THE VILLAGE OF HOMER GLEN
WILL COUNTY, ILLINOIS

ORDINANCE
NUMBER 15-011

AN ORDINANCE REGULATING THE OUTDOOR PARKING OF RECREATIONAL EQUIPMENT/VEHICLES AND/OR CONSTRUCTION/COMMERCIAL RELATED VEHICLES IN THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS

JAMES P. DALEY, Village President
Gale Skrobuton, Village Clerk

MICHAEL COSTA
MARCIA DEVIVO
TEDD KAGIANAS
MARGARET SABO
SHARON SWEAS
GEORGE YUKICH

Trustees

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ODELSON & STERK, LTD. – Village Attorneys – 3318 West 95th Street – Evergreen Park, Illinois 60805

AN ORDINANCE REGULATING THE OUTDOOR PARKING OF RECREATIONAL EQUIPMENT/VEHICLES AND/OR CONSTRUCTION/COMMERCIAL RELATED VEHICLES

WHEREAS, the Village of Homer Glen, Will County, Illinois (the "*Village*") is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs (the "*Home Rule Powers*"); and,

WHEREAS, pursuant to the provisions of the Illinois Municipal Code, the Village of Homer Glen may regulate the parking of recreational equipment/vehicles and/or construction or commercial related vehicles; and

WHEREAS, the purpose of promoting the public health, safety, comfort and general welfare throughout the Village of Homer Glen and lessening the intensity of such uses is in the interest of all residents; and

WHEREAS, the Village of Homer Glen through implantation of standards to ensure the desirability of residential land uses and protect the aesthetic appearance of the Village; and

WHEREAS, the preservation of property values throughout the Village and the protection of the character and stability of residential areas is of the utmost importance.

NOW,THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS, BY AND THROUGH IT'S HOME RULE POWERS, AS FOLLOWS:

Section 1: Recitals. The foregoing recitals are hereby incorporated into this ordinance as if fully set forth herein.

Section 2: Definitions. As used in this ordinance, unless the context otherwise requires, the terms shall have the meanings ascribed to them in this ordinance.

a. "Approved Hard Surface" – A hard surface, which has been permitted by the Village, suitable for parking vehicles, consisting of concrete, asphalt, or paver stone material providing access from the street to a place of residence for the storage of vehicles, trailers, or other recreational type vehicles.

b. "Building Line"- The line nearest the front of, and across a residential lot, establishing the minimum open space to be provided between the front line of a building or structure and the street right of way line.
c. "Principal Building"- A non-accessory building which the primary use of the lot on which it is located is conducted.
d. "Construction/Commercial Vehicle"- Any vehicle operated for the transportation of persons, equipment or property in the furtherance of any commercial, construction or industrial enterprise or has been registered with the State of Illinois as a commercial vehicle.
e. "Driveway"-That portion of a lot used to provide access from the street to a place of residence and which has been graded or surfaced with concrete, asphalt, or paver stone materials.
f. "Inoperable vehicle"- Any motor vehicle from which, for a period of seven (7) days, the engine, wheels, or other parts have been removed, or in which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power. "Inoperable motor vehicle" shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.
g. "Light Duty"- Commercial Truck Classification determination based on the vehicle's gross vehicle weight rating (GVRW). Light duty truck gross vehicle weight ranges from 0-14,000 pounds.
h. "Lot"- A platted parcel of land intended to be separately owned, developed and otherwise used as a unit.
i. "Non-Conforming Use"- Any building, structure, or land lawfully occupied by a use which was lawfully established at the time of the adoption of this ordinance, or amendments thereto, and which does not conform after the effective date of this ordinance, or amendments thereto, with the use regulations of this ordinance and shall be deemed a legal non-conforming or grandfathered use. Said use shall be an active and actual use of the land and/or buildings which existed prior to the effective date of the Zoning Ordinance.
j. "Outdoor Storage"- The keeping, in an unenclosed area, of any goods, equipment, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.
k. "Public Way"- Any sidewalk, street, alley, highway, or other public thoroughfare.

