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# Village of Wonder Lake

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**Building Code Update**

**March 1, 2025**

**Passed by Ordinance**

**February 19, 2025**

## CHAPTER 150: BUILDING REGULATIONS; CONSTRUCTION

### Section

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## BUILDING CODE AND REGULATIONS

### § 150.01 PERMIT REQUIRED.

It shall be unlawful to construct any building or structure in the village where the cost of such construction exceeds \$500 or to alter or remodel any building or structure so as to change any walls, beams, supports or the roof thereof, without having first secured a permit therefor, or in violation of the terms of such permit, or in violation of the terms of this subchapter.

(Ord. 002, passed 4-1-1975; Ord. 435/A1, passed 6-7-2017) Penalty, see § 150.99

### § 150.02 AGRICULTURAL EXEMPTION.

(A) Exempt from the provisions of this subchapter, as provided by the state statute, are farm residences and other buildings and structures used for agricultural purposes on farms.

(B) To be considered exempt, such residence, building or structure shall be located on a farm that is such in fact and not in name only and be accessory to the cultivation of crop acreage or animal husbandry operations of such extent and character as generally prevail on farms.

(Ord. 002, passed 4-1-1975)

### § 150.03 APPLICATION.

Application for such permits shall be made to the Building Department and shall be accompanied by plans and specifications in duplicate (and electronically) showing the work to be done; such plans shall be verified by the signature of either the owner of the premises or by the architect or contractor in charge of the operations.

(Ord. 002, passed 4-1-1975; Ord. 002/A4, passed 4-1-1978)

§ 150.04 APPROVAL OF PLANS.

- (A) Such applications with plans shall be referred to the Building Department, who shall examine the same to determine whether the proposed construction or alteration will comply with the subchapter provisions relative thereto. All single-family homes will require two sets of prints. All commercial projects will require three sets of print.
- (B) One set of plans shall be an electronic PDF
- (C) One set of approved prints. will be forwarded to the fire department for all commercial projects.

(C) Upon approval, one set of plans shall be returned to the applicant with a permit and the other shall be retained by the Building Department. No permit shall be issued until after approval of plans.

(Ord. 002, passed 4-1-1975; Ord. 002/A4, passed 4-1-1978)

§ 150.05 VARIATIONS.

(A) Variations from approved submitted plans. It shall be unlawful to vary from submitted plans and specifications unless such variations are submitted in an amended plan to the Department of Building and Zoning and approved by same.

(B) Variations from the Building Code standards. When there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of the Building Code, the regulations may be altered (to a limited extent), in order to make the regulations practical, however, the variation shall remain in harmony with the general purpose and intent of the Code. If the Department of Building and Zoning considers that a variation is in order, the same shall advise the petitioner to petition the Planning and Zoning Commission for a hearing.

(C) Application to Planning and Zoning Commission for a hearing on a variation. To obtain a variation, the petitioner must submit a completed application into the Planning & Zoning Commission requesting a hearing. The link for a Variance Application can be found at <https://www.villageofwonderlake.org/planning-zoning>. The request for the variation will be heard before the Planning & Zoning Commission which will create a recommendation by the Planning & Zoning Commission and forwarded to the Village Board of Trustees for a final decision.

(1) The application shall contain the following minimum data and such additional information as the Variance Application requests.

(2) Application for variation; ZBA hearing:

(a) Name;

- (b) Address;
- (c) Phone number;
- (d) Lot number and block number;
- (e) Structure, existing or new;
- (f) To what section of the code does request apply;
- (g) Reasons for variance;
- (h) Miscellaneous data; and
- (i) Email address

(Ord. 002, passed 4-1-1975; Ord. 002/A6, passed 5-26-1978; Ord. 002/A9, passed 3-25-1989)

#### § 150.06 ENFORCEMENT.

The Building Inspector shall make or cause to be made such inspections as are necessary to see to the enforcement of the provisions of this section, and to make any tests or examinations of materials or methods to be used for the purpose of seeing that they comply with the provisions of this section. No percolation test shall be performed or the results thereof accepted unless 24-hours' prior notice has been given to the Department of Building and Zoning of the time and date thereof.

(Ord. 002, passed 4-1-1975; Ord. 002/A6, passed 5-26-1978)

#### § 150.07 FEES.

The payment of the fee for the construction, alteration, removal or demolition, and for all work done in connection with or concurrently with the work contemplated by a building permit, shall be as set by the village.

(Ord. 002, passed 4-1-1975; Ord. 002/A2, passed 9-22-1977; Ord. 002/A5, passed 4-1-1978; Ord. 002/A7, passed 3-22-1979; Ord. 002/A8, passed 7-26-1979; Ord. 002/A9, passed 3-25-1989; Ord. 002/A12, passed 5-22-1991)

#### § 150.08 MINIMUM SPECIFICATIONS.

(A) Minimum floor areas. No building permit shall be issued for a single-family residential dwelling unit unless it shall contain the following minimum principal floor areas, excluding garages and basements:

- (1) Single-level building (one story): 1,000 square feet:

(2) Two-story building: 1,600 square feet; and

(3) Tri-level building: 1,600 square feet.

(B) Provisions for a garage. No permit shall be issued for any new residential dwelling unit construction unless a minimum of a one-car attached garage is included and constructed prior to occupancy. Siding and design shall be consistent with residential dwelling.

(C) Driveway.

(1) No access from any road to any lot shall be permitted over and across any street right-of-way ditch until a metal culvert not less than 15 inches in diameter and not less than 26 feet long for a double driveway, but not longer than 29-1/2 feet for a single driveway, two feet on either side of driveway, but no less than a minimum of 14 feet, except where this does not apply to the standard normal.

