

ZONING ORDINANCE

for the

VILLAGE OF RINGWOOD
McHENRY COUNTY, ILLINOIS



ADOPTED _____, 2019

(Amended: 09/1999, 02/2005, 05/2005, 02/2007, 09/2019)

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ARTICLE ONE – TITLE, PURPOSES, POWERS AND JURISDICTION

101 TITLE

This Ordinance and the Official Zoning District Map and other materials made a part thereof shall be known and may be cited and referred to as the “Village of Ringwood Zoning Ordinance.”

102 PURPOSES

The Village of Ringwood Zoning Ordinance is adopted pursuant to 65 ILCS 5/11 et seq., 1994, as amended. The intent and purpose of this Ordinance is to regulate and control the development and use of land within the jurisdiction of the Village of Ringwood and its environs. It is designed to promote the public health, safety morals, comfort and general welfare of the public at large and, more specifically,

1. To conserve the values of property throughout the Village of Ringwood;
2. To protect the unique character of the Village of Ringwood and promote its orderly and beneficial development while maintaining the stability of residential commercial, industrial, recreational, and open space uses within the Village;
3. To lessen or avoid the congestion in the public streets and highways through off-street parking and loading requirements;
4. To lessen or avoid the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;
5. To preserve and maintain the unique and irreplaceable historical and natural resources within the Village;
6. To promote the preservation of the environmental benefits of open space clean air, groundwater recharge and wildlife preservation;
7. To regulate the intensity of land use by establishing open areas surrounding buildings and structures and limit their bulk and height to provide adequate light and ventilation;
8. To prevent overcrowding of land and excessive concentrations of population;
9. To implement the policies and proposals of the Village of Ringwood Land Use Plan;
10. To fix reasonable standards to which buildings, structures and uses shall conform;

11. To divide the Village into zoning districts and establish, by reference to a map, the boundaries of those districts;
12. To prohibit uses, buildings or structures which are incompatible with the character of development of the Village of Ringwood or are incomparable with uses, structures and buildings permitted within established zoning districts.

103 POWERS

1. This Ordinance is adopted pursuant to the authority contained within the Illinois Municipal Code (65 ILCS 5/11-13 et seq. 1994) and other State and Federal Statutes as applicable.
2. The provisions of this Ordinance shall be considered the minimum requirements for the promotion of the public health, safety and welfare. Where provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Additionally, where any statute, regulation or ordinance shall be more restrictive than this Ordinance, the more restrictive regulation shall apply.

104 JURISDICTION

This Ordinance shall be effective throughout the Village of Ringwood.

105 CONFLICT

If any portion of this ordinance is found to be in conflict with any other provision of any zoning, building, fire safety or health ordinance of the Code, of the Village, the provision which establishes the higher standard shall prevail.

106 SEVERABILITY

The provisions of this ordinance are severable. If any Section, subsection, sentence, clause or phrase of this ordinance or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this ordinance is in and shall remain in full force and effect.

107 VIOLATION PENALTIES

Unless otherwise specifically noted, any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or in violation of an approved plan or directive of the Building Official or their

designee, or of a permit or certificate issued under the provisions of this Code, shall be liable and shall pay a fine of not less than One Hundred dollars (\$100.00) nor more than Seven Hundred Fifty dollars (\$750.00) for each offense, and a separate offense shall be deemed committed on each day during on or which a violation occurs or continues.

ARTICLE TWO – DEFINITIONS

201 DEFINITIONS, GENERAL

201.1 In the construction of this Ordinance, the rules and definitions contained in this Article shall be observed and applied. In further amplification and for clarity of interpretation of the context, the following definitions of word use shall apply:

1. Words in the singular shall include the plural, those in the plural number shall include the singular;
2. Words in the present tense shall include the past and future tenses and words in the future tense shall include the present tense;
3. Words used in the masculine gender shall include the feminine and neuter genders;
4. The word “shall” is mandatory while the word “may” is permissive.

202 LISTING OF DEFINITIONS

Words, terms, and phrases underlined within definitions are those which are themselves defined in this Article.

ABUTTING: Having a common border with, or being separated from such a common border by a right of way, alley, or easement.

ACCESS: A way or means of approach to provide physical entrance to a property.

ACCESSORY STRUCTURE OR USE: See BUILDING, ACCESSORY STRUCTURE OR USE.

ACCOUSTICAL SHIELDING: Either a man-made device or natural plantings which are used to absorb sound. Examples may include fences, shrubbery and earthen berms.

ACRE: 43,560 square feet.

ADDITIONS: Those construction activities which involve adding area to the ground coverage of a building or structure or adding to its height and

volume. Conversion of attic or basement spaces to livable area are considered additions.

ADJOINING LOT OR PARCEL: A lot or parcel of land which shares all or part of a common lot line with another lot or parcel of land and which is not separated by a publicly dedicated right-of-way.

ADMINISTRATOR: The Village Building Inspector. (ORD 98-2-2)

ADULT ARCADE: An establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, video cassette recorders, camcorders, personal computers, or similar machines, for viewing by five or fewer persons each, are used to show films, motion pictures, video cassettes, slides, computer diskettes, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of “specified sexual activities” or “specified anatomical areas.”

ADULT BUSINESS: Any establishment having any portion of its stock-in-trade or business activity in a use such as, but not limited to: Adults-Only Bookstores, Adults-Only Motion Picture Theaters, Adult Entertainment Centers, Massage Parlors, Rap Parlors, Adults-Only Night clubs, Adults-Only Saunas, Nude Model Studios, gay Bars or Nightclubs, or Sexual Encounter Centers where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged and tolerated.

ADULT CABERET: A nightclub, bar, restaurant or similar business establishment which regularly features live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities,” or films, motion pictures, video cassettes, computer diskettes, slides or other photographic reproductions which are characterized by an emphasis upon the depiction or description of “specified sexual activities” or “specified anatomical area.”

ADULT CARD, GIFT or NOVELTY STORE: An establishment having a significant or substantial portion of its stock-in-trade items, such as cards, games, articles of clothing and novelties, which are distinguished or characterized by an emphasis on depicting or describing “specified sexual activities” or “specified anatomical areas.”

ADULT ENTERTAINMENT BUSINESS: Synonymous with “Adult Business” or “Adults-Only Business” as defined herein.

ADULT ENTERTAINMENT CENTER: An enclosed building or part of an enclosed building, which contains one or more coin-operated mechanisms which, when activated, permit a customer to view a live person nude or in such attire, costume or clothing as to see pubic hair, buttocks, perineum,

anal or pubic regions, or female breast, at or below the areola thereof. In addition, the viewing of a live person, in the above described manner, after paying any admission or fee for viewing of same activity or in conjunction with the purchase of any beverage, food, goods, or service.

ADULT HOTEL/MOTEL: A hotel or motel or similar business establishment offering public accommodations, for any form or consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, computer diskettes, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of “specified sexual activities” or “specified anatomical area.”

ADULTS-ONLY: Any items or activities emphasizing, depicting, describing or relating to nudity, explicit sexual conduct (whether auto-erotic heterosexual, homosexual, or otherwise), bestiality or sadomasochistic activity. “Adults-Only Business” is synonymous with “Adult Business” as defined herein.

