

VILLAGE OF MT. AUBURN

ORDINANCE NO. 18

AN ORDINANCE AUTHORIZING THE ADOPTION OF
ZONING CODE OF THE VILLAGE OF MT. AUBURN, ILLINOIS

ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF MT. AUBURN
THIS 19TH DAY OF DECEMBER, 1990

PUBLISHED IN PAMPHLET FORM BY AUTHORITY
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF
MT. AUBURN, CHRISTIAN COUNTY, ILLINOIS,
THIS 19TH DAY OF DECEMBER, 1990

40-6-4

VILLAGE OF MT. AUBURN

ORDINANCE NO. 18

AN ORDINANCE AUTHORIZING THE ADOPTION OF
ZONING CODE OF THE VILLAGE OF MT. AUBURN, ILLINOIS

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

Section 1: That the President and Board of Trustees hereby adopt a Zoning Code for the Village of Mt. Auburn, Illinois, a copy of said Zoning Code being attached hereto and incorporated herein by reference.

Section 2: That the following mentioned Zoning Code Ordinance, Resolution and Motions are hereby rescinded and shall hereafter be disregarded, to-wit: 1). Zoning Code Ordinance adopted May 7, 1970; 2). Ordinance No. IIIA Amending Zoning Ordinance adopted May 7, 1973; 3). Resolution relating to regulation of Trailers adopted November 3, 1975; 4). Motion Amending Zoning Ordinance passed on July 6, 1976; 5). Motion or Resolution Making Changes to Village Zoning Ordinance passed and adopted on September 2, 1980; and 6). Ordinance No. 1, Article 3A Amending Zoning Ordinance adopted on January 3, 1983.

Section 3: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of this Ordinance which is not, in or of itself, invalid or unconstitutional.

Section 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

ON MOTION DULY MADE AND SECONDED and pursuant to roll call vote, the Ordinance was passed, approved and adopted this 19th day of December, 1990.

APPROVED:

Bruce Hohenstein
BRUCE HOHENSTEIN, Village
President of the Village of
Mt. Auburn, Illinois

ATTEST:

Brenda M. Copenbarger
BRENDA M. COPENBARGER
Village Clerk

AYES: 6
NAYS: 0
ABSENT: 0

FILED IN THE OFFICE OF THE VILLAGE CLERK
VILLAGE OF MT. AUBURN,
ON THE 19TH DAY OF DECEMBER, 1990.

PUBLISHED IN PAMPHLET FORM ON DECEMBER 19, 1990.

CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF CHRISTIAN)

I, BRENDA M. COPENBARGER, certify that I am the duly elected and acting Village Clerk of the Village of Mt. Auburn, Christian County, Illinois.

I further certify that on December 19, 1990, the Board of Trustees of said Village passed and approved Ordinance No. 18, entitled "An Ordinance Authorizing the Adoption of Zoning Code of the Village of Mt. Auburn, Illinois" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 18, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the Mt. Auburn Community Building, being the place where the Village conducts its meetings, commencing on December 19, 1990, and continuing for at least ten days 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 31st day of December, 1990.


BRENDA M. COPENBARGER
Village Clerk

(Seal)

AGRICULTURAL USES, BONA FIDE. The growing of crops in the open, raising of stock and poultry, forestry, mushroom growing, flower gardening, operation of apiaries and aviaries, nurseries, orchards, fur farms, roadside stands, signs and billboards relating to the sale or use of products produced thereon, and necessary structures and farm dwellings for such uses.

ALLEY. Any public or private way dedicated to public travel and less than twenty feet (20') in width.

BUILDING. Any structure constructed or used for residence, business, industry or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars, trailers, billboards, signs, and similar structures, whether stationary or movable.

BUILDING HEIGHT. The vertical distance measured from the average grade at the front wall of a building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip or gambrel roofs. Chimneys, towers, cooling towers, and similar projections (other than signs) shall not be included in calculating building height.

DWELLING. A permanent building used primarily for human habitation, but not including facilities for the housing of transient residents, nor to include mobile homes.

DWELLING, MULTIPLE-FAMILY. A permanent building or portion thereof providing separate living accommodations for three (3) or more families.

DWELLING, SINGLE-FAMILY. A permanent building, separate and free-standing in itself, providing living accommodations for one (1) family.

DWELLING, TWO-FAMILY. A permanent building designed exclusively for occupancy by two (2) families.

HOME OCCUPATION. A "home occupation" means any business, profession or occupation conducted for gain or support entirely within any dwelling or on any residential premises.

JUNK YARD. A tract of land, including any accessory structures thereon that is used for buying, selling, exchanging, storing, baling, packing, disassembling or handling waste or scrap materials. Such scrap materials include vehicles, machinery, and equipment not in operable condition (or parts thereof), and metals, glass, paper, plastics, rags, and rubber tires. A lot on which any inoperable vehicles are stored shall be deemed a "junk yard". A "junk yard" includes an automobile wrecking yard and upon which other salvage or wrecking operations are conducted.

LOT. A piece, parcel or plot of land occupied or to be occupied by one (1) principal building and its accessory buildings and including the open spaces required under this Code.

MOBILE HOME. A trailer or mobile home is any vehicle or similar portable structure originally constructed with wheels, whether or not the wheels are still contained thereon and designed and constructed to permit occupancy for dwelling or sleeping purposes; and the legal owner of such trailer or mobile home is usually evidenced by a certificate of title.

**** MODULAR HOME.** A prefabricated, pre-cut dwelling which is placed on a permanent foundation and has at least eight hundred (800) square feet of living space.

NONCONFORMING USE. A use of a building or land lawful at the time of enactment of this Code that does not conform with the "permitted use" provisions of this Code.

STREET. Any public or private way dedicated to public travel twenty feet (20') or more in width. The word "street" shall include the words "road," "highway," and "thoroughfare".

USE. The purpose or activity for which land or a structure thereon is designed, arranged, intended, occupied or maintained.

YARD. An open space on the same lot with a principal building, open, unoccupied and unobstructed by buildings except as otherwise provided in this Code.

YARD, FRONT. The yard extending across the entire width of the lot between the principal building and the right-of-way line or street line which the building faces.

YARD, REAR. The yard extending across the entire width of the lot between the rear lot line and the nearest part of the principal building.

YARD, SIDE. The yard extending along the side lot line from the front yard to the rear yard and lying between the side lot line and the nearest part of the principal building.