(2) No further construction shall be permitted on the premises of any new residential building after the basement foundation footing and walls are made and backfilled unless and until a gravel driveway is installed from the street to the garage site. Said driveway shall be at least ten feet wide and shall consist of a base having a minimum of eight inches of gravel. Said driveway shall not be less than 20% of the width of the lot from a street side lot line, or 10% from the nearest interior side lot line, unless there is a utility easement, then setback shall not be less than 9.84 feet or whichever is the greater. The pitch of the drainage (driveway or yard) shall be reviewed and approved by the Village Engineer.

(3) Said driveway shall be paved blacktop or concrete within six months, weather permitting, after receiving a temporary occupancy permit.

(D) Grade.

(1) Every application for a building permit shall show and note the foundation finish grade for each elevation of the building or structure.

(2) All elevations shall be based on a benchmark of the established grade, which is the road centerline at a point opposite the middle of the principle building wall facing the front lot line.

(3) The grade alteration, if any, shall be such that the natural flow of surface water will not be diverted from its normal destination and will not be increased to the abutting property.

(4) The foundation finished grade shall not exceed (whichever is highest) the established grade or any other natural high point of the lot by 13 inches or 33 centimeters.

(5) Every application for a new construction building permit shall show foundation grade, finished grade, surface water run-on/run-off design plan as to negate/minimize additional impact of run-off onto adjacent lots, such plan to be approved by the Village Engineer prior to issuance of building permit with approval of the completed, final grade by the Village Engineer before an occupancy permit will be issued.

(E) Electrical; minimum specifications for residence dwelling.

(1) All electrical work, unless otherwise specifically stated herein, shall be installed in full compliance with the latest edition of the National Electrical Code, 2023 Edition (“NEC”) and with the rules and regulations regarding the installation, alteration and use of electrical equipment adopted by the Commonwealth Edison Company.

(2) The regulations of the National Electrical Code, (2023) , published by the National Fire Protection Association , are hereby adopted by reference except for the following exceptions and modifications.

(a) Conduits. All new electric wiring in new buildings and in basements of existing buildings shall be installed in rigid conduit, IMC or EMT or NM Cable

(b) Service.

1. Services shall be in rigid thick wall metal conduit on the outside of the building and firmly fastened to the building. Entrance service cable may be used where practical or necessary.

2. A 100-ampere service and panel for houses less than 1,000 square feet and a 200 amp service and panel for houses 1,000 square feet or larger three-wire service with switch and protective device is required. Wires shall be sized based on the service size. (c) Circuits.

1. In all dwellings, the minimum service shall be 100 amperes with a 20-circuit cabinet. for houses less than 1,000 square feet and a minimum 200 amp with 42 circuits for houses larger than 1,000 square feet

2. Wiring for kitchens, laundries or utility rooms and for high duty appliance outlets where 20 ampere or larger fuses or circuit breakers are to be used shall be on separate circuits using conductors no smaller than #12 wire, with a minimum of two circuits for each room.

3. All underground conductors shall be installed in metal or plastic conduit placed at least 12 inches below grade, or if approved by the Building and Zoning

Department. 4. In all applications, a single main disconnecting means shall be installed on the outside of the structure.

5. Any heating plant shall be on a separate circuit.

6. A separate disconnect switch shall be installed for all heating and air conditioning units located on the wall or at the unit.

7. Each motor load of three-fourths horsepower or more shall be on a separate circuit.

8. Twin, tandem, duplex or split circuit breakers shall not be approved on new installations.

9. Low voltage wiring for lighting circuits, control or signaling circuits or communicating systems may be run exposed in accessible areas only when not subject to mechanical injury.

10. In all dwellings, all rooms shall be wired. This is to include accessible attics, stair halls, walk-in closets, basement storerooms, utility rooms, family rooms, recreation rooms, pantries, garages and similar locations.

11. Built-in ovens and surface sections (ranges) shall each be supplied by a separate circuit unless they are directly a single unit.

12. The receptacle spacing shall follow the spacing requirements of the NEC and the IRC

13. There shall be no more than ten power-consuming openings per circuit.

(d) Receptacles.

1. Only three-wire grounded receptacles shall be acceptable.

2. A duplex wall receptacle shall be installed in each bath or powder room with G.F.I. (Ground fault interceptor).

3. A duplex wall receptacle shall be installed in each hallway or foyer.

4. Two duplex weatherproof receptacles shall be installed on the outside of the building with G.F.I. (front and rear).

5. Any receptacle within three feet of a laundry tub shall be G.F.I.

(e) Fixtures.

1. A light shall be installed in every accessible storage area, including attic and crawl space.

2. Walk-in closets shall have a closet light controlled by a pull chain (minimum requirement).

3. Crawl spaces with heating plants shall have one light at the access to the crawl space and one light at the heating plant, both being controlled by a wall switch at the access with G.F.I. This also includes remote sump pumps.

4. A light shall be installed over every kitchen sink, bathroom lavatory and laundry tub, in addition to the general lights in the room with G.F.I.

5. An outside light controlled by a wall switch shall be installed at each entry and exit, including garages and balconies with G.F.I. automatic light sensing and motion sensing capability is required.

6. Stairways, halls, passageways and corridors accessible by more than one entry or exit shall have a ceiling light or lights controlled by three-way or four-way switches.

(f) Lot area division.

1. Front yard. The front yard setback line shall not be less than 10% of the depth of the lot (front lot line to rear lot line), except for corner lots where in no case shall the setback line be less than 19.68 feet.
2. No fences allowed in the front yard.
3. Side yard interior. The side yard interior setback line shall not be less than 10% of the width of the lot or combined developed lot, unless there is a side easement, then said line shall not be less than 9.84 feet.
3. Side yard abutting a street. The street side yard setback line shall not be less than 20% of the width of the lot.

