

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:

- 15.04 Fire Limits
- 15.08 Dangerous Buildings
- 15.10 International Residential & Existing building Code, 2003 Edition
- 15.12 Mobile Homes and Trailers
- 15.16 Smoke Detectors
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Chapter 15.04

FIRE LIMITS

Sections:

- 15.04.010 Building restrictions within described limits.
- 15.04.020 Wood structure damaged by fire to fifty percent of value.
- 15.04.030 Procedure to determine percent of fire damage.
- 15.04.040 Penalty for violation.

15.04.010 Building restrictions within described limits. No frame or wooden building or buildings or any wooden annex or addition to any building or buildings, shall hereafter be erected, hauled or removed into, upon or within the limits described by metes and bounds as provided in this section, nor shall any building or buildings or any annex or addition thereto, the whole or a part of which shall be encased or veneered with brick, iron or cement, be erected, hauled or moved onto or within the limits described by metes and bounds, which are as follows: Commencing at a point on Maple Street in the village, twenty-five feet east of an alley, and twenty-five feet east of the southwest corner of lot number twenty-three, in Alvin Gilbert's addition to Rossville, thence north parallel with and twenty-five feet east of said alley to the first east and west alley north of Maple Street; thence in an northerly direction twenty-five feet east of and parallel with the first-mentioned alley to a point twenty-five feet east of

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the northwest corner of lot number forty-three, in the M.T. and W.H. Livengood's addition to Rossville; thence in a westerly direction at right angle with Chicago Street, to the east boundary of said Chicago Street; thence westerly on a direct line to the northeast corner of lot number thirty-three, in Gilbert & Satterhwait's addition to Rossville; thence south on a direct line, to a point on the south boundary line of Park Place, in O.P. Stufflebeam's first addition to Rossville; thence east to the northeast corner of lot number sixty-six in Alvin Gilbert's addition to Rossville; thence in a northerly direction to southwest corner of lot twenty-two in Alvin Gilbert's addition to Rossville; thence east to the place of beginning.

15.04.020 Wood structures damaged by fire to fifty percent of value. If any wooden building or any wooden annex or addition to any building, standing within the fire limits described in Section 15.04.010, becomes damaged by fire to the extent of fifty percent of its value, it shall not be repaired; but the same shall be torn or removed from within the fire limits by the owner or owners thereof.

15.04.030 Procedure to determine percent of fire damage. In case any wooden building or any wooden annex or addition to any building standing within the fire limits shall be damaged by fire, the percent of such damage shall be settled by the president of the board of trustees and the owner or owners of the building or structure damaged; but if the president is unable to agree with the owner or owners, and the president is of the opinion that the damage is to the extent of at least fifty percent of the value of the structure, then he shall select some disinterested, discreet person and notify the owner or owners or any one of them of his selection, and thereupon the owner or owners or any one of them, shall, within twenty-four hours, select some person of like qualifications, and the two persons thus chosen shall select a third person to act with them. The persons so chosen, shall examine the premises, and the report of a majority of them, when made in writing and filed with the village clerk, showing their estimate of the percent of

damage, shall be conclusive; provided, that the owner or owners shall not repair or attempt to repair the building or structure until after the percent of damage has been settled as authorized in this section

15.04.040 Penalty for violation. Any person or persons violating any of the provisions of this chapter shall, upon conviction thereof, be fined pursuant to Section 1.16.010.

Chapter 15.08

Dangerous Buildings

Sections:

- 15.08.010 Finding and Purpose
- 15.08.020 Procedure for the Attorney
- 15.08.030 Definitions
- 15.08.040 Procedures-Notice And Order
- 15.08.050 Failure to Comply
- 15.08.060 Repair, Vacation and Demolition
- 15.08.070 Appeal Order of Village Board or Designee
- 15.08.080 Enforcement of Notice and Order
- 15.08.090 Performance of work, or repairs, or demolition
- 15.08.100 Work Costs, Legal Costs, and Administrative Costs
- 15.08.105 Entry
- 15.08.110 Immediate Hazard
- 15.08.115 Construction or Wrecking May be Stopped
- 15.08.200 Requiring Payment of Taxes and Expenses on Property Sustaining Loss.

