODPLAIN REGULATION...

4-7-1 CHAPTER 7  
PROPERTY MAINTENANCE CODE

4-8-1 CHAPTER 8  
VIOLATIONS

#### TITLE 10

10-5-6 (1) Front Yard Fences on...  
(and the remainder of the chapter)

#### ALPHABETICAL INDEX

-A- APPOINTMENT (cont)  
(and the following 4 pages)

-P- POLICE DEPARTMENT (cont.)

#### TABLE OF CONTENTS

#### TITLE 4 BUILDING REGULATIONS

4-1-1 CHAPTER 1  
BUILDING CODE AND...  
(and the following page)

4-1-7 (E) If the work cannot be...

4-2-1 CHAPTER 2  
PLUMBING CODE AND...

4-4-1 CHAPTER 4  
ELECTRICAL CODE

4-5-1 CHAPTER 5  
DEMOLITION STANDARDS

4-6-1 CHAPTER 6  
FLOODPLAIN REGULATION...

4-7-1 CHAPTER 7  
PROPERTY MAINTENANCE CODE

4-8-1 CHAPTER 8  
VIOLATIONS

10-5-6 (1) Front Yard Fences on...  
(and the remainder of the chapter)

-A- APPOINTMENT (cont)  
(and the following 4 pages)

-P- POLICE DEPARTMENT (cont.)



## PREFACE

---

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

19-10, August 20, 2018  
19-11, September 4, 2018  
19-12, September 4, 2018  
19-13, September 17, 2018  
19-14, September 4, 2018

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 Consult the Village office in order to ascertain whether any particular provision of the Code has been amended, superseded, or repealed.



## Table of Contents

### TITLE 1

#### Administrative

Village Code .....	1
Savings Clause .....	2
Definitions .....	3
Penalty .....	4
Board Of Trustees .....	5
President .....	6
Clerk .....	7
Treasurer .....	8
Corporation Counsel .....	9
Superintendent Of Public Works .....	10
Village Collector .....	12
Water, Sewer, And Gas Inspector .....	13
Officers And Employees .....	14
Village Jail .....	15
Corporate Seal .....	16
Fiscal Year/Inauguration .....	17
Surety Bonds .....	18
Illinois Municipal Retirement Fund .....	19
Village Engineer .....	20
Vacancies In Municipal Office .....	21
Freedom Of Information Officers .....	22
Village Administrator .....	23
Bidding and Contract Procedures .....	24
Local Government Travel Control Act Policy .....	25

### TITLE 2

#### Boards And Commissions

Plan Commission .....	2
Board Of Local Improvements .....	3
Board Of Fire And Police Commissioners .....	4
Police Pension Fund Board .....	5
Emergency Services And Disaster Agency .....	6
Board Of Appeals .....	7
Business District Development and Redevelopment Commission .....	8
Tourism Committee .....	9

### TITLE 3

#### Business Regulations

Licenses And Permits .....	1
Business District Retailers' Occupation Tax and Business District Service Occupation Tax .....	2
Raffles .....	3
Liquor .....	8
Itinerant Merchants, Peddlers .....	9
Junk Dealers .....	10
Foreign Fire Insurance Companies .....	12
Abandoned, Lost, Stolen, Or Unclaimed Vehicles .....	19
Registration Of Residential Solicitors .....	20
Regulation Of Adult Businesses .....	21
Renting Tax .....	23
Dance Halls .....	24
Simplified Municipal Telecommunications Tax .....	25
Municipal Telecommunication Tax Rebates .....	26
Cable/Video Service Provider Fee .....	27
Tax On Sale Of Gas .....	28

### TITLE 4

#### Building Regulations

Building Code And Building Permits .....	1
Plumbing Codes .....	2
Housing Code .....	3
Electrical Code .....	4
Demolition Standards .....	5
Floodplain Regulation and Flood Damage Prevention .....	6
Property Maintenance Code .....	7
Violations .....	8

TITLE 5

Fire Regulations

Fire Department ..... 1  
 Fireworks ..... 2  
 Fire Prevention Code ..... 3  
 Fire Detection Systems ..... 4  
 Paramedic Services ..... 5  
 Fire Hydrants ..... 6

TITLE 6

Police Regulations

Police Department ..... 1  
 General Offenses ..... 2  
 Animals ..... 3  
 Minors ..... 4  
 Shooting Events ..... 7  
 Possession Or Consumption Of Tobacco Or  
 Electronic Cigarettes Or Alternative Nicotine  
 Products By Minors ..... 9  
 Parking Or Storing Junk, Inoperable Motor  
 Vehicles, And Motor Vehicle Parts ..... 10  
 Dangerous/Vicious Animals ..... 11  
 Disposal Of Animal Waste ..... 12

TITLE 7

Health and Sanitation

(Reserved For Future Use) ..... 1  
 Garbage And Refuse ..... 2  
 (Reserved For Future Use) ..... 3

TITLE 8

Public Ways And Property

Right Of Ways, Streets, Alleys, Sidewalks,  
 And Driveways ..... 1  
 Gas Distribution Department ..... 2  
 Wastewater Treatment And Collection  
 System ..... 3  
 Waterworks And Water Distribution System .. 4  
 Storm Water Utility ..... 5  
 Weeds ..... 6  
 Storm Drains ..... 7  
 Maintenance Of Private Property ..... 8  
 Discharging Of Sump Pumps And  
 Perimeter Tiles Into Sanitary Sewers ..... 10  
 Underground Utility Service ..... 11  
 Utility Equipment ..... 12  
 Basic Annexation Fees ..... 13  
 Deferred Annexation Fees ..... 14  
 Utility Billing And Collection Policies And  
 Procedures ..... 15  
 Dedication of Land for Bike Path ..... 16  
 Memorial Plaza Use ..... 17  
 Small Wireless Facilities ..... 18

TITLE 9

Traffic

Definitions ..... 1  
 Enforcement ..... 2  
 Pedestrians ..... 3  
 Rules Of The Road ..... 4  
 Condition Of Vehicles ..... 5  
 Parking ..... 6  
 Drivers ..... 7  
 Bicycles ..... 8  
 Through; One-Way Streets ..... 9  
 Yield Intersections ..... 10  
 Left Turn Lanes ..... 11  
 Traffic Right Of Way, Encroachment ..... 12  
 Parking During Snow Removal ..... 13  
 Prohibition On Skateboarding ..... 14  
 Trespasses Prohibited ..... 15

**TITLE 4**  
**BUILDING REGULATIONS**

Subject	Chapter
Building Code And Building Permits .....	1
Plumbing Code And Inspections .....	2
Housing Code .....	3
Electrical Code .....	4
Demolition Standards .....	5
Floodplain Regulation and Flood Damage Prevention .	6
Property Maintenance Code .....	7
Violations .....	8





## CHAPTER 1

**BUILDING CODE AND BUILDING PERMITS**

## SECTION:

- 4-1-1: Adoption Of Building Code
- 4-1-2: Permits
- 4-1-3: Fees
- 4-1-4: Issuance Of A Building Permit
- 4-1-5: Revocation
- 4-1-6: Completion Of Work
- 4-1-7: Extension Of Time To Complete Work
- 4-1-8: Contractor Or Third Party Responsibility
- 4-1-9: Certification Of Completion Of Construction
- 4-1-10: Violation Of Building Permit, Site Plan, Or Ordinance
- 4-1-11: Inspections

4-1-1: **ADOPTION OF BUILDING CODE:**

- (A) The 2015 Edition of the International Building Code, and any subsequent editions or amendments therefore, copyrighted by the International Code Council, Inc., 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 construction, alteration, removal, demolition, equipment, use and occupancy, and location and maintenance of buildings and structures.
- (B) The 2015 Edition of the International Fire Code and any subsequent editions or amendments thereto is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, use and occupancy, and maintenance of buildings and structures.
- (C) The 2015 Edition of the International Energy Conservation Code, and any subsequent additions or amendments therefor copywrited by the International Code Council, Inc., 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 regulating and governing energy efficient building envelopes and installation of energy efficient mechanical lighting and power systems as therein provided. The following additions, changes and/or deletions shall apply to the International Energy Conservation Code as adopted by the Village of Morton:
  1. In Section (C)-101.1 "Village of Morton" is inserted in place of [Name of Jurisdiction]; and
  2. In Section (R)-101.1 "Village of Morton" is inserted in place of [Name of Jurisdiction].
- (D) The 2015 Edition of the International Residential Code for One (1) and Two (2) Family Dwellings, and any subsequent additions or amendments therefore, copywrited by the International Code Council, Inc. 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 construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of attached one (1) and two (2) family dwellings and multiple single family dwellings (townhouses) not more than three (3) stories in height. The following additions, changes and/or deletions shall apply to the International Residential Code as adopted by the Village of Morton:

1. In Section (R)-101.1 "Village of Morton" is inserted in place of [Name of Jurisdiction]; and
2. In Section (R)-301.2(1) [appropriate design criteria] shall be as specified in the charts and tables contained in that section, and
3. Chapter 25 is not adopted and shall not apply to residential structures within the Village of Morton.
4. Appendix Chapters A, B, C, E and G are hereby adopted as a part of the International Residential Code.
5. Any and all automatic fire sprinkler provisions set forth in the International Residential Code are not adopted and shall not apply to residential structures within the Village of Morton.

(E) The 2015 Edition of the International Existing Building Code, and any subsequent additions or amendments therefor copywrited by the International Code Council, Inc., a copy of which is on file of the office of the Village Clerk, is hereby adopted for the purpose of establishing rules and regulations governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, within the Village of Morton. The following additions, changes, and/or deletions shall apply to the International Existing Building Code as adopted by the Village of Morton:

1. In Section 101.1 "Village of Morton" is inserted in place of [Name of Jurisdiction]; and
2. In Section 1401.2 "January 1, 2017" is inserted [Date in one location].
3. Appendix Chapters A6 and Resource A are hereby adopted as a part of the International Existing Building Code of the Village of Morton.

(F) The Codes are incorporated fully as if set out at length herein, and the provisions thereof shall be controlling in the construction, alteration, use and occupancy, and maintenance of all buildings and structures. 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. 00-42, 12-4-00; amd. Ord. 14-12, 7-7-14; amd. Ord. 16-11, 11-21-16)

4-1-2: **PERMITS:** It shall be unlawful to establish any use of a structure or land, including drives, walks, parking/loading areas, or any surfaced area, either by itself or in addition to another use; or to erect a new building or structure, or any part thereof; or to rebuild, structurally alter, add to, or relocate any building or structure, or any part thereof; or to establish a special use, without obtaining a permit from the Zoning Enforcing Officer in accordance with the following regulations.

Internal rearrangement of a building does not require a permit, unless the rearrangement does not conform with the district regulations.

(A) **Building Permits:** Applications for building permits shall be filed in written form with the Zoning Office of the Village and shall contain such information as required by the Zoning Enforcing Officer.

(B) **Certificate Of Occupancy:**

1. No land shall be occupied or used and no building hereafter erected, altered, or extended shall be used or changed in use until a certificate of occupancy shall have been issued by unanimous action of the Zoning Enforcing Officer, Superintendent of Public Works and Flood Plain Administrator.

2. All certificates of occupancy shall be applied for coincident with the application for a building permit, and said certificate shall be issued within three (3) days after the construction or alteration shall have been approved.
3. The Zoning Enforcing Officer shall maintain a record of all certificates.
4. If a building is occupied before a certificate of occupancy is issued, the owner of the building 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 the building is occupied without a certificate of occupancy.

For residential properties, occupancy shall mean that any person is occupying the premises as his or her usual place of abode or that the premises is habitable and fit for occupancy.

For commercial properties, occupancy shall mean that any person is conducting any type of business activity on the premises at any time, or is suitable for the conducting of business.

In addition to any other penalties that might apply, utility service to the premises may be terminated upon notice by the Village. Notice may be mailed by first class mail, postage prepaid, to the owner as shown on the building permit, and shall be deemed effective at 5:00 p.m. of the second day after mailing. As an alternative, the Village may use personal delivery of the notice, and it shall be deemed effective upon delivery.

The utility service may be terminated on or after the effective day of the notice.  
(Ord. 06-35, 12-4-06)

5. A temporary certificate of occupancy shall not be issued unless the applicant demonstrates by clear and convincing evidence (a) construction is substantially completed; (b) the structure is safe for occupancy; and (c) by no fault of the builder or the applicant, despite reasonable and diligent efforts, it is impossible to achieve final completion of construction. The award of a temporary certificate of occupancy shall be at the sole and exclusive discretion of the Zoning Enforcement Officer, Superintendent of Public Works, and Flood Plain Administrator. The unanimous approval of the Zoning Enforcement Officer, Superintendent of Public Works, and Flood Plain Administrator shall be required for a temporary certificate of occupancy to issue. At the time the temporary certificate of occupancy is issued, the Zoning Enforcement Officer shall issue to the applicant a list of conditions that must be satisfied for a certificate of occupancy to issue upon the expiration of the temporary certificate of occupancy. Reasonable conditions may be imposed upon the issuance or effectiveness of the temporary certificate of occupancy. If any condition of the temporary certificate of occupancy is violated prior to the expiration of the temporary certificate of occupancy, the Zoning Enforcement Officer may revoke the temporary certificate of occupancy.

In order to obtain a temporary Certificate of Occupancy, the owner or builder must make a deposit in the Zoning Office. The required deposit is five thousand dollars (\$5,000.00) for residential (R-1 and R-2) and ten thousand dollars (\$10,000.00) for a multi-family (R-3 and R-4) project, or for a commercial or industrial project. If the required conditions are not satisfied by the expiration of the temporary certificate of occupancy, the deposit will be forfeited, and a notice of violation will be issued for a violation of the provisions of paragraph 4 of this section. (Ord. 06-35, 12-4-06; amd. Ord. 08-34, 3-16-09; amd. Ord. 19-08, 8-6-18)

- (C) Bona Fide Agricultural Uses: A building permit shall be obtained prior to the construction, alteration, or moving of buildings or structures. (Ord. 90-37, 4-15-91; amd. Ord. 06-35, 12-4-06; amd. Ord. 06-37, 1-2-07)

4-1-3: **FEES:**

(A) Fees for building permits shall be based upon the following schedule:

<u>Valuation</u>	<u>Permit Fee</u>
Up to \$1,000.00	\$15.00
\$1,000.01 to \$5,000.00	\$30.00
\$5,000.01 to \$50,000.00	\$30.00 plus \$3.50 per \$1,000.00 over \$5,000.00
\$50,000.01 to \$100,000.00	\$187.50 plus \$2.50 per \$1,000.00 over \$50,000.00
\$100,000.01 to \$500,000.00	\$312.50 plus \$2.00 per \$1,000.00 over \$100,000.00
Over \$500,000.01	\$1,112.50 plus \$1.50 per \$1,000.00 over \$500,000.00
Zoning Permit (amd. Ord. 03-02, 7-7-03)	\$20.00

(B) If a person commences construction before obtaining a building permit, then such person shall pay, in addition to the building permit fee set forth above, the greater of twenty five dollars (\$25.00) or the amount of the fee as set forth above. Said additional fee plus the original fee shall be due within one day of notification by the Zoning Office of the Village.