(g) General regulations.

1. Repair of buildings.
  - a. Any construction work on existing buildings that requires replacing the following: roofing, flashing, siding, window and door frames shall be classified as repair work and a permit fee shall be required.
  - b. The Building and Zoning Department must be notified of the intended repairs.
2. Noise control. No construction work requiring the use of power tools or power machinery of any kind shall be undertaken before 7:00 a.m. or after 8:00 p.m., Monday through Friday, and before 8:00 a.m. or after 8:00 p.m., Saturday, Sunday and holidays.

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(h) Insulation specifications.

1. All new construction shall be thermal insulated with a suitable insulating material that will not mold, rot, burn or support vermin.
2. Minimum amounts for residential principal buildings: per the State requirements.

c (i) Plumbing regulations. In full compliance with the provisions of the State of Illinois Plumbing Code latest edition., as amended.

(j) Exterior of residence regulations.

1. Exterior of residence must be fully completed six months from the date of the temporary occupancy permit.
2. Lawn must be final- graded and seeded within six months from the date of the temporary occupancy permit.

(Ord. 002, passed 4-1-1975; Ord. 002/A1, passed 10-21-1975; Ord. 002/A3, passed 9-22-1977; Ord. 002/A4, passed 4-1-1978; Ord. 002/A10, passed 7-22-1980; Ord. 022/A11, passed 10-24-1990; Ord. 002/A13, passed 12-3-1993; Ord. 02/14, passed 9-7-1994; Ord. 002/A15, passed 6-15-2005; Ord. 002/A16, passed 3-15-2006; Ord. 435/A1, passed 6-7-2017)

§ 150.09 BUILDING CODE.

(A) The village hereby adopts the following building codes to be known as the “Village of Wonder Lake Building Code”:

- (1) 2021 International Building Code (“IBC”), including appendices;
- (2) 2021 International Property Maintenance Code (“IPMC”);
- (3) 2021 International Mechanical Code (“IMC”);
- (4) 2021 International Fire Code (“IFC”) including appendices;
- (5) 2021 International Residential Code (“IRC”) including: Appendices
- (6) National Electric Code, 2023 Edition (“NEC”);
- (7) State of Illinois Plumbing Code, current edition;
- (8) 2021 International Fuel Gas Code (IFGC);
- (9) 2021 International Swimming Pool and Spa Code (ISPSC);
- (10) 2021 State of Illinois Energy Efficiency Act;
- (11) 2021 International Existing Building Code(IEBC);
- (12) 2018 Illinois Accessibility Code

(B) The additions, changes, and deletions to these codes are hereby adopted by reference and incorporated herein as if set out in full.

(C) The following are the changes to the International Building Code

Section 101.1 Insert the Village of Wonder Lake

Section 101.4.3 Delete the International Plumbing Code and insert The Illinois Plumbing Code

Section 103.1 Insert The Building and Zoning Department

Section 105.2 Delete the exceptions

Section 109.2, 114.4, 115.4 Insert the following: See the Village of Wonder Lake fee schedule.

Repeal the current text of Sections 113 1 and replace with the following new text:

The Planning and Zoning Commission shall serve as the Appeals Board.

Delete sections 903.2 – 903.2.102 and insert All new building with a municipal water supply shall be fire sprinklered with the following exception:

Detached buildings which comply with all the following:

1. Less than 1,000 square feet
2. Maximum one story
3. No below grade areas
4. No High hazard storage or process
5. No residential or dwelling units
6. Minimum separation distance 20 feet

Chapter 11 Delete the entire Chapter and insert the Illinois Accessibility Code

Section 1801.2 Add the following: The use of wood footing and foundations is not allowed.

Chapter 35 Delete the International Plumbing Code and insert the Illinois Plumbing Code

Adopt the following appendices: , H105, H107

(D)The following are the changes to the International Property Maintenance Code

Section 101.1 Insert the Village of Wonder Lake

Section 103.1 Insert the Building and Zoning Department

Section 104.1 insert See the Village of Wonder Lake fee schedule

Repeal the current text of Section 108 and replace with the following new text. See section 113 of the International Building Code.

Section 109.4 and 110.4 See the Village of Wonder Lake fee schedule.

Insert "April 1" and "October 1," respectively, in the two spaces in Subsection 304.14 designated "[date]."

Insert "October 1" and "April 1," respectively, in the two spaces in Subsection 602.3 designated "[date]."

Insert "October 1" and "April 1," respectively, in the two spaces in Subsection 602.4 designated "[date]."

(D) The following are the changes to the International Mechanical Code

Section 101.1 Insert the Village of Wonder Lake

Section 103.1 Insert The Building and Zoning Department

Section 109.2, 113.4, 115.4 Insert the following: See the Village of Wonder Lake fee schedule.

The Planning and Zoning Commission shall serve as the Appeals Board.

(E) The following are the changes to the International Fire Code

Section 101.1 Insert the Village of Wonder Lake

Section 103.1 Inert The Building and Zoning Department

Section 107.2, 112.4, 113.4 Insert the following: See the Village of Wonder Lake fee schedule.

Repeal the current text of Sections 111.1 and replace with the following new text:

The Planning and Zoning Commission shall serve as the Appeals Board.