ADULTS-ONLY BOOKSTORE or ADULTS-ONLY VIDEO STORE: A business (establishment) that devotes any display, shelf, rack, table, stand or floor area of its stock-in-trade, books, magazines, periodicals or other printed matter, photographs, films, sculptures, motion pictures, video cassettes, slides or other visual representations, instruments, devices or paraphernalia which are designed for use in connection with “adult conduct” (other than birth control devices) or “adult material” for sale or viewing on premises by use of motion picture devices or other coin-operated means, other than periodicals which are distinguished or characterized by their principal emphasis on matters depicting, describing or relating to nudity, explicit sexual conduct (whether auto-erotic, heterosexual, homosexual, or otherwise), bestiality or sadomasochistic activity. An establishment, having adults-only items as a substantial or significant portion of its stock, that sells or displays adults-only items for sale to patrons therein.

ADULTS-ONLY MOTION PICTURE THEATER: An enclosed building used regularly and routinely for presenting adults-only material distinguished or characterized by an emphasis on matter depicting, describing or relating to nudity, explicit sexual conduct (whether auto-erotic, heterosexual, homosexual, or otherwise), bestiality or sadomasochistic activity, for observation by patron(s) therein. Adult min-theaters and outdoor theaters are also included in the above definition.

ADULTS-ONLY NIGHTCLUB: An establishment or place occasionally or primarily in the business of featuring top dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers, where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged or tolerated.

ADULTS-ONLY SAUNA: An establishment or place primarily in the business of providing a steam bath and/or massage service, where explicit sexual conduct is depicted and/or sexual activity is explicitly encouraged or tolerated.

ADVERTISING MESSAGE: That copy on a sign describing products or services being offered to the public. (ORD 98-2-2)

AGRICULTURAL PURPOSE: The art or science of cultivating the ground, including harvesting of crops and rearing and management of livestock (including, but not limited to horses); Village; husbandry; farming: in a broader sense, the science and art of the production of plants and animals useful to humans, including to a variable extent the preparation of these products for human use. In the broad use it includes farming, horticulture and forestry, together with such subjects as butter and cheese making, horse husbandry, etc. An agricultural purpose does not include the extraction of sand, gravel or limestone, even when such an activity is related to an agricultural purpose.

AIRCRAFT: Any contrivance now known, or hereafter invented, used or designed for navigation of, or flight in, the air.

AIRPLANE: A fixed wing, aircraft heavier than air that is driven by (a) propeller(s) and supported by the reaction of the air against its wings.

AIRPORT, COMMERCIAL: Any area of land, water, or both, used for the landing and take-off of aircraft, intended for a profit, whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for receiving or discharging passengers or cargo, and all appurtenant areas used or suitable for airport buildings or other airport facilities.

AIRPORT, RESTRICTED LANDING AREA: Any area of land, water, or both, which is used or is made available for the landing and take-off of aircraft and which is not used for commercial purposes.

AMENDMENT, ZONING: A change of the zoning district that is applied to a lot or parcel of land or change in the text of this Ordinance.

ANIMAL CARE SHELTER: A facility, including buildings and/or structures where non-domesticated animals are given short-term medical care by qualified persons prior to release in the wild.

ANIMALS, EXOCTIC: Animals not indigenous to this country.

ANIMAL FARM: The species of fowl ovine, caprine¹, bovine, porcine, and equine, that have been domesticated for agricultural purposes.

ANIMAL, HOSPITAL / VETERINARY CLINIC: A building and/or structures where licensed Doctors of Veterinary Medicine give pets preventative treatment and/or medical or surgical treatment and where the boarding of animals is limited to short-term care incidental to the hospital use.

ANIMAL, SHELTER, CONDITIONAL USE (See 513): Any building or structure used to house dogs (more than four), cats, or other species or domestic animal temporarily, up to ninety (90) days each.

ANIMATED SIGN: Any sign which includes action or motion. For purposes of this Code, this term does not refer to flashing, changing or indexing, all of which are separately defined. (ORD 98-2-2)

APARTMENT: A room or suite of rooms in a multiple or two family dwelling which is arranged, designed, used or intended to be used as a single housekeeping unit. Permanently installed kitchen, bath and toilet facilities are included within each apartment.

APARTMENT, STEP: An apartment unit one-half (1/2) story below the average ground elevation.

ARCHERY RANGE: An outdoor facility which may include buildings or structures used for target practice with bows and arrows.

ARCHITECTURAL BLADE: A roof sign or projecting sign with no visible legs or braces. Designed to look as though it could have been part of the building structure, rather than something suspended from or standing on the building. (ORD 98-2-2)

ARCHITECTURAL PROJECTION: Any projection not intended for occupancy which extends beyond the property line, not including signs, canopies or marquees. (ORD 98-2-2)

AREA IDENTIFICATION SIGN: A sign, free-standing or affixed to a wall or fence which identifies a neighborhood, a residential subdivision, a multiple residential complex, or a commercial or industrial complex. (ORD 98-2-2)

AREA, NET: The area of a lot, parcel or development site in square feet/acres, excluding all peripheral rights-of way and areas included within a definable water body.

¹ goat

AREA OF SIGN: The area of the largest single face of the sign within a perimeter which forms the outside shape including any frame, forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled. When poster panels or bulletins are installed back to back, one face only is considered as area. If there is a difference, the larger face will be counted. (ORD 98-2-2)

ARENA, ENCLOSED: A building or structure housing a platform, ring, arena or the like.

ARENA, EQUINE ENCLOSED: A building or structure housing a platform, ring, arena or the like, used for equine related activities for pleasure, training, competition, exhibitions demonstration, sale or therapeutic riding for the disabled.

ARTERIAL: See STREET, ARTERIAL.

ATHLETIC FIELD: An open area of land wherein facilities are provided for athletic sports or activities.

AUDITORIUM: A building or structure used for public gatherings or meetings.

AUTOMOBILE, CAR WASH: A building or structure containing facilities for washing automobiles, automatically and/or manually.

AUTOMOBILE, RENTALS: The use of any building, land area or other premise for the display and rental of new or used automobiles, panel trucks or vans, trailers or recreational vehicles, including any repair work or service conducted thereon as an accessory use.

AUTOMOBILE, REPAIR SHOP: Any building, premise or land in which or upon which a business, service, or industry principally engaged in the repair of vehicles is conducted or rendered which may include engine replacement and rebuilding; body, frame, or fender straightening; and painting of vehicles.

AUTOMOBILE, SALES: The use of any building, land area or other premise for the display and sale of new or used automobiles, panel trucks or vans, trailers or recreational vehicles, including any warranty repair work or other repair service conducted as an accessory use.

AUTOMOBILE, SERVICE STATION: Any building, land area or other premise, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels, including the sale and installation of lubricants, tires, batteries and similar accessories. Accessory uses may include food marts.

AUTOMOBILE, SERVICING AND PARTS: The use of any building, land area or other premise for the sale and installation of parts such as tires, batteries, mufflers, and brakes; routine maintenance such as oil change and lubrication or other incidental repair; but excluding the outdoor storage of damaged vehicles.

AVERAGE GROUND ELEVATION: The exterior finished grade at the foundation of a building or structure.

AWNING: A movable or fixed shelter supported entirely from the exterior wall of a building and composed of rigid or non-rigid materials except for the supporting framework. (ORD 98-2-2)

BACKFILL: Materials used to refill a ditch or other excavation, or the process of doing so.