15.08.010 Finding and Purpose. The Village Board of Trustees finds and declares that dangerous buildings are a public nuisance by virtue of their conditions or defects to the extent that the life, health, property, or safety of the public or its occupants is endangered. The Board of Trustees further finds and declares that immediate abatement of dangerous buildings by repair, rehabilitation, demolition or removal is necessary to

*Section 15.04.040 Amended Aug 19, 2002; Ref Ord #2002-12  
Chapt. 15.08 adopted Feb. 19, 2007; Ref Ord # 2007-04  
Chapt. 15.08.200 adopted Jan. 18, 2010; Ref Ord #2010-01*

protect and preserve the safety of the citizens and neighborhoods where such structures are found. The procedures established in this section shall be in addition to any other legal remedy, criminal or civil, established by law, which may be pursued to address violations of any applicable village ordinance. This ordinance does not affect or alter other nuisance abatement procedures.

15.08.020 Procedure for the Attorney. The Village Attorney shall apply to the Circuit Court for an order authorizing the demolition, repair, or vacation of dangerous and unsafe buildings or uncompleted or abandoned buildings when notices have not been complied with, and when requested to do so by the Building Inspector.

15.08.030 Definitions. As used in this section, the following words and phrases shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

A. Dangerous building: Any building or structure, or portion thereof which threatens the life, health, safety, or property of the public or its occupants by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard disaster, damage, or abandonment shall be deemed a "Dangerous Building." The conditions which may cause a building or structure to be classified as a "Dangerous Building" include, but are not limited to the following conditions:

1. The walking surface or any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as not to provide a safe and adequate means of exit in case of fire or panic;

2. Any portion, member or appurtenance of the building or structure which has been damaged by fire, earthquake, wind, flood, inadequate maintenance or by any other cause, to such an extent that it is likely to partially or completely collapse, fail, detach or dislodge;

3. The building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; or (ii) faulty construction; or (iii) the removal,

movement or instability of any portion of the ground necessary for the purpose of supporting such building; or (iv) the deterioration, decay or inadequacy of its foundation; or (v) any other cause, is likely to partially or completely collapse;

4. The building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children, or a harbor for transient vagrants or criminals;

5. The building or structure, used or intended to be used for dwelling purposes, is unsanitary, unfit for human habitation or in such a condition that it is likely to cause sickness or disease because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities or other cause.

6. The building or structure creates a fire hazard by virtue of its obsolescence, dilapidated condition, deterioration, damage, inadequate exiting, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause;

7. The building or structure constitutes a public nuisance as defined by law.

8. Any portion of the building or structure including the foundation and slab or grade, or structure, remains on a site after the demolition or destruction of the building or structure;

9. Defective or overloaded electrical systems, faulty or leaking fuel piping systems, or deteriorated fuel combustion equipment or combustion product vents.

10. The existing use or occupancy violates the fire, health or building regulations of applicable village ordinances or other statutory or regulatory provisions.

15.08.040 Procedures-Notice And Order

A. Whenever the Building Official determines that a building, structure or any portion thereof is dangerous as defined in the Section, a written Notice and Order shall be issued to the record owner and the person in possession of the building to abate this public nuisance.

B. The Notice and Order shall contain a description of the property in general terms reasonably sufficient to identify the location of the property.

C. The Notice and Order shall refer to this Section and shall list the conditions of the property, which render the structure or building dangerous as defined in this section.

D. Notice and Order shall describe the action required to abate the public nuisance, which may include the following:

1. Repair and Rehabilitation: If the Building Official determines that the building or structure can be reasonably repaired, the written Notice and Order shall require that all necessary permits be obtained and the work physically commenced within a reasonable time under the circumstances, not to exceed sixty days from the date of notice. The Building Official shall also establish a deadline to complete all repairs within a reasonable time.

2. Demolition: If the Building Official determines that the building or structure cannot be reasonably repaired, the Notice and Order shall require that all necessary permits be secured within thirty days of this notice and that demolition shall be completed within a reasonable period of time not to exceed sixty days from the date of this notice.

3. Vacation of Tenants: If the Building official determines that vacation of the structure is necessary for demolition or repairs, the Notice and Order shall require the vacation of the structure within a reasonable period of time not to exceed sixty days from the date of this notice; that all necessary permits be secured within sixty days from the date of this notice and that demolition or repairs be completed within a reasonable time as determined by the Building Official.