Delete sections 903.2 – 903.2.102 and insert All new building with a municipal water supply shall be fire sprinklered with the following exception:

Detached buildings which comply with all of the following:

1. Less than 1,000 square feet
2. Maximum one story
3. No below grade areas
4. No High hazard storage or process
5. No residential or dwelling units
6. Minimum separation distance 20 feet

Chapter 80 Delete the International Plumbing Code and insert the Illinois Plumbing Code

Adopt the following appendices: B, C, D,

(F) The following are the changes to the International Residential Code

Section R101.1 Insert the Village of Wonder Lake

Section R103.1 Insert the Building and Zoning Department

Section R105.2 Delete the exceptions

Section R108.2, R113.4, R114.4 Insert the following: See the Village of Wonder Lake fee schedule.

Repeal the current text of Sections R112.1 and replace with the following new text:  
 The Planning and Zoning Commission shall serve as the Appeals Board.

Section 301.2. Insert the following table:

<b>Table 301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA</b>												
GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGOR	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRE D	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph )	Topographic effects	Special Wind region	Windborne Debris zone		Weatherin g	Frost Line depth	Termite				
25	115	No	No	No	A	Severe	42	Severe	YES	See maps	2000	50
MANUAL J DESIGN CRITERIA												
Elevation		Altitude Correction factor	Coincident Wet bulb	Indoor winter design dry-bulb temperature	Indoor winter design Dry-bulb temperature			Outdoor winter design Dry-bulb temperature		Heating temperature difference		
700		1	74	70	70			-2		72		
Latitude		Daily range	Indoor summer Design Relative humidity	Summer design gains	Indoor summer design Dry-bulb temperature			Outdoor summer design Dry-bulb temperature		Cooling temperature difference		
42		M	50	41	75			88		13		

Section R313 Automatic Fire Sprinkler Systems – Delete the entire section

Section R402.1.3 Add the following: The use of wood footing and foundations is not allowed.

Chapter 44 Delete the International Plumbing Code and insert the Illinois Plumbing Code

Chapters 26 – 32 Delete Chapters and insert The Illinois Plumbing Code

Adopt appendices AF, AK

(G) The following are the changes to the National Electric Code

See section 150.08E

(H) The following are the changes to the State Plumbing Code current edition

There are no changes, additions or deletions.

(I) The following are the changes to the International Fuel Gas Code

(J) Section R101.1 Insert the Village of Wonder Lake

Section 103.1 Insert the Building and Zoning Department

Section R105.2 Delete the exceptions

Section 108.2, 113.4, 114.4 Insert the following: See the Village of Wonder Lake fee schedule.

Repeal the current text of Sections 112.1 and replace with the following new text:

The Planning and Zoning Commission shall serve as the Appeals

(K) The following are the changes to the International Swimming Pool and Spa Code

Section 101.1 Insert the Village of Wonder Lake

Section 103.1 Insert The Building and Zoning Department

Section R105.2 Delete the exceptions

Section 108.2, 113.4, 114.4 Insert the following: See the Village of Wonder Lake fee schedule.

Repeal the current text of Sections 111.1 and replace with the following new text:

The Planning and Zoning Commission shall serve as the Appeals Board

(L) The following are the changes to the International Energy Conservation Code

All of the State of Illinois amendments to the International Energy Conservation Code shall be applied.

(M) The following are the changes to the International Existing Building Code

Section 101.1 Insert the Village of Wonder Lake

Section 103.1 Insert The Building and Zoning Department

Section R105.2 Delete the exceptions

Section 108.2, 113.4, 114.4 Insert the following: See the Village of Wonder Lake fee schedule.

Repeal the current text of Sections 112.1 and replace with the following new text:

The Planning and Zoning Commission shall serve as the Appeals Board

Section 1301.5.4 Add the following All local amendments shall be applicable notwithstanding the results of this evaluation.

(N) The following are the changes to the Illinois Accessibility Code

There are no changes to the Illinois Accessibility Code

(Ord. 002, passed 4-1-1975; Ord. 002/A9, passed 3-25-1989; Ord. 02/93A, passed 2-3-1993; Ord. 002A/17, passed 4-4-2007; Ord.002A/18, passed 9-3-2008)

§ 150.10 CERTIFICATE OF OCCUPANCY.

(A) No certificate of occupancy for any building or structure erected, altered or repaired after adoption of this subchapter shall be issued unless such building or structure was erected, altered or repaired in compliance with the provisions of this subchapter.

(B) (1) Prior to the issuance of a certificate of occupancy pursuant to the ordinances of the village, the Building Inspector shall file an unexecuted certificate of occupancy with the County Supervisor of Assessments; and that the owner of the property for which said occupancy permit is requested, shall obtain from the County Supervisor of Assessments, in the form prescribed by said official, a receipt showing that the unexecuted certificate of occupancy has been duly filed and that the property is subject to increased assessment from the date of issue of the certificate on a proportionate basis for the year in which improvement was completed.

(2) The owner of said property shall file said receipt with the Building Department of the village and the Building Inspector shall file a certified copy of the certificate of occupancy, when issued, with the County Supervisor of Assessments.

(Ord. 002, passed 4-1-1975; Ord. 003, passed 4-1-1975)

(C) No building permit shall be issued to any building that does not have a certified Certificate of Occupancy.

§ 150.11 INTERPRETATION.

Wherever in the building regulations it is provided that anything must be done to the approval of or subject to the direction of, the Building Inspector or any other officer of the village, this shall be construed to give such officer only the discretion of determining whether the rules and standards established by ordinance have been complied with; and no such provision shall be construed as giving any officer discretionary powers as to what regulations or standards shall be, or power to require conditions not prescribed by ordinance or to enforce ordinance provisions in an arbitrary or discriminatory manner.

(Ord. 002, passed 4-1-1975)

MONOTONY CODE

§ 150.25 PURPOSE.