BACKGROUND AREA: The entire area of a sign on which copy could be placed, as opposed to the copy area, where copy is in fact posted or painted. (ORD 98-2-2)

BANNER: A long, narrow flag hung over a street, or entrance. (ORD 98-2-2)

BANNER SIGN: A temporary sign composed of lightweight material secured or mounted so as to allow movement caused by wind. (ORD 98-2-2)

BASE FLOOD ELEVATION: See FLOOD ELEVATION, BASE.

BASEMENT (CELLAR): A story partly or wholly underground.

BEACH: A nearly level stretch of pebbles and/or sand beside a lake or water area which may be man-made or created by the action of water.

BED AND BREAKFAST: An Owner occupied dwelling unit having not more than five (5) guest rooms where lodging, with or without meals, is provided to the public for compensation.

BEDROOM: A private room planned, intended, or which could be used for sleeping, separated from other rooms by a door, and accessible to a bathroom without crossing another bedroom or living room.

BERM: An earth mound that is designed to control or divert surface runoff or which is designed to serve as a visual buffer.

BILLBOARD: (See "Off-Premises Sign," "Off-Site Sign" or "Outdoor Advertising (Posters and Bulletins).") (ORD 98-2-2)

BLOCK: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines or waterways. (See Appendix B).

BOARD: The Village Board of Trustees. (ORD 98-2-2)

BOOTH: Any enclosure that is specifically offered to patrons of an adult business for the private viewing of any adults-only item(s) or movie. Said definition does not include enclosures that are used as private offices by any operator, employee or agent for attending to the tasks of their employment and are not offered for use by the public

BORROW PIT: Any place or premises where dirt, soil, sand, gravel, or other material is removed below the grade of the surrounding land for any purpose other than that necessary and incidental to site grading or building construction. Materials so removed must be used solely on the lot or parcel from which they came.

BUILDING: A structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property, which is permanently affixed to the land. The term "building" is to be construed under this Ordinance as if preceded by the word "permanent" and as if followed by the words "or parts thereof."

BUILDING, ACCESSORY STRUCTURE OR USE: The use of land, buildings, and other structures (1) which buildings and other structures are located, or whose use is conducted, on the same zoning lot as the principal building, use or structure, except as may be specifically provided elsewhere in this Ordinance; (2) which use is customarily incidental to, is subordinate in purpose to, and serves the principal use; and (3) which use is clearly operated and maintained solely for the comfort, convenience, necessity or benefit of the occupants, employees, customers or visitors of or to the principal use.

BUILDING, ATTACHED: A building which shares a common wall with another building.

BUILDING, DETACHED: A single building which shares no common wall with another building and is surrounded by space which is designed, used or intended to be occupied and maintained for the principal use of the land on which it is located.

BUILDING FACE OR WALL: All window and wall area of a building in one plane or elevation. (ORD 98-2-2)

BUILDING FRONTAGE: The linear width of a building facing the right-of-way or the linear length of the right-of-way facing the building, whichever is smaller. (ORD 98-2-2)

BUILDING, GOVERNMENTAL: A building or structure designed, built or occupied for use by any department, commission, independent agency or instrumentality of the United States, state, county, incorporated municipality, township or other governmental unit.

BUILDING LINE: A line on a lot or parcel parallel to the property lines or street right-of-way line at sufficient distance to provide the minimum required yards, delineating the area in which structures are permitted subject to the provisions of this Ordinance. (See Appendix A).

BUILDING, PRINCIPAL: A building which is designed, used or intended to be occupied and maintained for the principal use of the land on which it is located.

BUILDING SIGN: A sign lettered to give the name of a building itself, as opposed to the name of occupants or services. (ORD 98-2-2)

BULK REGULATIONS: The term used to indicate the distance of yards and setbacks of buildings or structures and the location of same with respect to one another and including but not limited to the following:

(1) size and height of buildings; (2) location limits of exterior walls and overhangs in relation to property lines, streets, other structures, etc.; (3) the maximum land coverage of buildings or structures; (4) all yards and setbacks required for buildings; (5) minimum amount of lot or parcel area required per dwelling unit.

BULLETIN: (See "Off-Premises Sign," "Off-Site Sign" or "Outdoor Advertising (Posters and Bulletins).") (ORD 98-2-2)

BUMPERS: A permanently anchored device in each parking stall which blocks the front wheels of a vehicle.

BUS TERMINAL: Any premises for the transient housing or parking of motor driven buses and the loading and unloading of passengers.

CAMP: Any land which may provide outdoor recreation facilities, including buildings or structures used for the assembly or temporary occupancy by persons.

CAMP, DAY: A camp not providing overnight accommodations.

CAMPGROUNDS: A plot of ground upon which two or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education and vacation purposes.

CAMPING UNIT: Any tent, trailer, cabin, lean-to, recreational vehicle or similar structure established or maintained or operated in a campground as temporary living quarters for recreation, education and vacation purposes.

CANOPY (or marquee): A permanent roof-like shelter extending from part or all of a building face over a public right-of-way and constructed of some durable material such as metal, glass or plastic. (ORD 98-2-2)

CANOPY OR MARQUEE SIGN: Any sign attached to or constructed in or on a canopy or marquee. (ORD 98-2-2)

CEMETERY: A parcel of land, buildings, and/or structures used for the interring of human remains.

CEMETERY, PET: A parcel of land, buildings, and/or structures used for the interring of animal remains.

CHANGEABLE COPY SIGN (MANUAL): A sign on which copy or sign panels may be changed manually in the field, such as boards with changeable letters or changeable pictorial panels. (ORD 98-2-2)

CHANGING SIGN (AUTOMATIC): An electronically or electrically controlled time, temperature and date sign, message center or reader board, where different copy changes are shown on the same location. (ORD 98-2-2)

CHURCH: A building and/or structure in which persons regularly assemble for religious worship and which is used only for such purposes and activities that are customarily associated therewith. Accessory uses may include rectory, parsonage or Sunday School.

CLINIC, MEDICAL: A building used for the care, diagnosis and treatment of sick, ailing, infirm or injured people and those who are in need of medical, surgical, psychological or dental attention, but who are not provided with board or room or kept overnight on the premises.

CLINIC, VETERINARY: See ANIMAL HOSPITAL/VETERINARY CLINIC.

CLUB OR LODGE, PRIVATE (NON-PROFIT): A non-profit association which owns, hires, or leases a building, premises or portion thereof; the use of such premises being restricted to members and their guests.

COIN OPERATED AMUSEMENT DEVICE: Any machine upon which monetary exchange between patron and owner and/or his employee or upon the insertion of a coin, slug, token, plate or disc may be operated by the public, generally for the use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as marble machines, electronic games, skill balls, mechanical grab machines, pool tables, coin-operated music players and all games, operations or transactions similar thereto under whatever names games may be known.

COMMERCIAL: Any use having financial profit as an objective.

COMMERCIAL EQUIPMENT: Any machinery, materials, tools, or fuels typically used or sold in conjunction with a business.

COMMERCIAL GAIN: Any business, location, or place which conducts or allows to be conducted on its premises any activity for commercial gain.

COMMERCIAL VEHICLE: Any vehicle with plates other than Class "B" license plates, RV plates, trailers with "TA" or "TB" plates, or regular passenger plates.

COMMUNITY CENTER: A building used for recreational, social, educational, and cultural activities, usually owned and operated by a public non-profit group or agency.

COMMUNITY SEWER SYSTEM: An Illinois Environmental Protection Agency (I.E.P.A.) permitted wastewater treatment works that may be privately or publicly held.

