

VILLAGE OF ALSIP

ZONING ORDINANCE BOOK

ORDINANCE NO. 90-11-152-1

[Updated: July 2011]

AMENDMENT ORDINANCES:

92-3-152-2
93-7-152-2
93-2-152-2
94-3-152-1
94-3-152-2
94-6-152-2
94-7-152-1
95-5-152-1
98-12-152-1
99-1-152-1
99-8-152-1
05-4-152-1
07-3-152-2
07-6-152-1
07-8-152-4
07-10-152-1
08-5-152-3
09-3-152-2
09-5-152-1
09-11-152-3
10-2-152-1
10-11-152-1

COMPREHENSIVE AMENDMENT
TO THE ZONING ORDINANCE
VILLAGE OF ALSIP, ILLINOIS

INDEX

Page	6	Article # 1 Section 101 Section 102	Title-Application Name Application & Fee
Page	7	Article # 2	Purpose
Page	9	Article # 3 Section 101 Section 102 Section 103 Section 104 Section 105	Scope of Regulations General Accessory Buildings Incidental Uses Exemptions Other Restrictions
Page	10	Part - 2 Section 201 Section 202 Section 203 Section 204 Section 205 Section 206 Section 207 Section 208 Section 209	Activities Regulated By This Ordinance Territorial Application of Regulations New Structures New uses of Old Structures Remodeling Uses of Open Land Uses Permitted in All Districts Height Variations in All Districts Uses Prohibited in All Districts Home Occupation Business Regulations
Page	13	Article # 4	Definitions
Page	19	Article # 5 Section 101 Section 102 Section 103 Section 104	Districts & Boundaries Purpose Boundaries Additions by Annexation Easements
Page	20	Article # 6 Section 101	F Farming Permitted Uses
Page	21	Article # 7 Section 101 Section 102 Section 103 Section 104 Section 105 Section 106 Section 107 Section 108	R-1 Residential (Single Family) Intent Permitted Uses Special Uses Intensity of Use Height Regulation Minimum Set Back Minimum Side Yard Minimum Rear Yard

Page 24	Article #8	R-2 Residential (Duplex)
	Section 101	Intent
	Section 102	Permitted Uses
	Section 103	Special Uses
	Section 104	Intensity of Use
	Section 105	Height Regulation
	Section 106	Minimum Set Back
	Section 107	Minimum Side Yard
	Section 108	Minimum Rear Yard
Page 27	Article # 9	R-3 Residential (Multi-Family)
	Section 101	Intent
	Section 102	Permitted Uses
	Section 103	Special Uses
	Section 104	Intensity of Use
	Section 105	Height Regulation
	Section 106	Minimum Set Back
	Section 107	Minimum Side Yard
	Section 108	Minimum Rear Yard
	Section 109	Minimum Livable Square Footage
	Section 110	Parking Requirements
Page 31	Article # 10	B-1 Business
	Section 101	Intent
	Section 102	Prohibited Uses
	Section 103	Special Uses
	Section 104	Height Limitations
	Section 105	Minimum Set Back
	Section 106	Minimum Side Yard
	Section 107	Minimum Rear Yard
Page 34	Article # 11	B-2 Business (Amusement)
	Section 101	Intent
	Section 102	Permitted Uses
	Section 103	Special Uses
	Section 104	Height Limitations
	Section 105	Minimum Set Back
	Section 106	Minimum Side Yard
	Section 107	Minimum Rear Yard
Page 36	Article # 12	B-3 Business (Liquor)
	Section 101	Intent
	Section 102	Permitted Uses
	Section 103	Special Uses
	Section 104	Height Limitations
	Section 105	Minimum Set Back
	Section 106	Minimum Side Yard
	Section 107	Minimum Rear Yard

Page	40	Article # 13	I-1 Industrial - Light
		Section 101	Intent
		Section 102	Permitted Uses
		Section 103	Special Uses
		Section 104	Prohibited Uses
		Section 105	Height Limitations
		Section 106	Minimum Set Back
		Section 107	Minimum Side Yard
		Section 108	Minimum Rear Yard
Page	43	Article # 14	I-2 Industrial – Medium
		Section 101	Intent
		Section 102	Permitted Uses
		Section 103	Special Uses
		Section 104	Prohibited Uses
		Section 105	Height Limitations
		Section 106	Minimum Set Back
		Section 107	Minimum Side Yard
		Section 108	Minimum Rear Yard
Page	44 C	Article # 14A	I-2 Industrial – Medium District: 1-2A
		Section 101	Intent
		Section 102	Permitted Uses
		Section 103	Special Uses
		Section 104	Specified Prohibited Uses
		Section 105	Height Limitations
		Section 106	Minimum Set Back
		Section 107	Minimum Side Yard
		Section 108	Minimum Rear Yard
Page	45	Article # 15	I-3 Industrial – Heavy
		Section 101	Intent
		Section 102	Permitted Uses
		Section 103	Special Uses
		Section 104	Prohibited Uses
		Section 105	Height Limitations
		Section 106	Minimum Set Back
		Section 107	Minimum Side Yard
		Section 108	Minimum Rear Yard
Page	46 A	Article # 15A	Industrial – Heavy Districts: 1-3A
		Section 101	Intent
		Section 102	Permitted Uses
		Section 103	Special Uses
		Section 104	Specifically Prohibited Uses
		Section 105	Height Limitation
		Section 106	Minimum Set Back
		Section 107	Minimum Side Yard
		Section 108	Minimum Rear Yard

Page	47	Article # 16 Section 101 Section 102 Section 103 Section 104	S-1 Special Use Districts Intent Application for Special Development District Application Procedures Final Plan
Page	53	Article # 17 Section 101 Section 102 Section 103 Section 104	C Cemetery Prohibits Enlargement Prohibits New Prohibits Within One Mile Consent
Page	54	Article # 18 Section 101 Section 102 Section 103	P Public Land Intent Permitted Uses Conversion to Other uses
Page	55	Article # 19 Section 101 Section 102 Section 103 Section 104	T Trailers (Mobile Homes) Intent Permitted Principal Uses Conditional Uses District Regulations
Page	58	Article # 20 Part – 1 Section 101 Section 102 Section 103 Section 104 Section 105 Section 106	Special Uses Substantive Provisions Purpose Authorized Special Uses Standards Additional Standards Conditions Special Use – Abandoned
Page	65	Part – 2 Section 201 Section 202 Section 203 Section 204 Section 205	Procedures Authorization Application for Special Use Report of Hearing Conditions Action by Board of Trustees
Page	67	Article # 21 Section 101 Section 102 Section 103 Section 104 Section 105 Section 106 Section 107	Off-Street Parking and Loading Purpose General Provisions Vehicle Parking Space Computing Parking Spaces Location of Required Parking Minimum Improvement and Maintenance Off Street Loading

Page 75	Article # 22	Administration and Enforcement
	Section 101	Zoning Administration
	Section 102	Duties of Zoning Administrator
	Section 103	Issuance of Permits
	Section 104	Application for Zoning Certificates
	Section 105	Application for Industrial uses
	Section 106	Issuance of Zoning Certificate
	Section 107	Period of Validity
	Section 108	Occupancy Certificate
	Section 109	Application for Occupancy Certificate
	Section 110	Application for Occupancy Certificate – Industrial
	Section 111	Issuance of Occupancy Certificate
	Section 112	Escrow Deposits
Page 81	Article # 23	Nonconforming Lots, Buildings, Structures, and Uses
	Section 101	Intent
	Section 102	Authority to Continue
	Section 103	Exempted Buildings, Structures, and uses
	Section 104	Conversion to Special Use
	Section 105	Elimination of Nonconforming Signs
Page 88	Article # 24	Variations to Zoning Regulations
	Section 101	Authority to Grant
	Section 102	Application for Variation
	Section 103	Variations Allowed
	Section 104	Rules and Procedures
	Section 105	Standards for Variation
	Section 106	Conditions and Restrictions
	Section 107	Period of Validity
Page 92	Article # 25	Appeals Effect Notice
	Section 101	Appeals
	Section 102	Effect
	Section 103	Hearing Notice
Page 93	Article # 26	Fees
	Section 101	Appeals
	Section 102	Variations
	Section 103	Amendments
	Section 104	Special Use Permits
	Section 105	Payment of Fees
	Section 106	Payment of Publication Fees
Page 96	Article # 27	Amendments
	Section 101	Authorization
	Section 102	Initiation of Amendments
	Section 103	Application for Amendment
	Section 104	Notice of Hearing
	Section 105	Report of Hearing
	Section 106	Action by Board of Trustees

Page	99	Article # 28	Violations and Penalties
		Section 101	Fines
		Section 102	Participation in Violations
		Section 103	Lawful Action
Page	100	Article # 29	Construction of This Ordinance
		Section 101	Construction
		Section 102	Interpretation
		Section 103	Separability
		Section 104	Effect of Existing
Page	103	Ordinance	90-11-152-1
Page	106	Article # 30	Sexually Oriented Businesses
		Section 101	Intent
		Section 102	Definitions
		Section 103	Locational Restrictions
		Section 104	Amortization Period
Page	110	Informational	

COMPREHENSIVE AMENDMENT
TO THE ZONING ORDINANCE
VILLAGE OF ALSIP, ILLINOIS

ARTICLE 1 -- TITLE

Section 101. This Ordinance, including the zoning district map made a part hereof, shall be known and may be cited and referred to as the Village of Alsip Zoning Ordinance.

Section 102. * Application information, to be supplied as follows; three (3) copies of Plat of Survey, three (3) copies of Proof of Ownership, three (3) copies of Notarized Delegation of Representation, three (3) copies of paid tax bill. A Hearing fee of \$175.00, * and cost of any publication, payable to the Village of Alsip. The Petitioner is also responsible for the cost of a stenographer which is a minimum of \$125.00, depending on length of hearing.

*Ord.No. 99-1-152-1, Ord. No. 99-8-152-1

ARTICLE 2 -- PURPOSE

Section 101. This Zoning Ordinance is adopted for the following purposes:

- (A) To promote the public health, safety, morals, comfort and general welfare of the citizens of the Village of Alsip, (hereinafter called "the village");
- (B) To protect the character and the stability of the residential, business and manufacturing areas within the Village and to promote the orderly and beneficial development of such areas;
- (C) To conserve the values of property throughout the Village and to protect the character and stability of residential, business and industrial areas;
- (D) To provide adequate light, pure air, privacy and convenience of access to property;
- (E) To regulate the intensity of use of lot areas, and to determine the area of open space surrounding buildings which is necessary to provide adequate light and air, and to protect the public health;
- (F) To divide the Village into districts of such number, shape, area and of such different classes, according to the use of land and buildings, the height and bulk of buildings, the intensity of use, and the area of open spaces, as may be deemed best suited to carry out the purposes of this Ordinance;
- (G) To establish building lines and the location of buildings designed for residential, business and manufacturing or other uses within such areas;
- (H) To prohibit locations and use of buildings or structures and uses of land that are incompatible with the type of development for specified districts of the Village;
- (I) To prevent additions and alterations to or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed hereunder;
- (J) To protect against fire, explosion, noxious fumes and other dangers;
- (K) To limit congestion in the public streets and to protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles and the loading and unloading of commercial vehicles;

- (L) To fix reasonable standards to which buildings and structures shall conform;
- (M) To prescribe penalties for the violation of, and methods for the enforcement of, the provisions of this Ordinance or any amendment thereto;
- (N) To conserve the taxable value of land and buildings throughout the entire Village;
- (O) To lessen the hazard to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;
- (P) To facilitate and insure the preservation of sites, areas and structures of historical, architectural and aesthetic importance;
- (Q) To provide for the gradual elimination of nonconforming uses of land, buildings and structures which are adversely affecting the character and value of existing or desirable development in each district;
- (R) To establish and provide for the collection of fees;
- (S) To define the limits, powers and duties of administrative officers and bodies as provided herein;
- (T) To provide for resolution of conflicts with other ordinances or ~~regulations~~.

ARTICLE 3 -- SCOPE OF REGULATIONS

Section 101 GENERAL, except as provided by this ordinance and except after obtaining written permission (Zoning Certificate) from the enforcing officer, it shall be unlawful within the limits of the Village of Alsip:

- (1) To establish any use of a building structure or land either by itself or in addition to another use.
- (2) To expand, change or re-establish any nonconforming use.
- (3) To erect a new building or structure or part thereof.
- (4) To rebuild, structurally alter, add to or relocate any building or structure or part thereof.
- (5) To reduce the open space or plot area smaller than prescribed by this ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established for the district in which such building is located.
- (6) To provide or connect onto water supply or sewage disposal facilities.

Section 102 ACCESSORY BUILDING. As used in this Article, the term "Accessory Building" means a subordinate building or structure attached to or detached from the main building, located in and occupying not more than thirty (30) per cent of the rear yard adjoining the main building, the use of which is incidental to that of the main building, the bulk of which is not more than thirty (30) percent of the main building and the height of which is not more than eighteen (18) feet from the mean yard level where the main building is thirty-one (31) feet in height or less, nor over thirty (30) per cent of the height of the main building where greater height is permitted. No accessory building shall be constructed unless and until the main building has been erected on the premises.

Section 103 INCIDENTAL USES. Unless otherwise prohibited or restricted, a permitted use also allows uses, buildings and structures incidental thereto if located on the same site or building plot. However, such incidental uses, buildings and structures shall not be established or erected prior to the establishment or construction of the principal use or building and shall be compatible with the character of the principal use.

Section 104 EXEMPTIONS. The following uses being exempted by the village zoning statute are permitted in any district: poles, wires, cables, conduits, vaults, laterals or any other similar distributing equipment of a public utility.

Section 105 OTHER RESTRICTIONS. This ordinance shall not nullify the more restrictive provisions of covenants, agreements, resolutions, other ordinances or laws but shall prevail notwithstanding such provisions which are less restrictive.

PART 2 ACTIVITIES REGULATED BY THIS ORDINANCE

Section 201 TERRITORIAL APPLICATION OF REGULATIONS: The provisions of this Ordinance shall apply to structures and land in the Village.

Section 202 NEW STRUCTURES: All structures built hereafter shall comply with all of the regulations of this Zoning Ordinance. Any structure hereafter moved from one site to another site shall be considered to be a structure built hereafter. Any structure rebuilt or restored after damage or destruction by fire or other casualty shall be considered to be a structure built hereafter, unless Article 23 of this Ordinance permits such structure to be rebuilt or restored.

Section 203 NEW USES OF OLD STRUCTURES: If the use of any existing structure is hereafter changed to another use, then the new use shall comply with the use regulations of this Ordinance.

Section 204 REMODELING: If any structure is hereafter remodeled:

- A. The entire structure as remodeled shall comply with the use regulations of this Ordinance; and
- B. Any alterations or enlargements of, or additions to the structure shall comply with the bulk regulations of this Ordinance; and
- C. The off-street parking facilities provided for the structure shall not be reduced below (or if already less than, shall not be further reduced below) the requirements that would be applicable to a similar new structure or use.

Section 205 USES OF OPEN LAND: If any use of open land is hereafter established, or if any use of open land is hereafter changed to another use, such use shall comply with all the regulations of this Ordinance.

Section 206 USES PERMITTED IN ALL DISTRICTS: The following public utility and municipal uses are permitted in all districts: poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar equipment (not including substations located on or above the surface of the ground) for the distribution to consumers of telephone or other communications, electricity, gas or water, or for the collection of sewage or surface water.

Section 207 HEIGHT VARIATIONS IN ALL DISTRICTS: Television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, stacks, conveyors and flag poles may be erected to such height as may be authorized by the Board of Trustees.

Section 208 USES PROHIBITED IN ALL DISTRICTS: As the result of a special election held November 29, 1969, the voters did approve and the Village Board and its President did pass on: "The Village of Alsip does prohibit sanitary land fill operations, otherwise known as garbage dumping within the corporate limits of the Village of Alsip".

Section 209 HOME OCCUPATION BUSINESS REGULATIONS: The regulations listed below must be met to obtain and retain a home occupation business certificate. The village is not opposed to the development of a business which starts as a small home occupation providing that the home occupation does not impinge upon the rights and privileges of the abutting and adjoining homeowners and further, that the home occupation is conducted in such a manner that it does not change in any way the neighborhood atmosphere of an R-1, R-2 and R-3 residential district. The following criteria shall be met by all home occupations:

- (1) Home occupations in all residential districts shall be considered as a revocable special use when such home occupations impinges upon the rights and privileges of the residential district in which it takes place.
- (2) A home occupation shall be any business or occupation carried on by a member of the immediate family residing within the dwelling unit.
- (3) The home occupation shall be incidental and secondary to the use of the dwelling unit for dwelling purposes and shall not occupy more than one quarter of the total floor area of any story, cellar, basement or accessory structure of the dwelling unit.
- (4) There shall be no signs, advertising, display or activity that will indicate from the exterior that the building is being used, in part, for any purpose other than that of a dwelling.

- (5) Media advertising shall be limited to name, occupational specialty, an office mail drop or post office box, and telephone number and shall specify that personal contact is by appointment only. The address of the dwelling unit shall not be used in any advertising.
- (6) No commodities shall be sold on the premises except preordered merchandise. Such merchandise shall be limited to specialty goods and services only and shall not include general merchandise.
- (7) There shall be no commodity sold or services rendered that require receipt of delivery of merchandise, goods, or equipment by other than a passenger motor vehicle, three-quarter-ton step-up van, or by United States letter carrier mail service.
- (8) The home occupation shall be conducted by members of the immediate family only, except that one additional employee may be utilized upon a conditional basis, ie; accountant, secretary, draftsman, etc., but not on a full-time basis.
- (9) All activity including storage shall be conducted completely within the dwelling unit or accessory structure. In no case shall there be visible outside storage of goods, supplies or equipment.
- (10) There shall be no perceptible noise, odor, smoke, electrical interference or vibration emanating from the structure in which the home occupation functions.
- (11) No mechanical or electrical equipment shall be used except such as is permissible for purely domestic or household purposes except that small business office equipment is permissible such as typewriters, calculators, etc.
- (12) A professional person may use his residence for consultations, emergency treatment, or the performance of religious rites but not for the general practice of his profession.
- (13) There shall not be more than one truck on the premises which shall not exceed a three-quarter-ton capacity, parked behind the building line.

ARTICLE 4 -- DEFINITIONS

For the purpose of this ordinance certain terms and words are hereby defined as follows:

Section 101 ACCESSORY, means incidental to another use or structure on the same lot.

Section 102 BUILDING, means any structure, either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal or property of any kind, including tents, awnings or vehicles situated on private property and used for purposes of a building.

Section 103 BUILDING LINE, means a line established by law or agreement beyond which a building shall not extend.

Section 104 BUILDING HEIGHT, means the vertical distance measured from the average front lot line level to the highest point of the roof surface. For buildings set back from the street line and located upon a terrace the height shall be measured from the average ground level of the terrace or average elevation of the finished grade along the front of the building, provided its distance from the street line is not less than the height of such grade above the established curb line.