For purposes of this Section, construction shall include excavation, site work, or any other work wherein a building permit is required by this Code. The provisions of this Section shall be in addition to the penalties set forth in Section 4-8-1 of this Title.

It shall not be a defense to the provisions of this Chapter that a person was unaware of the necessity of obtaining a permit or that a person had delegated such responsibility to a contractor.

In addition to the additional permit fee, any person commencing construction before obtaining a building permit 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 occurs without a building permit.

In addition to any other penalties that might apply, utility service to the premises may be terminated upon notice by the Village. Notice may be mailed by first class mail, postage prepaid, to the owner as shown on the building permit, and shall be deemed effective at 5:00 p.m. of the second day after mailing. As an alternative, the Village may use personal delivery of the notice, and it shall be deemed effective upon delivery.

The utility service may be terminated on or after the effective day of the notice. (Ord. 90-37, 4-15-91; amd. Ord. 06-35, 12-4-06)

(C) In addition to the fees listed in Section A, applicants for certain permits issued for the construction of a building, as required under Section 4-1-2, shall pay an additional fee, as part of the building permit fee, for the purpose of fire and life safety evaluation and code enforcement.

Said fee shall be as follows:

1. Two hundred fifty dollars (\$250) for life safety and fire prevention code plan review, inspection and enforcement.
2. Two hundred seventy-five dollars (\$275) for sprinkler system/stand pipe plan review, inspection and code enforcement for systems with between one (1) and one hundred ninety-nine (199) sprinkler heads, or four hundred dollars (\$400) for systems with two hundred (200) or greater heads or systems that require a fire pump, when such a system is required by code or is otherwise to be installed.

- (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)

4-1-11: **INSPECTIONS:** In addition to other inspections required under this Chapter, the following listed inspections are required to be made. The owner or contractor shall request the designated inspection not less than 48 hours in advance of the time when such inspection is to be made. Safe access for the purpose of completing the inspection shall be provided by the contractor or the owner.

- (A) **Stake Out:** A stake out inspection of the site shall be made prior to any earth work for the purpose of verifying the location of the improvements. At the stake out inspection, the contractor or owner shall be required to identify for the inspector the location of all lot pins. The owner or the contractor shall further be required to demonstrate for the inspector that the location of the proposed improvements is consistent with the site plan and satisfies all required setbacks of the Village of Morton.
- (B) **Footing:** An inspection of the footings or piers shall be made after any required forms are erected and any required reinforcing steel is in its final position and prior to placing concrete. Upon the request of the inspector, the owner or contractor shall be required to demonstrate that the location of the footing is consistent with the site plan and may include but not be limited to verifying the elevation of the footing and verifying the proximity of the footing to all lot lines.
- (C) **Foundation:** An inspection of the foundation shall be made prior to the concrete placement and after required forms are erected and any required reinforcement steel is in its final position. Upon the request of the inspector, the owner or contractor shall be required to demonstrate that the location of the foundation is consistent with the site plan and may include but not be limited to verifying the elevation of the foundation and verifying the proximity of the foundation to all lot lines. (Ord. 19-14, 9-4-18)



## 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
- 4-2-7: Failure To Obtain Permit

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, building additions, and remodeling 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; amd. Ord. 12-25, 2-4-13)

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:** Alterations or modifications to existing plumbing will require a permit and inspection if anything is being moved any distance. No permit or inspection will be required if the contractor is only resetting fixtures back to their exact location. All plumbing permits will be in effect for no more than eighteen (18) months or until a final inspection has been completed. Plumbing permits shall be non-assignable. (amd. Ord. 12-25, 2-4-13)

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	<u>MOBILE HOMES</u>
Minimum . . . . . \$55.00	Base charge . . . . . \$100.00

(Ord. 06-39, 2-19-07; amd. Ord. 07-55, 1-21-08; amd. Ord. 10-15, 8-16-10; amd. Ord. 11-03, 5-2-11; amd. Ord. 19-11, 9-4-18)

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)

4-2-7: **FAILURE TO OBTAIN PERMIT:** If a person commences plumbing work without obtaining a permit when one is required, such person shall pay twice the fee. (Ord. 12-25, 2-4-13)



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
- 4-4-7: Failure To Obtain A Permit

4-4-1: **ADOPTION OF NATIONAL ELECTRICAL CODE:** The 2014 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; amd. Ord. 14-05, 5-19-14)

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:	<u>Fee</u>
	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
	Lighting Retro Fit	\$100
	Solar/Renewable Energy System	\$100

(B) Commercial/Industrial Permits:

Based on Cost of Electrical for New Construction & Remodel Valuation	<u>Fee</u>
\$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 \$2 per \$1,000 over \$20,000 (rounded to nearest \$1,000)
Signs	\$100
Service Panel Change Out	\$100
Lighting Retro Fit	\$100
Solar/Renewable Energy System	\$100

In the event any work is started prior to the time a permit is obtained, the permit fee shall be doubled. All electrical permits will be in effect for no more than 18 months or until a final inspection has been completed. Electrical permits shall be non-assignable. (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; amd. Ord. 11-04, 5-2-11; amd. Ord. 13-02, 6-3-13; amd. Ord. 19-04, 6-18-18; amd. Ord. 19-12, 9-4-18)

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.

CHAPTER 5  
DEMOLITION STANDARDS

## SECTION:

- 4-5-1: Purpose and Scope
- 4-5-2: Definitions
- 4-5-3: Permit Required; Fee
- 4-5-4: Timeframe for Demolition
- 4-5-5: Application to Existing Demolition Sites
- 4-5-6: Unsafe Demolition Sites
- 4-5-7: Securing Premises During Demolition
- 4-5-8: Certificate of Occupancy
- 4-5-9: Bond Required/Release of Bond
- 4-5-10: Demolition Standards
- 4-5-11: Inspections

4-5-1: **PURPOSE AND SCOPE:** The purpose of this Chapter is to establish additional regulations to supplement the regulations contained in the International Building Code to provide for the demolition of structures within the Village of Morton.

4-5-2: **DEFINITIONS:** Unless context otherwise provides words and phrases used in this Chapter shall be construed according to the definition set forth herein:

Demolition: The deconstructing, destroying, decimating, razing, ruining, tearing down, or wrecking of any facility, structure, pavement, or building whether in whole or in part, whether interior or exterior.

4-5-3: **PERMIT REQUIRED; FEE:** No demolitions shall occur within the Village of Morton unless a demolition permit has been issued by the Village of Morton. The fee for a demolition permit shall be one hundred dollars (\$100.00) for any property located in the R1 and R2 zoning district, and two hundred fifty dollars (\$250.00) for property in any other zoning district. All holders of a demolition permit shall be required to comply with all requirements of the International Building Code which pertain to demolition including but not limited to those provisions set forth in Chapter 33, and all provisions of this chapter.

4-5-4: **TIMEFRAME FOR DEMOLITION:** Demolition shall commence within thirty (30) days from the issuance of the permit and shall be completed within sixty (60) days of the issuance of the permit. Extensions to these deadlines may be granted by the SPW in his sole discretion for good cause shown.

Failure to begin work within a period of thirty (30) days shall be cause for the revocation of the permit. Failure to complete the demolition work within a period of sixty (60) days or any extension thereof shall subject the owner of the property to penalties as provided in this Title.

4-5-5: **APPLICATION TO EXISTING DEMOLITION SITES:** Any demolition which occurs prior to October 1, 2018, shall not require a permit, but the site of such demolition shall be restored in a method and manner, and to a condition which complies with the provisions of Section 4-5-10 of this Chapter not later than October 1, 2019.

4-5-6: **UNSAFE DEMOLITION SITES:** In the event that any demolition site is left in a condition which violates any provision of this Chapter, the Village shall give notice of the condition or conditions which it deems unsafe to the owner or demolition permit applicant of said premises, specifying the deficiencies and ordering the same to be rectified within a period of three (3) days after service of said notice by third party commercial courier or by certified mail. Should the deficiencies not be corrected within a period of three (3) days as aforesaid, the Village shall cause the same to be put in safe condition and may further pursue any other rights and remedies reserved to the Village pursuant to this Title.

4-5-7: **SECURING PREMISES DURING DEMOLITION:** Once demolition work begins all work shall be completed and all debris shall be removed from the site as soon as possible. If the debris cannot be removed from the site the same day, "no trespassing" signs shall be posted and a barrier shall be installed around the debris. If the demolition of the structure cannot be completed on the day in which demolition commences, then a forty-eight (48) inch high fence with openings less than four (4) inches in size shall be installed around the demolition site.

4-5-8: **CERTIFICATE OF OCCUPANCY:** Any existing Certificate of Occupancy for a structure shall terminate upon the issuance of a Demolition Permit which provides for and authorizes the demolition of said structure. No new Certificate of Occupancy shall issue to any parcel or improvement constructed on such parcel after a demolition permit is issued unless and until all requirements of this Chapter have been met.

4-5-9: **BOND REQUIRED/RELEASE OF BOND:** Prior to the issuance of a permit, the applicant shall furnish to the Village of Morton a bond equal to the contract cost of demolition. All such bonds shall be submitted to the Village for approval as to form. Any person, firm or corporation normally engaged in the demolition of buildings may provide an annual bond to the Village of Morton in the amount of one million dollars (\$1,000,000.00) which shall cover all demolition bonds heretofore required. A copy of an Insurance Certificate naming the Village of Morton as additional insured and indicating the street address of the project must be attached to the demolition permit application. The policy limitations must be one million general liability and one million automobile liability. Statutory worker's compensation coverage must also be provided.

4-5-10: **DEMOLITION STANDARDS:** All demolitions completed pursuant to a permit issued under this Chapter shall comply with the following standards:

- (A) No structure shall be removed from the premises in whole or substantially whole condition. All buildings shall be demolished on the premises.
- (B) The sewer lateral and storm lateral, if one exists, shall be exposed and properly capped at the lot line or at a location designated by the SPW or his designee or assignee. Backfilling shall not be done until the capping of the storm lateral and sewer lateral is inspected and approved by the Village.
- (C) All structures and their foundation shall be completely razed to a level of two (2) feet below the ground surface or grade line and removed from the site. Razing shall include but is not limited to all posts, piers, walls, basement partitions, sheds, steps, thresholds, paved areas and all other above ground items. The concrete floor shall be broken and foundation walls removed two (2) feet below grade.
- (D) All basements and cellars or other areas below grade shall be filled and compacted to grade only with sound approved solid fill of sand, gravel and dirt. Brick, stone, mortar, plaster or concrete removed from the demolished structures may be used if it is arranged not to form or collect surface or subsurface water. Masonry fragments used as fill shall not be over twenty-four (24) inches in greatest dimension. No decomposable organic material or wood, glass, paper, piping, steel or other metal material or any unstable or combustible material shall be used in making fills.

- (E) All masonry and concrete such as private sidewalks, parking lots, driveways, driveway aprons, concrete slabs or retaining walls shall be removed unless such removable will create a hazardous condition or unless the Village has expressly authorized an alternative arrangement in writing.
- (F) Wood partitions, stairways, furnaces, piping, and other equipment, rubbish and debris located in basements or elsewhere on the property shall be removed from the site.
- (G) Any damage to public sidewalks or public roads or any part of the street right-of-way caused by demolition shall be repaired or replaced.
- (H) The lot shall be filled, compacted and graded to the prevailing surrounding property and sidewalk grades, and shall be seeded to grass.
- (I) The final fill shall be at least two (2) inches of sandy loam, dirt or topsoil containing no brick, mortar or concrete pieces larger than two (2) inches.
- (J) All debris generated by demolition within the Village of Morton shall be disposed of in an approved, licensed landfill or at an approved hazardous material disposal site.

4-5-11: **INSPECTIONS:** SPW or his designee shall complete the following inspections:

- (A) **PROGRESS INSPECTIONS:** A progress inspection will be done to check the following items:
  1. **SEWER AND STORM LATERALS:** The sewer lateral and storm lateral, if one exists, shall be exposed and properly capped at the lot line or at a location designated by the inspector.
  2. **BASEMENT/FLOOR AND FOUNDATION:** Following the removal of the structures (above grade) a progress inspection must be done before the basement can be backfilled.
- (B) **FINAL (POST DEMOLITION INSPECTION):** The final inspection shall be completed at the request of the demolition permit holder. The inspection shall confirm that demolition has been completed in accordance with the requirements the demolition permit and the requirements of the Village Code.



## CHAPTER 6

**FLOODPLAIN REGULATION AND FLOOD DAMAGE PREVENTION**

## SECTION:

- 4-6-1: Purpose
- 4-6-2: Definitions
- 4-6-3: Base Flood Elevation
- 4-6-4: Duties of the Flood Plain Administrator
- 4-6-5: Development Permit
- 4-6-6: Preventing Increased Flood Heights and Resulting Damages
- 4-6-7: Protecting Buildings
- 4-6-8: Subdivision Requirements
- 4-6-9: Public Health and Other Standards
- 4-6-10: Variances
- 4-6-11: Disclaimer of Liability
- 4-6-12: Penalty
- 4-6-13: Abrogation and Greater Restrictions

4-6-1: **PURPOSE:** This Chapter is enacted pursuant to the police powers granted to this Village by the Illinois Municipal Code (65 ILCS 5/1-2-1, 5/11-12-12, 5/11-30-2, 5/11-30-8 and 5/11-31-2) in order to accomplish the following purposes:

- (A) To prevent unwise developments and restrict or prohibit uses which increase flooding or drainage hazards to others;
- (B) protect new buildings and major improvements to buildings from flood damage;
- (C) to promote and protect the public health, safety, and general welfare of citizens from the hazards of flooding;
- (D) to lessen the burden on the taxpayer for flood control, repairs to public property, facilities and utilities, and flood rescue and relief operations;
- (E) maintain property values and a stable tax base by minimizing the potential for creating blight areas;
- (F) make federally subsidized flood insurance available for property in the Village by fulfilling the requirements of the National Flood Insurance Program, and
- (G) to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, provide aesthetic benefits and enhance community and economic development.