The purpose of this subchapter is to: preserve the aesthetically pleasing character of the village's residential districts by promoting a diversity of architectural design; protect and enhance property values; and promote the easy identification of houses by encouraging new dwelling unit construction of distinctive design and discouraging excessive similarity among adjacent dwellings.

(Ord. 236, passed 3-15-2006)

§ 150.26 RESIDENTIAL CONSTRUCTION; DESIGN VARIETY.

(A) No building permit shall be issued for any new single-family detached dwelling unit which is similar in appearance to any dwelling on the same street which is within three lots distance of it. However, those single-family dwellings with a signed sales contract or approved application for building permit bearing a date prior to the date of this subchapter shall be exempt from the provisions of this subchapter.

(B) A new single-family detached dwelling unit on a corner lot may be considered dissimilar to another if the two dwellings face different streets. On cul-de-sac turnarounds, no dwelling shall be similar in appearance to another dwelling on the turnaround.

(Ord. 236, passed 3-15-2006)

§ 150.27 EXCESSIVE SIMILARITY; STANDARDS.

(A) General. For the purpose of this subchapter, SIMILAR IN APPEARANCE shall mean a single-family detached dwelling which is identical, or nearly identical, to another in any three of the following characteristics:

- (1) Roof type (gable, hip, mansard, gambrel, flat, combination);
- (2) Roof height;
- (3) Approximate dimensions (height and length) of the front wall closest to the front lot line;
- (4) Shape of the front elevation silhouette;
- (5) Relative locations and sizes of windows in the front elevation;
- (6) Relative location and dimensions of garage door(s), if included on the front elevation;
- (7) Type(s) of siding (e.g., brick veneer, lapped horizontal siding, half-timber, board and batten, shakes and the like) on the front elevation; and
- (8) Exterior color.

(B) Housing styles. If adjacent lots contain different single-family detached housing styles as herein described, the previously delineated similarity standards to not apply. Housing style is in and of itself a significant enough characteristic to constitute dissimilarity. Housing styles shall consist of the following:

- (1) Ranch;
- (2) Bi-level;

- (3) Tri-level;
- (4) One and one-half story;
- (5) Two-story; and
- (6) Three story.

(Ord. 236, passed 3-15-2006)

#### § 150.28 ADMINISTRATION.

(A) If the Building and Zoning Administrator, or person acting in that capacity, finds that the single-family detached dwelling for which a building permit is requested is similar in appearance to a dwelling for which a building permit has been issued within three lots distance and facing the same street, the Building and Zoning Administrator shall deny the permit request for non-compliance with this subchapter.

(B) An applicant for a building permit that has been denied based on the provisions of this subchapter may:

(1) Alter the dwelling plans so that the proposed dwelling is no longer similar to another adjacent dwelling, according to the criteria specified herein; or

(2) Appeal the decision of the Building and Zoning Administrator to the Village Board of Trustees.

(C) In appealing the interpretation of this subchapter to the Village Board of Trustees, an applicant for a building permit shall present evidence sufficient to demonstrate conformity with this subchapter, such as architectural drawings.

(Ord. 236, passed 3-15-2006)

#### § 150.29 EXCEPTIONS.

(A) These regulations shall not apply to dwellings for which building permits have been approved before the effective date of this subchapter, including dwellings that are being remodeled, reconstructed or replaced after fire, windstorm or other catastrophe.

(B) These regulations may be waived in cases where the applicant for a building permit could not be expected to anticipate the design of a neighboring dwelling for which a building permit has already been issued but is not yet built. In such instances, the builder shall request, and the Village Board of Trustees may grant, an exception from this subchapter.

(Ord. 236, passed 3-15-2006)

§ 150.30 PLANNING AND ZONING COMMISSION REVIEW FOR DUPLEX AND MULTIPLE-FAMILY DWELLINGS.

(A) Any applicant for a building permit for a duplex or multiple-family dwelling shall appear before the Planning and Zoning Commission for its review and approval of the architectural plans depicting the exterior elevations of the building or buildings for which the permit is sought.

(B) If the Planning and Zoning Commission denies approval of the architectural plans, the applicant may appeal the decision to the Village Board of Trustees.

(Ord. 236, passed 3-15-2006)

FENCES

§ 150.45 PERMIT REQUIRED.

No fence may be erected in the village unless a permit is obtained in advance and unless such fence is erected in compliance with the provisions of this subchapter.

(Ord. 031, passed 2-17-1976) Penalty, see § 150.99

§ 150.46 RESIDENTIAL FENCES.

The following standards shall be followed in connection with fences constructed on premises used for residential purposes.

(A) Fences and shrubs up to three feet in height from ground level may be erected or planted and grown in the street side yard. Such fence must be constructed so as not to obstruct vision. No fences are allowed in the front yard.

(B) Fences up to six feet in height from ground level may be erected in the interior side yards or the rear yard.

(C) (1) Fences of a privacy nature up to six feet in height from ground level may be erected between the property setback line and the lot line.

(2) Such fence must be constructed on a corner lot so as not to obstruct the clear view of motor vehicular traffic using the abutting streets. No fences are allowed in the front yard

(D) (1) Fences may be erected in the "buildable area" not exceeding six feet in height from ground level. The fence must not extend beyond the building wall lines (facing the street) and must not, at any time, encroach into the setback areas.

(2) The total area of enclosure is the area inside of the fence and shall not exceed 25% of the area of the lot.

(3) All areas outside of said fence must be maintained similarly to the area in said enclosure.

(E) A non-residential purpose fence up to 25 decimeters or 8.20 feet in height from ground level may be erected where residential premises abut onto premises used for business, industrial or non-residential purposes.

(F) The use of barbed wire in residential fencing is prohibited.

(G) The minimum depth for fence posts is 42 inches.