**A modular home shall not include a trailer or mobile home as defined above.

ARTICLE II

GENERAL REGULATIONS AND DISTRICT MAP

40-2-1 ESTABLISHMENT OF DISTRICTS. For the purpose of this Code, all land within the Village is hereby designated on the Zoning Map as being in one of the following districts:

DISTRICT/CLASSIFICATION

AG-1	Agricultural
AG-2	Agricultural
R-1	One-and-Two-Family Residential
R-2	Multiple-Family Residential
C-1	General Retail
C-2	Service Retail
I-1	Light Industrial
I-2	Heavy Industrial

40-2-2 BOUNDARIES OF DISTRICTS. Unless otherwise indicated on the Zoning District Map(s), the boundary lines of the districts follow lot lines, center lines of streets, alleys, or railroad rights-of-way, or such center lines extended, center lines of creeks or the corporate limit line as existing at the time of adoption of this Code.

40-2-3 APPLICATION OF REGULATIONS. No building or land shall hereafter be used and no building or part thereof shall be erected, moved or altered unless for a use expressly permitted by and in conformity with the regulations for the district in which it is located.

(A) Zoning of Annexed Areas. All territory which may hereafter be annexed to the Village shall, from the time of annexation be considered as being the same Zoning District designated to said territory under the Zoning provisions established by the County Zoning Board, until and unless otherwise designated by amendment to this Code as specified in the procedure in Article XI of this Code, or as specified in the Annexation Ordinance.

40-2-4 CONTINUANCE OF NONCONFORMING USES. Any lawful use of land or structure existing at the time of adoption of this Code, or subsequent amendment of this Code, may be continued with the following limitations:

(A) Nonconforming Use Not to Expand. Any structure containing a nonconforming use may not be expanded nor substantially remodeled. The Board of Appeals may approve any remodeling and incidental repairs which do not tend to prolong the life of the nonconforming use.

(B) Nonconforming Use Not to Rebuild. Any structure containing a nonconforming use which has been damaged to the extent of fifty percent (50%) of its current fair value, as estimated immediately prior to damage, shall not be repaired or reconstructed except in conformity with this Code.

(C) Discontinued Nonconforming Use Not to Reestablish After One (1) Year. No nonconforming use shall be reestablished after having been discontinued for twelve (12) months. Vacating of premises or building of non-operative status shall be evidence of a discontinued use.

(D) Nonconforming Uses Not to be Substituted. No non-conforming use may be substituted for any other nonconforming use or any conforming use.

40-2-5 OFF-STREET PARKING.

(A) Gravel, concrete or asphalt off-street automobile parking shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to a street or alley.

Following are minimum requirements for specific uses:

- (1) Dwellings: 1 space for each dwelling unit.
- (2) Boarding and rooming houses: 1 space for each 2 rooms occupied by boarders or roomers.
- (3) Tourist accommodations: 1 space for each room offered for tourist accommodations.
- (4) Hospitals and other institutions for care and treatment: 1 space for each 4 beds, plus 1 space for each staff and visiting doctor, plus 1 space for each 3 employees.
- (5) Theater, auditorium, including school auditorium, church, or other place of public assembly: 1 space for each 8 seats available at maximum capacity.
- (6) Wholesale, storage, and manufacturing establishments: 1 space for each 5 employees.
- (7) Retail establishments: 1 space for each 400 square feet of gross floor area.
- (8) Office uses: 1 space for each 300 square feet of gross floor area.

(B) If off-street parking space for non-residential uses as required above cannot be provided on the same lot on which the principal use is conducted, the Zoning Enforcing Officer may permit such space to be provided on other off-street property provided such space is within four hundred feet (400') of the main entrance to such principal use. Such off-street parking space shall thereafter be deemed to be required open space associated with this permitted use and shall not be reduced nor encroached upon in any manner.

40-2-6 OFF-STREET LOADING. Every building or structure used for other than residential uses and constructed after the adoption of this Code shall provide space on the property to be used exclusively for loading and unloading of vehicles. Such space shall be in accordance with the following schedule:

REQUIRED SPACES

BUILDING GROSS FLOOR AREA

1	0 - 8,000 sq. ft.
2	8,000 - 25,000 sq. ft.
3	25,000 - 40,000 sq. ft.
4	40,000 - 100,000 sq. ft.
5	100,000 - 250,000 sq. ft.
6	250,000 - 400,000 sq. ft.

For buildings over 400,000 square feet, six (6) spaces plus additional space for each additional 200,000 square feet.

For the purpose of determining adequacy of loading area, each space shall not be less than ten feet (10') in width, forty-five feet (45') in length, and fourteen feet (14') in height.

40-2-7 OBSTRUCTIONS TO VISION AT INTERSECTIONS PROHIBITED.
On any corner lot in all districts, except the "C-1" General Retail District, there shall be no obstruction to traffic visibility within thirty-five feet (35') of the intersection of the two (2) street property lines of the corner lot.

ARTICLE III

AGRICULTURAL DISTRICTS PROVISIONS

40-3-1 PREAMBLE: PURPOSE OF THE AGRICULTURE DISTRICTS.

(A) "AG-1" District. The purpose of the "AG-1" District is to encourage the preservation of a proper setting for and pleasant approaches to the Village; to provide an area for agricultural pursuits protected from infringement of unguided urban development; to create and preserve a setting for rural small estate residential development; to conserve area physically unsuitable for intensive development and to provide in the area immediately surrounding the Village, an environment capable of accommodating future expansion of the Village in an orderly and efficient manner.

(B) "AG-2" District. The purpose of the "AG-2" District is to protect the area around future proposed lakes from encroachment and intermixing of land which can be detrimental to the public health, welfare, and conservation of property values.

40-3-2 USES PERMITTED IN THE "AG-1" DISTRICT. The following uses are permitted in the "AG-1" District:

- (A) Agricultural uses, commercial grain storage.
- (B) One-and-two-family residential dwellings.
- (C) Home occupations, subject to the restrictions of paragraph (I) of Section 40-4-2.
- (D) Community buildings, utility and service system buildings and lands, libraries and museums, picnic grounds, religious, educational or charitable institutions.
- (E) Unlighted signs notifying of the sale, rental or lease of land or sale of farm goods on the premises on which the sign is maintained having not over fifty (50) square feet of sign area; signs announcing meeting time and place of civic organizations.

40-3-3 USES PERMITTED IN THE "AG-2" DISTRICT. Within any "AG-2" Agricultural District, except for bona fide agricultural uses as defined in Section 40-1-3, no building or premises shall be used or arranged or designed to be used except for one or more of the following uses which shall be subject to all regulations and requirements permitted by this Code:

- (A) Lakes (artificial).
- (B) Public picnic grounds, marinas, and beaches.
- (C) Public parks and forest preserves.
- (D) Public utility substations, booster stations, radio and television relay towers, repeater stations, etc., but not including power generation or gas manufacturing plants.