4-6-2: **DEFINITIONS:** For the purposes of this Chapter, the following definitions are adopted:

**Base Flood:** The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in section 4-6-3 of this Chapter.

**Base Flood Elevation (BFE):** The elevation in relation to mean sea level of the crest of the base flood.

**Basement:** That portion of a building having its floor sub-grade (below ground level) on all sides.

**Building:** A structure that is principally above ground and is enclosed by walls and a roof. This term also includes manufactured homes, prefabricated buildings, gas or liquid storage tanks and recreational vehicles and travel trailers installed on a site for more than one hundred eighty (180) days.

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

**Critical Facility:** Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals, retirement homes and senior care facilities, major roads and bridges, critical utility infrastructure sites such as telecommunication buildings and electrical substations and facilities which produce, use or store hazardous materials (chemicals, petrochemicals, hazardous or toxic substances).

**Development:** Any man-made change to real estate including, but not necessarily limited to:

1. Demolition, construction, reconstruction, repair, placement of a building, or any addition or structural alteration to a building;
2. substantial improvement of an existing building;
3. installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days;
4. installation of utilities, construction of roads, bridges, culverts or similar projects;
5. construction or erection of levees, berms, dams, walls or fences;
6. drilling, mining, filling, stockpiling, dredging, grading, excavating, paving, or other non-agricultural alterations of the ground surface;
7. storage of materials including the placement of gas and liquid storage tanks, and channel modifications or any other activity that might change the direction, height, or velocity of flood or surface waters.

“Development” does not include routine maintenance of existing buildings and facilities, resurfacing roads, or gardening, plowing, and similar agricultural practices that do not involve excavating, grading, filling or construction of levees.

**Elevation Certificate:** A form produced by FEMA used to document and certify a structure’s elevation information including the lowest floor elevation of a building.

**Existing Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by a community.

**Expansion to an Existing Manufactured Home Park or Subdivision:** The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).



FEMA: Federal Emergency Management Agency

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

Flood Fringe: That portion of the floodplain outside of the regulatory floodway.

Flood Insurance Rate Map (FIRM): A map prepared by the Federal Emergency Management Agency that depicts the floodplain or special flood hazard area (SFHA) within a community. This map includes insurance rate zones and may or may not depict floodways and show base flood elevations.

Flood Insurance Study (FIS): An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations. The Flood Insurance Study number for Tazewell County and incorporated areas is 17179CV000A dated February 17, 2017.

Flood Plain Administrator: The Village Director of Public Works and or his/her designee.

Floodplain and Special Flood Hazard Area (SFHA): These two terms are synonymous. Those lands within the jurisdiction of the Village, the extraterritorial jurisdiction of the Village, or that may be annexed into the Village, that are subject to inundation by the base flood. The floodplains of the Village are generally identified as such on panel number(s) 0045, 0065, 0200, 0201, 0202, 0203, 0204, 0225 of the countywide Flood Insurance Rate Map of Tazewell County prepared by the Federal Emergency Management Agency and dated February 17, 2017. Floodplain also includes those areas subject to flooding from a river, creek, intermittent stream, ditch, channel or conveyance of known flooding as identified by the community.

The floodplains of those parts of unincorporated Tazewell County that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village are generally identified as such on the Flood Insurance Rate map prepared for Tazewell County by the Federal Emergency Management Agency and dated February 17, 2017.

Floodproofing: Any combination of structural or nonstructural additions, changes, or adjustments to structures and their attendant utilities which reduce or eliminate flood damage to real estate, property and their contents.

Floodproofing Certificate: A form published by the Federal Emergency management agency that is used to certify that a building has been designed and constructed to be structurally dry flood proofed to the flood protection elevation.

Flood Protection Elevation (FPE): The elevation of the base flood plus two feet of freeboard at any given location in the floodplain.

Floodway: That portion of the floodplain required to store and convey the base flood. The floodway for the floodplains of Bull Run and Prairie Creeks shall be as delineated on the countywide Flood Insurance Rate Map of Tazewell County prepared by FEMA and dated February 17, 2017. The floodways for each of the remaining floodplains of the Village shall be according to the best data available from Federal, State, or other sources.

Freeboard: An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams. The freeboard as defined by this Chapter as "Flood Protection Elevation" is based on two feet above the existing base flood elevation.

Historic Structure: Any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
3. Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency.
4. Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

IDNR/OWR: Illinois Department of Natural Resources/Office of Water Resources.

IDNR /OWR Jurisdictional Stream: Illinois Department of Natural Resource Office of Water Resources has jurisdiction over any stream serving a tributary area of 640 acres or more in an urban area, or in the floodway of any stream serving a tributary area of 6,400 acres or more in a rural area. Construction on these streams requires a permit from the Department. (Ill Admin. Code tit. 17, pt. 3700.30). The Department may grant approval for specific types of activities by issuance of a statewide permit which meets the standards defined in section 4-6-6 of this Chapter.

Lowest Floor: the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor. Provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of section 4-6-7 of this Chapter.

Manufactured Home: A structure transportable in one or more sections that is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities.

Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land divided into two or more lots for rent or sale.

New Construction: Structures for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by a community and includes any subsequent improvements of such structures.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed or buildings to be constructed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by a community.

NFIP: National Flood Insurance Program.

Recreational Vehicle or Travel Trailer: A vehicle which is:

1. built on a single chassis;
2. four hundred (400) square feet or less in size;
3. designed to be self-propelled or permanently towable by a light duty truck and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

**Repetitive Loss:** Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

**SFHA:** See definition of floodplain.

**Start of Construction:** Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

**Structure:** (see "Building")

**Substantial Damage:** Damage of any origin sustained by a structure whereby the cumulative percentage of damage during the life of the building equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes "Repetitive Loss Buildings" (see definition).

**Substantial Improvement:** Any reconstruction, rehabilitation, addition or improvement of a structure taking place during the life of the building in which the cumulative percentage of improvements:  
Equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started, or

Increases the floor area by more than twenty percent (20%).

"Substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not include:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or
2. any alteration of a structure listed on the National Register of Historic Places or the Illinois Register of Historic Places.

**Violation:** The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the required federal, state, and/or local permits and elevation certification is presumed to be in violation until such time as the documentation is provided.

4-6-3: **BASE FLOOD ELEVATION:** This Chapter's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party shall finance the detailed engineering study needed to replace the existing data with better data and submit it to FEMA, IDNR/OWR and the Village of Morton for approval prior to any development of the site.

- (A) The base flood elevation for the floodplains of Bull Run and Prairie Creeks shall be as delineated on the 100-year flood profiles in the countywide Flood Insurance Study of Tazewell County and incorporated areas prepared by the Federal Emergency Management Agency, numbered 17179CV000A and dated February 17, 2017.

- (B) The base flood elevation for each floodplain delineated as an "AH Zone" or AO Zone" shall be that elevation (or depth) delineated on the county wide Flood Insurance Rate Map of Tazewell County.
- (C) The base flood elevation for each of the remaining floodplains delineated as an "A Zone" on the countywide Flood Insurance Rate Map of Tazewell County shall be calculated by a method and procedure that is acceptable to and approved by FEMA, IDNR/OWR and the Village of Morton utilizing the best data available from federal, state or other sources. Should no other data exist, an engineering study must be financed by the applicant to determine base flood elevations.
- (D) The base flood elevation for the floodplains of those parts of unincorporated Tazewell County that are within the extraterritorial jurisdiction of the Village, or that may be annexed into the Village, shall be as delineated on the 100-year flood profiles in the Flood Insurance Study of Tazewell County prepared by the Federal Emergency Management Agency and dated February 17, 2017.

4-6-4: **DUTIES OF THE FLOOD PLAIN ADMINISTRATOR:** The Flood Plain Administrator shall coordinate with the building/ zoning or permit official and is responsible for the general administration of this Chapter and shall ensure that all development activities within the floodplains under the jurisdiction of the Village meet the requirements of this Chapter, including but not limited to the following duties:

- (A) Process development permits in accordance with section 4-6-5;
- (B) ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of section 4-6-6;
- (C) ensure that the building protection requirements for all buildings subject to section 4-6-7 are met and maintain a record of the "as-built" elevation of the lowest floor (including basement) or floodproof certificate;
- (D) assure that all subdivisions and annexations meet the requirements of section 4-6-8;
- (E) ensure that water supply and waste disposal systems meet the Public Health standards of section 4-6-9;
- (F) if a variance is requested, ensure that the requirements of section 4-6-10 are met and maintain documentation of any variances granted;
- (G) inspect all development projects and take any and all penalty actions outlined in section 4-6-12 as necessary to ensure compliance with this Chapter;
- (H) assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- (I) notify IDNR/OWR and any neighboring communities in writing (30) days prior to any alteration or relocation of a watercourse;
- (J) provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;
- (K) cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this Chapter;

- (L) maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and documentation of compliance for development activities subject to this Chapter;
- (M) perform site inspections to ensure compliance with this Chapter and make substantial damage determinations for structures within the floodplain, and
- (N) maintain the accuracy of floodplain maps including notifying IDNR/OWR and/or submitting information to FEMA within six months whenever a modification of the floodplain may change the base flood elevation or result in a change to the floodplain map.

4-6-5: **DEVELOPMENT PERMIT:** No person, firm, corporation, or governmental body not exempted by law shall commence any development in the floodplain without first obtaining a development permit from the Flood Plain Administrator. The Flood Plain Administrator shall not issue a development permit if the proposed development does not meet the requirements of this Chapter.

- (A) The application for development permit shall include copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity and shall be accompanied by site plans which include at a minimum:
  1. Plans drawn to scale showing property line dimensions, easements, restrictions and reservations;
  2. existing grade elevations and all changes in grade resulting from excavation or filling;
  3. the location and dimensions of all buildings and additions to buildings;
  4. elevation information required for use in coordinating and completing elevation certificates including the elevation of the lowest floor (including basement) of all existing and proposed buildings subject to the requirements of section 4-6-7 of this Chapter, and
  5. content meeting the requirements, as applicable, for sites being developed and which are subject to site plan review under sections 10-4-6 & 10-4-7.
- (B) Upon receipt of an application for a development permit, the Flood Plain Administrator shall compare the elevation of the site to the base flood elevation, and make permit determinations based on but not limited to the following conditions:
  1. Any development located on land that is shown by survey elevation to be below the current base flood elevation is subject to the provisions of this Chapter.
  2. Any development located on land shown to be below the base flood elevation and hydraulically connected to a flood source, but not identified as floodplain on the current Flood Insurance Rate Map and or Flood Insurance Study, is subject to the provisions of this Chapter.
  3. Any development located on land that can be shown by survey data to be higher than the current base flood elevation and which has not been filled after the date of the site's first Flood Insurance Rate Map is not in the floodplain and therefore not subject to the provisions of this Chapter.

The Flood Plain Administrator shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.

- (C) Certificate of Occupancy:

1. No land shall be occupied or used and no building hereafter erected, altered, or modified shall be used or changed in use until a certificate of occupancy shall have been issued by the Zoning Enforcement Officer and after having obtained approval from the Flood Plain Administrator.
2. All certificates of occupancy shall be applied for coincident with the application for a building permit, and said certificate shall be issued either in connection to the building permit or by separate authorization.
3. All work performed under a development permit shall conform to the approved application and plans, and approved amendments thereto. If, upon final inspection of a building or development site, the Flood Plain Administrator finds that the work has been performed in accordance with the approved application and plans of the permit, a certificate of occupancy may be issued. If final inspection reveals otherwise, a certificate of occupancy may not be issued until all deficiencies are corrected.
4. An elevation certificate shall be provided to the Flood Plain Administrator for approval prior to issuance of occupancy certifying that all critical elevations have been met in accordance with the community's flood plain ordinance, including but not limited to the BFE, lowest floor (including basement). The certificate shall be completed, signed and sealed by a licensed surveyor, engineer or architect.

(D) Posting Permit and Consent for Inspections:

1. A copy of the development permit shall be posted in a conspicuous place on the premises, in plain view from a public road, during the execution of the work and until completion and approval of same.
2. All work for which a permit is required shall be subject to inspection by the Flood Plain Administrator or duly authorized representative. It shall be unlawful to refuse entry or access to such premises or structures at any reasonable time to make an inspection or to interfere with or hinder when in the performance of their duties.

(E) Revocation: The Building Official or Flood Plain Administrator may revoke a permit when it is found from personal inspection or from competent evidence which demonstrates that the work is built or is being built contrary to the provisions of the application or plans on which the permit was based. The permit may also be revoked in the case where there is found to have been any false statement or misrepresentation as to material fact in the application or plans on which the permit was based. When a permit is revoked, the Flood Plain Administrator shall inform the permittee in writing of the specific steps the permittee must take in order to have the permit reissued. It shall be unlawful to continue any work authorized by a permit after revocation of that permit and until the permit is reissued or until a new permit is issued.

(F) Completion of Work: A permit under which no work is commenced within ninety (90) days after issuance shall expire by limitation and a new permit shall be secured before work is started.

(G) Fees: The fee for permits issued pursuant to this Section shall be \$100.00

4-6-6: **PREVENTING INCREASED FLOOD HEIGHTS AND RESULTING DAMAGES:** Within any floodway identified on the countywide Flood Insurance Rate Map, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

- (A) Except as provided in Section 4-6-6(B,C&D) of this Chapter, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. Nor shall development contribute to impairment of the natural hydrologic and hydraulic functions of the floodway or channel, or permanently impair existing water quality or aquatic habitat. For all projects involving channel modification, fill, or stream maintenance (including levees), the carrying capacity of the watercourse shall be maintained. The following specific development activities shall be considered as appropriate uses meeting this requirement:
1. Bridge and culvert crossings of streams meeting the conditions of the Illinois Department of Natural Resources, Office of Water Resources Statewide Permit Number 2:
  2. Flood control structures, dikes, dams and other public works or private improvements relating to the control of drainage, flooding, erosion, or water quality or habitat for fish and wildlife;
  3. Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 4;
  4. Minor, non-obstructive activities such as underground utility lines, athletic fields and trail systems, including any related fencing (at least 50 percent open when viewed from any one direction) built parallel to the direction of flood flows, and any other activity meeting the conditions of IDNR/OWR Statewide Permit Number 6:
  5. Outfall Structures and drainage ditch outlets meeting the following conditions of IDNR/OWR Statewide Permit Number 7:
  6. Underground pipeline and utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 8:
  7. Bank stabilization projects meeting the conditions of IDNR/OWR Statewide Permit Number 9:
  8. Accessory structures and additions to existing residential buildings meeting the conditions of IDNR/OWR Statewide Permit Number 10:
  9. Minor maintenance dredging activities meeting the following conditions of IDNR/OWR Statewide Permit Number 11:
  10. Bridge and culvert replacement structures and bridge widening meeting the following conditions of IDNR/OWR statewide Permit Number 12:
  11. Temporary construction activities meeting the following conditions of IDNR/OWR statewide Permit Number 13:
  12. Any Development determined by IDNR/OWR to be located entirely within a flood fringe area shall be exempt from State Floodway permit requirements.