4. Clean and Secure: Until the owner starts such actual repairs, rehabilitation or demolition, and after vacation is complete, the notice and order shall require the owner to immediately clean and secure the property.

5. Statement of Intent: This Notice and Order shall require the owner within five calendar days from the date this notice is mailed, to provide the Building Official with a written statement of the owner's intent to abate the public nuisance or file a notice of appeal as provided for in this section.

E. The Notice and Order shall also explain the consequences should the owner fail to comply with the terms of the notice as prescribed in this section.

F. The Notice and Order shall identify all hearing and appeal rights.

G. The Notice and Order, and any amended or supplemental Notice and Order, shall be served upon the record owner or his agent and the person in possession of the property by any one of the following means:

1. Personal service;
2. Certified mail postage prepaid return receipt requested; or
3. Posting the Notice and Order conspicuously on or in front of the property.

The failure of any person with an interest in the property to receive such notice shall not affect the validity of any proceedings taken under this section.

15.08.050 Failure to Comply.

A. If the required work or demolition is not commenced within the time specified in the Notice and Order and is not in compliance with all applicable regulations, the Building Official may, after having received a court order to do so, do any or all of the following:

1. Order the building vacated and posted to prevent further occupancy until the work is completed; and
  2. Clean and secure the building or structure;
- and

3. Declare the building or structure a public nuisance and order its demolition by village work forces or a private contractor, or by the owner.

15.08.060 Repair, Vacation and Demolition.

A. Standards: The Building Official shall follow the standards in ordering the repair, vacation, or demolition of any Dangerous Building or Structure:

1. Any building declared dangerous under this section shall be repaired in accordance with the most recent building code.

2. The owner of the property shall be liable in the relocation of any tenants, which are displaced as a result of this abatement process.

B. Posting Signs: When the Building Official orders the vacation of tenants and when the building is secured, signs shall be posted at or near each entrance of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is an ordinance violation to occupy this building or to remove or deface this notice.

1.Order: The notice to vacate shall also be posted and it shall recite the conditions in the notice issued by the Building Official.

C. Trespass: No person shall remain in or enter any building which has been so posted until the required repairs have been completed and a certificate of occupancy issued pursuant to the provisions of the Building code or until demolition is finished and all debris removed pursuant to the demolition permit.

D. Defacement: No person shall remove or deface any such sign or notice after it is posted until the required repairs have been completed and a certificate of occupancy issued pursuant to the demolition permit.

15.08.070 Appeal Order of Village board or Designee.

Any person having any title or legal interest in the property, building or structure may appeal from the Notice and Order or any action or determination made by the Building Official. The notice to appeal must be made in writing and filed with the Building Official within five



calendar days from the date the Notice and Order to be appealed from is mailed.

A. Procedure of Appeal: As soon as practicable after receiving the written notice of appeal, the Building Official shall refer the matter to the Village clerk, who shall fix a date, time and place of the hearing, notice of which shall be served at least seven days prior to the date of the hearing on each party having a legal interest in the property by any of the methods listed herein for service of a Notice and Order.

B. Scope of Hearing on Appeal: The Village Board of Designee shall consider any written or oral evidence regarding the following issues:

1. the Building Official shall present information relating to the condition of property, the respective health and safety hazards, and the appropriate means of abatement.

2. The owner or agent or person in possession of the property, or any other interested person may present testimony or evidence concerning the condition of the property, existence of a public nuisance and means and time frame for correction.

C. Stay of Order Pending Appeal: Except where the circumstances require emergency action to abate an imminent hazard or to vacate the tenants or to secure the building, enforcement of any Notice and Order of the Building Official issued under this section shall be stated during the pendency of a proper and timely filed appeal.

D. final Administrative Order: The decision of the Village Board of Designee regarding any appeal is the final administrative order and decision.

15.08.080 Enforcement of Notice or Order.

A. When any Notice and order of the Building Official, Village Board or Village Designee made pursuant to this section has become final, no person to whom any such order is directed shall fail, neglect, or refuse to obey any such order. If after any such Notice and Order

or Village Designee, the person to whom such order is directed shall fail, neglect or refuse to obey such order the Building Official may:

1. Cause each person to be prosecuted for such violation, or
2. Institute any appropriate action to abate such building or structure as a public nuisance.