40-3-4 SPECIAL USES IN THE "AG" DISTRICTS. The following uses are permitted as special uses when authorized by the Zoning Board of Appeals after a public hearing. Such special use shall be subject to the following requirements and any other requirements the Zoning Board of Appeals feels necessary to further the purpose of the Agricultural Districts as stated in Section 40-3-1.

(A) "AG-1" District.

- (1) Outdoor advertising structures, providing they are not closer than three hundred feet (300') to the nearest highway right-of-way or five hundred feet (500') to the nearest residential or public or semi-public property, and that permits are issued for not longer than five (5) years.
- (2) Uses of land including quarrying and mining of natural resources, sanitary landfill and other types of landfill, refuse disposal and dumps.
- (3) Cemeteries.

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(4) Commercial resort uses such as lodges, restaurants, rental cottages, riding stables, golf courses, swimming pools, tennis courts and other such recreational facilities.

(B) "AG-2" District. No special uses provided.

40-3-5 REQUIRED LOT AREA AND LOT WIDTH IN THE "AG" DISTRICTS.

(A) "AG-1" District. No dwelling shall be located on a lot less than one (1) acre in area nor one hundred fifty feet (150') in width.

(B) "AG-2" District. Lot area and lot width not specified.

40-3-6 HEIGHT REGULATION.

(A) "AG-1" District. No residential dwelling shall exceed two (2) stories or thirty feet (30') in height.

(B) "AG-2" District. No height limitation is specified.

40-3-7 REQUIRED YARDS IN THE "AG" DISTRICTS.

(A) All structures shall have the following minimum yard spaces:

- (1) Front Yard: 50 feet
- (2) Side Yard: each not less than 15 feet
- (3) Rear Yard: each not less than 30 feet

(B) Corner lots shall provide the minimum front yard requirements on each street side of the lot.

40-3-8 OFF-STREET PARKING REQUIRED IN THE "AG" DISTRICTS.

Off-street parking shall be provided in the "AG" Districts in accordance with Section 40-2-5.

ARTICLE IV

RESIDENTIAL DISTRICTS PROVISIONS

40-4-1 PREAMBLE: PURPOSE OF RESIDENTIAL DISTRICTS. The purpose of the Residential Districts is to provide an area for residential uses and those public and semi-public uses normally considered an integral part of the residential neighborhood they serve.

40-4-2 USES PERMITTED IN THE "R-1" DISTRICT.
(A) Single-family and two-family residence dwellings, leasing of rooms to not more than two (2) families.
(B) Light agriculture uses including nurseries and raising of farm products (not to include livestock or sale of products on premises).
(C) Churches, schools, libraries, museums, and art galleries, parks, playgrounds, community centers, cemeteries, public services, utility buildings.
(D) Accessory uses.
(E) Unlighted real estate, nonconforming business use signs and public building or church signs or bulletin boards pertaining to the property on which they are placed and not having over twelve (12) square feet of sign area.
(F) Modular homes of not less than eight hundred (800) square feet living space.

(G). Home occupations, provided, however, no home occupation shall be established or conducted except in conformity with the following regulations:

- (1) Unrelated Employees. A home occupation shall employ no more than one (1) individual who is unrelated to the family residing on the premises.
- (2) Floor Space. The total area used for a home occupation shall not exceed twenty-five percent (25%) of the gross floor area of the dwelling or three hundred (300) square feet, whichever is less.
- (3) Dwelling Alterations. In any residential district, a principal residential building shall not be altered---to accommodate a home occupation---in such a way as to materially change the residential character of the building.
- (4) Outdoor Storage. Outdoor (unenclosed) storage on the premises of equipment or materials used in connection with a home occupation is prohibited.
- (5) Nuisances. A home occupation shall not generate any offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical interference noticeable at or beyond the lot lines.

- (6) Parking. 1 space per 150 square feet of floor area devoted to the home occupation in addition to the parking requirements for the dwelling.

40-4-3 USES PERMITTED IN THE "R-2" DISTRICT.

- (A) Any use permitted in the "R-1" District.
(B) Multiple-family dwelling, tourist homes and lodging uses with accommodations for not more than fifteen (15) persons.
(C) Clubs, lodges, hospitals, sanitariums and rest homes.
(D) Unlighted signs as described in the "R-1" District.
[See Section 40-4-2(E)]

40-4-4 SPECIAL USES IN THE "R-1" AND "R-2" DISTRICTS. The following uses are permitted as special uses in the "R-1" and "R-2" Districts when authorized by the Zoning Board of Appeals after a public hearing. Such special use shall be subject to the following requirements and any other requirements the Zoning Board of Appeals feels necessary to further the purpose of the Residential Districts as stated in Section 40-4-1.

(A) Planned residential development under single ownership in which incidental business and recreational facilities for the convenience of the occupants may be furnished provided, however, that the property shall have a gross area of thirty (30) acres and that permitted business uses shall be limited to those uses allowed in the "C-1" District. They shall not occupy more than ten percent (10%) of the gross land area of the development. Such planned developments may vary the dwelling type requirements, yard, height or area per dwelling requirements providing, however, that the total number of dwelling units to be allowed under normal development does not exceed the maximum number.

(B) Mobile home parks with permanent accommodations for at least 25 or more mobile homes providing that:

- (1) Such mobile home park fully complies with all the provisions of Chapter 8 - Mobile Housing Code of the Village Code adopted by the Village Board, and as may be hereafter amended, and the required license and permit has first been obtained from the Village Board in accordance with said Mobile Housing Code.

- (2) In addition to compliance with the aforesaid Mobile Housing Code, individual mobile homes in Mobile Home Parks shall meet all the following requirements:
- (a) Each mobile home shall be connected to the Village's underground public water supply system and provided with a underground septic tank meeting all State of Illinois requirements.
 - (b) Each mobile home shall be fully skirted with a material comparable in quality and appearance to the mobile home.
 - (c) The person or persons renting and/or occupying the mobile home space must own the mobile home located on said mobile home space or is or are purchasing said mobile home pursuant to a Contract to Purchase.
 - (d) A mobile home shall not be leased or rented by the owner or owners thereof to any occupant of said mobile home.
 - (e) Each mobile home shall be placed on either a reinforced concrete pad at least 14 feet wide by 60 feet in length; two (2) reinforced concrete runners four feet (4') wide and sixty feet (60') in length; or on concrete piers approved by the Village Board. The concrete pads shall consist of four inches (4") of reinforced concrete or six inches (6") of concrete. A concrete footing is optional. Expandable units shall be provided with approved piers or their equivalent at each corner of the unit.
 - (f) Each mobile home shall have a fair market value equal to or exceeding Ten Thousand Dollars (\$10,000.00) at the time of application for an occupancy permit as shall be evidenced by a purchase contract. If such purchase contract is more than sixty (60) days of age, a notarized signed Value Certificate from a registered dealer in mobile home sales attesting to such value, which statement also includes a copy of the "book value" for such mobile home from a recognized acceptable valuation book regularly used by mobile home dealers, shall be substituted for such purchase contract.
 - (g) Each mobile home space shall include a minimum of six thousand (6000) square feet for each mobile home.
 - (h) Each mobile home shall have physical dimensions of at least fourteen feet (14') in width by sixty feet (60') in length.
 - (i) Each mobile home as located on a mobile home space shall provide side lots of at least six feet (6') on each side of such mobile home from the adjoining mobile home space lot line or from the mobile home park lot line in the event of a corner mobile home space lot.
 - (j) Each mobile home shall provide for a dustless, off-street parking area of four hundred (400)

square feet and vehicle access to each mobile home.