Appropriate uses do not include the construction or placement of any structures, whether temporary or permanent, fencing (including landscaping or planting act as a fence) and placement or storage of ancillary materials related to permitted uses such as soccer goals, backstops and other above grade appurtenances and are prohibited.

- (B) Other development activities not listed in 4-6-6(A) may be permitted only if:
1. permit has been issued for the work by IDNR/OWR (or written documentation is provided that an IDNR/OWR permit is not required), or
  2. sufficient data has been provided to FEMA when necessary, and approval obtained from FEMA for a revision of the regulatory map and base flood elevation.
- (C) Whenever any portion of a floodplain is to be authorized for use, compensatory storage shall be provided subject to the following provisions:
1. The volume of space which will be occupied by the authorized fill or structure below the base flood or 100-year frequency flood elevation shall be compensated for and balanced by a hydraulically equivalent volume of excavation taken from below the base flood or 100-year frequency flood elevation.
  2. The excavation volume shall be at least equal to 1.5 times the volume of storage lost due to the fill or structure.
  3. In the case of streams and watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied.
  4. All floodplain storage lost below the existing 10-year flood elevation shall be replaced below the proposed 10-year flood elevation. All floodplain storage lost above the existing 10-year flood elevation shall be replaced above the proposed 10-year flood elevation.
  5. All such excavations shall be constructed to drain freely and openly to the watercourse.
- (D) The principles of "No Adverse Impact" NAI shall be utilized in administration of this Chapter.

4-6-7: **PROTECTING BUILDINGS:**

- (A) In addition to the state permit and damage prevention requirements of section 4-6-6 of this Chapter, all buildings located in the floodplain shall be protected from flood damage below the flood protection elevation. This building protection requirement applies to the following situations:
1. Construction or placement of a new building or alteration or addition to an existing building valued at more than one thousand dollars (\$1,000) or seventy (70) square feet.
  2. Substantial improvements or structural alterations made to an existing building that increase the floor area by more than twenty percent (20%) or equal or exceed the market value by fifty percent (50%). Alteration shall be figured cumulatively during the life of the building). If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.
  3. Repairs made to a substantially damaged building. These repairs shall be figured cumulatively during the life of the building. If substantially damaged the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.
  4. Installing a manufactured home on a new site or a new manufactured home on an existing site. (The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage).



5. Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days.
6. Repetitive loss to an existing building as defined in section 4-6-2.

(B) Residential or non-residential buildings can meet the building protection requirements by one of the following methods:

1. The building may be constructed on permanent land fill in accordance with the following:
  - (a) The lowest floor (including basement) shall be at or above the flood protection elevation.
  - (b) The fill shall be placed in layers no greater than six inches before compaction and should extend at least ten (10) feet beyond the foundation before sloping below the flood protection elevation.
  - (c) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or other structural measure. All slopes shall be no steeper than 3h:1v.
  - (d) The fill shall be composed of rock or soil and not incorporated debris or refuse material, and
  - (e) shall not adversely affect the flow of surface drainage from or onto neighboring properties, shall conform to an approved subdivision master grading plan and or individual lot grading plan and when necessary, stormwater management techniques such as swales or basins shall be incorporated.
2. The building may be elevated on solid walls in accordance with the following:
  - (a) The building or improvements shall be elevated on stilts, piles, walls, crawlspace, or other foundation that is permanently open to flood waters.
  - (b) The lowest floor and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection elevation.
  - (c) If walls are used, all enclosed areas below the flood protection elevation shall address hydrostatic pressures by allowing the automatic entry and exit of flood waters. Designs must either be certified by a licensed professional engineer or by having a minimum of one (1) permanent opening on each wall no more than one (1) foot above grade with a minimum of two (2) openings. The openings shall provide a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation, and
  - (d) the foundation and supporting members shall be anchored, designed, and certified so as to minimize exposure to hydrodynamic forces such as current, waves, ice, and floating debris.
    - (1) All structural components below the flood protection elevation shall be constructed of materials resistant to flood damage.
    - (2) Water and sewer pipes, electrical and telephone lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.
    - (3) The area below the flood protection elevation shall be used solely for parking or building access and not later modified or occupied as habitable space, or

(4) in lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.

3. The building may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:
  - (a) The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
  - (b) Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. A minimum of one opening on each wall having a total net area of not less than one (1) square inch per one (1) square foot of enclosed area. The openings shall be no more than one (1) foot above grade.
  - (c) The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
  - (d) The interior height of the crawlspace measured from the interior grade of the crawl to the top of the foundations wall must not exceed four (4) feet at any point.
  - (e) An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.
  - (f) Portions of the building below the flood protection elevation must be constructed with materials resistant to flood damage, and
  - (g) Utility systems within the crawlspace must be elevated above the flood protection elevation.

(C) Non-residential buildings may be structurally dry floodproofed (in lieu of elevation) provided a licensed professional engineer or architect certifies that:

1. Below the flood protection elevation the structure and attendant utility facilities are watertight and capable of resisting the effects of the base flood.
2. The building design accounts for flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and the impact from debris and ice.
3. Floodproofing measures will be incorporated into the building design and operable without human intervention and without an outside source of electricity.
4. Levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this subsection.

(D) Manufactured homes or travel trailers to be permanently installed on site shall be:

1. Elevated to or above the flood protection elevation in accordance with section 4-6-7(B), and
2. anchored to resist flotation, collapse, or lateral movement by being tied down in accordance with the rules and regulations for the Illinois Mobile Home Tie-Down Act issued pursuant to 77 Ill. Adm. Code § 870.

- (E) Travel trailers and recreational vehicles on site for more than one hundred eighty (180) days shall meet the elevation requirements of section 4-6-7(D) unless the following conditions are met:
1. The vehicle must be either self-propelled or towable by a light duty truck.
  2. The hitch must remain on the vehicle at all times.
  3. The vehicle must not be attached to external structures such as decks and porches
  4. The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
  5. The vehicles largest horizontal projections must be no larger than four hundred (400) square feet.
  6. The vehicle's wheels must remain on axles and inflated.
  7. Air conditioning units must be attached to the frame so as to be safe for movement of the floodplain.
  8. Propane tanks as well as electrical and sewage connections must be quick-disconnect.
  9. The vehicle must be licensed and titled as a recreational vehicle or park model, and
  10. must either:
    - (a) entirely be supported by jacks, or
    - (b) have a hitch jack permanently mounted, have the tires touching the ground and be supported by block in a manner that will allow the block to be easily removed by used of the hitch jack.
- (F) Garages, sheds or other minor accessory structures constructed ancillary to an existing residential use may be permitted provided the following conditions are met:
1. The garage or shed must be non-habitable.
  2. The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use.
  3. The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits.
  4. The garage or shed must be on a single family lot and be accessory to an existing principle structure on the same lot.
  5. Below the base flood elevation, the garage or shed must be built of materials not susceptible to flood damage.
  6. All utilities, plumbing, heating, air conditioning and electrical must be elevated above the flood protection elevation.
  7. The garage or shed must have at least one permanent opening on each wall not more than one (1) foot above grade with one (1) square inch of opening for every one (1) square foot of floor area.

8. The garage or shed must be less than fifteen thousand dollars (\$15,000) in market value or replacement cost whichever is greater or less than five hundred and seventy six (576) square feet (24'x24').
9. The structure shall be anchored to resist floatation and overturning.
10. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the flood protection elevation.
11. The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

4-6-8: **SUBDIVISION REQUIREMENTS:** The Village shall take into account hazards, to the extent that they are known, in all official actions related to land management use and development.

- (A) New subdivisions, manufactured home parks, annexation agreements, planned unit developments, and additions to manufactured home parks and subdivisions shall meet the damage prevention and building protections standards of sections 4-6-6 and 4-6-7 of this Chapter. Any proposal for such development shall include the following data:
1. The base flood elevation and the boundary of the floodplain, where the base flood elevation is not available from an existing study, the applicant shall be responsible for calculating the base flood elevation;
  2. the boundary of the floodway when applicable, and
  3. a signed statement by a Licensed Professional Engineer that the proposed plat or plan accounts for changes in the drainage of surface waters in accordance with the Plat Act (765 ILCS 205/2).
- (B) Streets, blocks, lots, parks and other public grounds shall be located and laid out in such a manner as to preserve and utilize natural streams and channels. Wherever possible the floodplains shall be included within parks or other public grounds.
- (C) All floodplains identified pursuant to detailed engineering analysis and which are not currently mapped as SFHA shall be placed within easements and shown on such plats as may be required by the provisions contained with the Village's subdivision design requirements under title 11 of the Municipal Code. The greater extent of either the SFHA or the prescribed easement(s) under the Municipal Code shall be used in regulating development within and/or adjacent to the floodplain.
- (D) All manufactured home parks or subdivisions located wholly or partially in a Zone A shall file evacuation plans indicating vehicular access and escape routes, including mobile home hauler routes, with the Village Emergency Services and Public Works Departments.

4-6-9: **PUBLIC HEALTH AND OTHER STANDARDS:**

- (A) Public health standards must be met for all floodplain development. In addition to the requirements of sections 4-6-6 and 4-6-7 of this Chapter the following standards apply:
1. No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of section 4-6-7 of this Chapter.
  2. Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.

3. Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
4. New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the flood protection elevation shall be watertight.
5. Construction of new or substantially improved critical facilities shall be located outside the limits of the floodplain. Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available and after having sought and received approval for a variance meeting the conditions listed under section 4-6-10. Critical facilities constructed within the SFHA shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 500-year flood frequency elevation or three feet above the level of the 100-year flood frequency elevation whichever is greater. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities.

- (B) All other activities defined as development shall be designed so as not to alter flood flows or increase potential flood damages.

4-6-10: **VARIANCES:** Whenever the standards of this Chapter place undue hardship on a specific development proposal, the applicant may apply to the Superintendent of Public Works for a variance. The Superintendent of Public Works shall review the applicant's request for a variance and shall submit its recommendation to the Village President and Board of Trustees. The Village President and Board of Trustees may attach such conditions to granting of a variance as it deems necessary to further the intent of this Chapter.

- (A) No variance shall be granted unless the applicant demonstrates that all of the following conditions are met:

1. The development activity cannot be located outside the floodplain.
2. An exceptional hardship would result if the variance were not granted.
3. The relief requested is the minimum necessary.
4. There will be no additional threat to public health, safety or creation of a nuisance.
5. There will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
6. The applicant's circumstances are unique and do not establish a pattern inconsistent with the intent of the NFIP, and
7. all other state and federal permits have been obtained.

- (B) The Village President and Board of Trustees shall notify an applicant in writing that a variance from the requirements of the building protections standards of section 4-6-7 that would lessen the degree of protection to a building will:

1. Result in increased premium rates for flood insurance commensurate with the increased risk and up to twenty-five dollars (\$25) per one hundred dollars (\$100) of insurance coverage;

2. increase the risk to life and property, and
3. require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.

(C) Historic Structures

1. Variances to the building protection requirements of section 4-6-7 of this Chapter which are requested in connection with reconstruction, repair, or alteration of a historic site or historic structure as defined in "Historic Structures", may be granted using criteria more permissive than the requirements of sections 4-6-6 and 4-6-7 of this Chapter subject to the conditions that:
  - (a) The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
  - (b) The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

(D) Agriculture

Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in this Chapter.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-floodproofed.

1. All agricultural structures considered for a variance from the floodplain management regulations of this Chapter shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures or animal confinement facilities, such as farm houses, cannot be considered agricultural structures.
2. Use of the varied structures must be limited to agricultural purposes in zone A only as identified on the community's Flood Insurance Rate Map (FIRM).
3. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation, must be built with flood-resistant materials in accordance with section 4-6-7 of this Chapter.
4. The agricultural structures must be adequately anchored to prevent flotation, collapse, or lateral movement of the structures in accordance with section 4-6-7 of this Chapter. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.
5. Any mechanical, electrical, or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with section 4-6-7 of this Chapter.
6. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with section 4-6-7(B) of this Chapter.

7. The agricultural structures must comply with the floodplain management floodway provisions of section 4-6-6 of this Chapter. No variances may be issued for agricultural structures within any designated floodway.
8. Wet-floodproofing construction techniques must be reviewed and approved by the floodplain administrator and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

4-6-11: **DISCLAIMER OF LIABILITY:** The degree of protection required by this Chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This Chapter does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This Chapter does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from proper reliance on this Chapter or any administrative decision made lawfully thereunder.

4-6-12: **PENALTY:** Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this Chapter. Upon due investigation, the Flood Plain Administrator may determine that a violation of the minimum standards of this Chapter exists. The Village shall notify the owner in writing of such violation.

(A) If such owner fails after ten (10) days notice to correct the violation:

1. The Village shall make application to the circuit court for an injunction requiring conformance with this Chapter or make such other order as the court deems necessary to secure compliance with the Chapter.
2. Any person who violates this Chapter shall upon conviction thereof be fined not less than fifty dollars (\$50) or more than seven hundred fifty (\$750) for each offense.
3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues, and
4. the Village shall record a notice of violation on the title of the property.

(B) The Flood Plain Administrator shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

The Flood Plain Administrator is authorized to issue an order requiring the suspension of the subject development. The suspension order shall be in writing, indicate the reason for the issuance, and shall order the action, if necessary, to resolve the circumstances requiring the suspension of the permit.

No site development permit shall be permanently suspended or revoked until a hearing is held by the Village President and Board of Trustees. Written notice of such hearing shall be served on the permittee and shall state:

1. The grounds for the complaint, reasons for suspension or revocation, and
2. the time and place of the hearing.

At such hearing the permittee shall be given an opportunity to present evidence on their behalf. At the conclusion of the hearing, the Village President and Board of Trustees shall determine whether the permit shall be suspended or revoked.

- (C) Nothing herein shall prevent the Village from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

4-6-13: **ABROGATION AND GREATER RESTRICTIONS:** This ordinance repeals and replaces other ordinances adopted by the Village of Morton to fulfill the requirements of the National Flood Insurance Program including: Ordinance 88-10 dated August 15th 1988. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Ord. 16-14, 2-6-17)



## CHAPTER 7

**PROPERTY MAINTENANCE CODE**

## SECTION:

- 4-7-1: Adoption of Property Maintenance Code  
 4-7-2: Additions; Deletions; Changes

4-7-1: **ADOPTION OF PROPERTY MAINTENANCE CODE:** The 2015 Edition of the International Property Maintenance Code, and any subsequent additions or amendments therefore copyrighted by the International Code Council, Inc., three (3) copy of which are on file in the office of the Village Clerk of the Village of Morton being marked and designated as the International Property Maintenance Code, 2015 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Village of Morton in the State of Illinois for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to insure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; in each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this Chapter.