B. Extensions of Time: Upon receipt of a written request from the person required to obey the Notice and Order and a written agreement by such person that he or she will comply with the Notice and Order if allowed additional time, the Building Official may, in his or her discretion grant an extension of time not to exceed an additional one hundred and twenty days, to complete the repairs, rehabilitation or demolition, if the Building Official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property and the circumstances which justify the delay are beyond the direct control of the applicant. The Building Official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal any Notice and Order or previously scheduled hearings.

C. Interference with Repair or Demolition Work Prohibited: No person shall obstruct, impede or interfere with any officer, employee, or contractor or authorized representative of the Village, with any person who owns or holds any estate or interest in any building or structure while conducting repairs, vacation of tenants or demolition pursuant to the provisions of this section.

15.08.090 Performance of Work, or Repairs, or Demolition. When any repair or demolition is done by the Village, the Village shall accomplish the work by using Village work crews or by private contractor.

15.08.100 Work Costs, Legal Costs, and Administrative Costs. All administrative and physical work costs incurred by the Village or by the building Official or

including the costs for appeals or legal proceedings, including court costs, publication fees, service of process, attorneys fees and recording fees, shall be assessed against the owner as a personal obligation and may be made a lien against the real estate in accordance with applicable state law.

15.08.105 Entry. Whenever necessary to make an inspection to enforce any of the provisions of this section, or whenever the Building Official or his authorized representative, has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which made such building or premises unsafe, dangerous or hazardous, the Building Official or his authorized representative, may enter such building or premises at all reasonable times to inspect the same in regard to such condition or conditions, provided that if such building or premises be occupied he shall first present proper credentials and request entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other person having charge or control of the building or control of the building or premises and request entry. If such entry is refused, the Building Official or his authorized representative, shall seek an appropriate order from a court of competent jurisdiction.

15.08.110 Immediate Hazard. When in the opinion of the Building Official any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, the Building Official may erect barricades or cause the property to be vacated, taken down, repaired, shored, or otherwise made safe without delay. Such action may be taken without prior notice to or hearing of the owners, agents, lien holders and occupants. The cost of any action under this section shall be assessed against the property as provided in section 15.08.100 of this Chapter.

15.08.115 Construction or Wrecking may be Stopped.

The Building Official shall have power to stop the construction of any building or structure or the making of an alterations or repairs of any buildings or structures within the village when the work is being done in a reckless or careless manner or in violation of this chapter or the zoning code. The Building Official shall have power to stop the wrecking tearing down of any building or structure within the village when the work is being done in a manner endangering life or property, and to order any and all persons engaged in the work to stop and desist. When the work has been stopped by the order of the Building Official, it shall not be resumed until the Building Official is satisfied that adequate precautions have been taken for the protection of life and property and that the work will be done in conformity with the ordinances for the village.

\*\*Cross Reference: "Dangerous Buildings", see Title 8 Health & safety, Chapter 8.04 Nuisances, Section 8.04.010 paragraph E.

15.08.200 REQUIRING PAYMENT OF TAXES AND EXPENSES ON PROPERTY SUSTAINING LOSS.

(A) (1) It shall be unlawful for any company transacting insurance business in this Village to pay a claim of an insured property owner for loss to the structure located in this Village where the amount recoverable for loss to the structure under a policy exceeds \$5,000 until the insurance company receives the certificate required by this Village.

(2) The company transacting insurance business in this village must give a notice to the village clerk of the insurer's intent to pay a claim which includes the name of the property owner, the address of the property, its legal description, the permanent real estate index number that identifies the property for purposes of taxation, and the amount of the claim to be paid.

*Chapt.15.08 Dangerous Buildings adopted Feb.19,2007; Ref Ord # 20007-04*

(B) For purposes of this section, the following definitions are applicable:

(1) "Insured property owner" is a person named as an insured who is the owner, titleholder or mortgagee of a structure, the holder of an interest secured by the structure, the beneficiary of a land trust owning or holding title to a structure, the lessee of a structure with a contractual obligation for property taxes or the assignee of any such person.

(2) "Amount recoverable" is the dollar amount payable under all insurance policies for loss to the structure.

(3) "Proceeds" is the dollar amount payable for loss to the structure under an insurance policy.