- (k) Each mobile home space shall meet the single-family front and rear yard set backs for the particular residence area in which it is located.
- (l) No mobile home parked in a mobile home park shall be immobilized.
- (m) No more than one mobile home shall be parked on any one mobile home space, nor shall any mobile home be placed on any mobile home space wherein another principal building exists.
- (n) No travel or recreation trailer shall be permitted on any mobile home space.
- (o) A certificate of occupancy shall be required for each individual mobile home to be located in the mobile home park prior to occupancy as provided in Article IX of this Code.

(C) Business and professional offices, medical and dental offices and clinics, law, insurance and real estate offices, banks, finance and utility companies.

(D) Any other special use by a particular individual. Such use shall not be changed or transferred to another individual without authorization by the Village Board after public hearing and recommendation by the Zoning Board of Appeals.

40-4-5
DISTRICTS. REQUIRED LOT AREA AND LOT WIDTHS IN RESIDENTIAL

(A) "R-1" DISTRICT:

	<u>Min. Lot Area Per Family (Square Feet)</u>	<u>Min. Lot Width Per Structure (Feet)</u>
<u>Single-Family Dwelling</u> with public water and public sewer	7,500	50
with public water supply or sewer	10,000	30
with neither public water or sewer	20,000	100
<u>Two-Family Dwelling</u> with public water and public sewer	4,500	75

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	<u>Min. Lot Area Per Family (Square Feet)</u>	<u>Min. Lot Width Per Structure (Feet)</u>
<u>Two-Family Dwelling</u> (Continued)		
with public water or sewer	7,500	100
with neither public water or sewer	15,000	125

(B) "R-2" DISTRICT:

	<u>Min. Lot Area Per Family or Rental Unit (Square Feet)</u>	<u>Min. Lot Width Per Structure (Feet)</u>
<u>Single-Family Dwelling</u>	6,000	50
<u>Two-Family Dwelling</u>	3,000	50
<u>Multiple-Family Dwelling</u>	2,500	50
<u>Rooming or Lodging House</u>	1,500	50

40-4-6 BUILDING HEIGHT REGULATIONS IN RESIDENTIAL DISTRICTS. No building shall exceed two (2) stories or thirty feet (30') in height unless each side yard is increased over the required minimum by five feet (5') for every five feet (5') or fraction thereof of additional height over thirty feet (30'). In no case shall the building height exceed fifty feet (50').

40-4-7 YARDS REQUIRED IN RESIDENTIAL DISTRICTS. All structures to be constructed, altered, or moved in the "R-1" and "R-2" Districts shall provide yards of the following minimum depths:

- (A) Front Yards
- (1) Minimum distance from property lines to face of building on narrow or front side of lot, 25 feet.
 - (2) Minimum distance from street property line on wide side of lot on corner, 10 feet.
 - (3) Where more than 30 percent of the frontage on one side of a lot in a duly recorded subdivision block is occupied by dwellings set back less than the requirements of this ordinance, new dwellings need not be set back beyond the average of the established set-backs. In no case, however, shall the front yard be less than 15 feet.
- (B) Side Yards
- (1) ~~Minimum width for one side yard, 6 feet.~~ Sum of two side yards must equal 12 feet.
- (C) Rear Yards
- (1) Minimum distance on interior lots from the face of building to rear lot line 30 feet, minimum distance on corner lots, 25 feet.
- (D) Accessory Building
- (1) ~~Detached~~ accessory building shall be erected on the rear 30 percent of the lot and shall not be placed closer than 10 feet to the center line of an alley; not closer than 3 feet to a side of rear property line; and not closer than 10 feet to the property line of a street, on corner lots.
- (E) Other Uses
- (1) Uses other than dwellings and accessory buildings permitted in the "R-1" and "R-2" Districts shall provide front, side, and rear yards of a width not less than one-half of the height of the structures, but not less than the front and side yard requirements for dwellings.
- (F) Architectural features of residential buildings such as window sills, cornices, and/or roof overhangs shall not project into the aforesaid required yard minimum depths.

40-4-8 OFF-STREET PARKING. There shall be provided in the "R-1" and "R-2" Districts adequate off-street parking in accordance with the schedule in Section 40-2-5.

ARTICLE V

COMMERCIAL DISTRICTS PROVISIONS

40-5-1 PREAMBLE: PURPOSE OF "C-1" GENERAL RETAIL DISTRICT. The purpose of the "C-1" General Retail District is to provide for a wide range of retail facilities and services of such a nature as to be fully compatible in the proximity they must enjoy in the Central Business District or in neighborhood shopping areas.

40-5-2 PURPOSE OF "C-2" SERVICE RETAIL DISTRICT. The purpose of the "C-2" Service Retail District is to provide for those retail businesses and services which require a location other than the Central Business District or the Neighborhood Business District, requiring either large tracts of land or a highway location.

40-5-3 USES PERMITTED IN THE "C-1" GENERAL RETAIL DISTRICT.

(A) Any use permitted in a residential district including mobile homes, trailers, and mobile home parks, providing, however, the Zoning Enforcing Officer determines such uses meet the requirements of Section 40-4-4, Paragraphs (B) and (C).

(B) Major Retail Outlets: Furniture, department, clothing, shoe and variety stores, hardware, appliance, paint and wallpaper stores.

(C) Food, Drug and Beverage: Grocery stores, supermarkets, meat markets, drug stores and liquor stores, bakeries in conjunction with retail sales, restaurants, tea rooms, and taverns.

(D) Specialty Shops: Gift shops, magazine, book and stationery outlets, florist shops, camera and photography shops, sporting goods.

(E) Service and Recreation: Motels and hotels, laundromats, dry cleaning and laundry pickup stations, barber and beauty shops, shoe repair and tailor shops, mortuaries, newspaper publishing, printing shops with not more than ten (10) full-time, regular employees, storage and transfer establishments, places of amusement and assembly, commercial recreation.