COMPENSATORY STORAGE (FLOODPLAINS): An artificially excavated area providing a balance of additional flood storage to make up for loss of flood storage when earth material fill or structures are placed within the floodplain.

COMPOST: The humus-like product of the process of composting waste, which may be used as a soil conditioner.

COMPOST AREA: The area of a composting facility in which waste, composting material or undisturbed end-product compost is unloaded, stored, staged, stockpiled, treated or otherwise managed.

COMPOSTING: The biological treatment process by which microorganisms decompose the organic fraction of the waste, producing compost.

COMPREHENSIVE DESIGN PLAN: Building design and signs integrated into one architectural plan, the comprehensive plan being complete in all other building, structural and electrical requirements. (ORD 98-2-2)

COMPREHENSIVE PLAN (GENERAL PLAN, CITY PLAN, MASTER PLAN): An official document or documents complying with State statutes; officially adopted by a county, city or Village and officially recorded; and setting forth its general policies regarding the long-term physical development of the jurisdiction.

CONDITIONAL USE: A use which, because of its unique characteristics, cannot be classified in any particular zoning district.

CONSTRUCTION SIGN: A temporary sign identifying a building or construction site and the architects, engineers, financial institutions, contractors and suppliers involved. (ORD 98-2-2)

CONTIGUOUS: Next to, abutting or touching and having a boundary or portion thereof, which is coterminous.²

CONVENIENCE STORE: Any retail establishment offering for sale food products, household items, and other goods commonly associated with the same and usually having a gross floor area of less than 7,000 square feet.

² Having a common boundary

COPY: The wording on a sign surface. (ORD 98-2-2)

COPY AREA: The area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign. For fascia signs, the copy area limits refer to the message, not to the illuminated background. (ORD 98-2-2)

COUNTRY CLUB: A facility, usually a building or a structure, erected or associated with a golf course or other leisure time activities.

COUNTY: McHenry County, Illinois.

COUNTY, UNINCORPORATED LANDS: All land within the County boundaries except those located within a municipality or Village.

COUNTY BOARD: The County Board of McHenry County, Illinois.

COUNTY CLERK: The Clerk of McHenry County, Illinois.

COUNTY RECORDER: The Recorder of Deeds of McHenry County, Illinois.

CUBICLE: Synonymous with "booth," as defined herein.

DAMS: All obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool.

DAY CARE FACILITY: A facility which is operated by any person, group of people, agency, association or organization whether licensed by the State of Illinois or not, whether established for gain or otherwise, who or which receives or arranges for the care or placement of children and/or senior citizens unrelated to the operator of the facility, established and maintained for the general care of children and/or senior citizens. The term "Day Care Facility" includes facilities commonly called "Child Care Facility," "Day Nurseries," "Nursery Schools," and "Kindergartens," but does not include any State-operated institution for child care or any *bona fide* boarding school.

DETACHED SIGN: (See "Free-Standing Sign.") (ORD 98-2-2)

DIRECTIONAL SIGN: Any sign which serves solely to designate the location of any place or area. (ORD 98-2-2)

DIRECTLY ILLUMINATED SIGN: Any sign designed to provide artificial light either through exposed lighting in front of the face or through transparent or translucent material from a light source within the sign. (ORD 98-2-2)

DORMITORY: A building used as group living quarters for a student body, religious order, or other group as an associated use to a college, university, boarding school, orphanage, convent, monastery, farm labor camp or other similar use. Dormitories do not include kitchen facilities other than a group kitchen designed to serve all residents.

DWELLING: A building, exclusive of mobile homes, recreational vehicles, hotels or motels containing as its principal use one (1) or more dwelling units.

DWELLING, MULTIPLE FAMILY: A building containing three (3) or more dwelling units used for residential occupancy, including apartment houses, non-transient apartment hotels, rooming houses, boarding houses, fraternities, sororities, dormitories, and similar housing types but not including hotels, motels, hospitals and foster family homes.

DWELLING, SINGLE-FAMILY: A dwelling which is a detached building containing only one (1) dwelling unit.

DWELLING, TWO-FAMILY: A dwelling containing two (2) dwelling units, each with completely separate entrances.

DWELLING UNIT: One (1) or more rooms in a residential building which are arranged, designed, or used as living quarters for one (1) family. Bathroom and kitchen facilities are permanently installed.

EDUCATIONAL INSTITUTION: A premises or site within the incorporated area of the Village of Ringwood upon which there is an institution of learning, whether public or private, which conducts regular classes and/or courses of study required for accreditation by or membership in the State Department of Education of Illinois. The term “educational institution” includes a premises or site upon which there is a day care center or nursery school; elementary, middle, junior high, or senior high school; professional institution of higher education including a community college, junior college, four-year university; libraries, art galleries and museums open to the public; or any special institution of learning. The term “educational institution,” however, does not include a premises or site upon which there is a vocational institution operated for commercial gain.

ELECTRICAL SIGN: Any sign containing electrical wiring which is attached or intended to be attached to an electrical energy source. (ORD 98-2-2)

EMBELLISHMENT: (a) Letters, figures, characters or representations in cut-outs or irregular forms or similar ornaments attached to or superimposed upon the sign. (b) Embellishment (decorative only)-A purely decorative embellishment on a free-standing sign. (ORD 98-2-2)

EMERGENCY SHELTERS: A facility providing temporary, short-term housing for individuals who are displaced by reasons of abuse, domestic violence, fire, flood, or other “Acts of God” and for the homeless.

END-PRODUCT COMPOST: Organic material that has been processed to maturity.

EMPHASIS: “Emphasis” or “Emphasis on” means that the type of matter specified is the apparent matter upon which the particular work or exhibition is based, or that the matter specified is a substantial portion of such work or exhibition.

EMPLOYEE: Any person who works, performs or exposes his/her “specified anatomical areas” in an establishment, irrespective of whether said person is paid a salary or wages by the owner or manager of the business establishment, or premises. “Employer” shall include any person who pays any form of consideration to an owner or manager of an establishment, for the privilege to work, perform or expose his/her “specified anatomical areas” within the establishment.

ERECT: This term shall mean attached, altered, built, constructed, reconstructed, enlarged or moved, and shall include the painting of walls signs, but does not include copy changes on any sign. (ORD 98-2-2)

EROSION: The wearing away of the land surface by the action of wind, water or gravity.

EXEMPT ORGANIZATIONS: Organizations which are exempt from this Ordinance per the Illinois Compiled Statutes, including State, Federal or local units of government.

ESCORT: A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESCORT AGENCY: A person or business association who, as one of its primary business purposes, furnishes, offers to furnish, or advertises to furnish escorts for a fee, tip or other consideration.

ESTABLISHMENT: Establishment of an adult business includes any of the following:

- a. The opening or commencement of any such business as a new business; or
- b. The conversion of an existing business, whether or not an adult businesses defined herein to any other existing adult businesses defined herein; or
- c. The addition of any of the adult businesses defined herein to any other existing adult business; or
- d. The relocation of any such adult business.

EXTERIOR STORAGE: Storage which occurs outside of a building.

FACE LIFT: The remodeling of a building's frontage which is visible from a public right-of-way, so that the building material, door frames, window frames and signs are designed in harmony with each other. (ORD 98-2-2)

FACE OF SIGN: The entire area of sign on which copy could be placed. (ORD 98-2-2)

FAIRGROUNDS: An area wherein buildings, structures and land are used for the exhibition of livestock, farm products, etc. and/or carnival-like entertainment.