(Ord. 031, passed 2-17-1976; Ord. 031/A2, passed 8-24-1976; Ord. 031/A4, passed 8-4-1993; Ord. 435/A1, passed 6-7-2017) Penalty, see § 150.99

#### § 150.47 INDUSTRIAL, COMMERCIAL AND NON-RESIDENTIAL FENCES.

The following standards shall be followed in connection with fences constructed upon premises used for industrial, commercial or non-residential purposes.

(A) No fence shall exceed eight feet in height from ground level.

(B) The use of barbed wire is permitted only at heights in excess of six feet above ground level; and, provided that, all barbed wire supporting arms shall slope inward toward the premises for which the fence permit is issued.

(Ord. 031, passed 2-17-1976; Ord. 031/A-1, passed 1-27-1977) Penalty, see § 150.99

#### § 150.48 STANDARDS.

The following additional standards shall also be followed in connection with all fences.

(A) All fence posts and supporting fence members shall be erected so that, after the fence is constructed, they will face to the interior of the premises for which the fence permit is issued.

(B) All chain link fencing must be installed knuckle-side up; the use of spikes, broken glass or other sharp or pointed instruments or materials intended or likely to cause injury to any person coming into contact therewith is prohibited.

(C) Electrified fences, snow fences, chicken wire, Keg and farm type fences, used as primary property enclosure fence, are prohibited in non-buildable areas (as defined in the Zoning Ordinance).

(D) No stone, masonry or concrete fence shall be constructed unless it is supported by a foundation and footing which shall extend at least 42 inches below the finished grade of the ground on both sides of the fence.

(E) A fence requiring a foundation shall not be erected (directly and parallel) over a utility line such as water, gas, sewer and electricity.

(F) No private fence of any design or type shall be erected on any part, section or place of the public street right-of-way.

(G) No fence shall be centered, or directly located over a lot line, and no part shall extend or project over said lot line.

(Ord. 031, passed 2-17-1976; Ord. 031/A2, passed 8-24-1976; Ord. 031/A3, passed 7-26-1980) Penalty, see § 150.99

#### § 150.49 TENNIS COURTS.

Nothing contained in this subchapter shall be construed to restrict or limit the height of chain link fencing for the enclosure of any tennis court.

(Ord. 031, passed 2-17-1976)

#### § 150.50 DANGEROUS OR ENCROACHING FENCES.

It shall be unlawful for the owner, occupant or person in custody of any premises in the village having a fence thereon, to permit such fence to exist in a state or condition which is liable to cause injury to any person or to property, or which is liable to collapse, or which encroaches upon or leans upon the premises of another.

(Ord. 031, passed 2-17-1976) Penalty, see § 150.99

#### § 150.51 PERMIT FEES.

Fees shall be charged for a fence permit as so stated in § 150.07 of this chapter.

(Ord. 031, passed 2-17-1976)

#### § 150.52 SKETCH FOR PERMIT.

An accurate sketch showing the proposed location of the fence on a Plat of Survey of the premises shall be furnished to the Building Department at the time application is made for the permit.

(Ord. 031, passed 2-17-1976)

#### § 150.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) Any person, firm or corporation violating any provision of §§ 150.01 through 150.11 of this chapter shall be fined not less than \$10, nor more than \$500. Violation of different provisions of §§ 150.01 through 150.11 of this chapter shall be deemed separate violations for the purpose of the assessment of the penalty hereunder.

(C) Any person violating any of the provisions of §§ 150.45 through 150.52 of this chapter shall be subject to a fine of not less than \$25, nor more than \$500.

(Ord. 002, passed 4-1-1975; Ord. 031, passed 2-17-1976; Ord. 031/A2, passed 8-24-1976; Ord. 031/A4, passed 8-4-1993)

## CHAPTER 151: PROPERTY MAINTENANCE

### Section

151.01 Findings of fact

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### § 151.01 FINDINGS OF FACT.

The corporate authorities of the village hereby find as facts all of the matters in the recited clauses in the ordinance codified herein.

(Ord. 405, passed 3-5-2014)

§ 151.02 EXTERIOR PROPERTY MAINTENANCE GENERALLY.

(A) Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

(B) Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy premises which do not comply with the requirements of this chapter.

(C) Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

(Ord. 405, passed 3-5-2014)

§ 151.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**EXTERIOR PROPERTY.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**EXTERMINATION.** The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

**GARBAGE.** The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**INFESTATION.** The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

**OCCUPANT.** Any person living or sleeping in a building or having possession of a space within a building.

**OWNER.** Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

**PERSON.** An individual, corporation, partnership or any other group acting as a unit.

**PREMISES.** A lot, plot or parcel of land including any structures thereon.

PUBLIC NUISANCE. Includes any of the following:

- (1) The physical condition or occupancy of any premises regarded as a public nuisance at common law;
- (2) Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures;
- (3) Any premises that has unsanitary sewerage or plumbing facilities;
- (4) Any premises designated as unsafe for human habitation;
- (5) Any premises that is manifestly capable of being a fire hazard or is manifestly unsafe or unsecured so as to endanger life, limb or property;
- (6) Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth of weeds;
- (7) Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises;
- (8) To cause or suffer the carcass of any animal or any offal, filth or noisome substance to be collected, deposited or to remain in any place to the prejudice of others. Livestock waste disposed of on agriculturally zoned land in compliance with state and local laws, ordinances or regulations is exempt. Animal carcasses shall be properly disposed of within 24 hours of a death of an animal;
- (9) To throw or deposit any offal or other offensive matter or the carcass of any dead animal in any water course, lake, pond, spring, well or common sewer, street or public highway;
- (10) Accumulations of rubbish; garbage; refuse; human, animal, industrial, noxious or offense waste, provided that acceptable storage of livestock manure on a farm is permitted when this storage is in compliance with state and local laws, ordinances and regulations;
- (11) Commercial dumpsters which are offensive and which are not fly-tight vermin and rodent proof or do not comply with requirements of this chapter;
- (12) The pollution of any well, cistern, spring, underground water, stream, lake, canal or body of water by sewage or industrial wastes or other substances hazardous to the public health;
- (13) The use of a private residence water supply when samples from that supply have been declared to be bacteriologically unsafe;
- (14) Any "hazardous air pollutant" or air pollutant which in the judgment of the Health Authority may cause or contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness from a moving or stationary source;