(F) Business and Professional Offices: Medical and dental offices/clinics, law offices, insurance and real estate offices, banks, finance, and utility companies.

(G) Automotive and Related Uses: New and used car sales, service, and repair, gasoline filling stations, motorcycle and bicycle shops, cab and bus stands and depots.

- (H) Accessory Uses.
(I) Business and advertising signs pertaining to the business on the property on which the sign is located providing that:
- (1) illumination of all signs shall be diffused or indirect and shall be arranged so as not to reflect direct rays of light into adjacent residential districts or into the public way, and
 - (2) that any sign located in the direct line of vision of any traffic control signal shall not have flashing intermittent red, green, or amber illumination.

40-5-4 USES PERMITTED IN THE "C-2" SERVICE RETAIL DISTRICT.

- (A) Any use permitted in the Residential Districts.
(B) Any use permitted in the "C-1" General Retail District.
(C) Building Trades or Equipment: Building, concrete, electrical masonry, sheet metal, plumbing and heating shops, building material establishments (providing no assembly, construction, millwork, or concrete block manufacturing is done on the premises).
(D) Vehicle Drive-in and Heavy Vehicle Service: Drive-in theaters, drive-in restaurants and refreshment stands; express, cartage, and trucking facilities; large item machinery or bulk sales and storage, not including outdoor unfenced storage.
(E) Heavy Service and Processing Facilities: Laundry and dry cleaning plants; linens, towel, diaper and similar supply services, animal pounds, kennels and veterinary establishments; frozen food lockers; seed and food processing plants; dairies.
(F) Accessory Uses.
(G) Business and advertising signs pertaining to the business on the property on which the sign is located providing that:
- (1) illumination of all signs shall be diffused or indirect and shall be arranged so as not to reflect direct rays of light into adjacent Residential Districts or into the public way, and
 - (2) that any sign located in the direct line of vision of any traffic control signal shall not have flashing, intermittent red, green or amber illumination.

40-5-5 REQUIRED LOT AREA AND LOT WIDTH IN THE COMMERCIAL DISTRICTS.

(A) Each residential use to be accommodated in the "C-1" and "C-2" Commercial Districts shall meet the minimum lot area and minimum lot width requirements of the "R-2" Residential District.

(B) Each business use to be accommodated in the "C-1" and "C-2" Commercial Districts shall provide a minimum lot area of twenty-five hundred (2,500) square feet; no minimum lot width is required for business uses.

40-5-6 BUILDING HEIGHT REGULATION IN COMMERCIAL DISTRICTS.

(A) In the "C-1" General Retail District, no building shall exceed three (3) stories or forty-five feet (45').

(B) In the "C-2" Service Retail District, no building shall exceed two stories or thirty feet (30').

40-5-7 YARDS REQUIRED IN THE COMMERCIAL DISTRICTS. All buildings to be constructed, altered or moved in the Commercial districts shall meet the following minimum requirements.

(A) Yards Required in the "C-1" and "C-2" General Retail Districts

(1) No side yards are required in the "C-1" and "C-2" Districts.

(2) In the "C-1" and "C-2" Districts no building or permanent structure shall be erected or placed closer than thirty feet to the center line of all fifty-foot streets, and no closer than thirty-five feet to the center line of all sixty-foot streets.

40-5-8 OFF-STREET PARKING AND LOADING. There shall be provided in the "C-1" and "C-2" Commercial Districts off-street parking and loading in accordance with the schedule in Sections 40-2-5 and 40-2-6.

ARTICLE VI

INDUSTRIAL DISTRICTS PROVISIONS

40-6-1 PURPOSE OF "I-1" LIGHT INDUSTRIAL DISTRICT. The purpose of the "I-1" Light Industrial District is to provide for commercial uses, storage, and those manufacturing uses not normally creating a nuisance discernible beyond its property.

40-6-2 PURPOSE OF "I-2" HEAVY INDUSTRIAL DISTRICT. The purpose of the "I-2" Heavy Industrial District is to provide for industrial uses not allowed in any other district, providing that within this district, uses of a hazardous nature or those producing extensive smoke or odor shall not be located so that the general hazard or nuisance affects a large segment of the community.

40-6-3 USES PERMITTED IN THE "I-1" LIGHT INDUSTRIAL DISTRICT.

(A) Any use permitted in the "C-1" and "C-2" Commercial Districts, except Residential uses.

(B) Warehousing and Storage: Indoor and outdoor storage of goods and materials including warehousing, pole yards, building material storage, and trucking storage.

(C) Manufacturing: Manufacturing or processing of small items including gloves, footwear, bathing caps, boxes, cartons and cans, hardware, toys, electric batteries, motors or generators; textile products manufacturing; glass, plastics, cement and stone products manufacturing; furniture manufacturing; food manufacturing or processing, canning, freezing, storage, and bottling.

(D) Other manufacturing uses of a light nature, free from any objectionable odors, fumes, dirt, vibration, or noise detectable at the lot line. Such uses shall not be established without an application for a permit which shall be accompanied by a certification by a registered engineer or architect indicating that fumes, odors, dirt, vibration or noise produced by the industry will not be detectable at the lot line. In the event of the denial of such permit, the applicant shall have the right of appeal to the Zoning Board of Appeals in accordance with Article X.

40-6-4 USES PERMITTED IN THE "I-2" HEAVY INDUSTRIAL DISTRICT. All uses not otherwise prohibited by law, except as Residential uses, provided, however, that the following uses will be permitted as special uses in the "I-2" District when authorized by the Village Board of Trustees after a public hearing and recommendation by the Zoning Board of Appeals:

Junk yards, provided, however, no part of any junk yard, which includes any lot on which any inoperable vehicles are stored, shall be located closer than five hundred feet (500') to

the boundary of any residential district, and provided further that all vehicles, parts, and equipment shall be stored, and all salvage and wrecking operations are conducted within a completely enclosed structure or within an area screened by a wall, solid fence, or closely-planted shrubbery at least ten feet (10') high and of sufficient density to block the view from adjacent property; bag cleaning, boiler and tank works; central mixing plant for cement, mortar, plaster or paving materials; coke oven, curing, tanning and storage of raw hides and skins; distillation of bones, coal, wood or tar; fat rendering; forge plant; foundry or metal fabrication plant; gasoline or oil storage above ground in excess of five hundred (500) gallons; slaughterhouse or stock-yards; smelting plant; and the manufacture of acetylene, acid, alcohol or alcoholic beverages; ammonia, bleaching powder, chemicals, brick, pottery, terra-cotta, or tile; candles; disinfectants; dyestuffs; fertilizers; linseed oil, paint, oil turpentine, varnish, soap and tar products, or any other use which, in the opinion of the Zoning Board of Appeals, would emit detrimental or obnoxious noise, vibrations, smoke, odors, dust or other objectionable conditions beyond the confines of its property. The Zoning Board of Appeals shall recommend approval by the Village Board of Trustees if it is determined that the proposed use will not extend its detrimental or obnoxious effects beyond the limits of the Heavy Industrial District in which it is located. Such special uses shall be subject to any requirements the Zoning Board of Appeals feels necessary to further the purpose of the Industrial District as stated in Sections 40-6-1 and 40-6-2.