Section 105 BUILDING AREA, means the maximum horizontal projected area of a building and its accessory buildings including the open space below balconies, canopies, cornices and similar projectures.

Section 106 BUSINESS, - The word "Business" or the word "Commerce" means the engaging in the purchase, sale, barter, or exchange of goods, wares, or merchandise.

Section 107 CARPORT, means a shelter for one or more vehicles which is not fully enclosed by walls and one or more doors.

Section 108 CAR WASH, means a lot on which motor vehicles are washed or waxed, either by the patron or by others, using machinery specially designed for the purpose.

Section 109 CHURCH, means a building wherein persons regularly assemble for religious worship which is used only for such purpose and those accessory activities as are customarily associated therewith.

Section 110 CLINIC, means a place where medical or dental care is furnished to persons on an out-patient basis by four or more doctors or dentists.

Section 111 CORNER LOT, means a lot situated at the junction of two or more streets.

Section 112 FAMILY, means an individual or a group of two or more persons related by blood, marriage or adoption, together with not more than three additional persons not related by blood, marriage or adoption, living together as a single housekeeping unit.

Section 113 FARM, means any parcel of land containing at least five (5) acres which is used for gain in the raising of agricultural products, livestock, poultry, and dairy products. It includes necessary farm structures within the prescribed limits, and the storage of equipment used.

Section 114 GARAGE, means a public garage, except as otherwise provided by this paragraph, is a building or premises arranged, designed, and intended to be used for the storage of motor vehicles for hire or repair, and which does not come within the definition of a private garage as herein set forth. A private garage is a building arranged, designed, and intended to be used for the storage on the ground floor of individually owned passenger automobiles, as distinguished from commercial trucks, devoted to the private use of the owner of the premises or occupant of the premises.

Section 115 GAS STATION, means a place where motor vehicle fuels are sold at retail.

Section 116 GROUND COVERAGE RATIO, means the percentage of lot area included within the outside lines of the exterior walls of all buildings located on the lot.

Section 117 HEIGHT, means the vertical distance from the highest point on a structure, excepting any chimney or antenna on a building, to the average ground level of the grade where the walls or other structural elements intersect the ground.

Section 118 HOME OCCUPATION, means a use conducted entirely within an enclosed dwelling, employing only the inhabitants thereof, which is clearly incidental and secondary to residential occupancy and does not change the character thereof. Specifically excluded is the storage and display of merchandise not produced by such home occupation, any activity involving any building alterations, window display, construction features, equipment, machinery or outdoor storage, any of which is visible from off the lot on which located.

Section 119 INSTITUTION, means a building occupied by a nonprofit corporation or nonprofit establishment for public use.

Section 120 INTENSITY OF USE OF LOT, means that portion of the area of a lot which is occupied or which may be occupied under this ordinance by buildings and their accessory buildings.

Section 121 KENNEL, means any activity involving the permanent or temporary keeping or treatment of a greater number of animals than permitted in residential occupancy.

Section 122 LAUNDROMAT, means a place where patrons wash, dry or dry clean clothing and other fabrics in machines operated by the patron.

Section 123 LOT, means land occupied or to be occupied by a building and its accessory buildings together with such open spaces as are required under this ordinance and having its principal frontage upon a public street or officially approved place and as may be recorded on the records of the Recorder of Deeds or in the office of the Registrar of Titles of Cook County, Illinois.

Section 124 LOT AREA, means the area of land within the boundary of a lot, and in addition, the area of land bounded by any front lot line, the center line of the highway on which it fronts and the side lot lines intersecting the front lot line at its ends extended to the center line of the highway.

Section 125 LOT LINE, means a line marking a boundary of a lot.

Section 126 MENTAL HEALTH CENTER, means a hospital or clinic where the primary activity is the treatment and care of persons suffering from mental or emotional disorders.

Section 127 MINIMUM LANDSCAPED OPEN SPACE, means the percentage of lot area which must be maintained in grass or other living vegetation.

Section 128 MOBILE HOME, means a structure designed or used for residential occupancy built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has, at any given time, such wheels attached, or is jacked up or skirted.

* Section 129 MULTIPLE DWELLING, means a structure designed or used for residential occupancy by more than two families, with or without common or separate kitchen or dining facilities, including apartment houses, apartment hotels, rooming houses, boarding houses, fraternities, sororities, dormitories, row houses, and similar housing types, but not including hotels, hospitals, nursing homes townhouses that meet the definitions of Article 9, Section 103.3.

Section 130 NONCONFORMING USES, means a building or premises occupied by a use that does not conform with the regulations of the use district in which it is situated.

*Sect.129; Multiple Dwelling-revised 10/05/93

Section 131 NURSING HOME, means a structure designed or used for residential occupancy and providing limited medical or nursing care on the premises for occupants, but not including a hospital or mental health center.

Section 132 PROPERTY LINE, means the recorded boundary of a plot.

Section 133 PUBLIC STORAGE, means a property or facility that leases or rents for general storage to the public, space in units of less than 1,000 square feet, also known as "Mini Storage".

Section 134 REAR YARD, means an open, unoccupied space, except for accessory buildings, on the same lot with a building, between a rear line of the building and the rear line of the lot, for the full width of the lot except as modified by side yard restrictions.

Section 135 REAR LOT LINE, means any lot line which is not a front or side lot line and which, if extended in either direction, would not cross the lot.

Section 136 RESIDENTIAL OCCUPANCY, means those activities customarily conducted in living quarters in an urban setting, and excludes such activities as the keeping of livestock or fowl, activities resulting in noise which constitutes a nuisance in a residential area and activities which involve the storage, visible from off the lot, of inoperable or unlicensed motor vehicle parts, machinery, junk or scrap materials, and any other conditions that would constitute a public nuisance.

Section 137 RESTAURANT, is a building on a lot in which food and beverages are offered for sale and where consumption is permitted on the premises whether or not entertainment is offered, and includes establishments commonly known as bars, grilles, cafes, taverns, nightclubs, drive-ins and any fast food establishment permitting consumption on the premises.

Section 138 SEPTIC TANK, means a watertight receptacle for sewage, which, after bacterial action, discharges the effluent.

Section 139 SET-BACK, (Front) means the minimum distance between the front lot line and the front line of the building or any projection thereof, excluding steps and other necessary approaches to the building.

Section 140 SIDE LOT LINE, means any lot line which meets the end of a front lot line or any other lot line within 30 degrees of being parallel to such a line, except a front lot line.

Section 141 SINGLE FAMILY DWELLING, means a structure, except a mobile home, designed or used for residential occupancy by one family.

Section 142 STORY, means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no such floor above it, then the space between such floor and the ceiling next above it.

Section 143 STORY-HALF, means a story under a gable, hip, or gambrel roof the wall plates of which on at least two opposite exterior walls are not more than two feet above the finished floor of such story.

Section 144 STREET, means a thoroughfare used for public foot and vehicle traffic other than an alley.

Section 145 STREET-LINE, means the dividing line between the street and the lot.

Section 146 STRUCTURE, means any constructed, erected or placed material or combination of materials in or upon the ground, including, but not by way of limitation, buildings, mobile homes, radio towers, sheds, signs, and storage bins, but excluding sidewalks and paving on streets, driveways, parking areas and patios.

Section 147 STRUCTURAL ALTERATIONS means any change in the supporting members of a building, such as the bearing walls, columns, beams, or girders.

Section 148 TOURIST TRAILER CAMPS, means an area containing one or more structures designed or intended to be used as temporary living facilities for two or more families and intended primarily for automobile transients, providing parking spaces for two or more tents or automobile trailers.

Section 149 TWO FAMILY DWELLING, means a structure designed or used for residential occupancy by two families.

Section 150 USED CAR LOTS, means land used for the display and sale of pre-owned motor vehicles.

Section 151 YARD, means an open space on the same lot with a building, occupied, and unobstructed from the ground upward.

Section 152 MASSAGE AND MASSAGE ESTABLISHMENTS

A. "Massage means any method of pressure on, friction against, or stroking, kneading, rubbing, tapping, pounding, bathing, touching, binding, painting, irritating or stimulating of external soft parts of the body with hands or with the aid of any manual, mechanical or electrical apparatus or appliance,

with or without such supplementary aids as rubbing alcohol, liniments, antiseptic oils, powder, creams, lotions, soaps, ointment or other similar preparation commonly used in this practice.

B. "Massage Establishment" means any establishment having its place of business where any person, firm, association or corporation engages in or carries on permits to be engaged or carried on any of the activities mentioned in subsection (A) hereof.

C. "Massage Services" means the providing of a massage or massages by any person, firm, association or corporation.

D. "Massage Therapist" means any person who, for any consideration whatever, engages in the practice of massage as above defined.

***Ord.no. 98-12-152-1

ARTICLE 5 -- DISTRICTS AND BOUNDARIES THEREOF

Section 101 PURPOSES. FOR THE PURPOSES OF THIS ORDINANCE, all land within the Village of Alsip is hereby divided and classified into the following districts:

- F - Farming
- R-1 - Residential
- R-2 - Residential; 2 Family
- R-3 - Apartments; 3 Families or more
- B-1 - Business District
- B-2 - Business - Amusement
- B-3 - Business - Taverns
- I-1 - Industrial - Light
- I-2 - Industrial - Heavy
- I-3 - Industrial - Unrestricted
- S-1 - Special Use
- C - Cemetery
- P - Public Land
- T - Trailer

Section 102 BOUNDARIES. The boundaries of such districts as they now exist are hereby established as shown on the Zoning District Map which accompanies and is hereby made a part of this ordinance. The said Zoning District Map, the square measurements and all the references and other matters shown thereon shall be as much a part of this ordinance as if the notations, references and other matters set forth by the said map were all fully described herein. Any land, the classification of which is not shown outside the corporate limits of the Village of Alsip, and hereafter annexed to the Village of Alsip, is hereby classified in the F (Farming) District until differently classified by amendments to this ordinance. An official copy of the Zoning District Map, as amended from time to time, shall be maintained and exhibited in the office of the Village Clerk and in the Village Hall.

Section 103 ADDITIONS BY ANNEXATION: Any addition to the incorporated area of the Village of Alsip resulting from annexation or otherwise shall be automatically classified as in the F (Farming) District until otherwise classified by amendment or properly passed Ordinance of Annexation Agreement.

Section 104 EASEMENTS: " No permanent structure shall be constructed on or encroach upon any easement. Where the required setback line is less than the easement line, the construction will stop at the easement line" *

* Section 104; Easements amended 07/19/93 (93/7/152-2)

ARTICLE 6 -- FARMING DISTRICT: F

Section 101 PERMITTED USES: It shall be unlawful to use or permit the use of any building or premises in the Farming District for any purpose other than the following:

1. Residences subject to the general requirements of the Residence District.
2. General farming and truck gardening.
3. Raising of poultry, pigeons, dogs, bees, fur-bearing animals and livestock.
4. Mushroom farms.
5. Greenhouses.
6. Plant nurseries.
7. Filling of holes, pits, quarries or lowland with non-odorous and non-combustible material free from garbage and food wastes.
8. Hospitals, clinics, ~~churches, schools, and~~ sanitariums and institutions ~~meeting general requirements of those uses in the Residential District.~~
9. Golf clubs.
10. Incidental sale of agricultural products from roadside stand by the owner or operator of a farm.
11. Public stables or riding stables.
12. Composting when licensed and approved by the Illinois Environmental Protective Agency and the Village of Alsip.
13. Buildings, or structures used for farming.

(2007-8-152-4 amended by adding the underlined language and deleted the overstrike language)

ARTICLE 7 -- RESIDENCE DISTRICT: R-1

Section 101 INTENT: the intent of this Article is to establish and preserve quiet single family home neighborhoods as desired by large numbers of people, free from other uses except those which are both compatible with and convenient to the residents of such a district.

Section 102 PERMITTED USES:

1. Single family; detached dwelling. (Consisting of at least 1200 square feet of living space.)
2. Schools, elementary or secondary
3. Church or similar place of worship.
4. Playgrounds and parks.
5. Libraries.
6. Temporary buildings, equipment or materials for uses incidental to construction work, which buildings, equipment or materials shall be removed upon completion or abandonment of such work.
7. Accessory buildings not to exceed 100 feet, and uses customarily incidental to the above uses, not involving the conduct of a business.
8. Bulletin boards for churches, schools or public buildings not exceeding fifteen (15) square feet in area. No advertising sign shall be permitted on or over the sidewalk, parkway or street. All other per sign ordinance.
9. Private garage not to exceed 576 square feet.
10. Customary home operations provided that they comply with all current regulations and that there shall be no external evidence of such operations.
11. A professional office of a surgeon, physician, dentist, lawyer, clergyman, or other professional person and those activities allowed under Article 3, Section 209 of this ordinance.

Section 103 SPECIAL USES: the following are permitted as special uses in the R-1 District, subject to conditions and requirements of Article 20.

1. Municipal buildings.
2. Public utility structure and/or building necessary

to serve the area or district in which they are located.

Section 104 INTENSITY OF USE:

Any use hereafter established or expanded in the Residence Districts shall conform to the following:

- (1) Lot size: Minimum. No lot shall be less than 50 feet in width and shall have a minimum of 6,250 square feet.
- (2) No corner lot shall be less than 65 feet wide or have less than 8125 square feet.
- (3) When served by a septic tank meeting County of Cook health standards, the lot shall have a minimum area of ten thousand square feet with a minimum frontage of sixty feet.

Section 105 HEIGHT REGULATION:

No residence or dwelling, erected, moved or remodeled in any district where allowed shall exceed two and one-half stories or thirty-five feet in height.

Section 106 MINIMUM SET-BACKS:

Every building or structure, or part thereof, hereafter erected or moved shall be located or set back from the front line of the plot a minimum of twenty five (25) feet in the Farming and Residence Districts only, except the following:

1. The set-back of a new or moved residence need not exceed that of any permanent structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.
3. In any block in the R District, where more than fifty percent of the homes are placed less than twenty-five feet from the front building line, new homes may be placed to conform to the established set-back but shall not be placed closer than fifteen feet to the front building line.

4. In streets where a uniform set-back in excess of twenty-five feet has hitherto been maintained by buildings erected on 50 per cent or more of the frontage of the block, such established set-back shall be continued.

Section 107 MINIMUM SIDE YARDS:

In all districts where residences or dwellings are allowed, there shall be provided an open space or yard a minimum of five feet wide along each line of the building plot which forms the side line of either the plot used or the lot adjoining. Wider yards existing or hereafter established may be reduced to not less than the required width.

Existing yards narrower than the width herein required shall not be further reduced in width. Buildings located on said lot may be enlarged and extended along lines existing at the time at the adoption of this ordinance, except as follows:

1. Eaves, chimneys, bays and other building projections may extend into such yards not more than two feet.
2. Corner lots in all new subdivisions recorded after the enactment of this ordinance shall have a front yard on each side of such lot that adjoins a street of not less than twenty-five feet.

Section 108 MINIMUM REAR YARD:

If for uses allowable in the Residence District, fifteen percent of the depth of the lot, provided such rear yard be not less than ten feet as measured from the rear lot line to the primary structure. Allowable accessory structures can be erected no closer than five (5) feet to the rear property line.

ARTICLE 8 -- RESIDENCE DISTRICT: R-2

Section 101 INTENT: The intent of this article is to establish and preserve quiet neighborhoods of single and two family homes, free from other uses except those which are both compatible with and convenient to the residents of such a district.

Section 102 PERMITTED USES: The following are permitted uses in the R-2 District:

1. Single family; detached dwelling, or duplex dwelling units consisting of at least 1200 square feet of living space for each dwelling unit.
2. Schools, elementary or secondary
3. Churches or similar places of worship.
4. Playgrounds and parks.
5. Libraries.
6. Temporary buildings, equipment or materials for uses incidental to construction work, which buildings, equipment or materials shall be removed upon completion or abandonment of such work.
7. Accessory buildings, and uses customarily incidental to the above uses, not involving the conduct of a business.
8. Bulletin boards for churches, schools or public buildings not exceeding fifteen (15) square feet in area or name plates not exceeding one (1) square foot in area. No advertising sign shall be permitted on or over the sidewalk, parkway or street.
9. Private garage not to exceed 576 square feet.
10. Customary home operations provided they comply with all current regulations and that there shall be no external evidence of such operations.
11. A professional office of a surgeon, physician, dentist, lawyer, clergyman, or other professional person.

Section 103 SPECIAL USES: The following are permitted as special uses in the R-2 District subject to the conditions and requirements of Article 20.

1. Municipal buildings.
2. Public utility structure and/or building necessary to serve the area or district in which they are to serve.

Section 104 INTENSITY OF USE:

The maximum number of dwelling units shall not exceed twelve (12) dwelling units per acre of land.

Lot size: Minimum

1. No lot shall be less than 60 feet in width and shall have a minimum of 7500 square feet.
2. No corner lot shall be less than 65 feet wide or have less than 8125 square feet.
3. No lot shall have coverage by impermeable surfaces in excess of seventy five (75) percent.

Section 105 HEIGHT REGULATION:

No residence or dwelling erected, moved or remodeled in this district shall exceed thirty five (35) feet in height and no other building erected, moved or remodeled in this district shall exceed thirty five (35) feet in height.

Section 106 MINIMUM SET-BACKS:

Every part of a building or structure, or part thereof, hereafter erected or moved shall be located or set back from the front line of the plot a minimum of twenty five (25) feet except the following:

1. The set-back of a new or moved residence need not exceed that of any permanent structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.
3. In any block in the R District, where more than fifty percent of the homes are placed less than twenty-five feet from the front building line, new homes may be placed to conform to the established set-back but shall not be placed

closer than fifteen feet to the front building line.

4. In streets where a uniform set-back in excess of twenty-five feet has hitherto been maintained by buildings erected on fifty per cent or more of the frontage of the block, such established set-back shall be continued.

Section 107 MINIMUM SIDE YARDS:

In all districts where residences or dwellings are allowed, there shall be provided an open space or yard a minimum of ten feet wide along each line of the building plot which forms the side line of either the plot used or the lot adjoining recorded lots narrower than sixty feet wide on the adoption date of this ordinance shall have side yards not less than three feet. Wider yards existing or hereafter established may be reduced to not less than the required width.

Existing yards narrower than the width herein required shall not be further reduced in width. Although buildings located on said lot may be enlarged and extended along lines existing at the time at the adoption of this ordinance, except as follows:

1. Eaves, chimneys, bays and other building projections may extend into such yards not more than two feet.
2. Corner Lot: On a corner lot, there shall be a front yard on each side of such lot adjoining a street.

Section 108 MINIMUM REAR YARD:

If for uses allowable in the Residence District (R-2), fifteen percent of the depth of the lot, provided such rear yard be not less than forty (40) feet, as measured from the rear lot line to the primary structure. Allowable accessory structures can be erected no closer than five (5) feet to the rear property line.

ARTICLE 9 -- RESIDENCE DISTRICT: R-3

Section 101 INTENT: The intent of this Article is to establish and preserve a district for Multiple Family Dwelling units and other compatible uses.

Section 102 PERMITTED USES: The following are permitted uses in the R-3 District.