(4) "Delinquent property taxes" are those property taxes on the property which are delinquent pursuant to Section 21-15, 21-20, or 21-25 of the Property Tax code, including those delinquent taxes on property forfeited under section 21-225 of the Property Tax Code, as of the date of loss.

In determining delinquent property taxes under this section, the amount of property taxes for which a certificate of error has been issued pursuant to Section 14-10 or 14-20 of the Property Tax Code shall not be considered delinquent.

(5) "Incurred demolition expense" is:

(a) The cost of demolishing or removing a structure from property by or at the expense of a unit of local government if the demolition or removal occurs on a date preceding the later of:

1. The acceptance by the insurance company of a proof of loss for an agreed amount of proceeds, or

2. The date of receipt by the unit of local government of a request for execution of the certificate required by this section; or

(b) The amount estimated by the unit of local government when it receives a request to execute the certification required by this section; or

(c) The amount ordered to be withheld by a court within 28 days after a unit of local government receives a request for execution of the certificate required by this section. The unit of local government must be a party to such proceeding.

Incurred demolition expense shall be determined under subsection (B) (5) (a) whenever possible. In determining the incurred demolition expense under subsection (B) (5) (b), the unit of local government shall make its estimate and execute the certificate within 21 days after receiving a request for execution. If the unit of local government shall fail within 21 days to execute the certificate, as required by subsection (B) (5) (a), the company can proceed to make payment of the claim as if the certificate had been received showing no unpaid demolition costs. The request for execution may be served personally, and may be proven by a written receipt signed by the local official as of the date the request was made or by service on the local official by certified mail, return receipt requested. A court order under subsection (B) (5) (c) shall supersede an estimate under subsection (B) (5) (b).

(6) "Property" is the lot on which the structure is located.

(7) "Structure" is a building.

(8) "Claim" is the demand by an insured for payment under an insurance policy or policies.

(9) "Proof of loss" is the document on which an insured formally presents his claim to an insurance company.

(10) "Certificate" is the executed form prescribed by the director of insurance.

(11) "Executed" means signed by the appropriate official of unit or government.

(C) For any claim to which this section is applicable, an insured property owner must submit one of the following to the insurance company:

(1) A certificate that with respect to the property there are:

(a) No delinquent property taxes, and

(b) No unpaid incurred demolition expenses;

(2) A certificate setting forth with respect to the property;

(a) The amount of unpaid delinquent property taxes

(b) The amount of unpaid incurred demolition expenses; and

(c) A direction by an insured property owner to the insurance company to pay the unpaid delinquent property taxes and unpaid incurred demolition expenses,

(3) Any certificate required by subsection (C)(2) above shall be obtained by the insured within 21 days of the date of loss, and it shall be submitted to the insurance company upon its execution.

(D) If a certificate is submitted pursuant to subsection (C)(2), the insurance company shall pay the unpaid delinquent property taxes and unpaid incurred demolition expense from the proceeds payable by issuing a draft or check payable to the appropriate tax collector or unit of local government.

(E) If, under this section, the proceeds payable are less than the amount of the unpaid delinquent property taxes and unpaid incurred demolition expense, unpaid property taxes shall be paid first.

(F) If incurred demolition expense withheld pursuant to subsection (B)(5)(b) or (c) exceeds the ultimate cost of demolition, the excess shall first be applied to unpaid delinquent property taxes. Any amount of proceeds remaining shall be paid to the insured property owner.

(G) Nothing in this section shall be construed as:

(1) Making an insurance company liable for any amount in excess of the proceeds payable under its insurance policy unless the insurance company shall have made payment to the named insured without satisfying the requirements of this section;

(2) Making a unit of local government or tax collector an insured under an insurance policy; or

(3) Creating an obligation for an insurance company to pay unpaid delinquent property taxes or unpaid incurred demolition expense other than as provided in subsection (D).

(H) An insurance company making a payment of proceeds under this section for unpaid delinquent taxes or unpaid demolition expense shall be entitled to the full benefit of such payment, including subrogation rights and other rights of assignment.

(I) Unpaid property taxes and unpaid incurred demolition expense for a claim for loss to a structure occurring after the issuance of a tax deed pursuant to Section 22-40 of the Property Tax Code shall not include any unpaid property tax or unpaid demolition expense arising before the issuance of the tax deed.