40-6-5 REQUIRED LOT AREA AND LOT WIDTH IN INDUSTRIAL DISTRICTS. Each use to be established in the "I-1" or the "I-2" District shall provide a minimum lot area of five thousand (5,000) square feet and minimum lot width of fifty feet (50').

40-6-6 BUILDING HEIGHT REGULATION IN INDUSTRIAL DISTRICTS. No building in the "I-1" or "I-2" District shall exceed fifty feet (50') in height.

40-6-7 YARDS REQUIRED IN INDUSTRIAL DISTRICTS. All structures to be constructed, altered, or moved in the "I-1" and "I-2" Districts shall provide yards of the following minimum depths:

- (A) Front Yard: No requirement.
- (B) Side Yard: 10 feet except where a side yard abuts a residential district, in which case, a side yard of 25 feet shall be provided.
- (C) Rear Yard: 25 feet.

40-6-8 OFF-STREET PARKING AND LOADING. There shall be provided in the "I-1" and "I-2" Districts adequate off-street parking and loading in accordance with the schedule in Sections 40-2-5 and 40-2-6.

ARTICLE VII- EXCEPTIONS AND MODIFICATIONS

40-7-1 LOT OF RECORD. When a lot which is an official lot of record at the time of adoption of this Code does not comply with the area, yard, or other requirements of this Code, an application shall be submitted to the Zoning Board of Appeals for a variance from the terms of this Code in accordance with the procedure outlined in Article X. Such a lot may be used as a building site provided, however, that the yard and other requirements of the district are complied with as closely as possible in the opinion of the Zoning Board of Appeals.

40-7-2 EXCEPTIONS TO YARD REQUIREMENTS.

(A) Allowable Projections of Business Structures Over Sidewalks. Signs, awnings, canopies and marquees are permitted to overhang the sidewalk in the "C-1" General Retail District only, providing that overhanging signs are a minimum of eight feet (8') above the sidewalk at any point and that all other structures are a minimum of six feet, eight inches (6' 8") above the sidewalk at any point.

(B) Allowable Projection of Accessory Building Into Rear Yard. One-story accessory buildings may project into only rear yards providing such projection extends not closer than five feet (5') to the rear or side lot line,

(C) Allowable Projections of Fences Into Yards. Fences, trees, shrubs and other plantings shall be constructed in or project into yards providing that:

- (1) No fences, trees, shrubs or other plantings more than three feet (3') high or thirty percent (30%) solid shall be located within thirty feet (30') of a street intersection;
- (2) No fence more than four feet (4') high shall be located closer to the front of the lot than the principal building; and
- (3) No fence more than six feet (6') high shall be allowed on any other part of the lot.

40-7-3 EXCEPTIONS TO HEIGHT LIMITS. The height limitations of this Code shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, water towers, transmission towers, chimneys, smoke stacks, derricks, conveyors, flag poles, radio towers, masts and aerials.

ARTICLE VIII - MOBILE HOME RESTRICTIONS

40-8-1 MOBILE HOMES RESTRICTED TO MOBILE HOME PARKS.

It shall be unlawful to locate or occupy any mobile home within the corporate limits of the Village unless such mobile home is located within a Mobile Home Park which fully complies with all the provisions of Chapter 8 - Mobile Housing Code of the Village Code and with all the provisions of this Zoning Code, including, but not limited to, Section 40-4-4(B) and Section 40-9-6 thereof.

ARTICLE IX - ENFORCEMENT AND PENALTIES

40-9-1 ZONING ENFORCING OFFICER. This Code shall be administered and enforced by the Zoning Enforcing Officer who shall be appointed by the Mayor with the advice and consent of the Village Board of Trustees. Such Zoning Enforcing Officer shall serve for an initial term of approximately 5 months which shall expire on May 6, 1991. Thereafter, such Zoning Enforcing Officer's terms shall be for 1 year periods from date of appointment or until a successor is appointed or until earlier removed from office.

40-9-2 ISSUANCE OF PERMIT. A building permit shall be issued by the enforcing officer if it does not completely conform to the provisions provided in this Code. All waivers, special uses, and all other variances must be approved by the Zoning Board of Appeals.

40-9-3 ZONING OFFICER'S SALARY. The salary for the Zoning Enforcing Officer shall be set by the Village Board of Trustees.

40-9-4 BUILDING PERMIT REQUIRED. It shall be unlawful to commence the excavation for or the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, or to commence the excavation for or the construction of any improvements to any property, including but without limitation, patios, decks, and asphalt or concrete driveways (when such driveways are constructed from the street) until the Zoning Enforcing Officer has issued a building permit for such work. No said building or improvement shall be constructed over any gas line, gas main, or other part of the Village's Natural Gas Transmission and Distribution System.

40-9-5 ISSUANCE OF PERMIT. In applying to the Zoning Enforcing Officer for a building permit, the applicant shall submit a dimensioned sketch or scale plan indicating the shape, size, height, and location of all buildings to be erected, altered or moved and of any building already on the lot. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the Zoning Enforcing Officer for determining whether the provisions of this Code are being observed. If the proposed excavation or construction as set forth in the application is in conformity with the provisions of this Code and other applicable regulations of the Village, the Zoning Enforcing Officer shall issue a building permit for such excavation or construction.

If a building permit is refused, the Zoning Enforcing Officer shall state such a refusal in writing, with the cause, and shall immediately forward such notice of refusal to the applicant. The

Zoning Enforcing Officer shall grant or deny the permit within ten (10) days from the date the application is submitted.

(A) The issuance of a building permit shall in no case be construed as waiving any provisions of this Code or any other applicable regulations. All work for which a building permit is issued shall be performed in accordance with the provisions of this Code and any other applicable regulations.

(B) A building permit shall become void ninety (90) days after issuance unless substantial progress has been made by that date on the project described therein.

(C) To partially defray the expense of administering this Code, a fee shall be collected by the Zoning Enforcing Officer in accordance with the following schedule:

- (1) Residential Uses. Building permits for residential uses shall be Twenty Dollars (\$20.00) plus an additional Five Dollars (\$5.00) for each room, or part thereof, being constructed, improved, altered or modified.
- (2) Commercial and Industrial Uses. Building permits for commercial and industrial uses shall be a minimum of Twenty-five Dollars (\$25.00), plus an additional Fifty Cents (\$.50) for each Five Hundred Dollars (\$500.00) up to Twenty Thousand Dollars (\$20,000.00), plus an additional Fifty Cents (\$.50) for each One Thousand Dollars (\$1,000.00) improvement beyond Twenty Thousand Dollars (\$20,000.00).