1. Multiple Family dwelling units not to exceed three (3) stories or thirty five (35) feet in height.
2. Schools, elementary or secondary
3. Churches or similar places of worship.
4. Playgrounds and parks.
5. Libraries
6. Temporary buildings, equipment, or materials for uses incidental to construction work, which buildings, equipment or materials shall be removed upon completion or abandonment or such work.
7. Accessory buildings, and uses customarily incident to the above uses, not involving the conduct of a business.
8. Bulletin boards for churches, schools or public buildings not exceeding fifteen (15) square feet in area. No advertising sign shall be permitted on or over the sidewalk, parkway or street. All other per sign ordinance.
9. Garages subject to conformance with Article #21.

Section 103 SPECIAL USES: The following are permitted as special uses in the R-3 District subject to conditions and requirements of Article 20.

1. Municipal buildings.
2. Public utility structure and/or building necessary to serve the area or district in which they are to serve.

- * 3. Townhouse defined as Single Family Attached Buildings commonly known as "townhouses" are buildings that have more than one owner occupant attached only at one or more perimeter walls with no common hallways, laundry or storage facilities. Each unit owned must go from basement to roof and such buildings are hereby designated as "Single Family Attached" housing units.

In addition to the requirements of Single Family Detached the following items are required:

- A. Each dwelling unit will have its own metered water connection.
- B. Each dwelling unit will have its own sewer connection with an outside clean out.
- C. Each unit will have sprinklers installed in each furnace and garage area. Each single family attached unit shall have a minimum of one sprinkler head over each furnace and a minimum of one sprinkler head in each garage automobile space. The sprinkler system shall be part of the domestic water piping but shall be looped to eliminate stagnant dead ends. (*Ord. 94-3-152-2 amends Ord.#94-3-152-1)
- D. Maximum of four (4) units.

Section 104 INTENSITY OF USE: The maximum number of dwelling units shall not exceed twelve (12) dwelling units per acre of land except for townhouse units which shall not exceed eight (8) townhouse units per acre of land. (*Ord.95-5-152-1)

Section 105 HEIGHT LIMITATION: No building shall be erected or modified that would exceed thirty-five (35) feet in height except as follows:

1. Public, semi-public or public service buildings, hospitals, institutions, agricultural buildings, or schools when permitted in a district, may be erected to a height not exceeding 55 feet, and churches and temples may be erected to a height not exceeding 75 feet if the building is set back from each yard line at least one foot for each foot of additional building height above the height limit otherwise permitted in the district in which the building is built.

*Sect.103/Spec.Uses, Item 3- Single Detached req.-A.B.C. & D.-amended 10-5-93 Ord.#93-10-152-2 Ord.#94-3-152-1 amended 3-7-94 - Ord.#94-3-152-2 amended 3-21-94 *Sect.104/Int.of Uses, Ord.#95-5-152-1 amended 5-15-95

Section 106 MINIMUM SET-BACKS:

Every part of a building or structure, or part thereof, hereafter erected or moved shall be located or set back from the front line of the plat a minimum of twenty five feet in the Farming and Residence Districts only, except the following:

1. The set-back of a new or moved residence need not exceed that of any structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
*** Single Detached req. A,B,C, D revised 10/5/93 (93-10-152-2)
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.
3. In any block in the R-3 District, where more than fifty percent of the homes are placed less than twenty-five feet from the front building line, new homes may be placed to conform to the established set-back but shall not be placed closer than fifteen feet to the front building line.
4. In streets where a uniform set-back in excess of twenty-five feet has hitherto been maintained by buildings erected on fifty percent or more of the frontage of the block, such established set-back shall be continued.

Section 107 MINIMUM SIDE YARDS:

In all districts where residences or dwellings are allowed, there shall be provided an open space or yard a minimum of ten feet wide along each line of the building plot which forms the side line of either the plot used or the lot adjoining recorded lots narrower than sixty feet wide on the adoption date of this ordinance shall have side yards not less than three feet. Wider yards existing or hereafter established may be reduced to not less than the required width.

Existing yards narrower than the width herein required shall not be further reduced in width. Although buildings located on said lot may be enlarged and extended along lines existing at the time at the adoption of this ordinance, except as follows:

1. Eaves, chimneys, bays and other building

projections may extend into such yards not more than two feet.

2. Corner lots in all new subdivisions recorded after the enactment of this ordinance shall have a front yard on each side that adjoins a street of not less than twenty-five feet.

Section 108 MINIMUM REAR YARD:

The minimum rear yard, if for uses allowable in the Residence District (R-3), fifteen percent of the depth of the lot, provided such rear yard be not less than forty feet as measured from the rear lot line to the primary structure. Allowable accessory structures can be erected no closer than five (5) feet to the rear property line.

Section 109 MINIMUM LIVABLE SQUARE FOOTAGE:

Each and every apartment unit built in the R-3 (Residential District) must contain the following minimum square footages of livable floor area. Measurements are exclusive of halls, stairways or other common areas.

Studio Apt.	500 Sq. Ft.
One Bedroom Apt.	630 Sq. Ft.
Two Bedroom Apt.	735 Sq. Ft.
Three Bedroom Apt.	880 Sq. Ft.
Four Bedroom Apt.	1,030 Sq. Ft.

Section 110 PARKING REQUIREMENTS:

Not less than (2) two cars per unit of off street parking shall be provided plus those requirements set forth in Article #21 of this ordinance.

ARTICLE 10 – BUSINESS DISTRICT: B-1

Section 101 INTENT: The B-1 Business Districts as herein established are designed to meet the needs of those persons engaging the purchase, sale, barter or exchange of goods, wares or merchandise as well as those offering professional services.

Section 102 PROHIBITED USES IN B-1 BUSINESS DISTRICTS: Uses prohibited in the B-1 Business Districts are:

1. Storage yards for scrap products or bulk products such as:
 - (A) Truck storage
 - (B) Bulk storage of flammables
 - (C) Fuel and building materials
 - (D) Equipment storage yards
 - (E) Livestock sales yards
 - (F) Coal, coke or wood
 - (G) Contractors plant or storage yard
 - (H) Ice plants
 - (I) Cooperage works
 - (J) Dismantling of motorized equipment, automobiles or trucks
 - (K) Storage warehouses
 - (L) Any storage of a product or products which would be detrimental to property or to the health, morals, and or/safety of person persons within or adjacent to the district.
2. Places of amusement as defined in Article 11 (B-2 Business Districts).
3. Sale of alcohol as defined in Article 12 (B-3 Business Districts)
4. Drive-In, open air theaters.
5. Monument works and displays.
6. Bottling works.
7. Livery stables.
8. Ice cream manufacturing plants.
9. Sewage disposal or treatment plants.
10. Any and all manufacturing or treatment of products not clearly established as incidental to the conduct of a retail business conducted on the premises as a primary use.

(2010-2-152-1 amended by the strikethrough and underlined language)

11. Trailer camps.
12. Mobile home parks.
13. Any business or industry by reason of which the omission or odor, dust, gas, fumes, smoke, vibration, waste material or, in general, those uses which are, in fact, nuisances or which may be obnoxious for any reason or contrary to public policy.
- ~~15.~~ 14. Storage of trucks, trailers, automobiles, and other vehicles, where such vehicles are intended for sale, resale or lease, except when such storage is part of a new or used retail dealership. *(2010-2-151-1)*
- ~~16.~~ 15. Massage establishments and massage services, except as permitted in Section 103 of this Article 10 below.
16. Pawn shops and consignment stores.

Section 103 PERMITTED USES: The following are permitted uses in the B-1 District:

1. Antique shops
2. Bakeries.
3. Banks and financial institutions.
4. Barbershops.
5. Beauty shops and salons, including manicure and pedicure services and massage services, with said massage services limited to one masseuse station per three (3) salon chairs not to exceed two masseuse stations per salon. Salon chairs shall not include manicure, pedicure or masseuse chairs or stations and shall only include chairs for hair cutting services. The beauty shop or salon must maintain a current village issued massage establishment license pursuant to Article XIII, Chapter 12 of the Village Code to offer massage services, and those persons performing massage services must have a current massage therapist license from the Department of Regulation of the State of Illinois pursuant to 225 ILCS 57/1 et seq., as amended.
6. Bicycle sales, rental, and repair stores
7. Business machine stores, sales and services.

(2010-2-152-1 amended by adding the underlined language)

8. Candy and ice cream stores.
9. Carpet and rug stores, retail sales
10. China and glassware stores
11. Civic buildings.
12. Clothing and costume rental stores
13. Dairy product establishments, but not including processing or bottling
14. Department stores and discount stores
15. Dry good stores
16. Drugstores.
17. Dry cleaning establishments and laundries employing not more than ten (10) persons.
18. Electrical appliance stores, including radio and television sales and repairs
19. Employment agencies
20. Food stores, grocery stores, meat markets and delicatessens.
21. Furniture stores, including upholstering when conducted as part of the retail operations and secondary to the principal use.
22. General retail
23. Gift shops.
24. Hearing aid stores
25. Hobby shops, for retail of items to be assembled or used away from the premises
26. Household appliance stores

(2007-3-152-2 amended by adding the underlined language)

- 27. Interior decorating shops, including upholstering and making of draperies, slipcovers, and other similar articles, when conducted as part of the retail operations and secondary to the principal use.
- 28. Jewelry stores, including watch repair.
- 29. Leather goods and luggage stores
- 30. Locksmith shops.
- 31. Mail order, catalog stores.
- 32. Musical instrument sales and repair
- 33. Optician – sales, retail.
- 34. Orthopedic and medial appliance stores
- 35. Offices - business or professional; medical or dental.
- 36. Office machine stores, sales and services.
- 37. Package liquor stores.
- 38. Paint, glass, and wallpaper stores
- 39. Pet shops
- 40. Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises.
- 41. Picture framing, when conducted for retail trade on the premises only
- 42. Post offices or government offices
- 43. Restaurants
- 44. Schools – music and dance
- 45. Secondhand stores and rummage shops
- 46. Sewing machine sales and service

(2007-3-152-2 amended by adding the underlined language)

47. Shoe stores
48. Shoe and clothing repair stores.
49. Sporting goods stores
50. Tailor shops
51. Theaters, indoor
52. Ticket agencies
53. Tobacco shops
54. Toy shops
55. Travel bureaus and transportation tickets offices
56. Variety stores.
57. Video and disc rentals.
58. Wearing apparel shops.
59. Repair, rental, and servicing of any article the sale of which is a permitted use in the district.
60. Other uses which are of the same general character as the above permitted uses as determined by the Zoning Administrator, but specifically prohibiting those uses which are first permitted in the B2 district or B3 district.

Section 403104 SPECIAL USES: The following are permitted as special uses in the B-1 Districts subject to conditions and requirements of Article 20:

1. Museum
2. Nursery school
3. Noncommercial recreation
4. Planned development
5. Police and fire stations

(2007-3-152-2 amended by deleting the over stricken language and adding the underlined language)

6. Post office or government offices
7. Shopping center
8. Hotels or motels
9. Lumber yards
10. Utility company
11. Used car lots
12. Gasoline service stations
13. Airports or heliports
14. Theater or amphitheaters
15. Game rooms
16. Dance halls, etc. (Article 20 Section 104.7)
17. Public storage (Rental Unites) without any outside storage
18. Off track betting establishments or any establishment that in the future might be authorized under state statute that allows betting or gambling of any kind except:
 - A. Bingo games, not more than than twice weekly.
19. Any cosmetic service involving puncturing of human skin, including but not limited to; ear piercing, skin graphics, hair transplants, and etc., without the direct supervision of a licensed medical doctor present.
20. Other uses similar to the above uses.

Section 404105 HEIGHT LIMITATION: No building or structure erected, moved or remodeled in the business district shall exceed three stories or forty-five feet in height.

Section 405106 MINIMUM SET BACK: Every part of a building or structure, or part thereof, hereafter erected or moved shall be located or set back from the front line of the plat a minimum of twenty-five feet.

(2007-3-152-2 amended by deleting the over stricken language and adding the underlined language)

Exceptions:

1. The set-back of a new or moved structure need not exceed that of any structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.

Section 406107 MINIMUM SIDE YARDS: In the business districts, no side yards are required except at the side of a lot facing or adjoining a residential district, in which case there shall be a side yard equal to that required in the adjoining district.

Section 407108 MINIMUM REAR YARDS: For uses allowable in the Business District, ten percent of the depth of the lot, provided however, such rear yard need not exceed ten feet in depth.

Section 109 PARKING REQUIREMENTS: All uses, permitted or special, shall meet the off-street parking and loading requirements set forth in Article 21 of this Zoning Ordinance, except restaurants shall meet the following additional street parking and loading requirements: every restaurant shall have one (1) parking space for each employee, and one (1) parking space for every two (2) seats.

ARTICLE 11 -- BUSINESS DISTRICT: B-2

Section 101 INTENT: The intent of this Article is to establish and preserve areas for amusement purposes.

Section 102 PERMITTED USES:
The following are permitted uses in the B-2 District:

1. Dance halls
2. Picnic grounds or groves
3. Merry-go-rounds
4. Miniature railroads
5. Pony riding tracks
6. Shooting galleries or ranges
7. Practice golf driving ranges
8. Archeries
9. Roller skating rinks
10. Bowling alleys
11. Circuses and other carnival devices
12. Miniature golf courses
13. Baseball pitching or ball throwing devices
14. Other commercial amusement establishments
15. Private clubs
16. Other uses of a similar and no more objectionable character to those principle uses permitted.

Section 103 SPECIAL USES: The following are permitted as special uses in the B-2 District, subject to conditions and requirements of Article 20, as follows:

1. Uses permitted under the B-1 Business District
2. Nursery school
3. Non-commercial recreation

4. Planned development
 5. Police and fire stations
 6. Post office or government offices
 7. Shopping center
 8. Hotel or motels
 9. Lumber yards
 10. Pawn shops and consignment store. No pawn shop and/or consignment stores shall be located within 1000 feet of another pawn shop and/or consignment store.
- ~~10-~~ 11. Other uses similar to the above uses.

Section 104 HEIGHT LIMITATION: No building erected, moved or remodeled in the business district shall exceed three stories or forty-five feet in height.

Section 105 MINIMUM SET BACK: Every part of a building or structure, or part thereof, hereafter erected or moved shall be located or set back from the front line of the plat a minimum of twenty-five feet.

Exceptions:

1. The set-back of a new or moved structure need not exceed that of any structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.

Section 106 MINIMUM SIDE YARDS: In the business districts, no side yards are required except at the side of a lot facing or adjoining a residential district, in which case there shall be a side yard equal to that required in the adjoining district.

Section 107 MINIMUM REAR YARDS: For uses allowable in the Business District, ten percent of the depth of the lot, provided, however, such rear yard need not exceed ten feet in depth.

(2010-2-152-1 amended by adding the underlined language)

ARTICLE 12 -- BUSINESS DISTRICT: B-3

Section 101 INTENT: The intent of this Article is to establish areas for the sale of alcohol or alcoholic beverages.

Section 102 PERMITTED USES:

1. Taverns
2. Night clubs
3. Bars
4. Restaurants serving intoxicating liquors
5. Banquet facilities serving liquors
6. Liquor stores
7. Other uses similar to the above uses.
- ** 8. There will be a limit of three games of all types that will be allowed in businesses located in B-3 zoning classification. (Ord.94-7-152-1)

Section 103 SPECIAL USES: Subject to conditions and requirements of Article 20, as follows:

1. Uses permitted under B-1 or B-2 Business Districts
2. Sales of package liquor in combination with other products
3. Planned development
4. Police and fire stations
5. Post office or government offices
6. Shopping center
7. Hotels or motels
8. Other uses similar to the above uses.
- * 9. Regulation of Beer Gardens and Outdoor Cafes. (Ord.94-2-152-2)

A. Purpose:

To establish regulations for the operation and maintenance of beer gardens and outdoor cafes in the Village of Alsip; the regulations set

forth herein being necessary to protect the public health, safety and welfare of the Village;

Permit Required:

No person shall hereafter keep, maintain, conduct or operate any beer garden without first obtaining a B-3 Special Use Permit approved by the Mayor and Village Board.

B. Definitions:

BEER GARDEN:

An open outdoor area where beer and other alcoholic beverages are served or consumed.

OUTDOOR CAFE:

An open outdoor area where food and beverages are consumed as part of a restaurant.

CONDITIONS OUTDOOR CAFES:

The outdoor cafe area shall be specifically described and adjacent to, and operated as part of an established restaurant business and provide outdoor dining facilities of four or more tables.

C. Permit Fee, Year:

The annual fee for a beer garden or outdoor cafe permit shall be Two Hundred (\$200.00) dollars and every permit shall terminate on the 30th day of April each year.

D. Conditions Beer Gardens:

No beer garden shall be permitted, maintained, or operated except in conformity with the following regulations:

1. The Beer garden area shall be specifically described and adjacent to, and operated as a part of a premises licensed to sell beer, malt, or alcoholic beverages for consumption on the premises.
2. Beer gardens shall be no greater in area than one-half the floor space of the licensed premises.

3. Occupancy shall be limited to one person for each ten square feet of area and shall have separately posted the maximum capacity.
4. Any part of the beer garden not blocked by a building, there shall be maintained or constructed a fence not less than six feet high surrounding the beer garden area. The fence shall contain the required fire exit or exits. Each gate or exit shall not be less than six feet high, shall swing to egress, shall be equipped with proper hardware, and shall swing free and clear of public sidewalks. The beer garden fence shall comply with all Village ordinances regarding fence construction materials and regulations, including vision clearance and required distances from corners.
5. All electrical wiring shall comply with the Village of Alsip Electrical Code. All construction shall comply with the Village of Alsip Building Codes.
6. All combustible rubbish shall be stored in non-combustible covered containers.
7. The noise emanating from any beer garden shall not violate any of the regulations of the Village pertaining to noise abatement.
8. The alcoholic beverage licenses or his, her, or it's agents shall be responsible for any and all violations of this section.

E. Closing Hours:

Closing hours shall be 11:00 P.M. Sunday thru Thursday, 12:00 A.M. Friday and Saturday.

F. Penalty:

Any person, firm or corporation violating any provision of this ordinance shall be fined in accordance with Chapter I, Sec. 1-8 of the Alsip Municipal Code.

Section 104 HEIGHT LIMITATION: No building or structure erected, moved or remodeled in the business district shall exceed three stories or forty-five feet in height.

Section 105 MINIMUM SET BACK: Every part of a building or structure, or part thereof, hereafter erected or moved shall be

located or set back from the front line of the plot a minimum of twenty-five feet.

Exceptions:

1. The set-back of a new or moved structure need not exceed that of any structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.

Section 106 MINIMUM SIDE YARDS: In the business districts, no side yards are required except at the side of a lot facing or adjoining a residential district, in which case there shall be a side yard equal to that required in the adjoining district.

Section 107 MINIMUM REAR YARDS: The minimum rear yard for uses allowable in the Business District, shall be ten percent of the depth of the lot, provided, however, such rear yard need not exceed ten feet in depth, which ever is less. Measurement shall be from the rear lot line to the primary structure.