FAMILY: One (1) or more persons consisting of a husband and wife or single person, as the head or heads of the household; their children, the spouses of their children, their grandchildren, their parents, their grandparents, and their brothers and sisters; and not more than three other persons, all living together as a single housekeeping unit in a dwelling unit having a single kitchen and single eating facility and having not more than two adults sharing or occupying a bedroom.

FASCIA SIGN OR WALL SIGN: A sign attached to or erected against a wall of a building, with the face parallel to the building wall and extending not more than one foot therefrom. (ORD 98-2-2)

FEMA: Federal Emergency Management Agency and its regulations at 44 CFR 59-79 effective October 1, 1986. This incorporation does not include any later editions or amendments.

FENCE: An artificial barrier constructed of any material or combination of

materials erected to enclose or screen areas of land. The terms “principal building or structure,” “front lot line,” “front yard,” “building line,” “lot” and “street,” as used in this ordinance shall have the meanings as from time to time defined in the Village of Ringwood Zoning Ordinance.

FENCE, (SOLID): A fence obscuring more than fifty percent (50%) of the view through the fence.

FENCE, (SEE-THROUGH): A fence obscuring fifty percent (50%) or less of the view through the fence.

FIELD FABRICATED SIGN: A sign constructed in the field instead of being completed at the factory. (ORD 98-2-2)

FIRM (FLOOD INSURANCE RATE MAP): Maps prepared by the Federal Emergency Management Agency that depict the special flood hazard areas (SFHA). These maps include insurance rate zones and floodplains, and may or may not depict floodways.

FLAG: A piece of cloth or other flexible material varying in size, shape, color or design, usually attached at one edge to a staff or cord and used as the symbol of a nation, state or organization. May also be imprinted with an advertising message or design, or be of bright colors to attract attention. (ORD 98-2-2)

FLASHING SIGN: Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are classed as "changing signs" not "flashing signs." (ORD 98-2-2)

FLEA MARKET: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

FLOOD ELEVATION, BASE: The regulatory elevations established by the methods adopted by this Ordinance and which establish the limit of intrusion or retention of a “100-year flood event.”

FLOOD FRINGE: That part of a floodplain that lies beyond the delineated borders of a regulatory floodway.

FLOOD, 100 YEAR EVENT: A flood, caused by a rainstorm of intensity, that recurs on the average once every 100 years, or that has a one percent (1%)

chance of occurring in any given year, measured during a 24-hour time period.

FLOODPLAIN: The continuous area contiguous to a lake, watercourse, stream or stream bed, depressional pocket or area, the elevation of which is greater than the normal water level or pool elevation, but equal to or lower than the base flood elevation.

FLOOD-PROOFING: Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY: The channel of a stream, plus any adjacent floodplain areas that must be kept free of encroachment in order that the 100-year flood event be carried without substantial increases in flood height, as defined on the Federal Emergency Management Agency (FEMA) maps.

FLOOR AREA RATIO: The total gross floor area of a building or multiple buildings on a lot or parcel divided by the total area of the lot or parcel. Gross floor area is measured from the exterior walls, excluding areas devoted to parking structures, loading areas, storage or mechanical rooms, but including basement areas designed for human occupancy.

FLOOR ELEVATION: The lowest elevation permissible for the construction, erection or the placement of any floor including a basement floor.

FREE-STANDING SIGN: A sign erected on a free-standing frame, mast or pole and not attached to any building. (ORD 98-2-2)

FREEWAY-ORIENTED SIGN OR CONTROLLED ACCESS HIGHWAY SIGN: Any sign identifying premises where food, lodging, or place of business are located that engage in supplying goods and services essential to normal operation of motor vehicles, and where such businesses are directly dependent upon the adjacent freeway or controlled access highway for business. (ORD 98-2-2)

FRONTAGE, LOT OR PARCEL: That boundary of a lot or parcel along a dedicated street right-of-way, non-dedicated street right-of-way or any easement of access recorded prior to June 25, 1978, as measured between side lot or parcel lines; for a corner lot, the shortest lot or parcel line adjoining the street right-of-way or easement is the front lot or parcel line or frontage.

FUNERAL HOME: A building used for the presentation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

FUTURE DEVELOPMENT SIGN: A temporary sign indicating the future construction or development of a building or area but not a construction sign. (ORD 98-2-2)

GAME BREEDING AND SHOOTING PRESERVE AREA: An area licensed by the State of Illinois under the Code of 1971, as amended, 520 ILCS 5/3.27, which must meet certain requirements for area and operating procedures, and which is granted special hunting privileges.

GARAGE, PRIVATE: An accessory building or an accessory portion of the principal building, including a carport, which is intended for and used for storing privately owned motor vehicles, boats and trailers of the family or residents on the premises, and in which no business, service or industry is carried on.

GARAGE, PUBLIC: A building designed or used for the housing of vehicles (usually motor); also, a building in which vehicles are on display, are for sale, or are housed for repair or storage purposes.

GOLF COURSE: A tract of land for playing golf, land which is improved with trees, greens, fairways, and water hazards and which may include buildings, structures and shelters.

GOLF DRIVING RANGE: An area of land, including buildings or structures, intended solely for the practice of golf driving skills.

GREENHOUSE AND/OR NURSERY CENTER: An enterprise where plants grown on the site, as well as accessory items directly related to the maintenance and care of plant life, are sold.

GROSS RECEIPTS: Shall mean and include the total amounts actually received or receivable from the sale, trade, rental, display or presentation of services, products, adult material or entertainment which are characterized by an emphasis on matter depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas.”

GROUND LEVEL: Street grade. (ORD 98-2-2)

GROUND SIGN: A “Free-Standing Sign” installed directly on the ground.

HALFWAY HOUSE: A residence offering temporary living arrangements, under the auspices of a non-profit association, corporation or government entity, which provides treatment, counseling and/or therapy from an on-site support staff. Halfway houses focus on rehabilitative support services to residents as they prepare to reenter society in an independent lifestyle.

HEALTH DEPARTMENT: The McHenry County Department of Health.

HEIGHT, ACCESSORY BUILDING: The vertical distance from the average ground elevation to the highest point of the ridge.

HEIGHT, BUILDING: The vertical distance from the average ground elevation to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level which is located midway between the eaves and the ridge for gable, hip or gambrel roofs. Chimneys, towers, spires, elevator penthouses, cooling towers and similar projects are not included in calculating building heights.

HEIGHT OF SIGN: The vertical distance measured from the adjacent street grade or upper surface of the street curb to the highest point of said sign. Elevated roadways shall not be used to measure height. (ORD 98-2-2)

HEIGHT, STRUCTURES (Other than buildings): The vertical distance as measured from the average ground elevation to the highest point of such a structure.

HELIPORT: An area, either at ground level or elevated on a structure licensed or approved for the loading and takeoff of helicopters, and including auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.

HOME OCCUPATION: Any activity carried out by a resident conducted as an accessory use in the resident's dwelling and meeting the criteria of Section 402.1 of this ordinance.

HOMES, GROUP: A residence offering permanent living arrangements for disabled individuals under the auspices of an association, corporation or other legal entity aside from residents, their parents or individual legal guardians. Group homes offer rehabilitative services for residents and strive to create a living environment which enables residents to develop their life skills to full capacity.