4-7-2: **ADDITIONS; DELETIONS; CHANGES:** The following additions, changes and/or deletions shall apply to the Property Maintenance Code as adopted by the Village of Morton:

- (A) In Section 101.1 insert Village of Morton for [Name of Jurisdiction]; and
- (B) Delete Section 103.5
- (C) Delete Section 103.1; and
- (D) In Section 103.2 delete shall be appointed by the Chief appointing authority of the jurisdiction and insert in its place shall be the Director of Building and Zoning of the Village of Morton or his or her appointee; and
- (E) In Section 112.4 insert fifty dollars (\$50.00) in place of amount in the first instance in which it occurs in said Section and insert seven hundred fifty dollars (\$750.00) in place of “[amount]” in place of amount in the second instance in which it appears in said Section; and
- (F) In Section 302.4 insert eight (8) inches in place of “[height in inches]”; and
- (G) In Section 304.14 insert March 1st in place of “[date]” in the first instance in which date occurs and insert November 1st in place of “[date]” in the second instance in which it occurs in said Section; and
- (H) In Section 602.3 insert November 1st in place of “[date]” in the first instance in which date occurs and insert March 1st in place of “[date]” in the second instance in which it occurs in said Section; and

- (l) In Section 602.4 insert November 1st in place of “[date]” in the first instance in which date occurs and insert March 1st in place of “[date]” in the second instance in which it occurs in said Section.

(Ord. 16-17, 4-3-17)

CHAPTER 8  
VIOLATIONS

SECTION:

4-8-1: Violations And Penalties

4-8-1: **VIOLATIONS AND PENALTIES:**

- (A) Any person who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any provision of this Title 4, upon conviction, shall be fined not less than fifty dollars (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate offense. (amd. Ord. 04-02, 5-3-04; amd. Ord 06-35, 12-4-06)
- (B) In case any building or structure, or any part thereof, is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Title, the proper authorities of the Village, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful construction, maintenance, or use; to restrain, correct, or abate such violation; to prevent the occupancy of said building, structure, or land; or to prevent any illegal act, conduct, business, or use in or about such premises. (Ord. 90-37, 4-15-91; amd. Ord. 16-14, 2-6-17; amd. Ord. 16-17, 4-3-17)



(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 or structure hereafter erected or structurally enlarged shall exceed three and one-half (3 1/2) stories or forty-five feet (45') in height, except for those general exceptions to height limitations as outlined in Section 10-4-3 of this Title. Buildings exceeding forty-five feet (45') in height may be permitted as a special use subject to public hearing and other special permit procedure requirements as outlined in Chapter 10 of this Title. (Ord. 03-44, 03-15-04)

10-5-7: **MH MOBILE HOME DISTRICT:**

(A) Permitted Uses: Manufactured homes and mobile home courts meeting the following requirements: (Ord. 78-31, 3-5-79; amd. Ord. 82-8, 8-2-82; amd. Ord. 98-45, 3-15-99; 03-44, 03-15-04)

1. Frost protected connections to the Municipal water and sewer facilities and stormwater drainage, all inspected and approved by the Village Engineer at the time of connection;
2. Electrical outlets and ground connections, with all connections inspected and approved by the Village Engineer at the time of connection;
3. Black top or concrete surface driveway not less than eighteen feet (18') in width providing access to each site and one (1) parking space for each site in addition to the driveway;
4. A minimum individual mobile home or manufactured home site size of not less than five thousand (5,000) square feet, and a width of not less than fifty feet (50'); and
5. Each mobile home or manufactured home must be equipped with sanitary sewer facilities and connected to Village sanitary sewer system, with all connections inspected and approved by the Village Engineer prior to the issuance of a certificate of occupancy for such mobile home or manufactured home.

(B) Required Lot Area: Each mobile home court shall have an area of not less than ten (10) acres and an average density of mobile home lots of not more than eight (8) per acre.

(C) Yards Required: All mobile home courts shall provide lots sufficient to maintain the following minimum requirements:

1. No mobile home or manufactured home or any structure, addition, or appurtenance thereto is located less than ten feet (10') from the nearest adjacent lot boundary line.
2. Space between mobile homes or between manufactured homes may be used for the parking of motor vehicles if the space is clearly designated and the vehicle is parked at least ten feet (10') from the nearest adjacent lot.

- (D) All mobile home courts shall be screened from public view by landscape screening as defined in Section 10-2-1 of this Title before a permit for occupancy is issued.
- (E) Accessory buildings and structures shall be permitted, subject to the following:
1. For purposes of this subsection, accessory buildings and structures shall include, but not be limited to, sheds, carports, porches, decks, or other additions or appurtenances to a manufactured home or mobile home.
  2. There shall be no more than two (2) accessory buildings or structures per mobile home or manufactured home lot.
  3. The height of any building or structure shall not exceed thirteen feet (13') or the height of the manufactured home or mobile home, whichever is less.
  4. The construction, reconstruction, repair, or replacement of an accessory building or structure shall be subject to all building regulations, including but not limited to any permit requirements, set forth in Title 4 of the Village of Morton Municipal Code.
- (F) All mobile homes, manufactured homes, and mobile home courts must comply with the provisions of Chapter 5 of Title 4 of the Village of Morton Municipal Code, and must obtain a development permit from the Flood Plain Administrator prior to placing, constructing, reconstructing, or relocating any mobile home, manufactured home, or accessory building or structure within a floodplain within the jurisdiction of the Village. (amd. Ord. 19-10, 8-20-18)

10-5-8: **PLANNED RESIDENTIAL DEVELOPMENTS:**

- (A) Purpose: The Village of Morton, being confronted with increased urbanization and acknowledging that the technology of land development and demand for housing are undergoing substantial changes, establishes the planned residential development procedure for the following purposes, except as provided in subparagraph O: (amd. Ord. 03-44, 03-15-04; amd. Ord. 07-38, 10-01-07)
1. To encourage innovations in residential development so that the demands for housing may be met by greater variety in type, design, and arrangement of dwellings and conservation space.
  2. To encourage types of housing developments providing greater opportunities for better housing and recreation to all citizens of the Village.
  3. To provide a procedure which can relate the type, design, and layout of residential development to the particular site and the particular demand for housing at the time of development in a manner consistent with the preservation of the property values in the residential districts.
  4. To provide variety and flexibility in land development necessary to meet changes in technology and demand, consistent with the best interests of the Village.
  5. To provide for more efficient allocation and maintenance of open space subordinate to new residential development through private initiative.
  6. To provide for the more efficient use of those public facilities required in connection with new residential development.
- (B) Planned Residential Development Definitions, except as provided in subparagraph O: (amd. Ord. 07-38, 10-01-07)

**PLANNED RESIDENTIAL DEVELOPMENT** A “planned residential development” shall mean an area of land controlled by a single landowner to be developed as a single entity for a number of dwelling units and permanent open space to meet the stated purpose of this Section, the plan for which does not conform in lot size, bulk, type of dwelling, density, lot coverage, or required open space in any one residential district established by any other chapter of this Title.

**LANDOWNER** The term 'landowner’ shall mean the legal or beneficial owner or owners of all the land proposed to be included in a planned residential development. The holder of an option or contract to purchase, a lessee having a remaining term of not less than forty (40) years, or other persons having an enforceable proprietary interest in such land shall be deemed to be a landowner for the purpose of this Section of the Zoning Ordinance.

**COMMON OPEN SPACE** “Common open space” shall mean a specific parcel or area of the site in usable size and configuration, and well located in relation to other aspects of the site development plan, to accommodate permanent green space and/or recreation facilities for the common use and enjoyment of the residents. The Plan Commission, in its review, shall determine the appropriateness of the site or sites to be set aside for common open space in relation to the uses for which proposed. The common open space shall be in addition to open site area owned and utilized in common for building setting, walks, drives, etc., which is not in most instances in usable shape and configuration for recreational uses. (Ord. 78-31, 3-5-79)

(C) **Minimum Area For Planned Residential Development:** No Planned Residential Development shall be permitted for a property smaller than three and one-half (3.5) acres. For developments from three and one-half (3.5) acres to less than five (5) acres, the additional provisions of subparagraph (O) shall apply. (Ord. 92-11, 8-17-92; amd. Ord. 07-38, 10-01-07)

(D) **Standards And Criteria Of Common Open Space:** A plan that is not inconsistent with 1) the foregoing statement of purpose of planned residential developments; 2) the general standard as set out hereafter; or 3) the specific rules and regulations for planned residential development approval then in force, shall be deemed to be eligible for review for tentative approval, except as provided in subparagraph O. (amd. Ord. 07-38, 10-01-07)

A plan shall be consistent with the following general standards for use of land, and the use, type, bulk, design, and location of building, the density or intensity of use, the common open space, the public facilities, and the development by geographic division of the site:

1. **Variety Of Housing Types Allowed:** Regardless of the residential district in which it is located, the plan may provide for a variety of housing types.
2. **Maximum Building Coverage:** The total ground area occupied by buildings and structures shall not exceed forty percent (40%) of the ground area of the planned residential development.
3. **Height Of Buildings:** Height of buildings shall not be a basis for denial or approval of any plan, provided any structures in excess of thirty five feet (35’) shall be designed and platted to be consistent with the reasonable enjoyment of neighboring property.
4. **Architectural Style:** Architectural style of buildings shall not be a basis for denial or approval of a plan.
5. **Non-Residential Uses:** Non-residential uses of a religious, educational, or recreational nature may be incorporated in the proposed plan.

6. Allowable Dwelling Units:

- (a) Plans Not Increasing Dwelling Units: Any plan that does not propose to increase the number of dwelling units on the particular tract than would otherwise be allowed under the appropriate zoning district(s) in which the tract is included, shall not be disapproved insofar as intensity of use or number of dwelling units is concerned.
- (b) Plans Increasing Dwelling Units: In all residential districts, except the R-3 Districts, a plan may provide for a greater number of dwelling units on the particular tract than would otherwise be allowed under the appropriate zoning district(s) in which the tract is included, but if the number of dwelling units exceeds by more than thirty percent (30%) that permitted by the regulations otherwise applicable to the site, the landowner shall have the burden to show that such excess will not have an undue and adverse impact on existing public facilities and on the reasonable enjoyment of neighboring property. The Plan Commission, in determining the reasonableness of any further increase in the number of dwelling units over the allowable thirty percent (30%) increase, shall recognize that increased density may be compensated for by additional amenities in the site development, amount and proposed use, and the type of development and improvement to be provided the common open space, and location, design and type of dwelling units, and the nature and type of walks, bikeways and site landscaping to be carried out. In no case, however, shall the increased number of dwelling units exceed forty percent (40%) of the number that would be allowed on that particular tract under the appropriate zoning regulations.
- (c) Computing Allowable Dwelling Densities: For purposes of estimating allowable numbers of dwellings under the appropriate zoning districts, or the extent by which that number can be increased through planned residential development, the following shall be the basis which shall rule to determine number of dwelling units/gross acres of land. These factors shall be applied to total project acreage in the appropriate zone less the acreage for proposed major or collector streets:

Existing Zoning	D./Acre Existing Zoning	30% Increase D./Acre	40% Increase D./Acre
R-S	1.0	1.3	1.4
R-1	4.6	6.0	6.4
R-2	6.8	8.9	9.5
R-3	17.3	- - - Increases Not Permitted- - -	

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

- (E) Amount And Location Of Common Open Space: In each planned residential development, fifteen percent (15%) of the tract, but in no case less than one and one-half (1 1/2) acres, shall be provided for common open space, except as provided in subparagraph O. (Ord. 92-11, 8-17-92; amd. Ord. 07-38, 10-01-07)
- (F) Plan To Be Guaranteed By Covenants And Easements: The plan of the planned residential development may be accompanied by such proposed covenants, easements, and other provisions relating to the bulk, location, and density of the residential units, the provision of open space and public facilities as are necessary for the welfare of the planned residential development and not inconsistent with the best interests of the community.



- (G) Subdivision Regulations May Be Varied In A Planned Residential Development: The planned residential development may vary from the required standards for the arrangement and width of streets (but not quality of construction), provision and location of sidewalks and layout of parking areas (but not reduced requirement of parking spaces) and deviation from Village standards in street signs, street lighting, and other such improvements to comply with the character of the proposed development where it is found by the Planning Commission that adherence to such standards are not in the best interests of the residents of the planned residential development and that the modifications or variation from such regulations are not inconsistent with the best interests of the Village.<sup>1</sup>
- (H) Application For Tentative Approval Of Planned Residential Development:
1. Plan Commission May Establish Additional Rules For Review Of Planned Residential Developments: The Plan Commission may make such additional written general rules regarding general procedure and form of applications as it may determine, provided they are not inconsistent herewith.
  2. Filing Fee For Tentative Planned Residential Development Approval: The application for tentative approval shall be executed by or on behalf of the landowner and filed in duplicate with the Zoning Enforcing Officer accompanied by the appropriate filing fee payable to the Village of Morton. Said filing fee shall be used to partially defray the cost of the public hearing and any professional assistance utilized by the community in the review of the proposed project.<sup>2</sup>
  3. The Application For Tentative Approval Of A Planned Residential Development Shall Be Accompanied By The Following Materials:
    - (a) A boundary survey including a written legal description of the exact acreage for which the planned residential development is being proposed. Such map shall be at a scale of not smaller than two hundred feet to the inch (1" = 200') and prepared by a registered land surveyor or civil engineer.
    - (b) Topography and physical conditions map including two foot (2') contours, vegetation, drainage channels, unusable area due to soil conditions, drainage, etc., at a scale of not smaller than two hundred feet to the inch (1" = 200').
    - (c) A preliminary plan for the proposed project indicating: 1) the various major areas of the project for which varying types and densities of dwellings are proposed; 2) any proposed major traffic-carrying streets within the project area; 3) sites to be reserved for public open space, schools, parks, playgrounds, and churches; and 4) indication of directions of flow of storm drainage within, and at the points leaving the site and likely nearest connections to public sewer and water.
    - (d) A written report stating in detail the developer's intention in regard to development of the site including: 1) a written description of the type and number of dwelling units contemplated and the method of computing maximum allowable units; 2) projected resultant population; 3) expected number of elementary school children; 4) for projects for which development will occur over a period of years, a schedule showing the sequence of phases and the point in this phase-by-phase development progression at which common open space will be developed and committed to permanent open space use; and 5) a listing of the modifications to the existing zoning and subdivision standards otherwise applicable to the site.

---

<sup>1</sup> Title 11 of the Morton Municipal Code.

<sup>2</sup> Section 10-11-9 of this Title.

4. When the required application for tentative approval of a planned residential development has been filed with the Zoning Enforcing Officer, he shall transmit the material to the Plan Commission for their review. Applications filed less than ten (10) days prior to the next regular meeting of the Plan Commission may be held over to the next regular meeting of the Plan Commission.