*Ord.#94-2-152-2 approved 02-21-94

**Ord.#94-7-152-1 approved 07-05-94

ARTICLE 13 -- INDUSTRIAL – LIGHT DISTRICT: I-1

Section 101 INTENT: The I-1 Light Industrial Districts as herein established are designed to meet the needs of persons engaged in business activities specified. The following regulations shall apply in all I-1 districts and no building, structure or premises, except as otherwise provided shall be erected, altered or used except for one or more of the following specified uses.

Section 102 PRINCIPAL USES PERMITTED:

The following are permitted uses in the I-1 District:

1. ~~Contractors~~ Contractor's yard (2008-5-152-3)
2. Building material and fuel yard
3. Highway maintenance yards and buildings
4. Truck or bus storage yards or terminals
5. Second hand farm machinery yards
6. Railroad yards
7. Distribution yards for gasoline and fuel oil by tank trucks
8. Waterway terminals
9. Other light manufacturing and industrial uses
10. Warehousing
11. Other uses similar to the above uses
12. Uses permitted under B-1 in combination with a defined and acceptable industrial use
13. New and used automobile retail or wholesale sales (2008-5-152-3
added the underlined language)
14. Passenger car and light truck rental and leasing and storage and processing of passenger cars and light trucks intended for rental and leasing (2009-3-152-2)

Section 103 SPECIAL USES: The following are permitted as special uses in the I-1 District, subject to conditions and requirements of Article 20, as follows:

1. Uses permitted under F-1 Farming District
2. Police and Fire stations
3. Post office or government offices

4. Public storage facilities
- ~~5. Adult Use Establishment (2005-4-1)~~
5. Storage of trucks, trailers, automobiles and other vehicles where such vehicles are intended for sale, resale or lease, ~~except when such storage is part of a new or used retail dealership. (2008-5-152-3)~~
6. Storage of trucks, trailers, automobiles and other vehicles where such vehicles are intended for sale, resale or lease, except when such storage is part of a new or used retail dealership.
7. Massage Establishment and Massage Services

**Ord. No. 98-12-152-1

Section 104 SPECIFIED PROHIBITED USES:

1. All categories specifically covered as permitted uses under I-2 Industrial District.
2. All categories specifically covered as permitted uses under I-3 Industrial District.
3. Any and all items and uses which are especially detrimental to property or to the health and safety of persons beyond the district by reason of emission of odor, dust, gas, fumes, smoke, noise, vibration or waste material.

Section 105 HEIGHT LIMITATION: No building or structure erected, moved or remodeled in the Industrial District shall exceed three stories or forty-five feet in height.

Section 106 MINIMUM SET BACK: Every part of a building or structure, or part thereof, hereafter erected or moved should be located or set back from the front line of the plat a minimum of twenty-five feet.

Exceptions:

1. The set-back of a new or moved structure need not exceed that of any structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.

Section 107 MINIMUM SIDE YARDS: In the Industrial districts, no side yards are required except at the side of a lot facing or adjoining a residential district, in which case there shall be a side yard equal to that required in the adjoining district.

Section 108 MINIMUM REAR YARDS: The minimum rear yard for uses allowable in the Industrial District, shall be ten percent of the depth of the lot, provided, however, such rear yard need not exceed ten feet in depth, whichever is less. Measurement shall be from the rear lot line to the primary structure.

ARTICLE 14 -- INDUSTRIAL-MEDIUM DISTRICT: I-2

Section 101 INTENT: The I-2 Industrial-Medium Districts as herein established are designed to meet the needs of persons engaged in manufacturing and processing activities specified. The following regulations shall apply in all I-2 Districts and no building, structure or premises except as otherwise provided shall be erected, altered or used except for one or more of the following.

Section 102 PERMITTED USES:

The following are permitted uses in the I-2 Districts:

1. Iron and steel mills
2. Cement mills
3. Paper mills
4. Locomotive plants
5. Fixed plants for processing of stone, gravel or clay
6. Auto dismantling and storage of junk or non-operable motor vehicles, only within completely enclosed buildings
7. Metal stamping and welding plants
8. Uses permitted under I-1 Industrial District

Section 103 SPECIAL USES: The following are permitted as special uses in the I-2 District, subject to conditions and requirements of Article 20:

1. Uses permitted under F-1 Farming District
2. Uses permitted under I-1 Industrial District
3. Uses permitted under B-1 with a defined accepted industrial use
4. ~~Uses permitted under B-2 Business District~~ Wind energy systems
5. ~~Other uses similar to the above uses~~ Uses permitted under B-2 Business District
6. Other uses similar to the above uses

Section 104 SPECIFIED PROHIBITED USES:

The following uses are prohibited in the I-2 District:

1. All categories specifically covered as permitted uses under I-3 Industrial Districts.
2. Junk yards (not under roof).
3. Auto, truck and machinery dismantling in the open

4. Any uses which highly pollute the air with ill-smelling or noxious wastes, such as tanneries, garbage dumps and combustible refuse dumps.
5. All categories specifically covered as permitted uses under I-3 Industrial District.
6. Any and all items and uses which are especially detrimental to property or to the health and safety of persons beyond the district by reason of emission of odor, dust, gas, fumes, smoke, noise, vibration or waste material.

Section 105 HEIGHT LIMITATION: No building erected, moved or remodeled in the Industrial district shall exceed three stories or forty-five feet in height.

Section 106 MINIMUM SET BACK: Every part of a building or structure, or part thereof, hereafter erected or moved should be located or set back from the front line of the plat a minimum of twenty-five feet.

Exceptions:

1. The set-back of a new or moved structure need not exceed that of any structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.

Section 107 MINIMUM SIDE YARDS: In the Industrial districts, no side yards are required except at the side of a lot facing or adjoining a residential district, in which case there shall be a side yard determined by the Planning Commission.

Section 108 MINIMUM REAR YARDS: The minimum rear yard, for uses allowable in the Industrial District, shall be ten percent of the depth of the lot, provided, however, such rear yard need not exceed ten feet in depth. In the event that the lot adjoins a residential district the rear yard shall be determined by the Planning Commission.

Section 109 WIND ENERGY SYSTEMS (2009-5-152-1 amended by adding this section)

All special use permit applications for wind energy systems shall be subject to site plan review.

- A. The site plan required by this section shall contain the following:
 - 1. Location of tower on-site and tower height, including blades, rotor diameter and ground clearance.
 - 2. All utility lines both above and below ground within a radius equal to the proposed tower heights, including blades.
 - 3. Dimensional representation of the various structural components of the tower construction including the base and footings.
 - 4. Design data indicating the basis of design, including manufacturer's dimensional drawings, installation and operation instructions.
 - 5. Certification by a registered professional engineer or manufacturer's certification that the tower design is sufficient to withstand wind load requirements for structures.
- B. No parcel or zoning lot shall contain more than one single tower with a maximum height of one hundred thirty (130) feet or up to three towers having a maximum height of thirty (30) feet.
- C. Setbacks from all property lines shall be no less than 1.5 times the maximum height of the tower measured from the wind tower base.
- D. A wind energy system shall be separated from any other wind energy system by a minimum of two hundred (200) feet measured from the tips of the blades when the blades are parallel with the ground.
- E. A wind energy system shall be of monopole construction to the extent practicable. If monopole construction is not practicable, a wind tower must be of freestanding construction to the extent practicable. If monopole or freestanding construction is not practicable, a wind tower may be guyed.
- F. The vertical distance from ground level to the tip of a wind turbine blade when the blade is at its lowest point must be at least twenty-five (25) feet.
- G. Access to a wind energy tower shall be limited either by means of a locked and sure fence six (6) feet in height located around the entire tower base with a locking portal, or by limiting tower climbing apparatus to no lower than twelve (12) feet from the ground or be designed such that it cannot be climbed.

H. No wind energy system shall be installed in any location along the major axis of an existing microwave communications link where the operation of the windmill is likely to produce an unacceptable level of electromagnetic interference, unless the applicant provides sufficient evidence indicating the degree of expected interference and the possible effect on the microwave communications link.

I. Wind energy systems shall be located or installed in compliance with Federal Aviation Administration with regard to airport approach zones and clearance and lighting.

J. The exterior surface of any visible components of a wind energy system must be a non-reflective, neutral color. Wind towers and turbines located within one thousand (1000) feet of each other must be of uniform design, including tower type, color, number of blades, and direction of blade rotation.

K. No wind turbine, tower, building or other structure associated with a wind energy system may be used to advertise or promote any product or service. No word or graphic representation, other than appropriate warning signs and owner identification, may be placed on a wind turbine, tower, building, or other structure associated with a wind energy system so as to be visible from any public road.

L. A building permit shall be required for installation of any wind energy system.

M. A wind energy system that is out of service for a continuous twelve (12) month period shall be deemed abandoned. The Zoning Administrator may serve a Notice of Abandonment upon the owner of a wind energy system that it is deemed abandoned. Within six (6) months of service of the Notice of Abandonment, the owner must removal all equipment and components of the wind energy system.

N. For purposes of this Article, a "wind energy system" is defined as equipment that converts and stores or transfers energy from the wind into usable forms of energy and includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, turbine, vane, wire, or other component used in the system.

ARTICLE 14A - - INDUSTRIAL – MEDIUM DISTRICT: 1-2A *(this section was added by 2005-4-1)*

Section 101 INTENT: The I-2A Industrial – Medium district as herein established is designed and intended to provide locations for a variety of uses engaged in manufacturing, processing and retail endeavors where they will not impact on residential and institutional uses in the community. The I-2A District is designed and located so as to minimize the secondary effects of the uses permitted in this district. It is not the intent or purpose of the I-2A District to impose any limitations or restrictions on the content of any communicative materials of any the uses permitted in this district. The following regulations shall apply in all I-2A Districts and no building, structure or premises, except as otherwise provided, shall be erected, altered or used except for one or more of the following:

Section 102 PERMITTED USES: The following uses are permitted in the I-2A District:

1. Sexually oriented businesses (Article 30)
2. Iron and steel mills
3. Cement mills
4. Paper mills
5. Locomotive plants
6. Fixed plants for processing of stone, gravel or clay
7. Auto dismantling and storage of junk or non-operable motor vehicles, on within completely enclosed buildings
8. Metal stamping and welding plants

Section 103 SPECIAL USES: Same as Article 14

Section 104 SPECIFIED PROHIBITED USES: Same as Article 14

Section 105 HEIGHT LIMITATION: Same as Article 14

Section 106 MINIMUM SET BACK: Same as Article 14

Section 107 MINIMUM SIDE YARDS: Same as Article 14

Section 108 MINIMUM REAR YARDS: Same as Article 14

ARTICLE 15 -- INDUSTRIAL-HEAVY DISTRICTS: I-3

Section 101 INTENT: I-3 Industrial - Heavy Districts as herein established are designed to meet the needs for people engaging in business activities that require unusual land use for process or storage of large amounts of flammable materials or whose operation during the normal course would create the need for isolation. The following regulations shall apply in all I-3 Districts and no building, structure, or premises except as otherwise provided shall be erected, altered or used except for one or more of the following uses.

Section 102 PERMITTED USES:

The following are permitted uses in the I-3 District:

1. Oil refinery
2. Oil refinery storage tanks
3. Sewage treatment plants
4. Other similar uses

Section 103 SPECIAL USES: The following are permitted as special uses in the I-3 District, subject to conditions and requirements of Article 20:

1. Uses permitted under F-1 Farming
2. Uses permitted under I-1 Industrial
3. Uses permitted under I-2 Industrial
4. Any usage not specifically allowed of a manufacturing or processing activity.
5. Incinerators for municipal garbage

Section 104 SPECIFICALLY PROHIBITED USES:

The following uses are prohibited in the I-3 District:

1. No residential use may be established except those for a watchman or attendant whose continual presence on the premises is necessary.
2. Those uses allowable in B-1, B-2 and B-3 Districts.

Section 105 HEIGHT LIMITATION: No building erected, moved or remodeled in the Industrial district shall exceed three stories or forty-five feet in height.

Section 106 MINIMUM SET BACK: Every part of a building or structure, or part thereof, hereafter erected or moved should be located or set back from the front line of the plat a minimum of twenty-five feet.

Exceptions:

1. The set-back of a new or moved structure need not exceed that of any structure on the lot or lots adjoining by more than one foot for each three feet of distance between such residences.
2. In the case of a lot or parcel of land on record on the adoption date of this ordinance having a depth of less than one hundred feet, the set-back need not be more than one-fourth of the lot depth, but not less than fifteen feet.

Section 107 MINIMUM SIDE YARDS: In the Industrial districts, no side yards are required except at the side of a lot facing or adjoining a residential district, in which case there shall be a side yard determined by the Planning Commission.

Section 108 MINIMUM REAR YARDS: The minimum rear yard for uses allowable in the Industrial District, shall be ten percent of the depth of the lot, provided, however, such rear yard need not exceed ten feet in depth. In the event that the lot adjoins a residential district the rear yard shall be determined by the Planning Commission.

ARTICLE 15A - - INDUSTRIAL – HEAVY DISTRICT: 1-3A *(this section was added by 2005-4-1)*

Section 101 INTENT: The I-3A Industrial – Heavy District as herein established is designed and intended to provide locations for a variety of uses engaged in heavy manufacturing, processing and retail endeavors where they will not impact on residential and institutional uses in the community. The I-3A District is designed and located so as to minimize the secondary effects of the uses permitted in this district. It is not the intent or purpose of the I-3A District to impose any limitations or restrictions on the content of any communicative materials of any the uses permitted in this district. The following regulations shall apply in all I-3A Districts and no building, structure or premises, except as otherwise provided, shall be erected, altered or used except for one or more of the following:

Section 102 PERMITTED USES: The following uses are permitted in the I-2A District:

1. Sexually oriented businesses (Article 30)
2. Oil refineries
3. Oil refinery storage tanks
4. Sewage treatment plants
5. Other similar and compatible uses as approved by the Village Board

Section 103 SPECIAL USES: Same as Article 15

Section 104 SPECIFIED PROHIBITED USES: Same as Article 15

Section 105 HEIGHT LIMITATION: Same as Article 15

Section 106 MINIMUM SET BACK: Same as Article 15

Section 107 MINIMUM SIDE YARDS: Same as Article 15

Section 108 MINIMUM REAR YARDS: Same as Article 15

Section 101 INTENT: It is the purpose of this district to provide an opportunity for modern and imaginative architectural design, site arrangement and city planning for certain special and unusual areas of land that are not susceptible to development under existing use classifications. Within them there should be a carefully planned combination of residential, commercial, public and semi-public uses. A single use for a Special Development District, S-1, may also be considered, e.g., a shopping center, golf course, or the like.

The following objectives may be obtained through the use of the Planned Unit Development procedure:

1. To permit a maximum choice in the types of environment available to the public by allowing a development that would not be possible under the strict application of the other sections of this Ordinance.
2. To promote a creative approach to the use of land and related physical facilities that results in better design and development, with the inclusion of aesthetic amenities.
3. To combine and coordinate architectural styles, building forms, and building relationships with a possible mixing of different urban uses in an innovative design.
4. To encourage a pattern of development to preserve natural vegetation, topographic and geological features, and environmentally appropriate features.
5. To provide for the prevention and/or control of soil erosion, surface flooding, and the preservation of subsurface water.
6. To create a method for the permanent preservation of common open space for the continued use and enjoyment of the residents of the development.
7. To provide for more usable and suitably located recreation facilities, schools, and other public and private facilities.
8. To promote the more efficient use of the land resulting in more economic networks of utilities, streets, and other facilities.
9. To encourage a land use which promotes public

health, safety, comfort, morals, and welfare.

Section 102 APPLICATION FOR SPECIAL DEVELOPMENT DISTRICT:
The owner or owners of land included in areas suitable for establishment of a Special Development District as shown on the Official Plan of the Village may petition the commission for the establishment of the Special Development District. The application for the establishment of this district shall indicate:

1. The area to be encompassed in said District by legal description.
2. Evidence of ownership and/or control of the area.
3. A narrative description of the proposed use.
4. An outline of the intended uses of the property.
5. Any standards and specifications intended to be applied to the development.
6. Any modification or abrogation of any provisions of the ordinances of the Village intended to apply to the development of the property.
7. Evidence of the financial capability of the petitioners to carry out the development proposed.
8. A preliminary Development Plan drawn on a scale of one inch to one hundred feet (1" = 100') showing:
 - A. Boundaries of property to be developed.
 - B. Existing topography with contour intervals of not less than two feet obtained from a field survey and referred to an approved Village bench mark.
 - C. Proposed size, location, use and arrangement of the buildings and the proposed arrangement of stalls and number of cars, entrance and exit driveways, and their relationship to existing and proposed streets.
 - D. A drainage plan with sufficient detail, connections to existing storm drains, and conforming to municipal, Metropolitan Sanitary District, and State requirements.
 - E. Indicate location, type and size of utilities and structures on adjacent properties within 200 feet of the boundary of the Special Development District.

- F. Provide for the dedication of any rights-of-way for the widening, extension, or connection of major streets as shown on the Official Plan.
- G. Indicate the stages, if any, which will be followed in carrying out the construction of the project and all on-site and off-site improvements and interim use and maintenance of areas not under construction at any given time.
- H. Contain a traffic analysis prepared by a registered professional engineer who is skilled in the science of traffic engineering, indicating the estimated traffic to be generated by the complete development of the project with said estimates shown for the average week, 24 hour period, and for the peak morning and evening traffic hours. The impact of this new traffic on existing traffic in the vicinity of the project shall be appraised and a list submitted of new street construction and new traffic control measures required to accommodate the estimated traffic increases.

Section 103 APPLICATION PROCEDURES:

1. Upon confirmation that the applicant has made application and paid the appropriate fees, the Village Board of Trustees shall refer the application to the Plan Commission for Public Hearing.
2. The Plan Commission or its' designee shall review the application for compliance and shall conduct a public hearing after publication, pursuant to Article 24 (not sooner than fifteen (15) nor more than thirty (30) days from publication).
3. The Plan Commission shall, within ninety (90) days after publication, meet to consider and approve or reject a preliminary plan with or without modification. This period may be extended by agreement of the parties concerned.
4. The Plan Commission shall give consideration among other factors to the following:
 - (A) Those affecting the community as a whole:
utilities; e.g., water, sewers, storm sewers.
Uses or use.

Intensity of use.
Traffic.
Other factors affecting public health,
welfare and safety.

(B) Those affecting the neighborhood:

Heights.
Front, side and rear yard definitions and
uses where they occur at the development
periphery.
Other factors affecting public health,
welfare and safety.

(C) Those affecting the development itself:

Gross commercial building areas.
Area ratios and the designation of the
land surfaces to which they apply.
Spaces between buildings. Open areas, if any.
Width of streets in the development, if any.
Setbacks from such streets, if any.
Off-street parking and loading standards.

(D) Those affecting the development procedures:

Evidence of Financial Responsibility
The order in which development will likely
proceed in complex multi-use developments.
Estimates of time required to complete the
development and its various stages, if any.
List of streets, lighting, parking or other
improvements by the city, which in any way
affect the development.