HOMES, INSTITUTIONS, SPECIALIZED CARE FACILITIES: A private home, institution, building, residence, or other place operated for profit or not-for-profit which provides, through its ownership or management, personal care, sheltered care, and/or nursing care for unrelated individuals not comprising a family unit. Examples include Nursing Homes and Retirement Facilities.

HORSE FARM: A building or structure and/or land whose operator keeps equines primarily for breeding and boarding and which operation may or may not be incidental to the owner's primary occupation.

HOSPICE: A facility offering an alternative to hospitalization or nursing home care for the terminally ill. Hospices provide treatment and/or relief from physical pain and symptoms, and psychological, practical, spiritual and bereavement support services.

HOSPITAL: A building where provisions for primary health services and medical or surgical care to people, primarily inpatients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities. For purposes of this Ordinance, the word "hospital" shall also include, but not limited to, sanitariums and any other medical facility where intensive medical treatment and overnight care is provided.

HOTEL OR MOTEL, LODGE OR RESORT: A building or structure designed for transient occupancy, consisting of rooms or suites providing living, sleeping and individual toilet facilities. Additional services such as restaurants, meeting rooms and recreational facilities may be provided.

HUNT CLUB: See GAME BREEDING AND SHOOTING PRESERVE AREA.

IDENTIFICATON FASCIA SIGN: A fascia sign which is limited to the name of the building or institution on which the sign is erected. (ORD 98-2-2)

IDENTIFICATION SIGN: A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building, or institution, or the occupancy. (ORD 98-2-2)

ILLUMINATED SIGN: Any sign which is lighted from within or without. (ORD 98-2-2)

INCIDENTAL SIGN: A secondary sign not directly describing goods, products, services, or facilities which are available on the premises where the sign is located; i.e., credit cards accepted, official notices required by law, trade affiliations. (ORD 98-2-2)

INDEXING: Turning and stopping action of the sections of a multi prism sign designed to show several messages in the same area. (ORD 98-2-2)

INDIRECTLY ILLUMINATED SIGN: Any sign which reflects light from a source intentionally directed upon it - for example, by means of flood lights, gooseneck reflectors or externally mounted fluorescent light fixtures. (ORD 98-2-2)

INDIVIDUAL LETTER SIGN: Any sign made of self-contained letters that are mounted on the face of a building, top of a parapet, roof edge of a building or on top or below a marquee. (ORD 98-2-2)

INDUSTRIAL PARK: A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services.

INNOVATIVE ENERGY SYSTEM: Energy systems such as, but not limited to, solar devices or wind devices which provide energy for individual or clustered uses. However, incidental excess energy may be transferred within the limits of the law. All innovative energy systems must be on-site systems in the case of individual buildings or contained within clustered units.

INNOVATIVE WASTE DISPOSAL SYSTEMS: A wastewater treatment system not specified as “approved” in Sections 5 or 6 of Article X of the McHenry County Public Health Ordinance, a system which will provide an equivalent or better level of treatment than treatments specified in those sections.

INSTITUTIONAL BULLETIN BOARD: A sign which primarily displays the name of the organization or upcoming events of that organization. (ORD 98-2-2)

INTERIOR PROPERTY LINE: Property lines other than those fronting on street, road or highway. (ORD 98-2-2)

KENNEL, COMMERCIAL: Any building or structure used or intended to be used for the housing of dogs or other domesticated animals. Commercial activities may include, but not be limited to, public boarding, wholesaling of dogs or domesticated animals and sale of items or products related to dog or domesticated animal care.

KENNEL, PRIVATE: An accessory building or structure used or intended to be used for the housing of dogs or domesticated animals kept for the purposes of raising, breeding, training, exhibiting and sale. All dogs kept must be owned or co-owned by or under contract to the owner or lessor of the site.

LABORATORY: A building or group of buildings wherein scientific research, investigation, testing, experimentation or housing of laboratory animals occurs; but not facilities for the manufacture or sale of products other than reports. It may include temporary pilot plant installations which are incidental to the main purpose of the facility.

LANDMARK: A property, structure, view or vista designated as a "landmark" by ordinance of the Village of Ringwood, pursuant to procedures prescribed within said ordinance.

LANDSCAPE WASTE: All accumulation of grass or shrubbery cuttings, leaves, tree limbs and other material accumulated as the result of the care of lawns, shrubbery, vines and trees. Christmas trees are excluded.

LAUNDROMAT: An establishment providing washing, drying or dry cleaning machines on the premises for rental use to the general public for family laundering or dry cleaning purposes.

LINTEL: In this context, the line above the display on a store (usually approximately 9'0" from grade). (ORD 98-2-2)

LIVERY (See also STABLE, PUBLIC): Equines rented to the public by the hour, day, or week for the purpose of recreational riding.

LOT: A lot of record which is a part of a subdivision, the plat of which has been duly authorized and recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, and which is intended to be used as a unit by one (1) principal building and its accessory buildings. Within all zoning districts, all lots are lots of record as required by and in conformance with the Village of Ringwood Subdivision Ordinance and the State Plat Act. A parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area and to provide such yards and other open spaces required. Such

lots shall have frontage on an improved public street, or on an approved private street, and may consist of:

- (1) A single lot of record;
 - (2) A portion of a lot of record;
 - (3) A combination of single lots or portions of lots of record.
- (See also ZONING LOT). (ORD 98-2-2)

LOT, CORNER: A lot contiguous to two (2) streets at their juncture, when the interior angle formed is less than one hundred thirty-five (135) degrees. (See Appendix B).

LOT, FLAG: A lot or parcel with access to the bulk of the property by means of a narrow corridor. (See Appendix B).

LOT, INTERIOR: A lot other than a corner lot. (See Appendix B).

LOT LINE: A line dividing one lot or one parcel from another lot or parcel or from a street, alley or other right-of-way. (See Appendix A).

LOT LINE, FRONT: On an interior lot or parcel, the lot line abutting a street; on a corner lot or parcel, the shorter lot line abutting a street; on a flag lot or parcel, the interior lot line most parallel to and nearest the street from which access is obtained. Flag lots or parcels which meet all bulk requirements of this Ordinance, including frontage, shall have the front lot line determined in the same manner as defined for interior lots or parcels. On a through lot or parcel, the lot line abutting the street providing the primary access to the lot shall be the front. For the purposes of determining yard requirements on corner lots, all sides of such lots adjacent to streets shall be considered front lot lines. (See Appendix A).

LOT LINE, REAR: The lot line not intersecting a front lot line; the lot line that is most distant from and most parallel to the front lot line. (See Appendix A).

LOT LINE, SIDE: Any lot line which is not a front or rear lot line. (See Appendix A).

LOT OR PARCEL AREA: The area of a horizontal plane bounded by the front, side and rear lot lines of a lot or parcel.

LOT OR PARCEL, BUILDABLE AREA OF: That portion of a lot or parcel bounded by building setback lines.

LOT OR PARCEL COVERAGE: The amount of surface area of a particular lot or parcel that is covered, or may be covered, by a building or structure, expressed as a percentage.

LOT OR PARCEL, WIDTH: The horizontal distance between the side lot or parcel lines measured at right angles to the depth, and the front building line.

LOT, REVERSED CORNER: A corner lot the rear of which abuts upon the side of another lot, whether across an alley or not.

LOT, THROUGH: A lot or parcel having its front and rear yards each abutting on a street. (See Appendix B).

