

Ordinance # 559

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GREENVIEW, MENARD COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: PURPOSE:

The purpose of this chapter is to regulate the use of accessory storage containers in the Village, which regulations are adopted to protect the public health, safety, welfare and promote public aesthetics in the Village.

It shall be unlawful and a violation of the ordinances of the Village of Greenview, Menard County, Illinois for any person to willfully or negligently, create, erect, maintain or permit storage container to exist anywhere on their property without the appropriate permits being issued by the Village.

Section 2: DEFINITIONS:

TEMPORARY STORAGE STRUCTURES: A portable storage unit that does not have a permanent foundation or footing and which includes but is not limited to, cargo containers, portable storage containers, truck trailers, construction trailers, and bulk solid waste containers. Such structures shall not be considered a building.

CARGO CONTAINER: A container intended for multi-modal transportation via sea going vessel, train, and truck-trailer. These containers are self-contained without axles or wheels.

PORTABLE STORAGE CONTAINER: A self-storage container that is delivered to and retrieved from a home or business for long term off-site or on-site storage. Portable Storage On Demand or PODS are a familiar trade name for such containers. These containers are not on a chassis and do not have axles or wheels.

SEMITRAILER: A mobile trailer of fifty-three (53) feet or less in length with a chassis, axles, and wheels that is towed by a truck or tractor.

CONSTRUCTION TRAILER/CONTAINER/PORTABLE STRUCTURE: A trailer, portable temporary container, or portable structure with or without axles and wheels intended to support construction activity.

DUMPSTER: A type of movable waste container designed to be brought and taken away by a special collection vehicle, or to a bin that a specially designed garbage truck lifts, empties into its hopper, and lowers, on the spot.

Section 3: STORAGE ON RESIDENTIAL USE PROPERTIES.

A. A permit is required prior to construction or placing of an accessory storage building or the temporary placement of storage container. The application shall show that the construction of

an accessory storage building, or the temporary placement of a proposed storage container is accessory to the permitted use of the property and meets the placement criteria.

- B. Only accessory storage buildings defined in Section 2 above shall be permitted as accessory storage containers on property in any residential zone of the village, or on any property within the village the primary use of which is residential. Railroad cars, truck vans, converted mobile homes, travel trailers, recreational vehicles, bus bodies, vehicles and similar prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted to be used as accessory storage building on property zoned residential or on property the primary use of which is residential.

- C. Notwithstanding the provisions set forth in subsection B of this section, the temporary placement of storage containers on residentially zoned properties, or on properties the primary use of which are residential, for the limited purpose of loading and unloading household contents shall be permitted for a period of time not exceeding 30 consecutive days in any one calendar year without approval for a limited extension from the Village's Zoning Officer. Denial of any extension from code enforcement office can be appealed to the Board of Trustees for an extension.

- D. Notwithstanding the provisions set forth in subsection B of this section, all contractors may use storage containers for the temporary location of an office, equipment and/or materials storage structure during construction which is taking place on the property where the storage container is located, if the use of the storage container is authorized pursuant to a village zoning permit. (Exception: With written approval from Adjacent lot owner at the time of permit application container may be placed on adjacent property during construction).

- E. Storage containers shall not occupy required off-street parking or Village right-of ways.

- F. As a condition of placement, storage container sites shall be required to meet all other zoning requirements as listed in the village zoning ordinance.

- G. Storage containers shall not be used for advertising.

- H. Storage containers shall not be used as a permanent building, temporary or permanent housing for humans or animals.
- I. Material stored within storage containers are subject to review by fire chief. He/she shall conduct such investigation or inspection and make such recommendations that he/she consider necessary as authorized by Chapter 4: Administrative code – Administration, Article 17 – Fire Chief, Paragraphs 17.02(7) and (8). Failure to timely eliminate any fire hazards as recommended by the Fire Chief shall constitute a municipal infraction.
- J. For new residents moving into town ^{or} existing residents engaged in remodeling, repairing, or adding on to the structure they already own may place a storage container or dumpster on their property for a maximum of 30 days without a permit. If the storage container or dumpster remains on the property past 30 days the resident will need to apply for and obtain a permit as stated herein.