5. The Plan commission by written communication to the Board of Trustees shall show findings of facts as per Article 20-103.
6. Approval of any such Districts shall be by amendment of this ordinance in accordance with the procedures established herein.
7. No use or construction may commence until the Final Development Plan is approved and:
 - A. The amending ordinance is passed.
 - B. All performance bonds and insurance requirements are met.
 - C. All permits are issued.

FINAL PLAN:

1. The Final Plan shall: Conform to all the provisions of this ordinance and the requirements of the Subdivision Code and in addition shall be the standard plot plans required to obtain a building permit, except that it shall show the use or types of uses to be accommodated in each building or portion thereof.
2. Construction Schedule and Assurance of Completion Agreement are required as necessary elements of the Final Plan and these must bind the landowner and developer, jointly and severally, to comply with the administrative and construction schedule. The agreement(s) must be in a form acceptable to the Village Attorney and his agreement in writing before acceptance. The agreements must cover the following:
 - (A) Secure final approval in 12 months of the preliminary plan.
 - (B) If final plans are not approved in 12 months, the property shall revert to the original classification.
 - (C) Construction shall commence within 6 months after final approval.
 - (D) First unit shall be completed within 18 months.
 - (E) Total completion in 3 years.

The Village Board may extend and change, or either of them, such periods upon a showing of good and sufficient cause.

3. Surety Bonds or Escrow Agreements:

With the final plan, the applicant shall also file a surety bond or escrow agreement to be approved by the Village Board to insure the construction of the project within the period specified. No such bond or escrow shall be acceptable unless it is enforceable by or payable to the Village in a sum at least equal to the estimated costs as certified in writing by the Village Engineer of all of the site improvements (streets, drives, walks, walls, storm and sanitary sewers, landscape planting, ornamental features not on a building, and terraces), for the entire project. Said bond or escrow shall be in a form

and with surety and conditions approved by the Village Attorney. In the event of default under such bond or escrow, the Village shall use the sum defaulted to construct said site improvements.

ARTICLE 17 -- CEMETERY: C

Section 101 PROHIBITS ENLARGEMENT: That no cemetery now established in the Village of Alsip shall be enlarged or its limits extended until expressly authorized by the proper and lawful action taken by the Board of Trustees of this Village.

Section 102 PROHIBITS NEW: That no person, firm or corporation shall lay out, plat or establish any cemetery, crematory or other place for the burial of the dead within the Village of Alsip without the consent of the Board of Trustees of the Village.

Section 103 PROHIBITS WITHIN ONE MILE: That no person, firm or corporation shall lay out, plat or establish any cemetery, crematory or other place for the burial of the dead within one mile of the corporate limits of the Village of Alsip without the consent of the Board of Trustees of the Village.

Section 104 CONSENT: Consent of the Board of Trustees shall be defined as a properly passed amendment to this ordinance under the requirements of Article 24.

ARTICLE 18 -- PUBLIC LAND: P

Section 101 INTENT: The intent of this Article is to establish and preserve areas for certain public purposes.

Section 102 PERMITTED PRINCIPAL USES: Any governmental or proprietary function conducted by any governmental agency or publicly owned corporation which is authorized to conduct such functions, except such uses as constitute a nuisance in the place where conducted.

Section 103 CONVERSION TO OTHER USES: No other use of public land, buildings or structures is allowed without first obtaining an amendment to this ordinance under the provisions of Article 24.

ARTICLE 19 -- TRAILER / MOBILE HOMES: T

Section 101 INTENT: To make provision for mobile homes in mobile home parks not subdivided into individual lots, in an appropriate, safe, sanitary and attractive environment.

Section 102 PERMITTED PRINCIPAL USES:
The following are permitted principal uses in the T-District

1. Mobile homes in mobile home parks

Section 103 CONDITIONAL USES: The same conditional uses are permitted in this district as in District R-1 subject to the same limitations.

Section 104 DISTRICT REGULATIONS:

1. Density is limited to seven mobile homes per acre.
2. No mobile home shall be located within 15 feet of any other, within 5 feet of any driveway or parking space, within 40 feet of the right-of-way of any street or within 50 feet of any park boundary which is not the right-of-way line of a street.
3. Each mobile homesite shall be provided with a stand consisting of a solid, 6-inch thick, poured Portland cement concrete apron not less than 8 feet wide and 45 feet long and a paved outdoor patio of at least 180 square feet located at the main entrance to the mobile home.
4. All utility wires, pipes and tanks shall be underground, except that oil tanks used as part of a central distribution system may be above ground if fully screened from view by a wood or masonry wall or fence.
5. Each mobile home park shall have an underground master television antenna system, and exterior antennae shall not be permitted on individual mobile homes.
6. Each mobile home park shall contain one or more recreation areas totalling at least 300 square feet per mobile home. At least one such area in each mobile home park shall be of such size and shape that a 100-foot square may be laid out within it and shall be substantially flat, without trees, bushes or other obstructions, and maintained as lawn. No mobile home shall be more than 500 feet distant from a recreation area.

Streets, driveways, parking areas and buildings are not to be included in calculating the size of recreation areas.

7. A greenbelt, at least 30 feet in width, shall be located along all boundaries of each mobile home park, except where it is crossed by driveways.
8. Each mobile home shall be located on a lot having an area of at least 3,200 square feet, provided, however, that no motor vehicle shall be parked on any lot having an area of less than 4,000 square feet.
9. Each mobile home shall be graded and drained so that rain water will not stand in pools or puddles.
10. Each street and parking area in any mobile home park shall be bounded by a sidewalk at least 3 feet wide.
11. If the parking of motor vehicles other than passenger automobiles and motorcycles is allowed, it shall be restricted to areas surrounded, except at points of entry and exit, with a wood or masonry wall or fence at least 8 feet high.
12. Each mobile home park shall provide refuse containers, compatible with mechanical lifting devices on city collection trucks, having a capacity of 1 cubic yard for each four mobile homes, so located that no mobile home is farther than 150 feet from such a container.
13. All refuse containers shall be located on Portland cement concrete stands, abutting and level with a driveway, which shall be surrounded except on the driveway side by a wood or masonry fence or wall at least 6 feet high.
14. Minimum street widths in mobile home parks shall be as follows:

No parking on street	1 way	14 ft.
	2 way	20 ft.
Parallel parking on one side	1 way	20 ft.
	2 way	30 ft.
Parallel parking both sides	1 way	26 ft.
	2 way	36 ft.

15. Each mobile home park shall provide to each mobile home an enclosed storage shed or partitioned space in such a shed, either of which shall have at least 360 cubic feet and shall be located within 150 feet of said mobile home. No outside storage shall be permitted by any mobile home park or committed by any occupant, including the storage of anything underneath any mobile home.
16. No mobile home shall be occupied unless it is supported on masonry blocks or jacks, connected to utilities, and provided with skirting, from the bottom of the walls to the ground, made of aluminum or other durable material.

ARTICLE 20 -- SPECIAL USES

PART 1 - SUBSTANTIVE PROVISIONS.

Section 101 PURPOSE: Because of their unique and/or potentially harmful characteristics, the uses set forth in this section shall be located in a district or districts only upon consideration in each case of the impact of such use upon neighboring land and of the public need for such a use at the particular location. Such uses, hereby designated as Special Uses, fall into two categories.

1. Uses either municipally operated, or operated by regulated public utilities, or traditionally affected by a public interest; and
2. Uses entirely private in character but of such a nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

Section 102 AUTHORIZED SPECIAL USES: The Board of Trustees may authorize, by ordinance, the establishment or construction of any Special Uses as designated in each of the zoning districts. All of the other applicable provisions of this Ordinance, including the requirements and restrictions of the zoning district in which the proposed Special Use is to be located, shall be applicable to the establishment and maintenance of such Special Use unless the Ordinance authorizing the establishment or construction of the particular Special Use expressly provides otherwise. Subject to the standards contained in Article 20 the Board of Trustees shall have authority to permit Special Uses as designated in each of the zoning districts of land or structures, or both, provided it shall find that the proposed Special Use will comply with the standards contained in this Article 20.

Section 103 STANDARDS: A Special Use Permit shall be granted only if evidence is presented to establish that:

1. The proposed building or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;
2. The proposed building or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and

3. The proposed building or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.
4. Such other standards and criteria as are established by this Ordinance for particular special uses as set forth in Section 104 and as applied to planned developments under Article 16 thereof.

Section 104 ADDITIONAL STANDARDS AND CRITERIA: No Special Use Permit shall be granted for the use listed below unless evidence is presented to establish the standards and criteria set forth herein.

1. Airports and Heliports.

- A. The area shall be sufficient and the site otherwise adequate to meet the standards of the Federal Aviation Agency and the Illinois Department of Aeronautics for the class of airport proposed, in accordance with their published Rules and Regulations.
- B. Any building, hangar, or other structure shall be at least one hundred (100) feet from any street or boundary line.
- C. There shall be an adequate number of off-street parking spaces at least equal to the number of spaces in the hangars plus tie-down spaces, plus spaces for accessory uses.

2. Used Car Lots

- A. Any new used car lots not part of a new car dealership (at the same site) shall be located on a lot at least 27,000 square feet.
- B. Any used car lot not part of a new car dealership (at the same site) shall have a minimum frontage of 200 feet in width.
- C. Minimum ingress and egress shall consist of a paved driveway of at least 24 feet in width.
- D. All buildings on the property shall be constructed with fire proof masonry in accordance with applicable building code.
- E. The property shall be adequately lighted; and such lighting shall be shielded or directed so as to prevent glare or reflections onto neighboring properties or public streets.

- F. Automobile Service buildings shall have service bays no smaller than 13 feet x 20 feet.
 - G. No such lot may operate without a permanent office building in accordance with current building codes.
 - H. Cars on the lot may not be arranged any closer than 3.5 feet to any other vehicle, building or structure.
 - I. Where adjoining the right of way, no vehicle may extend over or unto the right of way by any part of the vehicle. Approved abutment devices by the Building Department must be provided.
3. Public and Private Utilities and Services. This section applies to buildings and structures not specifically permitted as a matter of right in the various districts, pertaining to water, sewerage, gas, telephone, and electric utilities together with police, fire, radio, and television stations, including broadcasting antennae.
- A. Lot Area and Location. The required lot area and location shall be specified as part of the Special Use Permit and be determined in relation to the proposed use, the intensity of such use, and the effects of such use upon the environment.
 - B. Fencing or Screening. If the corporate authorities find that a hazard may result or that interference with the development or use and enjoyment of surrounding properties may ensue, fencing or screening with a densely planted hedge or other shielding material may be required in a manner consistent with such findings.
4. Summer Theater, Amphitheater.
- A. The site shall contain at least five (5) acres.
 - B. The site shall have direct access to a major street.
 - C. All structures, viewing area, and seating areas shall be set back at least 100 feet from any street or boundary line.
 - D. All parking areas and access ways shall be adequately lighted; and such lighting shall be shielded or directed so as to prevent glare or reflections onto neighboring properties or public streets.

- E. Off-street parking spaces shall be provided in accordance with the provisions of Article 21
 - F. The following accessory uses may be permitted as incidental to, and limited to patrons of the principal use:
 - 1. Amusement park, kiddyland
 - 2. Refreshment stands or booths
 - 3. Souvenir stands or booths
5. Automobile Service Station.
- A. Hours of Operation. It shall be unlawful to operate after 12:00 A.M. (Midnight) and to open for business before 6:00 A.M.
 - B. Lot area and Location. A building or premises shall be used for an automobile service station only on tracts of land not less than one acre with a minimum frontage of 150 feet on each abutting street, abutting and contiguous to a major freeway, major or secondary highway as shown on the official map of the Village.
 - C. Design. An automobile service station under this section may be designed and developed in conjunction, and compatible with, a larger development such as a shopping center, traveler complex or auto service center. For all automobile service stations the location and arrangement of buildings, parking lots, walks, lighting, and signs shall be adjusted to the surrounding land uses. Any part of an automobile service station not used for buildings, parking, or accessways shall be landscaped with grass, trees, and/or shrubs.
 - 1. Lighting: All outside lighting shall be so arranged and shielded as to prevent glare or reflection, nuisance, inconvenience, or hazardous interference of any kind on adjoining streets or residential properties. Lights shall be low level, indirect, and diffused.
 - 2. Screening: Sight-proof screening may be required as follows:
 - A. along any lot line in order to protect nearby property and meet the standards set forth in Section 103.

- B. around any area used for vehicle storage or parking.
 - 3. Access Ways. Each service station shall have not more than two (2) access ways to any one street. Each access way shall comply with the following requirements:
 - A. no access way shall be nearer than ten (10) feet from any interior lot line nor nearer than thirty (30) feet to the intersection of any two street right-of-way lines.
 - B. an access way shall not exceed thirty-five (35) feet at its intersection with the curb line.
 - D. Display of Merchandise. No merchandise, materials or equipment shall be stored or displayed in any open areas, except that automobile merchandise may be displayed in enclosed cases on pump islands.
 - E. Operations. Operations permitted outside an enclosed building shall be limited to:
 - 1. The retail sales of petroleum products.
 - 2. The supply of air and water.
 - 3. Installation of minor accessories, windshield blades and arms, gas caps, lamps, lamp globes, and the performance of minor repair jobs.
 - 4. The rental of for-hire trucks and/or trailers
 - F. Screening. Sight-proof screening may be required as follows;
 - 1. along any lot line in order to protect nearby property and meet the standards set forth in Section 20-103.
 - 2. around any area used for vehicle storage or parking.
 - G. Signs. SEE SIGN ORDINANCE:
6. Game Rooms
- A. Hours of operation

1. Sunday through Thursday, no later than 11:00 p.m.
2. Friday and Saturday, no later than 12:00 Midnight.
3. Opening times, no earlier than 9:00 A.M.

B. Personnel

1. Adult (21 years of age or older) manager must be present and supervising during all hours of operation.
2. All employees of the game room shall have a police check made by the Alsip Police Department.

C. Security

1. All windows should be clear and unobstructed to provide easy view for patrol vehicles.

D. Regulations on Premises

1. The operator shall discourage the loitering of individuals, both inside and outside the establishment.
2. Establishments catering to minors shall display a sign stating that curfew begins at 10:30 p.m. Sunday through Thursday and 12:00 midnight on Friday and Saturday for all persons under curfew age.
3. Order and quiet must be maintained on the premises so as not to violate the public peace.

E. Miscellaneous

1. Trash receptacles shall be provided both inside and outside of the entrance and trash shall be picked up at regular intervals.
2. Bicycle racks shall be provided in close proximity to the game room.

7. Dance hall, discotheque, banquet hall, private club, tavern, cocktail lounge, nightclub, and any eating or drinking establishment with live entertainment and/or dancing.

A. Hours of Operation. The hours of operation of

such establishments shall not extend beyond the hour of the liquor license.

B. Personnel.

1. Adult (21 years of age or older) manager must be present and supervising during all hours of operation.
2. All employees of the establishment shall have a police check made by the Alsip Police Department.

C. Regulations on Premises.

1. The operator shall discourage the loitering of individuals, both inside and outside the establishment.
2. Establishments catering to minors shall display a sign stating that curfew begins at 10:30 p.m. Sunday through Thursday and 12:00 midnight on Friday and Saturday for all persons under curfew age.
3. Order and quiet must be maintained on the premises so as not to violate the public peace.

D. Miscellaneous Requirements.

1. Eating and drinking establishments with live entertainment and/or dancing must conduct their operations entirely indoors.
2. Such establishments shall be insulated to prevent excessive light, noise, or other offensive factors from penetrating the walls of the establishment and adversely affecting any adjoining establishments or the surrounding area.

8. Cosmetic Services involving puncturing of human skin such as ear piercing, hair transplants, tattooing, etc., shall comply with the following as a matter of public health safety. In that;

- A. Only Persons licensed to do so, may perform tasks that require a license;
- B. Records of services rendered to customers are to be kept and open to public health officials;
- C. Must show means to maintain all public health standards;

- D. Must provide evidence of liability insurance specifically covering the liabilities incurred for spreading of contagious diseases in the form of \$200,000 per person minimum;
- E. Must provide evidence of the ability to properly dispose of any contaminated materials generated and maintain accurate records of any such disposals;

Failure to comply with any of the above items (A-E) constitutes a forfeiture of any business license.

Section 105 CONDITIONS: The Plan Commission may recommend and the Board of Trustees may impose such conditions or restrictions upon the location, construction, design and operation of a Special Use as they shall respectively find necessary or appropriate to secure compliance with the standards set forth herein.

Section 106 SPECIAL USE - ABANDONED: Special use permits shall be considered abandoned when such special use is discontinued for ninety (90) days except as follows:

1. Written permission of the Village Board to extend such Special Use, properly adopted at a regularly scheduled meeting.
2. Construction or reconstruction of the facility is required and a building permit is issued for such construction or reconstruction.
3. The issuance of a temporary restraining order issued by a Court of Jurisdiction, or any agency having legal jurisdiction.

PART 2 - PROCEDURES

Section 201 AUTHORIZATION: The Board of Trustees is authorized to issue a Special Use Permit for Planned Developments, subject to the standards set forth in Section 103 and 104 and such conditions as may be imposed pursuant to Section 105. Prior to the issuance of any Special Use Permits for Planned Developments, a public hearing shall be held and published notice shall be given, in the manner prescribed in Article 27 Section 104 of this Ordinance. *(Ord.92-3-152-2)

Section 202 APPLICATION FOR SPECIAL USE. Any person having a proprietary interest in the premises may file an application for a Special Use with the Zoning Administrator.

*Ord.No. 92-3-152-2 Adopted 03-16-92

The application shall be in such number of copies, be in such form, and contain such information as the Zoning Administrator may prescribe from time to time. The Zoning Administrator shall process such application and a hearing shall be held in the manner prescribed for amendments by Article 27 Section 104 of this Ordinance.

Section 203 REPORT OF HEARING: Following the hearing, the Plan Commission shall transmit to the Board of Trustees a written report giving its findings as to compliance of the proposed Special Use with the standards governing Special Uses and giving its recommendations for action to be taken by the Board of Trustees.

Section 204 CONDITIONS: The Plan Commission may recommend and the Board of Trustees may impose such conditions or restrictions upon the location, construction, design and operation of a Special Use, including but not limited to, provisions for off-street parking spaces and the duration of such permit, as they shall respectively find necessary or appropriate to secure compliance with the standards set forth in Section 103 and 104.

Section 205 ACTION BY BOARD OF TRUSTEES: After receiving the recommendations and report of the Plan Commission, the Board of Trustees shall, within 35 days, review the recommendations of the Plan Commission in whole or in part or may reject them in whole or in part, or the Board of Trustees may refer the matter back to the Plan Commission for further consideration. However, in the event the Plan Commission recommends against the issuance of a Special Use Permit, then it may be issued only upon the favorable two-thirds (2/3) vote of the corporate authority.

Article 21 -- OFF STREET PARKING AND LOADING

Section 101 PURPOSE: The purpose of this Section is to alleviate or prevent the congestion of the public streets and to promote the safety and welfare of the public by establishing minimum requirements for the off-street parking and loading and unloading of motor vehicles in accordance with the use to which property is put.