(D) All building permits shall be visibly posted on the property where the work is being performed.

1000 Sq. Ft. interior living space

40-9-6 CERTIFICATE OF OCCUPANCY.

(A) No land or building or part thereof hereafter erected or altered in its use or structure shall be used nor shall a mobile home be occupied until the Zoning Enforcing Officer shall have issued a Certificate of Occupancy indicating that such land, building, mobile home or part thereof, and the proposed use thereof are found to be in conformity with the provisions of this Code. A duplicate signed copy of the purchase contract or a notarized signed Value Certificate as described in Section 40-4-4(B) shall be attached to the application for a mobile home occupancy permit before the application will be accepted.

(B) ~~Within three (3) days after notification that a~~ building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Zoning Enforcing Officer to make a final inspection thereof and to issue a Certificate of Occupancy if the land, building or part thereof and the proposed use thereof are found to conform with the provisions of this Code; or if such Certificate is refused, to state refusal in writing, with the cause, and immediately forward such notice of refusal to the applicant.

40-9-7 REMEDIES AND PENALTIES.

(A) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure or land is used in violation of this Code, the proper authorities of the Zoning Board of Appeals and the Village Board, in addition to other remedies, may institute any appropriate action or proceedings to prevent the occupancy of such building, structure or land.

(B) Any person violating any provision of this Code shall be fined not less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) for each offense. Each day a violation is permitted to exist shall constitute a separate offense.

ARTICLE X - ZONING BOARD OF APPEALS

40-10-1 AUTHORIZATION AND APPOINTMENT.

(A) A Zoning Board of Appeals is hereby authorized in accordance with Division 13 of the Illinois Municipal Code. The Zoning Board of Appeals shall consist of seven (7) members to be appointed by the Mayor with the advice and consent of the Village Board of Trustees.

(B) Successors to each member so appointed shall serve for a term of five (5) years. One of the members so appointed shall be named chairman at the time of his appointment.

Any member of the Board of Appeals who misses three (3) meetings of the Zoning Board of Appeals within any calendar year without a valid excuse, as solely determined by the Mayor, shall be subject to immediate removal from the Zoning Board of Appeals by the Mayor. The Chairman of the Board of Appeals shall immediately advise the Mayor when any member has missed three (3) meetings of the Zoning Board of Appeals.

The Mayor has the power to remove any member of the Board of Appeals for any other cause after a public hearing. Vacancies shall be filled for the unexpired term of the member whose place has become vacant.

40-10-2 PROCEDURE.

(A) Meetings of the Zoning Board of Appeals shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses.

(B) All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon every question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions.

(C) No hearing shall be conducted without a quorum of the Board being present, which shall consist of a majority of all the members. Any absent member who certifies that he has read the transcript of the proceedings before the Board may vote upon any question before the Board.

(D) All action by the Zoning Board of Appeals shall be immediately filed in the office of the Board and shall be a public record.

40-10-3 PROCEDURE FOR APPEALS.

(A) An appeal to the Board of Appeals may be taken by any person aggrieved by any order, requirement, decision or determination by any governmental officer, department, board, or bureau based in whole or in part upon the provisions of this Code.

(B) Such appeal specifying the grounds thereof shall be filed with the Zoning Enforcing Officer and the Zoning Board of Appeals within forty-five (45) days of the action appealed from. Upon appeal, the Zoning Enforcing Officer shall immediately transmit to the Board of Appeals all papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the Enforcing Officer certifies to the Board that a stay would, in his opinion, cause imminent peril to life or property. The Board of Appeals shall fix a reasonable time for hearing of the appeal, a notice of which shall be given to the parties and

shall be published at least once, not more than thirty (30) days nor less than fifteen (15) days, before the hearing in a newspaper published in the Village, or if none, then in one or more newspapers with a general circulation within the Village.

(C) The concurring vote of four (4) members of the Board of Appeals is necessary to reverse any order, requirement, determination or decision of an administrative official or to decide in favor of the applicant, or to effect any variation in this Code.

40-10-4 POWERS OF THE BOARD OF APPEALS. The Board of Appeals shall have the following powers:

(A) Interpretation and Administrative Review. To hear and decide appeals where it is alleged that there is an error in any action by the Zoning Enforcing Officer or other administrative official in carrying out the provisions of this Code; and for the interpretation of the Zoning Map.

(B). To hear and decide on applications for special uses as provided for in this Code.

(C) Variations. To hear and decide on applications for a variation or in cases where there are practical difficulties or a particular hardship in the way of carrying out the provisions of this Code.

- (1) Findings of Fact. Before any variation is granted, the Board of Appeals must make a finding of facts that all of the following conditions are shown to be present:
 - (a) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;
 - (b) the plight of the owner is due to unique circumstances, and
 - (c) a variation, if granted, will not alter the essential character of the locality.
- (2) Granting a Variance. In granting a variation, the Board may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of this Code. Violation of any of these conditions or safeguards shall be deemed a violation of this Code.
- (3) Public Hearing Required. Nothing herein contained shall be construed to give or grant to the Board the power or authority to permit a use not generally permitted in the district involved. No variation shall be made by the Board of Appeals, except in a specific case and after a public hearing before the Board of Appeals of which there shall be a notice of the time and place of the hearing, published

at least once, not more than thirty (30) days nor less than fifteen (15) days before the hearing, in a newspaper published in the Village, or if none, then in one or more newspaper with a general circulation within the Village which is published in Christian County, Illinois. This notice shall contain the particular location for which the variation is requested as well as a brief statement of what the proposed variation consists.

- (D) Fee. In order to partially defray the expenses of public hearings, the applicant shall pay the sum of Fifty-five Dollars (\$55.00) to the Village at the time of filing of the petition for a variance, special use or amendment.
- (E) Appeals. All final administrative decisions of the Board of Appeals shall be subject to judicial review pursuant to the "Administrative Review Law," and all amendments and modifications thereof, and the rules adopted pursuant thereto.

ARTICLE XI - AMENDMENTS

40-11-1 AUTHORITY. The Mayor and Village Board of Trustees may, from time to time, amend, supplement, change, modify or repeal the regulations, restrictions, districts and boundaries as provided for in this Code.

40-11-2 PROCEDURE.

(A) A public hearing shall be held by the Mayor and Village Board of Trustees before adoption of any proposed amendment, supplement or change, public notice of which shall have been placed in a newspaper published in the Village, or if none, in a newspaper with a general circulation within the Village, not more than thirty (30) days nor less than fifteen (15) days before the hearing.