(J) The amount of unpaid demolition expense paid to the city shall be held until the repairs to or demolition of the structure have been completed and verified by the Village.



Chapter 15.10International Residential & Existing Building CodesSections:

15.10.010 Regulations

15.10.020 Revisions

15.10.010 Regulations

A. The regulations of a certain document, which a copy is on file in the office of the Village Clerk of the Village of Rossville, being marked and designated as the International Residential Code, and the International Existing Building Code, 2003 edition and subsequent amendments and additions, in its entirety, as published by the International Code Council, be and is hereby adopted as the existing building Code of the Village of Rossville, in the State of Illinois for regulating and governing new residential construction and the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the Village of Rossville are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 15.10.020.

15.10.020 Revisions. The following sections are hereby revised:

A. In Section 101.1 of the International Existing Building Code and Section 101.1 of the International Residential Code insert: Village of Rossville.

B. That any and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

C. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional; such decision shall not affect the validity of the remaining portions of this ordinance. The President and Board of Trustees hereby declares that it

*Chapt.15.10 adopted Sept. 20, 2004; Ref Ord # 2004-21 and 2004-22*

would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

D. That nothing in this ordinance or in the Existing Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 15.10.020 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

\*\*Reference: International Existing Building Code and International Residential Code, 2003 Edition. Available for Review at Village Office.

Chapter 15.12

MOBILE HOMES AND TRAILERS

Sections:

- 15.12.010 Purpose.
- 15.12.020 Compliance with chapter required--Effect on existing uses.
- 15.12.030 Restrictions on parking or storage in village.
- 15.12.040 Exceptions to restrictions on parking and storage.
- 15.12.050 Wheel or transporting device removal prohibited--Exceptions.
- 15.12.060 Effect of zoning ordinance on chapter.
- 15.12.070 Penalty for violation.

15.12.010 Purpose. The ordinance codified in this chapter is adopted for the following purposes:

- A. To supplement the zoning ordinance;
- B. To promote and protect the public health, safety, morals, comfort, convenience and general welfare of the people;
- C. To protect the character and stability of residential, professional, business, and manufacturing areas within the city and promote the orderly and beneficial development of such areas;
- D. To fix reasonable standards to which trailers or mobile homes shall conform;
- E. To limit congestion in the public streets and to protect the public health, safety, convenience and general welfare;
- F. To protect against fire, explosion, noxious fumes, sanitation and other hazards of the interest of the public health, safety, comfort and general welfare;
- G. To prevent the overcrowding of land, undue concentration of structures, so far as is possible and appropriate in the village by regulating the use and location of trailers and mobile homes;
- H. To conserve the taxable value of the land and buildings in the village;
- I. To provide for the gradual limitation of trailers and mobile homes, which are adversely affecting the character and value of existing property or desirable development in each district;

J. To conserve the taxable values of neighboring residences by providing reasonable standards for the location of trailers and mobile homes.

15.12.020 Compliance with chapter required--Effect on existing uses. No trailer or mobile home shall be parked, used or occupied on any tract of ground within the village, except as provided within this chapter. It is specifically intended that this chapter shall have no effect on trailers or mobile homes located on any tract of ground within the village as long as the trailer or mobile home is properly maintained at its present location; provided, however, that no trailer or mobile home now located within the village may be moved from one location to another within the village or replaced or exchanged for a newer or different mobile home or trailer.

15.12.030 Restrictions on parking or storage in village.

A. It is unlawful, within the corporate limits of the village, for any person to park any trailer or mobile home of any kind on any street, alley, highway or other public place.

B. A mobile home or trailer may be parked or stored in the village for a period not to exceed forty-eight hours; provided, that it shall not be used for living or sleeping purposes during such time it is so stored or parked, and provided that it shall not be a nuisance and does not constitute a fire hazard.

15.12.040 Exceptions to restrictions on parking and storage.

A. Parking or storage of a trailer or mobile home within the corporate limits of the village, except in a trailer or mobile home park shall be strictly prohibited.

B. It is unlawful within the corporate limits of the village for any person to park, use or occupy any trailer or mobile home except as provided in Section 15.12.030 unless such trailer or mobile home shall be parked within a mobile home park, with the following exceptions:

1. A construction trailer that would be accessory to the construction of any building on the same lot limited to use for office facilities and for the convenience of employees, for the duration of the construction.