(15) Any dense smoke, noxious fumes, gas, soot or cinders or other air pollutant which when emitted from equipment, building or other structure in quantities sufficient to be toxic, harmful or injurious to the health of an employee or occupant of any premises or to any person;

(16) The keeping of horses, livestock, sheep, goats, fowl or other farm animals which are not customarily kept as pets on property zoned other than agriculture;

(17) A dog or cat running at large to the prejudice of others and not under direct control of its owner or responsible person;

(18) All noxious weeds and weeds which due to pollination are a hazard to public health;

(19) Well pits which are no longer used for the purpose originally intended and which are not properly filled to prevent ground water pollution or other hazard to public health;

(20) Buildings, either occupied or unoccupied that are an exposed public hazard as a source of filth or in a condition prejudicial to the health and safety of the public;

(21) The rental or lease of property or properties which have been declared unfit for human habitation by the Health Authority;

(22) Vehicles which are abandoned and are potential rodent harborages and potential hazard to children;

(23) Refrigerators, freezers, stoves and similar equipment which has been abandoned to the potential peril of persons;

(24) To so negligently conduct any business or use any premise as to create such an offensive odor as to render it disagreeable to the neighborhood. Odors resulting from acceptable farm practices conducted on farms are exempt from this section;

(25) The storage or disposal of animal waste not in conformity with current state laws, rules and regulations or local ordinances;

(26) The maintenance or operation of an individual sewage disposal system which is not functioning properly; and

(27) Bushes, brush and heavy undergrowth causing directly or indirectly the impoundment of surface waters in residential areas creating a breeding place for mosquitoes or otherwise becoming detrimental to the public health.

**RUBBISH.** Combustible and non-combustible waste materials, except garbage. The term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust and other similar materials.

**YARD.** An open space on the same lot with a structure.

(Ord. 405, passed 3-5-2014)

§ 151.04 EXTERIOR PROPERTY AREAS.

(A) Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

(B) Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon or within any structure located thereon. Exception: water retention areas and reservoirs approved by the Village Engineer.

(C) Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

(D) Weeds.

(1) Growth of certain weeds prohibited. No person shall permit or allow any Canadian thistle, burdock, yellow dock, jimson weeds, bull thistle, poison ivy, ragweed or any other noxious or dangerous weed to grow on any premises owned, controlled or occupied by him or her.

(2) Height of weeds; grass or plants constituting nuisance; abatement procedure.

(a) Nuisance. It is hereby declared a nuisance for any owner or occupant of any land or any tract of land in the village to permit any weed, grass or plant to grow thereon to a height exceeding eight inches or to the extent of maturing its seeds. Planted areas of beneficial plants under cultivation to enhance the environment, protect a shoreline or aid in protecting wetlands are exempt.

(b) Removal notice. The village may serve on either the owner or occupant of any lot on which such weed, grass or plant grows a "removal notice", by letter to the owner or occupant, that such weeds, grass or plant must be mowed to a height not exceeding eight inches or to the extent of maturing its seeds.

(c) Abatement by village. If the owner or occupant of any lot or tract of land in the village permits any weed, grass or plant herein declared to be a nuisance to grow thereon to a height exceeding eight inches, or to the extent of maturing its seeds, the village may proceed to mow the weeds, grass or plant or cause same to be destroyed, regardless of whether or not any notice shall have been served in accordance with this section. The serving of any such notice shall not be a condition precedent to the taking and enforcement of action under this section.

(d) Charge for abatement. When the village mows the weeds or causes same to be destroyed, all reasonable expenses incurred by the village, or the person performing the service by authority of the village, shall be a charge against the owner or occupant of such

lot or tract of land, which may be recovered in an appropriate action to be instituted on behalf of the village or the person performing the service by the village as aforesaid.

(e) Lien. The village shall have a lien upon such lot or tract of land for such reasonable expense; provided, a notice of lien for same shall be recorded in the following manner: the village or the person performing the service as aforesaid shall file such notice of lien in the office of the Recorder of Deeds of the county. Such notice of lien shall consist of a sworn statement setting out:

1. A description of the real estate sufficient for identification thereof;
2. The amount of money representing the cost and expense incurred or payable for the service; and
3. The date or dates when such cost and expense was incurred by the village, and shall be filed within 60 days after the cost and expense is incurred. Any officer or employee of the village having knowledge of the facts, is hereby authorized to sign such notice of lien on behalf of the village and verify same, and record or cause same to be recorded as aforesaid. The procedure set forth in the Illinois Municipal Code 65 ILCS 5/11-20-7, as amended from time to time, shall be followed.

(f) Release of lien. Upon payment of the cost and expense after notice of lien has been filed, the lien shall be released by the village or person in whose name the lien has been filed and the release shall be filed of record in the same manner as filing notice of the lien.

(g) Recovery of expenses. The reasonable expense incurred as aforesaid shall be recoverable in addition to any penalty or penalties imposed under this chapter.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

#### § 151.05 RAT HARBORAGE.

All structure and exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

#### § 151.06 EXHAUST VENTS.

Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

§ 151.07 ACCESSORY STRUCTURES.

