

VILLAGE OF MT. AUBURN

ORDINANCE NO. 206

**AN ORDINANCE AMENDING ARTICLE IV
OF THE MT. AUBURN VILLAGE ZONING CODE
(RE: Minimum Square Footage for Residential Structures
Also Known as the Tiny Home Ordinance)**

NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS, AS FOLLOWS:

WHEREAS the Village Board is concerned about the safety, integrity and property values within the Village of Mt. Auburn;

WHEREAS the Village Board believes it is in the best interest of the residents of the Village of Mt. Auburn to have a minimum square footage requirement for each permanent residential structure to maintain the objectives listed above.

WHEREAS the Village board defines "Tiny Houses" less than 800 square feet.

WHEREAS the Village believes it is the best interest of the residents of Mt. Auburn to insure that each residential building structure meets all Federal, State, County and Village ordinances and codes to insure the safety of the community and to protect the property rights of others.

THE BOARD HEREIN ADOPTS THIS ORDINANCE under the following terms and conditions:

SECTION 1: All residential structures must be properly affixed to the ground as a permanent structure.

SECTION 2: All permanent structures must be at least 600 Square feet of livable space.

SECTION 3: All Structures must meet Federal, State, County and Village Codes. This includes, but is not limited to, fire, building, zoning, and environmental.

SECTION 4: To build, erect or move in a permanent structure, each landowner must obtain a zoning permit.

SECTION 5: Violation of this provision:

- (1) The Zoning Committee will issue a written notice as to the violation of this provision.

- (2) The Owner of said property shall be required to correct the condition that violates this provision by:
 - (a) Affixing the structure to the ground as a permanent dwelling so long as said structure is over 800 square feet of livable space.
 - (b) Remove said structure at the cost of the landowner.
 - (c) Bringing the structure up to code within 60 days. The landowner may apply for an extension which can be granted by the Village Board but no greater than 180 days.
- (3) If the violation is not remedied within the time limit allowed, a fine not to exceed \$250.00 will be imposed on to the landowner so long as it is paid within 30 days.
- (4) Any violation of this provision lasting over thirty (30) days shall be subject to the following:
 - (a) a fine not to exceed \$2,500.00
 - (b) court costs should an ordinance violation or condemnation proceeding be instituted.
 - (c) The Village, with approval of the Court, can remove said structure at the landowner's expense.
 - (d) A lien can be placed on the property for any outstanding balances owed as a result of a violation of this Provision.
 - (e) The Village can enforce said lien by giving the landowner ninety (90) days to become current.
 - (f) If the Landowner has not become current within the 90 days of the lien being placed on the property, the Village may enforce this lien through the sale of said property with the proceeds going to the Village to satisfy the lien amount. Any excess funds received after satisfaction of said lien shall be tendered to the landowner.

SECTION 3: EFFECT DATE

This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

ADOPTED this 7th day of March, 2023 pursuant to roll call vote as follows:

AYES: Sandy Gooder, Rick Clayton
Don Henderson, Mike Whitehead

NAYS: _____

Absent: Brenala Patton, Dee Dee Carey, Scott Vincent
Mike Whitehead

Mike Whitehead, Village Mayor

ATTEST:
Tammy J. Hammel

TAMMY HAMMEL, Village Clerk

FILED IN THE OFFICE OF THE VILLAGE CLERK
VILLAGE OF MT. AUBURN, ILLINOIS
ON THE 7 DAY OF March, 2023.

CERTIFICATE

STATE OF ILLINOIS)
)
COUNTY OF CHRISTIAN)

As Village Clerk, I certify that on March 7, 2023, the Board of Trustees of said Village passed and approved Ordinance No. 203, entitled **AN ORDINANCE AMENDING ARTICLE IV OF THE MT. AUBURN VILLAGE ZONING CODE (RE: Minimum Square Footage for Residential Structures. Also known as the Tiny Home Ordinance.)**

The pamphlet form of Ordinance No. 203 including the Ordinance and the cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Village Hall, Commencing on March 7, 2023, and continuing for at least ten day thereafter. Copies of such Ordinance were also available for public inspection upon request in the Office of the Village Clerk.

DATED at Mt. Auburn, Illinois this 7th day of March, 2023.

Tammy J. Hamel
Tammy Hamel, Village Clerk

(SEAL)