2. A small utility or camping trailer may be stored in a closed garage or other accessory buildings. Any trailer stored outside on a lot must be located in the rear of the lot. In either case, no living quarters shall be maintained or any business conducted in connection therewith while such trailer is parked or stored.

3. The above restrictions notwithstanding, the village board may waive the forgoing restrictions for purposes of allowing trailers, mobile homes, and RVs to be parked within the village for a maximum of five days when used in conjunction with fairs and festivals sanctioned by the village board.

15.12.050 Wheel or transporting device removal prohibited--Exceptions. Except in a trailer or mobile home park, the wheels or any similar transporting devices of any trailer or mobile home shall not be removed except for repairs, nor shall such trailer or mobile home be otherwise permanently fixed to the ground by any person in a manner that would prevent ready removal of the trailer or mobile home.

15.12.060 Effect of zoning ordinance on chapter. This chapter is subject to the zoning ordinance of the village, which is contained in Title 17 of the Ordinances. Any questions regarding its enforcement or questions regarding any variations are to be determined by the Board of Appeals as established in the zoning ordinance pursuant to the terms of that ordinance being section 17.52 et. seq.

15.12.070 Penalty for violation. Any violation of this chapter shall subject the offender to a fine pursuant to section 1.16.010.

*Section 15.12.040, Par B-3 amended, July 18, 1994; Ref.Ord 94-40.  
Section 15.12.060 amended Jan. 16, 1995; Ref. Ord No. 95-1.  
section15.12.070 amended Aug 19, 2002; Ref Ord No. 2002-12*

Chapter 15.16

SMOKE DETECTORS

Sections:

15.16.010 Smoke detectors required--Dwellings.

15.16.020 Penalty for violation.

15.16.010 Smoke detectors required--Dwellings.

A. All single and multi-dwelling units must be equipped with at least one approved smoke detector in an operating condition within fifteen feet of every room used for sleeping purposes. The detector shall be installed on the ceiling at least six inches from any wall, or on a wall located between four and six inches from the ceiling.

B. Every single family residence shall have at least one approved, operable smoke detector installed on every story of the dwelling unit, including basement, but not unoccupied attics.

C. Every structure which contains more than one dwelling unit, or contains one dwelling unit and is a mixed-use structure, shall have at least one approved smoke detector at the uppermost ceiling of each interior stairwell.

15.16.020 Penalty for violation. Any person or persons who violate the provisions of this ordinance by willful failure to install or maintain in operating condition any smoke detector required by this ordinance is subject to a charge of a Class B misdemeanor, and/or any person or persons who tamper with, remove, destroy, disconnect or remove batteries from any installed smoke detector, except in the course of inspection, maintenance or replacement of the detector, is subject to a charge of a Class A misdemeanor in the case of a first conviction, and a Class 4 felony in the case of a second or subsequent conviction.

*Section 15.16 amended February 15, 1988; Ref. Ordinance No. 881.*

## Chapter 15.20

### Excavation Prohibited without Inspection (Public & Private)

#### Sections:

- 15.20.010 Excavation Prohibited without Inspection
- 15.20.020 Penalties for Violation

#### 15.20.010 Excavation Prohibited without Inspection (Public & Private).

A. The back filling of any excavation is hereby prohibited unless an inspection has been performed during the course of construction or prior to back filling by the Village Superintendent or authorized agent. No underground construction shall be covered until the work has been inspected and approved by the Village Superintendent or other authorized agent. Fees and expenses as established by the Village Board for such inspection shall be paid at excavator's expense.

B. All such excavation and work shall be at the expense of the excavator who shall also furnish materials necessary for any required work. All such excavation shall be done by the excavator under the supervision of the Village Superintendent or other authorized agent.

#### 15.20.020 Penalties for Violation:

A. Violation of this Chapter may be punished by either or all of the following:

1. Punishment pursuant to Section 1.16.010;
2. Payment of court costs;
3. Payment of any expenses associated with re-excavation to uncover all back filled areas not inspected as set forth in this Chapter; And
4. Other sanctions deemed reasonable and appropriate by a Judge of the Circuit Court of Vermilion County.

B. The remedies listed herein are not the exclusive remedies available to the Village. The Village may also pursue and remedy available in law or in equity