Section 102 GENERAL PROVISIONS - PARKING AND LOADING:

(A) Scope of Regulations. The off-street parking and loading provisions of this Ordinance shall apply as follows:

1. For all buildings and structures erected and all uses of land established after the effective date of this Ordinance, accessory parking and loading facilities shall be provided as required by the regulations of the district in which such building or uses are located. However, where a permit has been issued prior to the effective date of this Ordinance, and provided that construction is begun within one year of such effective date, and diligently prosecuted to completion, parking and loading facilities as required hereinafter need not be provided, except as otherwise provided in this article.
2. When the intensity of use of any building, structure or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity or other units of measurement specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.
3. However, no building or structure lawfully erected or use lawfully established prior to the effective date of this Ordinance shall be required to provide such additional parking or loading facilities unless and until the aggregate increase in units of measurement shall equal not less than fifteen (15) percent of the units of measurement existing upon the effective date of this Ordinance, in which event parking or loading facilities as required herein shall be provided for the total increase.
4. Whenever the existing use of a building or structure shall be changed hereafter to a new use, parking and loading facilities shall be provided

as required for such new use. However, if the said building or structure was erected prior to the effective date of this Ordinance, additional parking or loading facilities shall be required only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this Ordinance.

- (B) Existing Parking and Loading Facilities. Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and which were in existence on the effective date of this Ordinance or were provided voluntarily after such effective date shall not hereafter be reduced below, or if already less than, shall not further be reduced below, the requirements of this Ordinance for a similar new building or use.
- (C) Permissive Parking and Loading Facilities. Nothing in this Ordinance shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings provided that all regulations herein governing the location, design, improvement and operation of such facilities are adhered to.
- (D) Damage or Destruction. For any conforming or legally non-conforming building or use which is in existence on the effective date of this Ordinance, which subsequent thereto is damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, re-established or repaired, off-street parking or loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored or continued in operation, except that when such damage or destruction exceeds more than 50% of the value of the building or use, sufficient off-street parking or loading facilities shall be provided as required by this Ordinance for equivalent new use or construction. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this Ordinance for equivalent new used or construction.
- (E) Control of Off-Site Parking Facilities. When required parking facilities are provided on land other than the zoning lot on which the building or use served by such facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities other than on the same zoning lot until and unless the Zoning Board of Appeals has reviewed the plans and heard the applicant and made findings that

the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue and that the off-site parking facilities will be maintained at all times during the life of the proposed use or building.

- (F) Submission of Plot Plan. Any application for an improvement location permit for certificate of occupancy where no permit is required, shall include therewith a plot plan - drawn to scale and fully dimensioned - showing any parking or loading facilities to be provided in compliance with this Ordinance.

Section 103 VEHICLE PARKING SPACE:

Automobile parking space, minimum 10 ft. x 20 ft., shall be provided off the street or highway right-of-way for each housekeeping unit in residential uses hereafter established and, in the case of other uses hereafter established or expanded, for employees, for customers who usually park their motor vehicles, one hour or longer, and for customers served in their motor vehicles, in such proportion as to assure free and uninterrupted movement of traffic on the public street or highway, said vehicle parking provided spaces shall be controlled as follows;

1. SINGLE-FAMILY: Two (2) spaces for each dwelling unit.
- * 2. MULTIPLE DWELLINGS: Two (2) car spaces for each dwelling unit in the R-2, R-3 and S-1 Districts. Two (2) car spaces for ~~each~~ dwelling unit in all other districts. * A minimum of one parking space for handicap parking shall be provided for each six (6) unit building. Said handicap parking space shall be in addition to the number required for multiple dwellings, not retroactive and does not include existing buildings. New buildings are included after date of passage.
3. PRIVATE CLUB OR LODGE: One parking space for each Two Hundred (200) square feet of floor area.
4. CHURCH OR TEMPLE: One parking space for each three (3) seats in the main auditorium.
5. SCHOOL: For High Schools, Colleges and Universities, Fifteen (15) spaces per classroom; for elementary schools, two (2) parking spaces per classroom.
6. HOSPITAL: Two parking spaces for each bed plus two (2) parking spaces for each three (3) employees..

*Ord.No. 94-6-152-2 Adopted 06-06-94

7. SANITARIUM OR INSTITUTIONAL HOME: Two (2) parking spaces for each three beds, plus two (2) parking spaces for each three (3) employees.
8. FUNERAL HOMES: Fifteen (15) parking spaces for each chapel plus one for each funeral home vehicle, plus one for each family residing on the premises.
9. AUDITORIUMS: Theaters and other places of public assembly: Two (2) parking spaces for each five seats.
10. COMMUNITY CENTER, LIBRARY, MUSEUM, OR SIMILAR PUBLIC OR SEMI-PUBLIC BUILDING: One parking space for each 300 square feet of floor area in the building plus two (2) parking spaces for each three employees.
11. HOTEL OR MOTEL: Five (5) spaces plus one parking space for each sleeping room or suite,
12. MEDICAL OFFICE BUILDING: Buildings in which 20 percent or more of the gross area is occupied by members of the healing profession. One (1) parking space for each 100 square feet of the gross area used for this purpose.
13. MANUFACTURING OR INDUSTRIAL ESTABLISHMENT, RESEARCH OR TESTING LABORATORY, CREAMERY, BOTTLING PLANT, WAREHOUSE OR OTHER SIMILAR ESTABLISHMENTS: Two (2) parking spaces for every three employees on the maximum shift, plus space to accommodate all trucks and other vehicles used in connection herewith.
14. All nonresidential building except those above specified: One (1) space for each three hundred (300) square feet of floor area.
15. RESTAURANT: Parking to be determined by the Plan Commission.
16. COMMERCIAL VEHICLES: Parking and unloading areas to be determined by the Plan Commission

Section 104 RULES FOR COMPUTING PARKING SPACES:

In computing the number of required off-street parking spaces the following rules shall apply.

1. Floor area shall mean the gross floor area of the

specific use, excluding any floor or portion thereof used for parking as herein defined.

2. Where fractional spaces result, the parking spaces required shall be the larger whole number.
3. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
4. Whenever a building or use constructed or established after January 1, 1972 is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, parking spaces shall be provided on the basis of the enlargement or change. Whenever a building or use existing prior to January 1, 1972 is reconstructed or is enlarged to the extent of 20 percent or more in floor area, said building or use in its entirety shall then and thereafter comply with the parking requirements set forth herein. Any enlargement or change in use of less than 20 percent of the gross floor area shall be provided with parking based on the enlargement or change.

Section 105 LOCATION OF REQUIRED PARKING SPACES:

All parking spaces required herein shall be located as follows:

1. The parking spaces required for residential building or uses shall be located on the same lot with the building or use served. The parking spaces required for any other building or use may be located on any area within 300 feet of said building and two or more owners of buildings may join together in providing the required parking spaces. Where the required parking spaces are not located on the same lot with the building or use served, the usage of the lot or tract upon which said parking spaces are provided shall be restricted by an instrument of record describing the premises for which said parking is provided and assuring the retention of such parking so long as required by this ordinance.
2. No parking spaces may be located in the front yard in any (R) Residential District except on driveways on private property.

Section 106 MINIMUM IMPROVEMENT AND MAINTENANCE STANDARDS:

Except as otherwise provided in section 17-9 of the Village code of ordinances, all public parking lots and garages shall conform with the following improvement and maintenance standards:

1. Such lot shall be surfaced either with concrete not less than six inches in thickness or with bituminous surface of not less than two inches in depth on top of a compacted, crushed stone base not less than six inches in depth, or with any surfacing adjudged by the Building Commissioner to be equal or superior to either of these types.
2. Adequate provision shall be made for the disposal of storm water and the Village Engineer shall insure that such water shall not flow onto adjoining property or adjacent sidewalks in a quantity or manner that would be detrimental thereto, or inconvenient to persons using the sidewalk.
3. A structurally sound wall or other abutment approved by the Village Engineer to insure safety shall be installed around each side of the parking lot wherever said lot adjoins a public street, sidewalk or alley. An adequate retaining wall, wherever necessary to prevent the washing of soil to and from adjoining property, and a wall or screen of such height and character as are necessary for adequate screening of the parking lot from adjacent property shall also be provided to meet requirements of the Commission and Village Engineer.
4. The location and width of entrances and exits to and from the lot or garage shall be as determined by the Plan Commission but there shall not be more than one entrance and one exit, or one combined entrance or exit, along any one street unless same is deemed necessary by the Plan Commission for the alleviation of traffic congestion and interference of traffic movements along such street with the approval of the Village Board.
5. The location of each parking space and the location and direction of movement along the driveways providing access thereto shall be indicated by painting upon the surface, by raised directional signs, or by markers or other similar measures places in the surfacing, where required by the Commission.
6. Wherever the parking lots or garages are to be used during darkness, a system of flood lighting shall be installed to provide an adequate standard

- of illumination over the entire parking lot. All flood lights shall be shielded so that minimum glare will extend to adjacent property and shall meet requirements of the Village ordinance (See Lighting Ordinance No. 230) or as revised.
7. A sign, the size and character of which shall meet the requirements of Village of Alsip shall be installed showing the ownership of the lot or garage and the permitted use thereof. If the lot or garage is so operated that a charge is made for the use of the parking facilities, the rates for parking shall be legibly shown upon the sign (See Ordinance No. 514).
 8. Landscape planting shall be installed on all parking lots and on or adjacent to all garages. The size and planting of the area shall be determined by the Plan Commission.
 9. A shelter for the use of parking lot attendant may be maintained on the lot provided the location, construction and design of same shall be first approved by the Plan Commission.
 10. The parking lot or garage shall be maintained in a manner to keep it as free as practicable from dust, paper and other loose particles and snow and ice shall be promptly removed by the operator. All adjacent sidewalks shall be kept free from dirt, ice, sleet and snow and in a safe condition for use by pedestrians. All signs, markers, or any other methods used to indicate direction of traffic movement and location of parking spaces shall be maintained in a neat and legible condition. Likewise, any walls, trees and shrubbery, as well as surfacing of the parking lot or garage, shall be maintained in good condition throughout its use for parking purposes and the Building Commissioner shall have the authority to prohibit the use of the area for parking purposes unless and until maintenance, repair or rehabilitation is completed.
 11. OPERATION: Any person operating a commercial (for profit) parking lot or garage shall either:
 - A. File with the Village a bond in such form as may be prescribed by the Village Attorney and in such amount as required by the Village Board, which shall be surety for any judgement for damages rendered against the operator of the parking lot, resulting to

person or property when incurred while using the parking lot; or

- B. Carry public liability insurance in such amount as may be required by the Village Board.

Section 107 OFF-STREET LOADING REQUIREMENTS:

- (A) There shall be provided at the time any building is erected or structurally altered off-street loading space in accordance with the following:
1. Office buildings, apartments, apartment hotels, motels and hotels, one (1) space for each 5,000 to 50,000 square feet of gross floor area; two spaces for each 50,000 to 200,000 square feet of gross floor area; one additional space for each 75,000 square feet of gross floor area above 200,000 square feet.
 2. Retail or Service Establishment or Wholesale Commercial Use, one (1) space for each 2,000 to 20,000 square feet of gross floor area; two (2) spaces for each 20,000 to 100,000 square feet of gross floor area; one additional space for each 72,000 square feet of gross floor area above 100,000 square feet.
 3. Manufacturing or industrial use, one (1) space for each 10,000 square feet of floor area or fraction thereof in excess of 5,000 square feet.
 4. In all cases where the off-street loading space is located in a manner that a truck must back directly from the major street into a loading zone, a maneuvering space of not less than 65 feet in depth shall be provided on the lot on which the industrial use is located.

ARTICLE 22 -- ADMINISTRATION AND ENFORCEMENT:

Section 101 The Zoning Administrator is that person appointed by the Village President with the advise and consent of the Board of Trustees and unless otherwise provided by ordinance or amendment shall be the Commissioner of Buildings or (Building Commissioner), and bonded to protect proprietary information that may become known to the administration.

Section 102 DUTIES OF THE ZONING ADMINISTRATOR: The Zoning Administrator or his duly appointed and acting assistant shall administer and enforce this Ordinance. It shall be the duty of the Zoning Administrator to:

- (A) Receive and process applications for zoning certificates for structures or additions thereto for which building permits are required.
- (B) Receive and process applications for zoning certificates not accompanied by an application for a building permit.
- (C) Receive and process applications for an occupancy certificate upon the completion of a structure or when there is a change of use as herein provided.
- (D) Conduct inspections of structures or the use of land to determine whether there is compliance with this Ordinance, and, in cases of any violation, to notify in writing the person or persons responsible, specifying the nature of the violation and ordering corrective action.
- (E) Maintain in current status the Official Zoning Map.
- (F) Maintain permanent and current records required by this Ordinance, including, but not limited to, zoning certificates, occupancy certificates, useful life determinations and non-conforming use certificates, inspections, and all official action on appeals, variations and amendments.
- (G) Prepare and submit an annual report to the President and Board of Trustees on the administration of this Ordinance, setting forth such statistical data and information (excluding any proprietary information) as may be of interest of value in advancing and furthering the purposes of this Ordinance.
- (H) Prepare and have available in book, pamphlet or map form, on or before March 31 of each year:
 - 1. The compiled text of the Zoning Ordinance,

including all amendments thereto through the preceding December 31st; and

2. An Official Zoning Map, or Maps, showing the zoning district, divisions, and classifications in effect on the preceding December 31st.

(I) Maintain for distribution to the public a supply of copies of the Zoning Map or Maps and the compiled text of the Zoning Ordinance.

Section 103 ISSUANCE OF PERMITS: No building permit pertaining to the construction, remodeling, moving or reconstruction of any structure shall be issued by the Village of Alsip unless an application for a zoning certificate shall first have been made to and obtained from the Zoning Administrator:

- (A) The construction, building, moving, remodeling or reconstruction of any structure shall not be commenced;
- (B) The improvement of land preliminary to any use of such land shall not be commenced; and
- (C) Permits pertaining to the use of land or structures shall not be issued by any official, officer, employee, department, board or bureau of the Village of Alsip. Any application for a building permit that contains the information required by Section 104 and, when applicable Section 105 shall be deemed to be an application for a zoning certificate. Any zoning certificate issued in conflict with the provisions of this Ordinance shall be null and void.

Section 104 APPLICATION FOR ZONING CERTIFICATE: Every application for a zoning certificate shall be accompanied by the following:

- (A) The certificate of a registered architect or registered structural engineer licensed by the State of Illinois, or of an owner-designer, that the proposed construction, remodeling, or reconstruction complies with all of the provisions of this Ordinance.
- (B) A plat, in duplicate, of the piece or parcel of land, lot, lots, block or blocks, or parts or portions thereof, drawn to scale showing the actual dimensions of the piece or parcel, lot, lots, block or blocks, or parts or portions thereof, according to the recorded plat of such land.
- (C) A plot plan, in duplicate, drawn to scale and in such form as may from time to time, be prescribed by the Zoning Administrator, showing the location, ground

area, height, and street parking and loading spaces, the building lines in relation to lot lines, waste disposal areas, the use to be made of such present and proposed structures on the land, and such other information as may be required by the Zoning Administrator for the proper enforcement of this Ordinance. Applications for zoning certificates for property located in an Industrial District shall also be subject to Section 105 and on such applications the plot plan shall also show all structures, streets, streams and any other significant physical features within 200 feet of the boundary of the site shown on the plot plan.

One copy of the plat and the plot plan shall be retained by the Zoning Administrator as public record.

Section 105 APPLICATION FOR ZONING CERTIFICATE FOR INDUSTRIAL USES: All applications for a zoning certificate for the construction, moving, remodeling, or reconstruction of any structure to be located in an industrial district shall be accompanied by sufficient information to enable the Zoning Administrator to determine that there will be compliance with all of the applicable performance standards of this Ordinance at all times. At the request of the Zoning Administrator, the applicant shall provide, in addition to the information required under Section 104 the following:

- (A) A description of the activity to be conducted in sufficient detail to indicate the extent to which the ~~proposed operation will produce~~ waste products, conditions, or external effects which are regulated or otherwise limited by this Ordinance.
- (B) A description of the type and location of any abatement devices or recording instruments used to control or measure conformity with any of the standards set forth in this Ordinance, such as devices used to measure or control noise, smoke, vibration, odor, fire, explosive hazards, toxic materials, and any others that might require monitoring, control, and/or treatment.
- (C) Such other data and certificates as may reasonably be required by the EPA, IEPA, other Federal and State Governmental agencies, or other Village of Alsip ordinance requirements to reach a determination with respect to whether the proposed use or structure will comply with the requirements of this Ordinance.

All information and evidence submitted in an application for a zoning certificate to indicate conformity with the performance standards set forth in this Ordinance shall constitute a certification and an agreement on the part of the applicant that

the proposed structure or use can and will conform to such standards at all times.

Section 106 ISSUANCE OF ZONING CERTIFICATE: A zoning certificate shall be either issued or refused by the Zoning Administrator within 14 days after the receipt of an application thereof, or within such further period as may be agreed to by the applicant; provided, however, that the Zoning Administrator shall have a period of 21 days within which to issue or refuse a zoning certificate on all applications which are required to comply with the provisions of Section 105 of this Article. When the Zoning Administrator refuses to issue a zoning certificate, he shall advise the applicant in writing of the reasons for refusal.

Section 107 PERIOD OF VALIDITY: A zoning certificate shall become null and void six (6) months after the date on which it is issued unless within such six (6) month period, construction, moving, remodeling or reconstruction of a structure is commenced or a use is commenced. Extensions beyond this period may be granted by the Village Board only after written request is made stating the reasons for such extension.

Section 108 OCCUPANCY CERTIFICATES: No structures or addition thereto, constructed, moved, remodeled, or reconstructed after the effective date of this Ordinance shall be occupied or used for any purpose, and no land vacant on the effective date of this Ordinance shall be used for any other use, unless an occupancy certificate shall first have been obtained from the Zoning Administrator certifying that the proposed use or occupancy complies with all the provisions of this Ordinance.

Section 109 APPLICATION FOR OCCUPANCY CERTIFICATE: Every application for a zoning certificate shall be deemed to be an application for an occupancy certificate. Every application for an occupancy certificate for a new or changed use of land or structures where no zoning certificate is required shall be filed with the Zoning Administrator and be in such form and contain such information as the Zoning Administrator shall provide by general rule.

Section 110 APPLICATION FOR OCCUPANCY CERTIFICATES FOR INDUSTRIAL USES. All applications for an occupancy certificate for any use to be located in an industrial district where no zoning certificate is required shall be accompanied by sufficient information to enable the Zoning Administrator to determine that all the applicable performance standards of this Ordinance can and will be complied with at all times. At the request of the Zoning Administrator, the applicant shall provide such information as is specified in Section 105 of this Article.