LOT, ZONING: See ZONING LOT.

LOW PROFILE SIGN: A free-standing sign erected near ground level and limited to identifying the name of the building or institution on the premises. (ORD 98-2-2)

MAINTAIN: To permit a sign, structure or any part of each to continue or to repair or refurbish a sign, structure or any part of either.

MAINTENANCE: Construction or other activities essential to maintaining exterior building or structure surfaces in a weather-resistant condition, such as, but not limited to, re-roofing, re-siding or replacement of sash or doors.

MANNED SITE: A site where a person is present in either a staff or supervisory capacity.

MANSARD ROOF: A sloping roof where the angle of the roof is no more than thirty degrees from perpendicular. Signs on these roofs shall be considered fascia signs. (See also Sloping Roof.)

MAP CHANGES: Amendments or revisions to the FEMA FIRM maps as indicated in official determinations of the Federal Emergency Management Agency's "Letter of Map Amendment" (LOMA) or "Letter of Map Revision" (LOM-R).

MARQUEE (or canopy): A permanent roof-like shelter extending from part or all of the building face over a public right-of-way and constructed of durable material such as metal, glass or plastic.

MARQUEE SIGN (or canopy sign): Any sign attached to or constructed in or on a canopy or marquee.

MASSAGE PARLOR: An establishment or place primarily in the business of providing massage services, where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged or tolerated.

MESSAGE: The wording or copy on a sign.

MOBILE HOME: A structure, transportable in one or more sections, which is at least eight (8) feet in width and at least thirty-two (32) feet in length, which is built on a permanent chassis and is designed, with or without a permanent foundation, to be used as a dwelling unit when connected to the required utilities.

MOBILE UNIT: An automobile, truck, trailer, or van which is used for the collection of recyclable materials. A mobile unit also means the bins, boxes or containers transported by trucks, vans or trailers, and used for the collection of recyclable materials.

MULTI-PRISM SIGN: Signs made with a series of sections that turn and stop, or flip to show several pictures or messages in the same area.

MUNICIPAL WASTE: Garbage; general household, institutional and commercial waste; industrial lunch-room or office waste; and landscape, construction, and demolition debris.

MUSEUM: A building used for the preservation and exhibition of artistic, historical or scientific projects.

NAMEPLATE: A nonelectric sign identifying only the name and occupation or profession of the occupant of premises on which the sign is located. If any premises include more than one occupant, nameplate refers to all names and occupations or professions as well as the name of the building and directional information.

NATIONAL ELECTRICAL CODE: The latest code prepared by the National Board of Fire Underwriters known as the National Electrical Code.

NIGHTCLUB: An establishment serving food and/or liquor and providing music and space for dancing by patrons only. A nightclub shall not include an "adult business."

NGVD (National Geodetic Vertical Datum of 1929): Reference surface set by the National Geodetic Survey deduced from a continental adjustment of all existing sea level adjustments in 1919. Mean Sea Level, adjusted for 1929 (MSL adj. 1929), is an equivalent.

NICP: The Northern Illinois Planning Commission.

NONCONFORMING BUILDING OR STRUCTURE: A building or structure the size, dimensions or location of which was lawful prior to the effective date of this Ordinance, or subsequent amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NONCONFORMING LOT OR PARCEL: A lot or parcel of record or recorded deed, the area, dimensions or location of which was lawful prior to the effective date of this Ordinance, or subsequent amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NONCONFORMING SIGN: Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the preview of this code and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this code, or a nonconforming sign for which a special permit has been issued.

NONCONFORMING USE: A specific use or activity which lawfully existed prior to the effective date of this Ordinance, or subsequent amendment thereto, but which fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NON-ELECTRICAL SIGN: Any sign that does not contain electrical wiring or is not attached to or intended to be attached to an electrical energy source.

NUDE MODEL STUDIO: A place where a person who appears in a state of nudity or displays male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals and is observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

NUDITY: The display of the human male or female genitalia, pubic hair, buttocks, perineum, anal or pubic regions, female breast (at or below the areola) thereof, with no covering or with a less than fully opaque covering, or male genitalia, in a discernible turgid state, with or without covering.

NURSING HOME: A private or public hospital, home, residence or other place where maintenance and personal or nursing care are provided for three or more persons who are unable to care for themselves properly.

OBSCENE: Any material or performance is obscene if: (1) the average person, applying contemporary adult community standards, would find that, taken as a whole, it appeals to the prurient interest; (2) the average person, applying contemporary adult community standards, would find that it depicts or describes, in a patently offensive way, ultimate sexual acts or sadomasochistic sexual acts, whether normal or perverted, actual or simulated, or masturbation, excretory functions or lewd exhibition of the genitals; and (3) taken as a whole, it lacks serious literary, artistic, political or scientific value. [Statutory Reference: 720 ILCS 5/11-20].

OFF-PREMISES SIGN: "Off-premises sign" means a sign on which is portrayed information which directs attention to a business, commodity, service or entertainment or other activity not conducted on the premises on which the sign structure is located.

ON-PREMISE SIGN OR ON-SITE SIGN: Any sign identifying or advertising a business, person, activity, goods, products or services located on the premises where the sign is installed and maintained.

OPAQUE: For purposes of this section, opaque shall mean the inability of a person to see through objects, such as but not limited to, windows, portholes, screens, curtains, and/or clothing.

OPEN SPACE: Any parcel or area of land or water essentially unimproved and set aside for environmental, scenic, recreational, or agricultural purposes and designated or reserved for public or private use and enjoyment. "Open space is not the same as vacant land. Open space is open area that is preserved and managed because it has value to [this] community and [its] residents. In most cases, open space can offer multiple benefits, including...outdoor recreation, preservation of animal and plant habitat, air and water quality improvement...visual and other sensory relief from the built environment, nature education, physical definition of land areas, and economic well-being of communities."³ Such space must be free from automobile traffic, parking and undue hazard and be readily accessible by all those for whom it is intended to be used, or it may be restricted by limited access for use as a natural preservation area. Open space includes but is not limited to wooded areas, waterways, wetlands, prairies, golf courses, playgrounds, and pastures and other agricultural areas.

³ Richard Mariner and Betsy Otto, "Land Use and Open Space", Environmental Considerations in Comprehensive Planning (Northeast Illinois Planning Commission, March, 1994), IX-1

OPERATOR: Any person(s), whether said person(s) be an individual, partner, corporation, joint stock company, fiduciary, officer, director, stockholder, employee, or manager that conducts, maintains or owns any adult business.

OUTDOOR ADVERTISING SIGN OR OFF-SITE SIGN: Outdoor advertising signs which advertise goods, products or services not necessarily sold on the premises on which the sign is located, are of three main types:

- (1) Poster panels or bulletins normally mounted on a building wall, roof or free-standing structure with advertising copy in the form of pasted paper;
- (2) Multi-prism signs alternating advertising messages on one displayed area;
- (3) Painted bulletins, where the advertiser's message is painted directly on the background of a wall-mounted, roof or free-standing display area. Owner. The title owner and his agents and assigns. Painted wall sign. A sign painted directly on the exterior wall of a building. parapet or parapet wall. That portion of a building wall that rises above the roof level. Pennant. A tapering flag. Penthouse. A structure on top of a building roof.

OWNER: The title owner and his agents and assigns.