(I) Plan Commission Tentative Approval Of Planned Residential Development: The Plan Commission shall review the proposed planned residential development, as outlined in the application materials, to determine the following:

1. All applicable provisions of this planned residential section of the Morton Zoning Ordinance have been met. Where there is any conflict of the planned development regulations with any other requirements of this Ordinance or the Subdivision Ordinance<sup>1</sup>, these regulations shall apply.
2. Road system and proposed method of disposing of sanitary sewage and storm drainage, and the provision of water supply are adequate.
3. Adequate provision has been made for open space areas, walkways, and parking areas.
4. The location of open space is well suited to the development and the open space or recreational uses it is to serve.
5. The applicant has indicated the method to be used to assure those areas shown on the plan will be irrevocably committed for the purpose that continuing maintenance will be assured by the method of ownership.
6. Adequate provisions will be made to guarantee the proposed development of the open space.
7. The cost of installing streets and utilities will be assured by a means satisfactory to the Village.

The Plan Commission may consult with appropriate Village personnel including the Village Engineer and the Department of Public Works in reaching these determinations. Upon finding that the above conditions have been satisfactorily met, the Plan Commission will schedule a public hearing on the planned residential development.

(J) Plan Commission Public Hearing On Planned Residential Development: The Plan Commission shall hold a public hearing on the proposed planned residential development and provide public notice in the manner provided by law. The public notice shall state the location of the proposed project, the acreage, and number of dwelling units of varying types requested in the proposal. The hearing shall be conducted and a record of the proceedings preserved in the manner as from time to time prescribed by the Commission. Where additional information is required or additional opportunity needed for description of the project or response by Village personnel or interested citizens, the Plan Commission, by official action, may continue the hearing to the time and place of the next Planning Commission meeting.

---

<sup>1</sup> Title 11 of the Morton Municipal Code.

- (K) Findings Of Fact Of Plan Commission After Hearing: The Plan Commission shall, within forty five (45) days following the conclusion of the public hearing, either: 1) make recommendation to the Village Board to grant tentative approval; 2) grant tentative approval subject to any specified conditions not included in the plan as submitted; or 3) deny tentative approval to the plan. Failure of the Plan Commission to act within said period shall be deemed to be a recommendation for tentative approval of the plan as submitted.

The recommendation of the Plan Commission for the grant or denial of tentative approval shall be in the form of an adopted action which shall include findings of fact and shall set forth the reasons for the recommendation for the grant or denial, specifying with particularity in what respects the plan would or would not be in the public interest including but not limited to findings of fact and conclusions on the following:

1. In what respects the plan is or is not consistent with the Statement of Purpose for planned residential development;
2. The extent to which the plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk, and use, and the reasons why such departures are or are not deemed to be in the public interest;
3. The nature and extent of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and function of the open space in terms of the densities and dwelling types proposed in the plan;
4. The arrangement of uses within the development and the manner in which said plan does or does not make adequate provision for public services, provide adequate control over vehicular traffic, or further the amenities of light and air, recreation, and visual enjoyment;
5. The relationship, beneficial or adverse, of the proposed planned residential development upon the neighborhood in which it is proposed to be established; and
6. In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions proposed to protect the interests of the public and the residents of the planned residential development in the integrity of the plan.

- (L) Action Of Village Board On Tentative Approval: The Village Board shall not act upon a request for tentative approval for a planned residential development until it shall have received a written report and recommendation from the Plan Commission, providing that no action by the Planning Commission within forty five (45) days shall be deemed to be a favorable recommendation of the Commission. If the Village Board shall determine to grant tentative approval of the planned residential development, it shall do so by a resolution so stating. In the event tentative approval is granted subject to conditions, the applicant may, within thirty (30) days after receiving a copy of the action of the Village, notify the Village Board of his refusal to accept all said conditions, in which case the Village Board shall be deemed to have denied tentative approval of the plan. In the event the applicant does not notify the Village Board within said period of his refusal to accept all said conditions, tentative approval of the plan, with conditions, shall stand as granted.

- (M) Status Of Plan After Tentative Approval:

1. Within ten (10) days after the action of the Village Board giving tentative approval to the proposed planned residential development, a copy of that action (or of the minutes containing that action) shall be certified by the Village Clerk and placed on file in the office of the Village Clerk. A certified copy of that action shall be mailed to the applicant.

2. Tentative approval of a plan shall not qualify a plat of the planned residential development for recording. A plan which has been given tentative approval as submitted or which has been given tentative approval with conditions which have been accepted by the applicant (and provided that the applicant has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Village pending an application or applications for final approval, without the consent of the applicant, provided an application for final approval is filed, or in the case of staged developments, provided applications are filed, within any time limit specified in these regulations.
3. In the event that a plan is given tentative approval and thereafter, but prior to final approval, the applicant shall choose to abandon said plan and shall so notify the Plan Commission in writing, or shall fail to file application or applications for final approval within the required period time, the tentative approval shall be deemed to be revoked and all that portion of the area included in the plan for which final approval has not been given shall be subject to those local ordinances otherwise applicable thereto, and the same shall be noted on the Zoning Map in the office of the Zoning Enforcing Officer, and in the records of the Village Clerk.

(N) Final Plan/Final Plats:

1. An application for final approval may be filed for all the land included in a plan or for a section thereof. Said application for the initial section shall be filed with the Zoning Enforcing Officer within twelve (12) months of the date of tentative approval; final application for all sections must be filed within five (5) years of date of tentative approval. The application shall include such drawings, specifications, covenants, easements, and conditions and form of bond as currently required by the Village. In accordance with the schedule proposed in the application for tentative approval, the applicant may elect to have final approval of only a geographic section or sections of the land included in the plan and may delay, within the above time limits, applications for final approval of other sections. A public hearing on an application for final approval of the plan or section thereof by the Plan Commission shall not be required by ordinance, provided the plan, or the section thereof, submitted for final approval is in substantial compliance with the plan theretofore given tentative approval.
2. A plan submitted for final approval shall be deemed to be in substantial compliance with the plan previously given tentative approval provided any modification by the applicant of the plan as tentatively approved does not:
  - (a) Substantially vary the arrangement of area of varying dwelling types or densities;
  - (b) Substantially vary the location of collector roads or the points of ingress or egress of such roads at the boundaries of the site; or substantially vary the street widths of such roads;
  - (c) Vary the proposed gross residential density or intensity of use by more than five percent (5%) of the tentative plan, but not to exceed the maximum;
  - (d) Involve a reduction of the area set aside for common open space or substantially change the location or configuration of such open space.

A public hearing shall not be held to consider modifications in the location and design of facilities for water and for disposal of storm water and sanitary sewerage.

3. Although a public hearing shall not be held on an application for final approval of a plan when said plans as submitted for final approval is in substantial compliance with the plan as tentatively approved, the burden shall nevertheless be upon the applicant to show the Plan Commission good cause for any variation between the plan as tentatively approved and the plan as submitted for final approval. In the event a public hearing is not required for final approval, and the application for final approval has been filed together with all drawings, specifications, and other documents in support thereof, and as required by the resolution of tentative approval, the Plan Commission shall, within forty five (45) days of such filing, grant such plan final approval; provided, however, that, in the event the plan as submitted contains variations from the plan given tentative approval but remains in substantial compliance with the plan as submitted for tentative approval, the Plan Commission may, after a meeting with the applicant, refuse to grant final approval and shall, within forty five (45) days from the filing of the application for final approval so advise the applicant in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest. In the event of such refusal, the applicant may refile his application for final approval without the variations objected to by the Plan Commission at any time within which he shall be entitled to apply for final approval, or within forty five (45) additional days if the time for applying for final approval shall have already passed at the time when the Plan Commission advised the applicant that the variations were not in the public interest. If the applicant shall fail to refile within said period, he shall be deemed to have refused to accept such requirements and final approval shall be deemed to have been denied.
4. In the event the plan as submitted for final approval is not in substantial compliance with the plan as given tentative approval, as provided in Paragraph 2 of this Subsection (H), the Plan Commission shall, within forty five (45) days of the date the application for final approval is filed, so notify the applicant in writing, setting forth the particular ways in which the plan is not in substantial compliance. The applicant may either refile his plan in a form which is in substantial compliance with the plan as tentatively approved, or he shall file a written request with the Plan Commission that it hold a public hearing on his application for final approval. If the applicant wishes to take either such alternate action he may do so at any time within which he shall be entitled to apply for final approval, or within forty five (45) additional days if the time for applying for final approval shall have already passed at the time when the Plan Commission advised the applicant that the plan was not in substantial compliance. In the event the applicant shall fail to take either of these alternate actions within said time, he shall be deemed to have abandoned the plan. Any such public hearing shall be held within forty five (45) days after request for the hearing is made by the applicant and notice thereof shall be given in the manner prescribed by law. Within forty five (45) days after the conclusion of the hearing, the Plan Commission shall, by resolution, either grant final approval to the plan or deny final approval to the plan.
5. Before final approval is granted by the Plan Commission, prior approval of the construction drawings for the public improvements must be obtained from the Department of Public Works.
6. A plan, or any section thereof, that has been given final approval by the Plan Commission shall note the approval of the Plan Commission and the certification of the Village Clerk and shall be filed of record forthwith in the office of the County Recorder before any development shall take place in accordance therewith.

Final plats required for recording shall contain such information as outlined for final plats in the Subdivision Ordinance of the Village.<sup>1</sup> Where separate final plans and final plats are to be recorded, both shall be approved by the Plan Commission and certified by the Village Clerk. (Ord. 78-31, 3-5-79)

---

<sup>1</sup> See Title 11 of the Morton Municipal Code.

(O) Planned Residential Development 2:

All provisions that apply to planned residential districts greater than five (5) acres shall apply to developments the size of three and one-half (3.5) acres but less than five (5) acres, except the following provisions shall apply:

1. Development must be in a district zoned R-1 or R-2.
2. The maximum lot coverage shall not exceed eighty percent (80%) of the ground area of the planned residential development.
3. No building shall be of a height in excess of two (2) stories.
4. Attached garages are required for all units.
5. No exterior stairways are permitted.
6. All balconies must face to the interior of the property.
7. Fifteen percent (15%) of the tract shall be provided for common open space.  
(Ord. 07-38, 10-01-07)

APPOINTMENT (cont)

- Village Collector . . . . . 1-12-1
- Village Officers And Employees . . . . . 1-14-2
- Village Treasurer . . . . . 1-8-1
- Water, Sewer, And Gas Inspector . . . . . 1-13-1

APPROPRIATION FOR CIVIL DEFENSE ORGANIZATION . . . . . 2-6-12

ARRESTS, CONSERVATORS OF THE PEACE . . . . . 1-14-10

ARSON INVESTIGATOR . . . . . 5-1-17

ASSAULT (See Also BATTERY) . . . . . 6-2-1

ASSEMBLAGES

- Disturbing . . . . . 6-2-7
- Unlawful . . . . . 6-2-26

ASSESSMENT PROCEEDINGS, SPECIAL . . . . . 1-9-6

ASSESSMENTS, COLLECTOR, SPECIAL (See Also COLLECTOR, VILLAGE) . . . . . 1-12

ASSISTING POLICE OFFICERS . . . . . 6-1-7

ATTORNEY, VILLAGE (See Also CORPORATION COUNSEL, VILLAGE) . . . . . 1-9

- Borrow Pit Work Injunction, Issue . . . . . 10-14-11
- Subdivision Responsibilities . . . . . 11-2-1(E)

ATV'S, MOPEDS, SNOWMOBILES ON RESIDENTIAL PROPERTY . . . . . 6-2-30

AUTOMOBILES, WASHING PROHIBITED DURING WATER SHORTAGE . . . . . 8-4-20

AVENUES, DESIGNATION OF STREETS AND . . . . . 8-1-8

B

B CLASS LIQUOR LICENSES . . . . . 3-8-3

B-1 PROFESSIONAL OFFICE ZONING DISTRICT . . . . . 10-6-2

B-2 GENERAL BUSINESS ZONING DISTRICT . . . . . 10-6-3

B-3 HIGHWAY AND SERVICE COMMERCIAL ZONING DISTRICT . . . . . 10-6-4

BACKFLOW PREVENTION DEVICES, WATER SUPPLY PROTECTION . . . . . 8-4-15

BARBERRY BUSHES . . . . . 8-6-3

BARNs (See Also SALES STABLES; BARNS) . . . . . 3-13

BARRICADES (Obstruction and Deposits on Public Right Of Ways) . . . . . 8-1-6

BATTERY (See Also ASSAULT) . . . . . 6-2-2

BEER (See Also LIQUOR REGULATIONS) . . . . . 3-8

BICYCLES

- Display of License Plate . . . . . 9-8-5
- Equipment . . . . . 9-8-8
- Inspection . . . . . 9-8-7
- Issuance Of Licenses . . . . . 9-8-4
- License Application . . . . . 9-8-3
- License Sticker Required . . . . . 9-8-2
- Operation Of Bicycles . . . . . 9-8-9
- Penalty . . . . . 9-8-10
- Traffic Laws Apply . . . . . 9-8-1
- Transfer Of Ownership . . . . . 9-8-6

BIDDING AND CONTRACT PROCEDURES . . . . . 1-24

- Minimum Insurance Requirements for Village Contractors . . . . . 1-24-2

BILLS (POSTING) . . . . . 6-2-20

BIKE TRAIL REGULATION . . . . . 8-17

BLOCKS, SUBDIVISION DESIGN STANDARDS . . . . . 11-4-4

BOARD OF APPEALS, ZONING

- Appeals To Court . . . . . 2-7-3
- Organization . . . . . 2-7-1
- Procedures And Powers . . . . . 2-7-2
- Zoning Procedures, Administration, And Enforcement . . . . . 10-10-1(C)

**BOARD OF TRUSTEES**

Addressing Meetings . . . . . 1-5-11

Assignment of Duties and Responsibilities . . . . . 1-5-6

Attendance at Meetings Other Than by Physical Presence . . . . . 1-5-15

Disturbing Meetings . . . . . 1-5-7

Election; Term . . . . . 1-5-1

Gas Service

    Extensions, Approve . . . . . 8-2-6

    Rates Established By . . . . . 8-2-15(A)

Meetings . . . . . 1-5-3

Oath; Compensation . . . . . 1-5-2

Order Of Business . . . . . 1-5-8

Presiding Officer . . . . . 1-5-4

Quorum . . . . . 1-5-5

Rescinded Action . . . . . 1-5-9

Resolutions . . . . . 1-5-10

Robert's Rules Of Order . . . . . 1-5-13

Subdivision Responsibilities . . . . . 11-2-1(D)