Section 111 ISSUANCE OF OCCUPANCY CERTIFICATE: No occupancy certificate for a structure or addition thereto constructed, moved, remodeled or reconstructed after the effective date of

this Ordinance shall be issued until such work has been completed, including off-street parking and loading spaces, and the premises have been inspected by the Zoning Administrator and determined to be in full and complete compliance with the plans and specifications upon which the issuance of the zoning certificate was based. No occupancy certificate for a new use of any structure or land shall be issued until the premises have been inspected by the Zoning Administrator and determined to be in full and complete compliance with all the applicable regulations for the zoning district in which it is located. Pending the issuance of a permanent occupancy certificate, a temporary occupancy certificate may be issued to be valid for a period not to exceed six (6) months from its date pending the completion of any addition or during partial occupancy of the premises. Temporary Occupancy Permits may only be issued when extraordinary circumstances exist (i.e. unavailability of materials, inclement weather etc.) and when it would not jeopardize the life or property of the citizens of Alsip. Any temporary occupancy permit issued must be accompanied by a letter of credit or a bond to cover site work which has not been completed at the time of application for an occupancy permit.

The amount of the letter of credit or bond shall be determined by the Zoning Administrator and shall be deposited in an escrow account by the Director of Finance for the duration of the temporary occupancy permit or until the site work has been completed in accordance with the approved site plan and inspected by the Zoning Administrator. An occupancy certificate shall be issued, or written notice shall be given to the applicant stating the reasons why a certificate cannot be issued, within ~~14~~ days after the receipt of an application therefore; or after the Zoning Administrator is notified in writing that the structures or premises are ready for occupancy; provided, however, that the Zoning Administrator shall have a period of 21 days within which to issue or refuse an occupancy certificate on all applications which are required to comply with the provisions of Section 105 of this Article.

Section 112 ESCROW DEPOSITS: Whenever an application for a zoning or occupancy certificate for a new or altered structure or use in an industrial district indicates, in the opinion of the Zoning Administrator, that the operations or activities to be conducted may violate the performance standards of this Ordinance, the Zoning Administrator shall, as a condition precedent to issuing a zoning or occupancy certificate, require the deposit in escrow of not more than \$500, to be held by the Zoning Administrator for a period of one year after the date that such new or altered use is commenced. If during such one year period or at any time in the future the Zoning Administrator believes there is a reasonable probability that the regulations of this Ordinance are being violated, he may employ a qualified technician or technicians to perform investigations, measurements, and analyses to determine whether or not the regulation of this Ordinance is, in fact, being

violated and may pay his or their reasonable fees out of the aforementioned escrow deposit, regardless of the outcome of the investigation. If reasonable fees of such technician or technicians exceed the amount of any available escrow deposit, and in addition to, the penalties specified in Article 26 of this Ordinance the difference will be billed and occupancy cannot occur until payment is received. Escrow deposits or remainders of escrow deposits shall be returned to the depositors at the expiration of the escrow period.

Article 23 -- NON-CONFORMING LOTS, BUILDINGS, STRUCTURES,
AND USES:

Section 101 INTENT: The intent of this section is to provide for the regulation of non-conforming lots, buildings, structures, and uses, and to specify those circumstances and conditions under which non-conforming lots, buildings, structures, and uses shall be accepted or shall be gradually eliminated upon reaching the end of their respective normal useful life, in accordance with the authority granted by the Statutes of the State of Illinois.

Section 102 AUTHORITY TO CONTINUE NON-CONFORMING BUILDINGS, STRUCTURES AND USES: Any building, structure, or use which existed lawfully at the time of the adoption of this ordinance and which remains or becomes non-conforming upon the adoption of this ordinance or of any subsequent amendment thereto, may be continued only in accordance with the following regulations:

1. REPAIRS AND ALTERATIONS. Ordinary repairs and alterations may be made to a non-conforming building or structure, provided that no structural alterations shall be made in or to such building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the building or structure and use thereof conform to the regulations of the district in which it is located.
2. ADDITIONS AND ENLARGEMENTS. A non-conforming building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located or which does not comply with other provisions of this ordinance shall not be added to or enlarged in any manner unless such non-conforming building or structure and use thereof, including all additions and enlargements thereto, is made to conform to all the regulations of the district in which it is located.
3. MOVING. No building or structure shall be moved in whole or in part to any other location unless every portion of such building or structure and the use thereof, is made to conform to all regulations of the district into which it is moved.
4. RESTORATION OF DAMAGED NON-CONFORMING BUILDINGS OR STRUCTURES. A building, structure or portion thereof, all or substantially all of which is designed or intended for a use which is not

permitted in the district in which it is located, and which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed fifty percent (50%) of the total cost of reconstructing the entire building or structure shall not be reconstructed unless the use thereof shall conform to all regulations of the district in which it is located. In the event that such damage or destruction is less than fifty percent (50%) of the cost of reconstructing the entire building or structure, no repairs or construction shall be made unless such restoration is started within one (1) year from the date of the partial destruction and is diligently prosecuted to completion.

5. DISCONTINUANCE OF USE OF NON-CONFORMING BUILDING OR STRUCTURE. A building structure, or portion thereof, all or substantially all of which is designed or intended for a use or a special use which is not permitted in the district in which it is located, and which is vacant on the effective date of this ordinance or thereafter becomes vacant and remains unoccupied, or is not used for at least two months within any one calendar year, shall not thereafter, be occupied or used, except by a use which conforms to the use regulations of the district in which it is located.
6. CHANGE OF USE ~~IN~~ NON-CONFORMING BUILDING OR STRUCTURE. The non-conforming use of a building or structure may be changed to a use permitted in the district in which the building or structure is located, but no change shall extend or otherwise modify any provision made in this ordinance for elimination of such non-conforming building or structure and the use thereof.
7. AMORTIZATION. Any building or structure which is located in a Residence District and all or substantially all of such building or structure is designed or intended for a use permitted only in a Business or Manufacturing District, shall be removed or shall be altered, remodeled, or converted for a permitted use within six (6) months after the amortization period of such building or structure, which is hereby established in accordance with the respective amortization period set forth below. (assessed valuation referred to in (1), (2), and (3) below means the unequalized assessed valuation of improvements on a lot, established for real estate tax purposes for the year of 1989 by Cook County or in the

event of any improvement or substantial alteration thereto after such property was assessed for the year 1989 and before the effective date of this ordinance, the assessed valuation of such improvement means the first assessed valuation including such improvement or as altered.)

- A. Assessed Valuation more than \$5,000.
In accordance with the types of construction classification set forth in the Ordinances Regulating Construction of Buildings of the Village of Alsip.
 - (1) Fireproof construction and non-combustible - forty (40) years from date of completion of building or structure or twenty-five (25) years from effective date of this ordinance, whichever last occurs.
 - (2) Exterior masonry wall construction - thirty (30) years from date of completion of building or structure or twenty (20) years from effective date of this ordinance, whichever last occurs.
 - (3) Frame construction - twenty (20) years from date of completion of building or structure or ten (10) years from ~~effective~~ date of this ordinance, whichever last occurs.
 - B. Assessed Valuation at Least \$2,000 but not more than \$5,000. Eight (8) years from date of completion of building or structure or four (4) years from effective date of this ordinance, whichever last occurs.
 - C. Assessed Valuation under \$2,000. Four (4) years from date of completion of building or structure or two (2) years from effective date of this ordinance, whichever last occurs.
8. NON-CONFORMING USE OF CONFORMING BUILDINGS OR STRUCTURES. The existing non-conforming use of a part or all of a conforming building or structure may be continued subject to the following provisions:
- A. The non-conforming use of a part of such building or structure shall not be expanded or extended into any portion of such building

or structure, nor changed to any other non-conforming use.

- B. If a non-conforming use of such a building or structure is discontinued for a period of six (6) months, it shall not be renewed, and any subsequent use of such building or structure shall conform to the use regulations of the district in which the premises are located.
 - C. No non-conforming use shall be changed to another non-conforming use.
9. NON-CONFORMING USE OF LAND. The non-conforming use of land not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of land may be continued subject to the following provisions:
- A. Such non-conforming uses shall not be expanded or extended beyond the area it occupies.
 - B. If such a non-conforming use of land is not used for at least two (2) months within a period of six (6) consecutive months, it shall not thereafter be renewed, and subsequent use of land shall conform to the regulations of the district in which the land is located.
 - C. No non-conforming use shall be changed to another non-conforming use.
10. ELIMINATION OF NON-CONFORMING USE OF LAND. The non-conforming use of land shall be discontinued in accordance with the following provisions: (Assessed valuations referred to in Sections 10.B. and 10.C below are the unequalized assessed valuations of improvements on a lot established for real estate tax purposes for the year 1989 by Cook County.)
- A. Where no buildings or structures are employed in connection with such use of land, discontinued within one (1) year after the effective date of this ordinance.
 - B. Where the only buildings or structures or other physical improvements employed are accessory or incidental to such use of land and have an assessed valuation of not more than two thousand dollars (\$2,000),

discontinued within two (2) years after the effective date of this ordinance.

- C. Where the improvements, underground or substantially at ground level, which comprise all or substantially all of the improvements employed in such use of land and which have an assessed valuation of more than two thousand dollars (\$2,000), discontinued within five (5) years after the effective date of this ordinance.
 - D. Where such use of land is accessory to the non-conforming use of a building or structure, it shall be discontinued on the same date on which the non-conforming use of the building or structure is discontinued.
11. CERTIFICATE OF OCCUPANCY FOR NON-CONFORMING USES. A certificate of occupancy shall be required for the continuation of all non-conforming uses of the land, buildings, or structures created by the passage of this ordinance. Application for such certificate of occupancy for non-conforming uses shall be filed with the Zoning Administrator by the owner or lessee of the land or building occupied by such non-conforming use within one (1) year from the effective date of this ordinance. It shall be the duty of the Zoning Administrator to issue a certificate of occupancy for a non-conforming use.

Section 103 EXEMPTED BUILDINGS, STRUCTURES AND USES.

- 1. Wherever a lawfully existing building or other structure otherwise conforms to the use regulations herein but is non-conforming only in the particular manner hereinafter specified, the building and use thereof shall be exempt from the requirements of Section 102.
- 2. In any residential district where a dwelling is non-conforming only as to the number of dwelling units it contains, provided no such building shall be altered in any way so as to increase the number of dwelling units therein.
- 3. In any residential district, where a use permitted in the B-1 District occupies ground floor space within a multiple family dwelling located on corner lot.
- 4. In any business or manufacturing district, where

the use is less distant from a residential district than that specified in the regulations for the district in which it is located.

5. In any district where an established building, structure, or use is non-conforming with respect to the standards prescribed herein for any of the following:
 - A. Floor area ratio
 - B. Yards-front, side, rear or transitional
 - C. Off-street parking or loading
 - D. Building height
 - E. Gross floor area
6. Exempt Agricultural Uses. The use of land for agricultural uses shall be permitted until such time as a building permit for development of the specific tract of land described in the building permit is issued.

Section 104 CONVERSION TO SPECIAL USE: Any non-conforming use may be made a special use by the granting of a special use permit, as authorized in the Administrative Section.

Section 105 ELIMINATION OF NON-CONFORMING SIGNS: Notwithstanding any other provisions of Sections 101 to 104 inclusive, or of this ordinance, signs that do not conform to the provisions of this ordinance, shall be eliminated as follows:

1. Except as provided in subparagraphs 3 and 4 of this section, signs prohibited by Ordinance (Signs) shall be removed by the Owner or Lessee of the premises on which located within ninety (90) days of the effective date of said section and this section.
2. Signs which were erected and maintained in violation of the law as it existed prior to the adoption of the Sign Ordinance, inclusive of this ordinance, shall be removed by the Owner or Lessee of the premises on which located within ninety (90) days of the effective date of said sections and this section.
3. Signs which move in any manner or have parts that move or give an illusion of motion shall be removed by the Owner or Lessee of the premises on which located within one (1) year after the effective date of the Sign Ordinance and the effective date of this section.

4. Signs existing on the effective date of the Village Sign Ordinance inclusive, and this section and not conforming to the provisions of this ordinance, but which did conform to previous law, shall be regarded as non-conforming sign, the use of which may be continued for a period of eight (8) years from the effective date of said sections and this section, provided said signs are properly repaired and maintained as provided by all ordinances of the Village of Alsip, Illinois. Non-conforming signs which are structurally altered, relocated or replaced, shall comply with all of the provisions of The Villages Sign Ordinance and any other provisions of this ordinance.

Article 24 -- VARIATIONS TO ZONING REGULATIONS

Section 101 AUTHORITY TO GRANT: The Village Board of Trustees may by ordinance authorize such variations as hereinafter set forth from the terms of this ordinance in harmony with the purpose and intent of these regulations and not contrary to the public interest. Variations may be authorized as enumerated in Section 103, and then only after findings of fact, based upon the standards set forth in Section 105, that owing to special conditions a literal enforcement of the provisions of this Ordinance will, in an individual case, result in practical difficulties or particular hardship for the owner, lessee or occupant of the land or a structure.

Section 102 APPLICATION FOR VARIATION: A written application for a variation shall be filed with the Village Clerk who without delay shall forward a copy to the Zoning administrator and the Village Board at it's next committee meeting. The application shall contain the following information as well as such additional as may be prescribed by rule of the Village Board:

1. The proposed use and the particular requirements of this ordinance which prevent the proposed use or construction;
2. The characteristics of the subject property which prevent compliance with said requirements of this Ordinance;
3. The reduction of the specific minimum requirements of this Ordinance which would be necessary to permit the proposed use or construction; and
4. The practical difficulty or particular hardship which would result if said particular requirements of this Ordinance were applied to the subject by State Law.

Section 103 VARIATIONS ALLOWED: Variations from the regulations of this Ordinance may be granted by the Village Board of Trustees with the passage of an ordinance granting the variation in accordance with the provisions of Section 105, and may be granted only in the following instances, and no others:

1. To vary the applicable lot area, lot width, and lot depth requirements, subject to the following limitations:
 - A. The total area of the lot required not be reduced more than 10%;

- B. The minimum lot area for a single family (R-1) or two family (R-2) dwelling unit shall not be reduced more than 15%;
- 2. To vary the applicable minimum livable square footage in the Residence districts;
- 3. To vary the applicable bulk regulations, including maximum height, lot coverage, floor area ratio and minimum yard requirements;
- 4. To vary the applicable off-street parking and off-street loading requirements contained in Article 21 of this Ordinance;
- 5. To vary the regulations relating to restoration of damaged or destroyed nonconforming structures contained in Article 23 of this Ordinance;
- 6. To vary the regulations relating to intensity of use (density) in the Residence District (R-3).

Section 104 RULES AND PROCEDURES

- 1. A requested variation that does not reduce the minimal standards in excess of 10% may be granted by the Village Board of Trustees subject to the standards contained in Section 105 by the passage of an ordinance, that has been presented at a regularly scheduled committee meeting of the Board of Trustees and a subsequent regular meeting. The Village Board of Trustees may by its' direction require a public hearing after publication of any requested variation presented.
- 2. Any requested variation in excess of 10% of the minimum standards of this Ordinance or those required by action of the Village Board of Trustees shall be referred to the Planning Commission for publication and public hearing. The Planning Commission shall make its recommendations in writing with findings of fact in accordance with standards set in Section 105, without unreasonable delay, only after;
 - A. Publication in an approved manner setting out the request and a reasonable time and place for the meeting as well as the street address, or the common description of the property involved;
 - B. Public notice of such hearing shall be published at least once, not less than fifteen (15) days nor more than thirty (30) days before such hearing;

- C. Giving full consideration to all parties present who have a known interest;
 - D. Schedule any continued meeting at a reasonable time and place within thirty (30) days not to exceed sixty (60) days without republication;
 - E. Make findings of fact as outlined in Section 105;
 - F. A vote by the majority of its members or a majority of its quorum present.
3. The Village Board of Trustees, after review of the recommendations of the Planning Commission, may grant, modify or deny the relief requested subject to the following:
- A. If in agreement with the recommendations of the Planning Commission by the passage of an ordinance or ordinances with an affirmative vote of a simple majority of the Village Board of Trustees at a regularly scheduled meeting;
 - B. If modification or reversal of the findings of the Planning Commission then by passage of an ordinance or ordinances by an affirmative vote of two-thirds of the Corporate Authority;
 - C. The affirmation of the Planning Commissions recommendation to deny the relief requested may be affirmed by a simple majority vote of the Village Board of Trustees at a regularly scheduled meeting.
- Section 105 STANDARDS FOR VARIATIONS: The Board of Trustees shall not vary the regulations of this Ordinance unless it shall make findings of fact based on the evidence presented that:
- 1. The proposed variation is not contrary to the public interest.
 - 2. That special conditions do in fact exist so that the literal enforcement of this Ordinance will, in this particular case, result in difficulties or hardship.
 - 3. The proposed variation will not be materially detrimental or injurious to other property or improvements in the neighborhood.
 - 4. The proposed variation will not substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.

5. The proposed variation will not adversely alter the essential character of the locality.
6. The alleged hardship has not been directly created by any person presently having a proprietary interest in the premises.

Section 106 CONDITIONS AND RESTRICTIONS: The Village Board of Trustees may impose such conditions and restrictions upon the location, construction, design and use of the property benefited by a variation as may be necessary or appropriate to comply with this Ordinance and to protect adjacent property and property values.

Section 107 PERIOD OF VALIDITY: No ordinance or ordinances granting a variation shall be valid for a period longer than twelve (12) months from the date of passage unless:

1. An application for a zoning certificate is obtained and construction, reconstruction, moving and remodeling is started, or
2. An occupancy certificate is obtained and use is commenced.

The Village Board may grant additional extensions of time not exceeding one-hundred-twenty (120) days each, upon written application made within the initial twelve (12) month period without further notice or hearing, but said right to extend the time period shall not include the right to grant additional relief by expanding the scope of the variation.

Provided, however, that nothing in this section shall limit or affect the validity of a variation granted under the terms of this Ordinance if the relief sought and granted does not require the issuance of a zoning or occupancy certificate or the commencement of use, construction, reconstruction, moving or remodeling.

ARTICLE 25 -- APPEALS

Section 102 FILING OF APPEAL NOTICE: An appeal to the Board of Trustees may be taken by any person aggrieved or by any officer, department, board, or bureau of the municipality. The appeal shall be taken within 45 days of the action complained of by filing, with the officer from whom the appeal is taken and with the Board of Trustees a notice of appeal, specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

Section 102 EFFECT: An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal has been filed with him, that be reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In this event the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Trustees or by a circuit court on application.

Section 103 HEARING-NOTICE: The Board of Trustees shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the appeal within a reasonable time. Upon the hearing, any party may appear in person or by agent or attorney. The Board of Trustees may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or ~~determination~~ as in its opinion ought to be made in the premises and to that end has all the powers of the officer from whom the appeal is taken.

ARTICLE 26 -- FEES

Section 101 APPEALS:

Any appeal from a decision of the Zoning Administrator filed by, or on behalf of, any person, firm or corporation aggrieved by such decision shall be accompanied by a fee in the amount of \$100.00. Prior to, and as a condition of, holding a public hearing the appellant upon receipt of a certified copy of the bill, shall reimburse the Village for the publication costs of a legal notice announcing said public hearing.