All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

§ 151.08 STORING OR PARKING OF INOPERABLE VEHICLES PROHIBITED; PUBLIC NUISANCES; EXCEPTION.

(A) (1) No person shall park, store, leave or permit the parking, storing or leaving of any inoperable motor vehicle of any kind upon any public or private property within view of the general public in the village as set forth in 65 ILCS 5/11-40-3.

(2) As used in this section, INOPERABLE MOTOR VEHICLE means any motor vehicle from which for a period of at least seven days the engine, wheels or other parts have been removed or on which the engine, wheels or other parts have been altered, damaged or otherwise treated; that the vehicle is incapable of being driven under its own motor power or the vehicle does not have current license plates and registration for the vehicle.

(B) The presence of an inoperable motor vehicle, on private or public property, is hereby declared a public nuisance and is unlawful.

(C) This section shall not apply to:

(1) Any vehicle enclosed within a building on private property;

(2) Any vehicle held in connection with a lawful business within the village and properly operated in the appropriate business zone pursuant to the zoning laws of the village; and, provided, said vehicle is not in view of the general public; or

(3) Historic vehicles over 25 years of age.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

§ 151.09 NUMBERING OF BUILDINGS AND STRUCTURES.

It shall be the duty of the owner and occupant of every building in the village to have placed thereon in a place visible from the street, figures showing the number address of the building. The Village Clerk shall keep a chart showing the property street number of every lot in the village, which chart shall be open to inspection by the public.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

§ 151.10 RUBBISH AND GARBAGE.

(A) Accumulation of rubbish or garbage. All exterior property and premises and the interior of every structure shall be free from any accumulation of rubbish or garbage.

(B) Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

(C) Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish and the owner of the premises shall be responsible for the removal of rubbish.

(D) Disposal of garbage. Every occupant of a structure shall dispose of garbage in an approved garbage disposal facility or approved garbage containers.

(E) Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak-proof dumpsters provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

§ 151.11 EXTERMINATION.

(A) All structures shall be kept free from insect and rat infestation by the owner and/or occupant of the premises.

(B) All structures in which insects or rats are found shall be promptly exterminated by the owner and/or the occupant by approved processes that will not be injurious to human health.

(C) After extermination, proper precautions shall be taken to prevent reinfestation.

(Ord. 405, passed 3-5-2014) Penalty, see § 151.99

§ 151.12 ABATEMENT OF NUISANCE.

(A) Abatement procedure.

(1) An abatement action under this section is a remedy cumulative to other remedies at law and equity. Injunctive relief may be sought to prevent or restrain violations of this section. An abatement action in no way preempts, supersedes or bars civil or criminal prosecution for violation of this section or any other applicable building, property maintenance, fire prevention, health or public safety regulation. The commencement of an abatement action is not a condition precedent to the initiation of civil or criminal prosecution or any other remedy. Failure to adhere to the procedure prescribed in this

section shall not bar relief or remedy if such failure causes no prejudice and merely constitutes harmless error.

(2) The following shall be the procedure for the abatement of nuisances within the jurisdiction of the village.

(a) Notice shall be given to the owner of the nuisances or of the property on which the nuisance exists. For purposes of this section, the person to whom the last general tax bill on the property was sent shall be presumed to be the owner. Notice by regular mail and posting of notice on the front entrance to the structure or similar location shall be deemed sufficient, legal notice to the owner and all other responsible parties. If there is no structure on the property, a sign may be posted anywhere on the premises.

(b) The notice shall state location and nature of the nuisance. It shall apprise the owner that if the nuisance is not abated within a specified number of days, the village shall, at the expense of such owner, have such nuisance abated. Ten days shall be such specified number unless otherwise stated in this chapter or the public health and safety require a shorter abatement period. The obligations of the owner are continuing obligations which are effective for one year from the date of the notice, which date shall be the last date the notice was mailed or the date the notice was posted, whichever comes last.

(c) If, upon the giving of notice, the owner fails to abate said nuisance within the time and in the manner specified in the notice, the village may cause the nuisance to be abated as it deems appropriate. The cost of the abatement shall be assessed against the owner of the land upon which the nuisance is located. The amount of such costs shall be paid by such owner to the village.

(3) If the nuisance is of such threat to the welfare, safety and comfort of the community that it must be abated immediately, the Village Administrator is hereby authorized to take whatever steps are necessary to effect the abatement of same regardless of the requirements herein.

(B) Abatement of liens for the costs of nuisance abatement.

(1) The cost of such abatement shall constitute a lien upon the real estate affected superior to all subsequent liens and encumbrances, except tax liens, if, within 60 days after such cost or expense is incurred by the village or person performing the service by authority of the village, in his, her or the village's name, files notice of lien in the office of the Recorder of Deeds of the county.

(2) The notice shall consist of a sworn statement setting out:

(a) A description of the real estate sufficient for identification thereof;

(b) The amount of money representing the cost and expense incurred or payable for the service; and

(c) The date or dates when such cost and expense was incurred by the municipality.

(3) Upon payment of the cost and expense by the owner of or persons interested in such property after notice of lien has been filed, the lien shall be released by the village.

(Ord. 405, passed 3-5-2014)

§ 151.99 PENALTY.

Unless another penalty is specifically provided by this chapter, any person violating any provision of this chapter, or any rules or regulations adopted or issued pursuant thereof, or any provision of any code or ordinance adopted by reference, shall, upon conviction, be subject to a fine of not less than \$100, nor more than \$750, and the costs of prosecution. Each act of violation and each day upon which a violation occurs constitutes a separate offense.

(Ord. 405, passed 3-5-2014)