Suspension Of Rules . . . . . 1-5-12

**BOARD OF TRUSTEES, VILLAGE PRESIDENT**

. . . . . 1-6

**BOARDS**

Board Of Trustees . . . . . 1-5

Local Improvements . . . . . 2-3

Police Commissioners . . . . . 2-4

Police Pension Fund . . . . . 2-5

Zoning Appeals . . . . . 2-7

**BONDS**

Borrow Pit Work . . . . . 10-14-9

Clerk . . . . . 1-7-2

Collector, Village . . . . . 1-12-2

Excavations . . . . . 8-1-7

Itinerant Merchants, Peddlers . . . . . 3-9-2, 3-9-5

Liquor License Applicants . . . . . 3-8-7

Officers And Employees, Village . . . . . 1-14-8

Police Commissioners . . . . . 2-4-3

Policemen . . . . . 6-1-6

President, Village . . . . . 1-6-4

Secretary-Treasurer Of Fire Department . . . . . 5-1-8

Sewer Contractors . . . . . 8-3-4.1(A)

Surety . . . . . 1-18

Treasurer, Village . . . . . 1-8-2

**BORROW PITS (See Also ZONING, MORTON ZONING ORDINANCE)**

. . . . . 10-14

**BRAKES, VEHICLES**

. . . . . 9-5-4

**BREACH OF PEACE**

. . . . . 6-2-16

**BUILDING CODE AND BUILDING PERMITS**

Adoption Of Building Code . . . . . 4-1-1

Certificate Of Completion Of Construction . . . . . 4-1-9

Completion Of Work . . . . . 4-1-6

Contractor Or Third Party Responsibility . . . . . 4-1-8

Extension Of Time To Complete Work . . . . . 4-1-7

Fees . . . . . 4-1-3

Inspections . . . . . 4-1-11

Issuance Of Building Permit . . . . . 4-1-4

Permits . . . . . 4-1-2

Revocation . . . . . 4-1-5

Sign Regulations, Building Permit Required . . . . . 10-9-3

Violation Of Building Permit, Site Plan, Or Ordinance . . . . . 4-1-10

Violations And Penalties . . . . . 4-7



**BUILDING REGULATIONS**  
 Building Code And Building Permits . . . . . 4-1  
 Demolition Standards . . . . . 4-5  
 Electrical Code . . . . . 4-4  
 Floodplain Regulation and Flood Damage Prevention . . . . . 4-6  
 Housing Code . . . . . 4-3  
 Plumbing Codes . . . . . 4-2  
 Property Maintenance Code . . . . . 4-7  
 Violations . . . . . 4-8  
**BUILDING SETBACKS, SUBDIVISION** . . . . . 11-9-2  
**BUILDINGS, SUPERVISION OF VILLAGE** . . . . . 1-10-2(C)  
**BUSINESS DISTRICT DEVELOPMENT AND REDEVELOPMENT COMMISSION** . . . . . 2-8  
 Sign Regulations For . . . . . 10-9-6  
 Zoning . . . . . 10-6  
**BUSINESS DISTRICT RETAILERS' OCCUPATION TAX** . . . . . 3-2-1  
**BUSINESS DISTRICT SERVICE OCCUPATION TAX** . . . . . 3-2-2  
**BUSINESS MANAGER**  
 Gas Bill Dispute Hearings Held By . . . . . 8-2-16(C),(G)  
 Residency of Employees . . . . . 12-3-15  
**BUSINESS SIGNS (See Also ZONING, MORTON ZONING ORDINANCE, Sign Regulations)** . . . . 10-9

C

**C CLASS LIQUOR LICENSE** . . . . . 3-8-3  
**CABLE/VIDEO SERVICE PROVIDER FEES** . . . . . 3-27  
**CANNABIS** . . . . . 6-2-3  
 Cannabis Control Act (See Also PARAPHERNALIA) . . . . . 6-2-8  
 Compassionate Use of Medical Cannabis Pilot Program Act . . . . . 6-2-3  
 Transportation of . . . . . 9-4-55  
**CATS (See Also ANIMALS)** . . . . . 6-3  
**CATS, RABIES INOCULATION TAG** . . . . . 6-3-2  
**CERTIFICATES OF ACCREDITATION, POLICEMEN** . . . . . 6-1-2  
**CERTIFICATES OF OCCUPANCY, ZONING** . . . . . 4-1-2(B), 10-10-2(B)  
**CESSPOOLS** . . . . . 8-3-8  
**CHARGES, RECONNECTION OF WATER** . . . . . 8-15-10  
**CHARGES, STORM WATER SERVICE** . . . . . 8-5-5  
**CHECKS, INSUFFICIENT, PENALTY** . . . . . 1-4-6  
**CHIEF OF POLICE** . . . . . 6-1-4  
 Bicycles . . . . . 9-8-4  
 Issue Dog Tag . . . . . 6-3-2  
 Keeper Of Village Jail . . . . . 1-15-2  
 Supervise Fireworks Displays . . . . . 5-2-2  
**CHILD CARE, HOME OCCUPATION PROVISIONS** . . . . . 10-13-10  
**CISTERN OVERFLOW PIPES** . . . . . 8-3-8.3  
**CLASSIFICATION, SEWER USERS** . . . . . 8-3-9.2

CLERK, VILLAGE

- Bond . . . . . 1-7-3
- Compensation . . . . . 1-7-4
- Deputy Clerk Authorized; Appointment; Powers . . . . . 1-7-6
- Duties . . . . . 1-7-5
- Election; Term . . . . . 1-7-1
- Oath . . . . . 1-7-2

CLIMBING UTILITY POLES . . . . . 6-2-4

CLOSING HOURS OF LIQUOR ESTABLISHMENTS . . . . . 3-8-4

CLUBS, LIQUOR LICENSE . . . . . 3-8-3(A)4

CODES

- Building . . . . . 4-1
- Electrical . . . . . 4-4-1
- Fire Prevention . . . . . 5-3
- Fuel Gas Code . . . . . 4-2-1
- Housing . . . . . 4-3-1
- Plumbing . . . . . 4-2-1
- Village . . . . . 1-1
- Violations And Penalties, Building Regulations . . . . . 4-8-1

COLLECTOR, VILLAGE

- Appointment . . . . . 1-12-1
- Bond . . . . . 1-12-2
- Compensation . . . . . 1-12-5
- General Duties . . . . . 1-12-3
- Records . . . . . 1-12-4

COMMERCIAL DEVELOPMENTS, PLANNED . . . . . 10-4-10

COMMISSIONS

- Board Of Police Commissioners, Created . . . . . 2-4-1
- Liquor Control . . . . . 3-8-1
- Plan . . . . . 2-2

COMPENSATION

- Board Of Trustees . . . . . 1-5-2
- Emergency Services And Disaster Agency . . . . . 2-6-7
- Firefighter . . . . . 5-1-7
- Officers Of Fire Department . . . . . 5-1-2

COMPENSATORY TIME . . . . . 12-3-2(H), 12-3-2(I)

CONCEALED CARRY FIREARM PROVISIONS . . . . . 12-7

- Employee Working Hours . . . . . 12-7-2
- Exceptions . . . . . 12-7-4
- Firearm Definition . . . . . 12-7-5
- Prohibited Area . . . . . 12-7-1
- Village Vehicles . . . . . 12-7-3

CONDEMNATION PROCEEDINGS, DUTY OF CORPORATION COUNSEL . . . . . 1-9-6

CONDUCT

- Disorderly . . . . . 6-2-6

CONNECTIONS TO STORM DRAINS . . . . . 8-7-1

CONSTRUCTION

- Litter At Sites . . . . . 7-2-30
- Plans, Subdivisions . . . . . 11-3-4
- Words . . . . . 1-1-4

CONTRACT (AND BIDDING) PROCEDURES . . . . . 1-24

CONTROLLED SUBSTANCES ACT (See PARAPHERNALIA) . . . . . 6-2-8

COORDINATOR, EMERGENCY SERVICES AND DISASTER AGENCY . . . . . 2-6-2

CORPORATE SEAL . . . . . 1-16-1

CORPORATION COUNSEL, VILLAGE

Advice ..... 1-9-5  
 Creation; Appointment ..... 1-9-1  
 Judgments ..... 1-9-4  
 Special Assessments ..... 1-9-6  
 Special Counsel ..... 1-9-2  
 Suits And Actions ..... 1-9-3  
 CHARGES, RECONNECTION OF WATER ..... 8-15-10  
 CREDITS, EXEMPTIONS AND (Storm Water Utility) ..... 8-5-6  
 CRUELTY TO ANIMALS ..... 6-6-1  
 CURFEW, MINORS ..... 6-4-1

D

DANGEROUS/VICIOUS ANIMALS ..... 6-11  
 DAYCARE CENTERS, RESIDENCE DISTRICT ..... 10-5-2(B)  
 DEFENSE, CIVIL ..... 2-6  
 DEFINITIONS  
 Adult Businesses ..... 3-21-1  
 Drug Paraphernalia ..... 6-2-8  
 Fireworks ..... 5-2-1  
 Gambling ..... 6-2-10.1  
 Garage Sales ..... 12-1-2  
 General ..... 1-3-1  
 Home Occupation ..... 10-13-1  
 Itinerant Merchants, Peddlers ..... 3-9-1  
 Garbage And Refuse ..... 7-2-3, 7-2-21, 7-2-22  
 Junk Or Disabled Motor Vehicles ..... 6-10-1  
 Liquor ..... 3-8-1  
 Massage Establishments ..... 3-22-1  
 Nuisance, Property Maintenance Code ..... 8-8-1  
 Paraphernalia ..... 6-2-8  
 Prostitution ..... 6-2-21  
 Registered Solicitor ..... 3-20-1  
 Sewers ..... 8-3-2  
 Sexual Penetration ..... 6-2-21.4  
 Signs, Zoning ..... 10-9-2  
 Smoking In Public Buildings ..... 12-2-2  
 Storm Water Utility ..... 8-5-2  
 Subdivisions ..... 11-1-5  
 Tobacco Products ..... 6-9-1  
 Traffic ..... 9-1-1  
 Utility ..... 8-15-1  
 Wastewater Treatment ..... 8-3-2  
 Wind Energy Conversion System (WECS) ..... 10-2-1  
 Zoning ..... 10-2-1  
 DELINQUENT BILLS  
 Utility Service ..... 8-15-8  
 DEMOLITION STANDARDS ..... 4-5

DEPARTMENTS

Fire ..... 5-1

Gas Distribution ..... 8-2

Paramedic ..... 5-5

Police ..... 6-1

Storm Water Utility ..... 8-5-1.1

Wastewater Treatment ..... 8-3-1

Water Distribution ..... 8-4-2

Water Treatment ..... 8-4-1

DEPOSIT

Gas Service

    Meter Testing ..... 8-2-12

    Utility Service, Tenants ..... 8-15-3

DEPOSIT OF FUNDS BY VILLAGE TREASURER ..... 1-8-4

DEPOSITS; OBSTRUCTION AND ..... 8-1-6

DESIGN STANDARDS, SUBDIVISIONS ..... 11-4

DIRECTOR, CIVIL DEFENSE ..... 2-6-3

DIRECTOR OF FIRE AND EMERGENCY SERVICES

    Appointment ..... 5-1-3

    Duties ..... 5-1-4

    Residency of Employees ..... 12-3-15

DISASTERS, NATURAL ..... 12-5

    General Powers ..... 12-5-3

    Purpose ..... 12-5-1

    Tasks to be Accomplished ..... 12-5-2

DISCHARGING FIREARMS ..... 6-2-5

DISCHARGING OF SUMP PUMPS AND PERIMETER TILES INTO SANITARY SEWER ..... 8-10

    Court Action ..... 8-10-4

    Effective Date For Grant Eligibility ..... 8-10-15

    Election Of Remedies ..... 8-10-13

    Grant Incentive ..... 8-10-8

    Grant Incentive - Repairs Only ..... 8-10-8.1

    Ineligibility For Grant ..... 8-10-9

    Inspection Authorization ..... 8-10-2

    Judicial Enforcement ..... 8-10-12

    Monetary Penalty For Violation ..... 8-10-10

    No Extensions ..... 8-10-7

    Notification Of Action Required ..... 8-10-6

    Owner Responsibility For Tenant ..... 8-10-14

    Procedure To Secure Authorization ..... 8-10-5

    Purpose ..... 8-10-1

    Service Disconnection ..... 8-10-11

    Severability Clause ..... 8-10-16

    Testing Procedures ..... 8-10-3

DISORDERLY CONDUCT ..... 6-2-6

DISPOSAL, GARBAGE ..... 7-2-11

DISTURBING ASSEMBLAGES ..... 6-2-7

DOGS (See Also ANIMALS) ..... 6-3

DRAG RACING ..... 9-4-4

DRAINS, STORM ..... 8-7

DRIVERS OF VEHICLES (See Also TRAFFIC) ..... 9-7

DRIVEWAYS (See Also STREETS AND OTHER RIGHTS OF WAY) ..... 8-1

DRIVING, RECKLESS ..... 9-4-3

DRIVING RULES, VEHICLES ..... 9-4

DRUG PARAPHERNALIA

Definition of . . . . . 6-2-8  
 Nuisance . . . . . 6-2-8.1  
 Penalty . . . . . 6-2-8.1  
 Possession Of . . . . . 6-2-8.2  
 Sale Or Delivery . . . . . 6-2-8.1  
 Transportation of . . . . . 9-4-55

DRUGS (See Also DRUG PARAPHERNALIA)

Driving Under The Influence Of . . . . . 9-4-1  
 Synthetic Alternative . . . . . 6-2-29

DRUNKENNESS, RULES OF THE ROAD

. . . . . 9-4-1

DUMPING, GARBAGE

. . . . . 7-2-8

DUMPSTERS

. . . . . 10-4-13

DUPLEX

Two On One Lot . . . . . 10-5-4(B)3

Special Use . . . . . 10-5-4(C)4

E

EASEMENTS

Subdivision Design Standards . . . . . 11-4-3  
 Commonwealth Edison . . . . . 11-9-1

ELECTION DAYS, LIQUOR SALES

. . . . . 3-8-21

ELECTION OF

Board President . . . . . 1-6-1  
 Police Pension Fund Board . . . . . 2-5-2  
 Clerk . . . . . 1-7-1  
 Village Trustees . . . . . 1-5-1

ELECTRIC SERVICE, UNDERGROUND

. . . . . 8-11

ELECTRIC VEHICLES, NEIGHBORHOOD

. . . . . 9-4-56

ELECTRICAL CODE

. . . . . 4-4  
 Adoption Of . . . . . 4-4-1  
 Certifications . . . . . 4-4-6  
 Failure To Obtain A Permit . . . . . 4-4-7  
 Permit Required . . . . . 4-4-2  
 Permits . . . . . 4-4-3  
 Re-Inspection Fees . . . . . 4-4-5  
 Scheduling Inspections . . . . . 4-4-4