Section 4: STORAGE CONTAINER – PERMIT.

- A. Application for permits may be submitted to the village zoning officer by the property owner or property manager, for rental units.
- B. Applications for permits shall include the following:
- a. Name(s), address and phone numbers of the owner or manager of the property where the container is to be placed.
 - b. The address of the property where the container is to be placed if different from that provided in compliance with (a) in above.
 - c. Name address and phone number of the container owner.
 - d. Map of the intended placement of the container.
 - e. Intended use of the container.
 - f. Permit application fee.
 - g. Any other information requested by the zoning officer.
- C. A storage container permit expires 30 days after the date of issuance but may be renewed for additional 30-day periods if construction or renovation activities continue at the property and such renewal is authorized by the village zoning officer.

D. The initial permit fee for a storage container permit is \$200.00 per container. The fee for the extension of time shall be \$400.00 per container.

Section 5: VIOLATIONS.

A. Except as provided by this ordinance, a person in control of residential property commits an offense if the person allows a storage container to be placed or remain on the residential property without a valid permit.

Section 6. CURRENT VIOLATIONS – TIME TO COMPLY.

All owners of property within the Village shall have 90 days from the effective date of the ordinance codified in this chapter to bring the properties, which currently contain accessory storage containers that are in violation of the terms of this ordinance, into full compliance with the provisions of this ordinance.

Section 7: VIOLATIONS – PENALTIES.

Violation of this ordinance shall be enforced pursuant to the procedures and penalties set forth herein. Any person violating or failing to comply with any provision, requirement or order issued pursuant to this ordinance shall be deemed guilty of an ordinance violation and shall be fined up to \$400.00. Additionally, all offenders shall be required to pay the court costs and attorney's fees incurred by the Village in enforcing this ordinance against them.

Section 8: CONFLICTS.

In the event any conflict exists between the provisions of this ordinance and other currently existing ordinances of the Village of Greenview, the terms and provisions of this ordinance shall take precedence and to the extent of any such conflict, the terms and conditions of any existing provisions of the Village of Greenview ordinances and hereby are amended insofar as necessary to conform to the provisions of this ordinance.

Section 15: VALIDITY

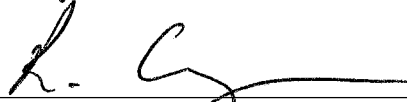
(a) All Ordinances or parts of Ordinances in conflict herewith are here by repealed.

(b) The invalidity of any section, clause, sentence, or provisions of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part of parts.

Section 16: ORDINANCE IN FORCE

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

PASSED AND APPROVED THIS 20th DAY OF June, 2022



Kevin Curry, President of the Village of Greenview
Menard County, Illinois

ATTESTED:



Monica Brumm, Village Clerk

STATE OF ILLINOIS)
 :SS
COUNTY OF MENARD)

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting Clerk of the Village of Greenview, (Village), and as such official I am the keeper of the official journal of proceedings, books, records, minutes and files of the Village and the Village Trustees (Trustees) thereof.

I, do further certify that the foregoing is a full, true and complete copy of an ordinance entitled:

ORDINANCE NO 549
AN ORDINANCE DEFINING EXTERIOR STORAGE CONTAINERS AND DECLARING
THE SAME TO BE UNLAWFULL UNLESS AUTHORIZED AND ESTABLISHING
PENALTIES FOR THE VIOLATION THEREOF

as adopted at said meeting.

I do further certify that the deliberations of the Trustees on adoption of said Ordinance were taken openly; that the vote on the adoption of said Ordinance was taken openly; that said meeting was held at a specified time and place convenient to the public; that notice of said meeting was duly given to all newspapers, radio or television stations and other news media requesting such notice; and that said meeting was called and held in strict compliance with provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Trustees has complied with all the provisions of said Act and said Code and with all of the procedural rules of the Trustees in the adoption of said Ordinance.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Village on June 20th, 2022.

Monica Brumm
Monica Brumm, Clerk