(B) In case of a written protest against any proposed amendment of the regulations or districts, signed and acknowledged by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the

frontage immediately adjoining or across an alley therefrom, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, such protest being filed with the Village Clerk, the amendment shall not be passed, except by a favorable vote of two-thirds (2/3) of all the members of the Village Board of Trustees. In such cases, a copy of the written protest shall be served by the protestor or protestors on the applicant for the proposed amendment and a copy upon the applicant's attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed amendment.

(C) In order to partially defray the expenses of a Zoning Change Public Hearing, each person petitioning for a zoning change shall deposit with the Village the sum of Fifty-five Dollars (\$55.00). No part of such amount shall be refunded for failure of said amendment to be enacted into law.

40-11-3 APPROVAL OF PLANNING COMMISSION. No amendment shall become effective unless it is first submitted to and approved by the Zoning Board of Appeals or if disapproved, shall receive a two-thirds (2/3) favorable vote of all trustees of the Board of Trustees.

40-11-4 ZONING MAP TO BE PUBLISHED. The Village Board of Trustees shall cause to be published no later than March 31st of each year a map clearly showing the existing zoning divisions and classifications for the preceding calendar year. If, in any calendar year, there are no changes in zoning divisions or classifications, no map shall be published for such calendar year.

ARTICLE XI - LEGAL STATUS PROVISIONS

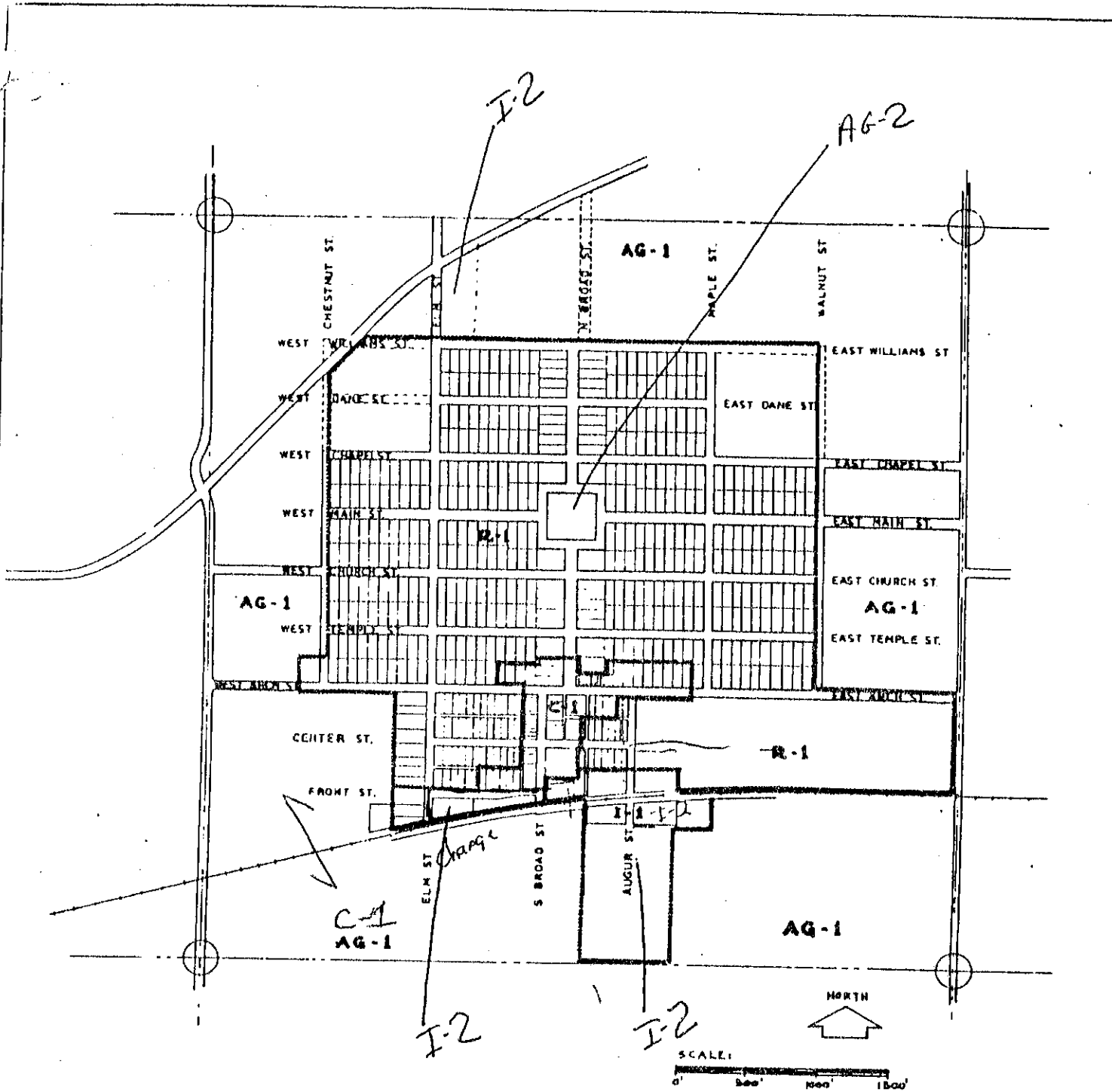
40-12-1 INTERPRETATION; CONFLICT WITH OTHER CODES; AND PRIVATE DEEDS.

(A) In the interpretation and application of this Code, the provisions contained herein shall be held to be minimum requirements, adopted for the promotion of public health, morals, safety and general welfare.

(B) Any existing Village Code or part thereof to the extent they duplicate, conflict with or otherwise affect the whole or any part of this Code shall be disregarded.

(C) In the case of any conflict between this Code or part thereof, and the whole or part of any existing or future private covenants or deeds, the most restrictive shall apply.

40-12-2 VALIDITY. If any section, clause, provision, or portion of this Code shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or otherwise impair any other section, clause, provision or portion of the Code which is not in or of itself invalid or unconstitutional.



ZONING DISTRICTS

MOUNT AUBURN ILLINOIS

Passed by the VILLAGE BOARD
 OF TRUSTEES of the VILLAGE OF
 MT. AUBURN, ILLINOIS Date Jan 1970
 Approved Jackie McArthur
 Mayor
 Approved Harold S. Patton
 Village Clerk

- LEGEND —
- AG-1 DIST. - AGRICULTURAL
 - R-1 DIST. - ONE & TWO FAMILY
 - C-1 DIST. - GENERAL RETAIL
 - I-1 DIST. - LIGHT INDUSTRIAL

DRAWN By: B.H. Wood Feb. 1970