ELECTRONIC CIGARETTES, POSSESSION OR CONSUMPTION

. . . . . 6-9

EMERGENCY DECLARATIONS

. . . . . 12-4

EMERGENCY MEDICAL SERVICES

. . . . . 5-5

EMERGENCY SERVICES AND DISASTER AGENCY

Appropriation . . . . . 2-6-12  
 Compensation . . . . . 2-6-7  
 Coordinator . . . . . 2-6-2  
 Emergency Action . . . . . 2-6-6  
 Functions . . . . . 2-6-3  
 Mutual Aid Agreements . . . . . 2-6-5  
 Oath . . . . . 2-6-10  
 Office . . . . . 2-6-11  
 Organization Created . . . . . 2-6-1  
 Purchases And Expenditures . . . . . 2-6-9  
 Reimbursement By State . . . . . 2-6-8  
 Service As Mobile Support Team . . . . . 2-6-4

EMERGING FROM ALLEY, BUILDING, PRIVATE ROAD, OR DRIVEWAY

. . . . . 9-4-35

EMPLOYEE POLICIES AND BENEFITS . . . . . 12-3  
 Employee Evaluations . . . . . 12-3-18  
 Leave Without Pay . . . . . 12-3-16  
 Residency of Employees . . . . . 12-3-15  
 EMPLOYEES, VILLAGE . . . . . 1-14  
 State Officials And Employees Ethics Act . . . . . 12-6-1  
 ENCROACHMENTS, TRAFFIC REGULATIONS (See Also STREETS AND OTHER  
 RIGHTS OF WAY) . . . . . 9-12-2  
 ENGINEER, VILLAGE  
 Appointment . . . . . 1-20-1  
 Duties . . . . . 1-20-2  
 Subdivision Responsibilities . . . . . 11-2-1(C)  
 Superintendent Of Public Works Functions . . . . . 1-20-3  
 ENGINEERS, EMPLOYMENT OF . . . . . 2-3-2  
 EQUIPMENT ON BICYCLES . . . . . 9-8-8  
 EQUIPMENT, UTILITY . . . . . 8-12  
 EROSION CONTROL, SUBDIVISIONS . . . . . 11-5-2  
 EXCAVATIONS (See Also STREETS AND OTHER RIGHTS OF WAY) . . . . . 8-1-7  
 EXEMPTIONS AND CREDITS, STORM WATER UTILITY . . . . . 8-5-6  
 EXISTING BUILDINGS IN INTERSTATE CORRIDORS . . . . . 10-4-8

F

F CLASS LIQUOR LICENSE . . . . . 3-8-3  
 FEES  
 Adult Businesses . . . . . 3-21-5  
 Ambulance Service Usage . . . . . 5-5-3  
 Annexation  
 Basic Fees . . . . . 8-13  
 Deferred Fees . . . . . 8-14  
 Annexations, Water Connections . . . . . 8-4-4  
 Bartender Permits . . . . . 3-8-11(H)  
 Building Permits . . . . . 4-1  
 Cable/Video Service Provider  
 Audits . . . . . 3-27-5  
 Fee Imposed . . . . . 3-27-2  
 Late Fees/Payment . . . . . 3-27-6  
 Criminal History Record Information Preparation . . . . . 6-1-15  
 Development . . . . . 8-13-4  
 Engineering Fees For Construction Plan Review, Subdivisions . . . . . 11-6-4  
 Engineering Fees For Inspection, Subdivisions . . . . . 11-6-5  
 Excavation Permit, Subdivisions . . . . . 8-1-5  
 Final Plat, Subdivisions . . . . . 11-6-3  
 Fireworks, Permit Fees . . . . . 5-2-5  
 Gas Service  
 Reconnection . . . . . 8-15-10  
 Service Line Installation . . . . . 8-2-4  
 Special Charge For Gas Main Tap-Ins . . . . . 8-2-5  
 Itinerant Merchants, Peddlers; License . . . . . 3-9-4  
 License And Permits . . . . . 3-1-5  
 Liquor Licenses . . . . . 3-8-3  
 Massage Establishments . . . . . 3-22-3  
 Plumbing . . . . . 4-2-4, 4-2-5  
 Preliminary Plat Fee, Subdivisions . . . . . 11-6-2  
 Reconnection Fee, Water Service . . . . . 8-4-21, 8-15-10  
 Review Of Construction Plans Deposit, Subdivisions . . . . . 11-2-6(A)

Sewer Contractors' License ..... 8-3-4.1(B)

Storm Water Utility ..... 8-5-5

Tenants, Utility Service Deposit Fee ..... 8-15-3

Wastewater Service Charges ..... 8-3-9

Water

    Rates ..... 8-4-9

    Reconnection ..... 8-4-21

Zoning ..... 10-11

FENCES

    Zoning Regulations ..... 10-4-3(D)5

FIRE AND POLICE COMMISSIONERS, BOARD OF ..... 2-4-1

FIRE ALARMS, DETECTION SYSTEMS ..... 5-4

FIRE AND EMERGENCY SERVICES, DIRECTOR OF ..... 5-1-3, 5-1-4

FIRE AND EXPLOSION HAZARDS (Performance Standards) ..... 10-7-4.5

FIRE APPARATUS

    Destruction Of ..... 6-2-15

FIRE AND POLICE COMMISSIONERS, BOARD OF ..... 2-4-1

FIRE DEPARTMENT

    Bond Of Secretary-Treasurer ..... 5-1-8

    Creation Of Department ..... 5-1-1

    Director Of Fire And Emergency Services

        Appointment ..... 5-1-3

        Duties ..... 5-1-4

        Residency of Employees ..... 12-3-15

    Firefighter; Compensation ..... 5-1-7

    Hindering Officers ..... 5-1-13

    Officers; Compensation ..... 5-1-2

    Personnel

        Impersonating ..... 6-2-13

        Interference With ..... 6-2-15

        Following ..... 9-4-47

    Property Saved At Fire ..... 5-1-14

    Qualifications ..... 5-1-11

    Retirement ..... 5-1-12

    Volunteer Firefighter Pension Fund ..... 5-1-15

FIRE DETECTION SYSTEMS

    Fire Detection System ..... 5-4-1

    Inspection ..... 5-4-5

    Maintenance Of Fire Detection Systems ..... 5-4-2

    Penalty ..... 5-4-6

    Presumption Of Improper Working Condition ..... 5-4-3

    Violations ..... 5-4-4

FIRE HYDRANTS

    Location ..... 11-5-7(G)

    Notification ..... 5-6-2

    Penalty ..... 5-6-3

    Private ..... 8-4-13

    Removal Of Obstructions ..... 5-6-1

FIRE INSURANCE COMPANIES TAX, FOREIGN

    Compliance Required ..... 3-12-1

    Fees ..... 3-12-2

    Reports ..... 3-12-3

    Time Of Payment ..... 3-12-4

FIRE PREVENTION CODE

- Fire Prevention . . . . . 5-3-1
- Designating Qualified Personnel . . . . . 5-3-2
- Availability To General Public . . . . . 5-3-3
- Reviewing Plans . . . . . 5-3-4
- Determining Code Violations . . . . . 5-3-5

FIRE SPRINKLER SYSTEMS . . . . . 8-4-14

FIREARMS

- Concealed Carry Provisions . . . . . 12-7
- Employee Working Hours . . . . . 12-7-2
- Exceptions . . . . . 12-7-4
- Firearm Definition . . . . . 12-7-5
- Prohibited Area . . . . . 12-7-1
- Village Vehicles . . . . . 12-7-3
- Discharging . . . . . 6-2-5

FIREFIGHTER'S PENSION FUND, VOLUNTEER . . . . . 5-1-15

FIRES . . . . . 6-2-9

FIREWORKS

- Consumer Fireworks Displays . . . . . 5-2-3
- Definition . . . . . 5-2-1
- Permit . . . . . 5-2-4
- Permit Fees . . . . . 5-2-5
- Regulations . . . . . 5-2-2

FISCAL YEAR . . . . . 1-17-1

FLOODPLAIN REGULATION AND FLOOD DAMAGE PREVENTION . . . . . 4-6

- Abrogation and Greater Restrictions . . . . . 4-6-13
- Base Flood Elevation . . . . . 4-6-3
- Definitions . . . . . 4-6-2
- Development Permit . . . . . 4-6-5
- Disclaimer of Liability . . . . . 4-6-11
- Duties of the Flood Plain Administrator . . . . . 4-6-4
- Penalty . . . . . 4-6-12
- Preventing Increased Flood Heights and Resulting Damages . . . . . 4-6-6
- Protecting Buildings . . . . . 4-6-7
- Purpose . . . . . 4-6-1
- Public Health and Other Standards . . . . . 4-6-9
- Subdivision Requirements . . . . . 4-6-8
- Variances . . . . . 4-6-10

FOREIGN FIRE INSURANCE COMPANIES . . . . . 3-12

FRAUD

- Itinerant Merchants, Peddlers . . . . . 3-9-14
- Sales Stables; Barns . . . . . 3-13-4
- Taxicabs . . . . . 3-15-4

FREEDOM OF INFORMATION OFFICERS . . . . . 1-22

FRONTAGE CONSENTS, LICENSES . . . . . 3-1-9

FUNDS

- Gas . . . . . 8-2-23
- Police Pension . . . . . 2-5-1
- Storm Water . . . . . 8-5-1
- Water . . . . . 8-4-23

G

- G CLASS LIQUOR LICENSE . . . . . 3-8-3
- GAMBLING . . . . . 6-2-10
- GAMBLING, LIQUOR ESTABLISHMENTS . . . . . 3-8-23



POLICE DEPARTMENT (cont.)

- Participation In Pension Fund . . . . . 6-1-16
- Police Or Witness; Fees . . . . . 6-1-13
- Reduction In Number Of Employees . . . . . 6-1-10
- Residence . . . . . 6-1-14
- Special Police . . . . . 6-1-11

POLICE OFFICER

- Impersonating . . . . . 6-2-13
- Resisting Or Obstructing . . . . . 6-2-23

POLICE PENSION FUND BOARD

- Deposits; Deductions . . . . . 2-5-3
- Fund Established . . . . . 2-5-1
- Pension Board Of Trustees . . . . . 2-5-2

POLICE PRESENT DURING ATHLETIC EXHIBITIONS . . . . . 3-2-4

POLICE, SPECIAL . . . . . 6-1-11

POLICE TO DIRECT TRAFFIC . . . . . 9-2-1

POOL HALLS (See Also BILLIARD AND POOL HALLS) . . . . . 3-3

PORTABLE STORAGE UNITS . . . . . 10-4-14

POSTING BILLS . . . . . 6-2-20

PRESIDENT OF BOARD OF TRUSTEES

- Bond; Oath . . . . . 1-6-4
- Checks To Be Signed By . . . . . 1-8-7
- Designation Of Duties . . . . . 1-6-3
- Duties . . . . . 1-6-2
- Election; Term . . . . . 1-6-1
- Garbage Removal License Granted By . . . . . 7-2-6(B)
- Member Of Board Of Local Improvements . . . . . 2-3-1
- President Pro Tem . . . . . 1-6-5
- Presiding Officer Of Board Of Trustees . . . . . 1-5-4

PRESIDENT OF FIRE DEPARTMENT . . . . . 5-1-2

PRIORITIES, GAS SERVICE . . . . . 8-2-3(B)

PRISONERS, VILLAGE JAIL . . . . . 1-15-3

PRIVATE FIRE HYDRANTS . . . . . 8-4-13

PRIVATE WELL DRILLING . . . . . 8-4-5

PRIVY VAULTS . . . . . 8-3-8

PROHIBITED SUBSTANCES IN SEWERS . . . . . 8-3-7.3(J)

PROHIBITION OF SALES ON PUBLIC STREETS . . . . . 8-1-9

PROPERTY

- Injury To . . . . . 6-2-14
- Saved At Fire . . . . . 5-1-14

PROPERTY MAINTENANCE CODE . . . . . 4-7

- Additions; Deletions; Changes . . . . . 4-7-2
- Adoption of Property Maintenance Code . . . . . 4-7-1

PROSTITUTION . . . . . 6-2-21

PUBLIC PLACES, NO LIQUOR IN . . . . . 3-8-29

PUBLIC POOL CROSSING . . . . . 9-4-53

PUBLIC SEWERS, USE OF REQUIRED . . . . . 8-3-7.2

PUBLIC UTILITY ORDINANCES . . . . . 1-2-2

PUBLIC WAYS AND PROPERTY

Alleys . . . . . 8-1

Annexation, Deferred Fees . . . . . 8-14

Driveways . . . . . 8-1

Electric Service, Underground . . . . . 8-11

Maintenance Of Private Property . . . . . 8-8

Right Of Ways . . . . . 8-1

Sidewalks . . . . . 8-1

Storm Drains . . . . . 8-7

Streets . . . . . 8-1

Sump Pumps And Perimeter Tiles . . . . . 8-10

Q

R

R-1 ONE-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT ZONING DISTRICT . . . . . 10-5-3

R-2 TWO-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT ZONING DISTRICT . . . . . 10-5-4

R-3 MULTI-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT ZONING DISTRICT . . . . . 10-5-5

R-S SUBURBAN RESIDENTIAL AND PLANNED RESIDENTIAL DEVELOPMENT ZONING DISTRICT . . . . . 10-5-2

RABIES INOCULATION TAG . . . . . 6-3-2

RAFFLES . . . . . 3-3

RAILROADS, TRAFFIC . . . . . 9-4-32

RATES

Gas . . . . . 8-2-15

Sewer . . . . . 8-3-9

Water . . . . . 8-4-9

REBATES

Wastewater Service Charge Rebates . . . . . 8-3-9.7

Telecommunications Tax Rebates . . . . . 3-26

RECKLESS DRIVING . . . . . 9-4-3

RECORDING MEETINGS . . . . . 1-5-14

RECORDS OF

Junk Dealers . . . . . 3-10-7

Clerk . . . . . 1-7-6

Village Collector . . . . . 1-12-4

Village Treasurer . . . . . 1-8-5

RECYCLING BINS

Damage To . . . . . 7-2-17

Removal Of . . . . . 7-2-16

Replacement Of . . . . . 7-2-14

Title To . . . . . 7-2-15

REFUSE (See GARBAGE AND REFUSE) . . . . . 7-2

REGISTER OF LICENSES AND PERMITS . . . . . 1-7-6

REGISTRATION OF RESIDENTIAL SOLICITORS

Certificate Of Registration . . . . . 3-20-2

Application For . . . . . 3-20-3

Issuance Of . . . . . 3-20-4

Revocation Of . . . . . 3-20-5