l. "Recreational Vehicle"- Any vehicle, used or so constructed as to permit it being used as a conveyance upon the public streets and highways, and licensable as such, which is constructed in such a manner that will permit occupancy as a dwelling or sleeping place for one or more persons, including also a self-propelled vehicle having a body designed as living quarters.
m. "Recreational Equipment"- Includes travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.
n. "Short term activity" – An activity less than 24 hours in duration associated with a particular property including but not limited to construction activities, delivery or services.
o. "Sport craft"- Any type of equipment used to transport people in the performance of recreational activities, including but not limited to snowmobiles, all-terrain vehicles, jet-skies, personal watercraft, canoes, boats, go-carts, dirt bikes, motorcycles, or aircraft.
p. "Temporary Use"- A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.
q. "Trailer"- A vehicle standing on wheels or on rigid supports which is used for transporting boats, cargo, or property.
r. "Use"- the purpose of activity for which the land, or building thereon, is designed, arranged or intended, or for which it is occupied and maintained.
s. " Non-Conforming Use"- Any lawfully established use of a building or premises which, on the effective date of this ordinance, does not comply with all of the applicable use regulations of the zoning district in which such building or premises shall be located.
t. "Zoning Map"- The map or maps incorporated into the Zoning Ordinance as part thereof, designed zoning districts.

Section 3: Properties. This ordinance shall apply and regulate the outdoor parking of recreational equipment, recreational vehicles, sport craft, trailers, construction and commercial related vehicles in the R-1, R-2, R-2A, R-3, R-3A, R-3B, R-4, R-5, R-6, and R-6A zoning districts. All other outdoor parking of recreational equipment, recreational vehicles, sport craft, trailers, construction and commercial related vehicles shall comply with the rules and regulations as defined in the Zoning Ordinance (08-048) for the zoning designation in which it is located.

Section 4: Location of Vehicles. All recreational vehicles, sport craft, trailers, construction or commercial related vehicles shall be parked on an approved hard surface consisting of concrete, asphalt, or paver stone. Only one recreational vehicle, sport craft, trailer, and one construction or commercial related vehicle shall be parked between the principal building line of a property and the public way adjacent to that particular property. At no time are recreational equipment or vehicles, sport craft, trailers, construction and commercial related vehicles allowed to be parked or located on any portion of public sidewalks, in public right of ways or affect roadway sightlines.

Section 5: Condition of Vehicles. All vehicles must be operable and have current state licenses and registrations. Recreational vehicles, recreational equipment, sport craft, and trailers shall be registered to the address at which it is being stored. All vehicles, recreational equipment, and sport crafts shall be well maintained and stored in a safe manner. Inoperable vehicles shall not be stored or parked outdoors.

Section 6: Size of Vehicles. Any commercial or construction vehicle stored in a residential area shall be classified as Light Duty or below as determined by the vehicle's gross vehicle weight rating (GVWR). Storage or Parking of vehicles larger in size than the light duty classification shall be prohibited in all "R" zoned properties. All vehicles must meet the Approved Hard Surface requirement.

Section 7: On Street Parking. Parking of vehicles larger in size than the Light Duty classification on any public street shall be prohibited unless it is actively being utilized for a short term activity, the delivery of goods or services, loading or unloading of products or materials, or providing a service directly associated with a property at this location.

Section 8: Non-Conforming Use. Any non-conforming use/parking of recreational equipment, recreational vehicle, sport craft, trailer, construction or commercial related vehicle which is stored on a hard surface location that was lawfully established at the time of the adoption of the Zoning Ordinance (08-048), or amendments thereto, and which does not conform after the effective date of the Zoning Ordinance (08-048), or amendments thereto, with the use regulations prior to the Zoning Ordinance shall be deemed a legal non-conforming or grandfathered use. The limitation on the number of recreational vehicles, sport craft, trailers stored between the principal building line of a property and the public way adjacent to that particular shall be one. Additionally, the number of commercial or construction related vehicles stored between the principal building line of a property and the public way adjacent to that particular property shall be one. All non-conforming use situations shall be determined by the Village of Homer Glen.

Section 9: Penalty. Any persons violating or failing to comply with the provisions of this ordinance shall upon finding of such violation be fined not less than One Hundred and 00/100 Dollars ($100.00) nor more than Seven Hundred and Fifty and 00/100 Dollars ($750.00) for each offense.

Section 10: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 11: Conflicts. All ordinances or parts thereof in conflict herewith are hereby repealed.

Section 12: Effective Date. This ordinance shall take effect from and after its passage, approval and publication in pamphlet form as provided by law.

[Intentionally left blank]

Adopted this 25th day of February 2015 pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Costa	X			
DeVivo	X			
Kagianas		X		
Sabo	X			
Sweas	X			
Yukich	X			
Daley (Village President)	-			
TOTAL	5	1	0	-

APPROVED by the Village President on February 25, 2015.

James P. Daley
Village President

ATTEST:

Gale Skrobuton
Village Clerk