Section 102 VARIATIONS:

1. Any application for a variation filed by, or on behalf of, any person having a proprietary interest in property consisting of an owner-occupied dwelling and its surrounding lot, shall be accompanied by a fee in the amount of \$25.00. Prior to, and as a condition of, holding a public hearing, the applicant, upon receipt of a certified copy of the bill, shall reimburse the Village Clerk for the publication costs of a legal notice announcing said public hearing.
2. Any application for a variation filed by, or on behalf of, any person, firm or corporation having a proprietary interest in property other than an owner-occupied dwelling and its surrounding lot, shall be accompanied by a fee in the amount of \$150.00. Prior to, and as a condition of, holding a public hearing, the applicant, upon receipt of a certified copy of the bill, shall reimburse the Village Clerk for the publication costs of a legal notice announcing said public hearing.
3. There shall be no fee, however, in the case of an application for a variation filed by the Village of Alsip or any taxing body serving the residents of the Village.

Section 103 AMENDMENTS:

1. Any application for an amendment filed, by or on behalf of, any person having an interest in property over which the Village of Alsip exercises, or by means of annexation shall exercise zoning jurisdiction, or by any other person, shall be accompanied by a fee in the amount of \$300.00.

2. There shall be no fee, however, in the case of an application for an amendment filed by the Village of Alsip or any taxing body serving the residents of the Village.

Section 104 SPECIAL USE PERMIT:

1. Any application for a Special Use Permit filed by, or on behalf of any person, firm, or corporation having a proprietary interest in property over which the Village of Alsip exercise, or by means of annexation, shall exercise zoning jurisdiction shall be accompanied by a fee in the amount of ~~\$150.00~~ \$700.00.
(2008-5-152-3)
2. If the applicant is seeking a Special Use Permit in order to construct a Planned Development, the application shall be accompanied by the following fees in addition to the fees set forth in subsection one (1) above:

<u>Acreage in the amount of:</u>	<u>Fee charged</u>
0-25 acres	\$250.00
25.1-50 acres	\$300.00
50.1-100 acres	\$400.00
101.1-150 acres	\$500.00
405.1 <u>150.1</u> -250 acres	\$650.00
250 & <u>250.1</u> or more acres	\$750.00

Commercial and Industrial Planned Developments:

0-7 acres	\$200.00
7.1-16 acres	\$300.00
16.1-25 acres	\$500.00
25 & <u>25.1</u> or more acres	\$750.00

Mixed Use Planned Developments shall pay a fee based on the acreage devoted to each use. (2008-5-152-3)

3. There shall be no fee, however, in the case of an application for a Special Use Permit filed by the Village of Alsip or any other taxing body servicing the residents of the Village.

(2008-5-152-3 amended by adding the underlined language and deleted the overstrike language)

Section 105 PAYMENT OF FEES: All fees payable pursuant to this Article shall be paid at the time of filing unless otherwise specified and shall be in the form of cash or a cashiers check payable to the Village Treasurer of the Village of Alsip. All such fees collected shall be credited to the general corporate fund of the Village of Alsip.

Section 106 PAYMENT OF PUBLICATION FEES: All publication fees shall be borne by applicant and in conformance with Section 105.

ARTICLE 27 --AMENDMENTS

Section 101 AUTHORIZATION: The regulations imposed and the districts created by this Ordinance may be amended by Ordinance from time to time in the manner provided by this Ordinance and the applicable Illinois Statutes.

Section 102 INITIATION OF AMENDMENTS: Amendments may be proposed in writing by the President and Board of Trustees, by the Plan Commission, by any person having proprietary interest in property in the Village, or by any interested citizen of the Village.

Section 103 APPLICATION FOR AMENDMENT: An application for an amendment shall be filed with the Zoning Administrator who shall forward a copy of the same to the Board of Trustees without delay. The application shall be filed in such number of copies, be in such form, and contain such information as the Board of Trustees may prescribe from time to time. The Board of Trustees shall refer said application to the Plan Commission and for its review and recommendation for the purpose of conducting a public hearing thereon, to be held not less than 90 days from the date of the receipt of the application by the Zoning Administrator.

Section 104 NOTICE OF HEARING:

1. Publication of Notice. The Plan Commission shall publish notice of the hearing on each proposed amendment at least once, not less than 15 days ~~not~~ more than 30 days before such hearing, in a newspaper published within the Village of Alsip, or if no newspaper is published within the said Village, then in a newspaper of general circulation within the Village of Alsip.
2. Posting of Notice.
 - A. The applicant for an amendment or approval of a Special Use or Planned Development, shall publish notice of the public hearing on the proposed amendment by erecting at least one, but no more than four signs to be furnished by the applicant at his or her own cost on the land which is the subject of the application.

- B. The applicant shall erect the sign or signs required by this Section at least fifteen (15), but not more than thirty (30) days prior to such public hearing and shall remove said signs within one (1) week after the public hearing date specified on the signs. In no event shall said signs be removed prior to or on the date for the public hearing specified on the signs unless the application is withdrawn.
- C. The applicant shall submit a \$50.00 refundable deposit with the application which shall be forfeited if the applicant fails to maintain or remove the signs required by this Section. The Zoning Administrator shall refund the deposit required by this Section upon receipt of a written statement by the applicant that he or she has properly maintained and timely removed said signs.
- D. Upon submission of an application the Zoning Administrator shall designate the place or places on the land where said signs are to be erected, taking into consideration the location of the land, the location of public streets, roads, rights-of-way and other means of access to the land, the placement of nearby buildings and the topography of the land.
- E. The face of the sign required by this Section shall be at least 36 inches in height and 48 inches in length and shall read as follows:

PUBLIC NOTICE

CASE NO. _____

This land is being considered for (rezoning to _____ or approval of a Special Use or Planned Development for _____) to (or: to permit): _____ Public hearing will be held on the _____ day of _____, 19 ____ at 8:00 P.M. in the Alsip Village Hall, 4500 W. 123rd St., Alsip, Illinois. For information call the Village Zoning Administrator at 385-6902.

Plan Commission
Village of Alsip, Illinois

The sign shall have a white background with 1-1/2 inch high black letters except that the words "Public Notice" shall be in 3 inch high red capital letters.

- F. No hearing shall be held on an application unless the applicant complies with the requirements of the Section.

Section 105 REPORT OF HEARING: Following a public hearing held before the Plan Commission, the Plan Commission shall transmit to the Board of Trustees a report thereon containing its findings of fact and recommendations for action to be taken by the Board of Trustees.

Section 106 ACTION BY THE BOARD OF TRUSTEES: After receiving the recommendations and report of the Plan Commission, the Board of Trustees shall within 35 days review the recommendation and report and may pass the proposed amendment with or without change, may reject it, or may resubmit it to the Plan Commission for further consideration, by a majority vote of the Board of Trustees except as follows:

- (A) If a written protest against any proposed amendment, signed and acknowledged by the owners of 20 percent of the property proposed to be altered, or by the owners of 20 percent of the property immediately adjoining the property proposed to be altered or across an alley or street therefrom, is filed with the Village Clerk, such amendments shall not be passed except upon the favorable vote of ~~two-thirds~~ (2/3) of all of the members of the Board of Trustees.
- (B) In the event the Plan Commission recommends against the amendment, then it may be passed only upon a favorable two-thirds (2/3) vote of all the members of the Board of Trustees.

ARTICLE 28 - VIOLATIONS AND PENALTIES:

Section 101 FINES: Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcements of this Ordinance shall be guilty of a misdemeanor and shall upon conviction be fined not less than \$200.00 nor more than \$500.00 for each offense. Each day a violation is permitted to exist shall constitute a separate offense.

Section 102 PARTICIPATION IN VIOLATIONS: The owner or occupant of any building, structure, or any part thereof, or any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation, may each be found guilty of a separate offense and suffer the penalties herein provided.

Section 103 LAWFUL ACTION: Nothing herein contained shall be construed to prevent the Village of Alsip from taking such other lawful action as is necessary or appropriate to prevent or remedy any violation.

ARTICLE 29 -- CONSTRUCTION:

Section 101 CONSTRUCTION:

1. In the construction of this Ordinance, the provisions and rules of this Section 29.-101 shall be observed and applied, except when the context clearly requires otherwise:
 - A. Words used in the present tense shall include the future.
 - B. Words in the singular number include the plural number, and words in the plural number include the singular number.
 - C. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".
 - D. The word "shall" is mandatory.
 - E. The word "may" is permissive.
 - F. The word "person" includes individuals, firms, corporations, associations, governmental bodies and agencies, and all other legal entities.
 - G. The word "Village" means the Village of Alsip, Illinois.
 - H. The word "Board" means the Village Board of Trustees.
 - I. Unless otherwise specified, all distances shall be measured horizontally.
 - J. The word Commission means the Alsip Plan Commission.
2. Any word or phrase which is defined in this Article 29 or elsewhere in this Ordinance, shall have the meaning as so defined whenever the word or phrase is used in this Ordinance, unless such definition is expressly limited in its meaning or scope.

Section 102 INTERPRETATION:

1. Minimum Requirements. In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.
2. Overlapping or Contradictory Regulations. Where the condition imposed by any provision of this Ordinance upon the use of land or structures are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this Ordinance or of any other law, ordinance, resolution, rule or regulations of any kind, the regulations which are more restrictive shall govern.
3. Private Agreements. This Ordinance is not intended to abrogate, annul or otherwise interfere with any easement, covenant or any other private agreement or legal relationship; provided, however, that where the regulations of this Ordinance are more restrictive (or impose higher standards or requirements) than such easements, covenants or other private agreements or legal relationships, the regulations of this Ordinance shall govern.
4. Unlawful Uses. No structure or use which was not lawfully existing at the time of adoption of this Ordinance shall become or be made lawful solely by reason of the adoption of this Ordinance; and to the extent that, and in any respect that, said unlawful structure or use is in conflict with the requirements of this Ordinance, said structure or use remains unlawful hereunder.
5. Not a Licensing Ordinance. Nothing contained in this Ordinance shall be deemed to be a consent, license or permit to use any property or to locate, construct, or maintain any structure or facility or to carry on any trade, industry, occupation or activity.

Section 103 SEPARABILITY: It is hereby declared to be the intention of the Village of Alsip that the several provisions of this Ordinance are separable, in accordance with the following rules:

1. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgement shall not affect any other provisions of this Ordinance.
2. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property or structure, such judgement shall not affect the application of said provision to any other property or structure.

Section 104 EFFECT ON EXISTING BUILDING PERMITS AND ZONING CERTIFICATES: Nothing in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any structure in the event that:

1. A building permit and a zoning certificate for such structure was lawfully issued prior to the effective date of this Ordinance, or the effective date of any amendment thereof, and
2. Such permit and certificate had not by their own terms expired prior to such effective date, and
3. Such permit and certificate were issued on the basis of an application showing complete plans for proposed construction, and
4. There has been a substantial change of position, substantial expenditures, or ~~incurrence~~ of substantial obligations by the permit and certificate holder in reliance on such permit and certificate, and
5. Such change of position, expenditures or incurrence of obligations were made prior to published or actual notice of a proposed amendment to this Ordinance which amendment would have made illegal the issuance of such permit or certificate, and
6. Construction pursuant to such permit and certificate is completed prior to the expiration of such permit or certificate.
7. When a structure is completed under a permit or certificate to which this Section 104 applies, an occupancy certificate shall be issued in accordance with the zoning regulations in effect at the time the building permit or zoning certificate was issued.

STATE OF ILLINOIS)
COUNTY OF COOK)

ORDINANCE NO. 90-11-152-1

VILLAGE OF ALSIP

COMPREHENSIVE AMENDMENT TO THE ZONING ORDINANCE AND TO OTHER
ORDINANCES OF THE VILLAGE OF ALSIP, ILLINOIS

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF ALSIP, COUNTY OF COOK AND STATE OF ILLINOIS:

SECTION ONE

A Zoning Commission was appointed by the Mayor and ratified by
the Board of Trustees on March 21, 1988 (ordinance 88-3-3).

SECTION TWO

The Zoning Commission did meet and review the current ordinances
and proposed changes and did prepare a proposed Comprehensive
Amendment to the Zoning Ordinance.

SECTION THREE

Public hearings were held on May 18, 1989 and on May 25, 1989 at
which time suggestions were heard that were considered in the
preparation of the final report and final recommendations of the
Zoning Board.

SECTION FOUR

By correspondence dated December 4, 1989 the Zoning Board
recommended the adoption of a Comprehensive Amendment to the
Zoning Ordinance.

SECTION FIVE

As the Zoning Commission recommended, sections 7-1 and 7-2 of
Article 7 of the Village code are hereby repealed.

SECTION SIX

As recommended, Chapter 14, Section 14-23 is hereby amended as follows; delete the first paragraph. (A sufficient number.....
....adequate incinerator is provided.

SECTION SEVEN

As recommended, Chapter 14, Section 14-19 is hereby amended to read as follows; "Each individual site shall abut or face on a private or public driveway or roadway in conformance with Article 19 Section 104 of the amended Zoning Code and shall have unobstructed access to a public highway or alley. There shall be an open space of at least ten (10) feet adjacent to the sides of every mobile home and at least five (5) feet adjacent to the ends of every mobile home."

SECTION EIGHT

The Mayor and Village Board of Trustees as a committee of the whole has reviewed the recommendations of the Zoning commission and find them reasonable.

SECTION NINE

That the following Comprehensive Amendment to the Zoning Ordinance of the Village of Alsip is hereby adopted.

SECTION TEN

That if any section, paragraph, clause, phrase, or part of this Ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance and the application of the provisions to any person or circumstances shall not be affected thereby.

SECTION ELEVEN

That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed insofar as they conflict herewith.

SECTION TWELVE

That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED this 5th, day of November, 1990, by the President and Board of Trustees of the Village of Alsip, County of Cook and State of Illinois and the same was hereinafter duly filed in the office of the Village Clerk.

TRUSTEES VOTE

JAMES HOWE Aye

PENNEY BLACK Aye

JOSEPH JOLIVETTE Aye

DONALD CASTALDO Aye

FRANK HITER Aye

JEROME MARZEC Aye

APPROVED by me this 5th, day
of November, 1990.

s/s/ Arnold A. Andrews
PRESIDENT, Village of Alsip
County of Cook and State of
Illinois.

s/s/ Robert A. Gruber
Village Clerk

ARTICLE 30 - - SEXUALLY ORIENTED BUINESSES (this section was added by 2005-4-1)

Section 101 INTENT: the purpose of this Article is to promote the health, safety and welfare of the citizens of the Village of Alsip by mitigating the secondary effects emanating from the operation of sexually oriented businesses. The provisions of this Article have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, the provisions of this Article are not intended to restrict or deny access to sexually oriented materials protected by the United States Constitution or the Constitution of the State of Illinois, or to deny access by the distributors and exhibitors of sexually oriented entertainment of their intended market.

Section 102 DEFINITIONS: For purposes of this Article, the following definitions shall apply:

Adult Arcade: Any establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or, fewer persons each, are regularly used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult Bookstore, Adult Novelty Store or Adult Video Store: A commercial establishment which has as a significant or substantial portion of its stock-in-trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising to the sale or rental, for any form of consideration, of any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical area";
- b. Instruments, devices, or paraphernalia, which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.
- c. An establishment may have other principal business purposes that do not involve the offering for sale rental or viewing of materials depicting or describing "specified sexual activities" or "specified anatomical areas," and still be categorized as adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, the specified materials which depict or describe "specified anatomical areas" or "specified sexual activities."

Adult Cabaret: A nightclub, bar, restaurant “bottle club,” or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: (a) persons who appear nude or in a state of nudity or semi-nude; (b) live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities,” or (c) films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or specified anatomical areas.”

Adult Motion Picture Theater: A commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas” are regularly shown for any form of consideration.

Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of “specified anatomical areas” or by “specified sexual activities.”

Employee: A person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage or other compensation by the operator of said business.

Establishment: Includes any of the following:

1. The opening or commencement of any such business as a new business;
2. The conversion of an existing business, regardless of whether it currently exists as a sexually oriented business, to any of the sexually oriented businesses defined in this chapter;
3. The addition of any of the sexually oriented business defined in this chapter to any other existing sexually oriented business; or
4. The relocation of any such sexually oriented business.

Nudity or State of Nudity means: (a) the appearance of human bare buttocks, anus, male or female genitals, or the areola or nipple of the female breast; or (b) a state of dress which fails to opaquely and fully cover a human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast. This definition shall not be construed to include a state of dress such as a bathing suit or similar dress when such dress fails to fully cover the human buttocks.

Operator: Includes the owner, custodian, manager, operator or person in charge of any licensed premises.

Licensed Premises: Any premises that requires a general business license and is classified as a sexually oriented business.

Licensee: A person in whose name the general business license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application on the general business license.

Person: an individual, proprietorship, partnership, corporation, association, or other legal entity.

Public Building: Any building owned, leased or held by the United States, the state, the county, the city, any special district, school district, or any other agency or political subdivision of the state or the United States, which building is used for governmental purposes.

Public Park or Recreation Area: Public land which has been designated for park or recreational activities including, but not limited to, a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, open space, wilderness areas, or similar public land within the city which is under the control, operation, or management of the city, park and recreation authorities.

Religious Institution: Any church, synagogue, mosque, temple or building, which is used primarily for religious worship and related religious activities.

School: Any public or private educational facility including, but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, colleges and universities. The term 'School' includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school.

Semi-Nude: A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

Sexually Oriented Business: An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, or adult theatre.

Specified Anatomical Areas: Includes any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola. This definition shall not be construed to include a state of dress such as a bathing suit or similar dress when such dress fails to fully cover the human buttocks; or

2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Includes any of the following:

1. The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts;
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated; or
4. Human genitals in a state of sexual stimulation, arousal or tumescence;

Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (4) of this division.

Section 103 – **LOCATIONAL RESTRICTIONS:** No sexually oriented business shall be located or relocated within 750 feet of any public building, public park or recreation area, religious institution, school, residential use, district zoned for residential use or other sexually oriented business. The distance limitations shall be measured in a straight line without regard to intervening structures or objects, from the nearest portion of the property used as a part of the premises where sexually oriented business is conducted, to the nearest property line of any public building, public park or recreation area, religious institution, school, residential use, district zoned for residential use or other sexually oriented business.

Section 104 – **AMORTIZATION PERIOD:** Any sexually oriented business located within the Village of Alsip, which is made nonconforming by the provisions of Article 14A, Article 15A or Article 30 of the Zoning Ordinance, shall be terminated within 12 months of the effective date of this Article. A sexually oriented business may obtain a 6-month extension of the termination date by filing a written request with the Zoning Administrator. The application shall be in writing and shall be accompanied by any documentation supporting the applicant's claim that he will be unable to recoup his investment or that closure by the termination date constitutes an undue economic hardship. Any application for the extension must be filed prior to the termination date. The sexually oriented business shall be allowed to remain open while the application for an extension is pending. Extensions shall not be valid for any other location.