OWNER, PERMIT HOLDER, or PERMITEE: For the purposes of this section, "owner," "permit holder," or "permittee" shall mean any of the following: (1) the sole proprietor of an adult business; or (2) any general partner of a partnership which owns and operates an adult business; or (3) the owner of a controlling interest in a corporation which owns and operates an adult business; or (4) the person(s) designated by the officers of a corporation to be the permit holder for an adult business owned and operated by the corporation.

PAINTED WALL SIGN: A sign painted directly on the exterior wall of a building. parapet or parapet wall. That portion of a building wall that rises above the roof level.

PARCEL: An area of land described by metes and bounds or by division making reference to the original government survey. For purposes of this Ordinance, a parcel is not a lot.

PARK: A tract of land which is: (1) kept for ornament and/ or recreation, and which is open to the public, whether or not the land is publicly owned; or (2) land privately owned which is kept for ornament and/or recreation purposes and which is limited to surrounding landowners. A playground shall be considered a park.

PATRON: Any person patronizing an adult business who is not employed by any operator of said establishment.

PENNANT: A tapering flag.

PENTHOUSE: A structure on top of a building roof.

PERFORMANCE STANDARDS: Criteria established to control smoke and particulate matter, noise, odorous matter, toxic matter, vibration, fire and explosive hazards, glare and radiation hazards generated by or inherent in uses of land or buildings.

PERSON: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, or legal entity or their legal representative(s), agent(s) or assign(s).

PLANNING COMMISSION: The Village of Ringwood Planning Commission.

POLE SIGN: A free-standing sign.

PORNOGRAPHIC: Containing pornography.

PORTABLE SIGN: Any sign not permanently attached to the ground or a building.

PORTABLE STRUCTURE: For the purposes of this section, a “portable structure” shall mean a building or object capable of being easily transported. Mobile trailers, outhouses and portable toilet facilities shall be considered portable structures.

POWER-DRIVEN PROCESSING EQUIPMENT: Equipment such as, but not limited to, balers, granulators, shredders, grinders, densifiers, and conveyors used exclusively to process recyclables for the secondary materials market.

PREMISES: An area of land with its appurtenances and buildings which, because of its unity of use is one unit of real estate.

PRINCIPAL BUILDING OR STRUCTURE: The primary building or structure upon a lot or parcel, or the building or structure which houses the principal use of the premises.

PRINCIPAL USE: The primary purpose for which a land area, building or structure is used.

PROJECTING SIGNS: A sign, other than a wall sign, which is attached to and projects from a structure or building face. The area of double faced projecting signs are calculated on one face of the sign only.

PROPERTY LINE: The lines bounding a lot of record, a metes and bounds parcel, or a zoning lot, as defined herein. (See also LOT LINE).

PUBLIC RIGHT-OF-WAY WIDTH: The distance across a public street, measured from property line to property line.

PUBLIC SERVICE INFORMATION SIGN: Any sign intended primarily to promote items of general interest to the community such as time, temperature, date, atmospheric conditions, news or traffic control, and the like.

PUBLIC UTILITY: A closely regulated private enterprise with an exclusive franchise for providing a public service.

RAP PARLOR: An establishment or place primarily in the business of providing non-professional conversation or similar services for adults, where explicit sexual conduct is depicted and/or sexual activity is explicitly encouraged or tolerated.

REAL ESTATE OR PROPERTY FOR SALE, RENT OR LEASE SIGN: Any sign to sell, lease or rent land or buildings (but not a sign identifying or advertising a real estate broker's office or other office devoted to the sale of real estate).

RECLAMATION: The process for restoring land to a condition whereby a permitted end use may be established.

RECREATIONAL VEHICLE: A vehicular type unit—primarily designed as temporary living quarters in conjunction with camping, recreation, or travel use—which either has its own motive power or is mounted on or drawn by another vehicle, including travel trailers, camping trailers, truck campers, boats on or off trailer, motor homes, or any other vehicle with state RV, RT, TB, or TA license plates.

REGISTERED LAND SURVEYOR (RLS): A land surveyor registered in the State of Illinois, under the Illinois Land Surveyors Act (225 ILCS 330/1 et.seq).

REGISTERED PROFESSIONAL ENGINEER: An engineer registered in the State of Illinois, under the Illinois Professional Engineering Act (225 ILCS 325/1).

RELIGIOUS ACTIVITIES: Means any daily, weekly, or periodic activity associated with or that occurs at a religious institution.

RELIGIOUS INSTITUTION: A premises or site which is used primarily or exclusively for religious worship and related religious ecclesiastical or denominational organization or established place of worship, retreat site, camp or similar facilities owned or operated by a *bona fide* religious group for religious activities shall be considered a religious institution.

REPAIRS: Those construction activities related to maintenance of buildings or structures without removal or cutting away of any exterior or interior wall, partition or portion thereof, or the cutting away of any structural beam, joist or bearing support.

RESIDENCE: A structure serving as a dwelling or a home. A temporary or permanent dwelling place, abode or habitation where a person(s) lives.

RESIDENTIAL: A single family residential unit.

RESIDENTIAL ZONING DISTRICT: For the purposes of this section only “residential zoning district” includes the following zoning districts which have not been designated in the comprehensive plan as commercial or industrial potential.

- a. A-1 Agricultural
- b. RR-3, RR-2 AND RR-1 Rural Residential Districts
- c. E-5, E-3 and E-2 Estate Districts
- d. R-1, R-2 and R-3 Residential Districts.

RESTAURANT: A building or structure where food or drink is prepared, served and consumed as the principal use.

RETIREMENT COMMUNITY: A planned community designed exclusively for the residences of senior citizens and intended to meet the needs of senior citizens.

REVERSE VENDING MACHINES: An automated mechanical device that accepts one or more types of empty beverage containers and issues a cash refund or redeemable coupon.

RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a street, crosswalk or other walkway, railroad, electric transmission line, oil or

gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.

ROAD CLASSIFICATION MAP: A graphic representation of the designated strategic regional arterials and the arterial streets. (See Appendix C).

ROOF LINE: The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

ROOF SIGN: Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

ROOM: Synonymous with “booth” as defined herein.

ROTATING SIGN: Any sign or portion of a sign which moves in a revolving or similar manner, but not including multi-prism indexing signs.

SADOMASOCHISTIC ACTIVITY: Flagellation or torture by or upon a nude person or a person clad in undergarments, a mask, or bizarre costume. In addition, the condition of being fettered, bound or otherwise physically restrained with the intent to stimulate or arouse sexually the initiator and/or recipient.

SEASONAL OR HOLIDAY SIGNS: Signs such as Christmas decorations or those used for an historic holiday and installed for a limited period of time.

SELL: Includes to solicit or receive an order for, to keep or expose for sale, and to keep with intent to sell.

SEXUAL ENCOUNTER CENTER: A business or commercial establishment that, as one of its primary business purposes, offers for any form of consideration: (1) physical contact in the form of wrestling or tumbling between persons of the opposite sex; or (2) activities between male and female persons and/or persons of the same sex when one or more persons is in the state of nudity.

SCHOOL DISTRICT: Any district created or operated under the provisions of the “School Code” approved May 1, 1954, as amended.

SCHOOL, PRIVATE: Any building or group of buildings, the use of which meets state requirements for primary, secondary or higher education and which does not secure the major part of its funding from any governmental agency.

SCHOOL, PUBLIC: Any building or part thereof which is designed, constructed and used for education or instruction in any branch of knowledge.

SCREENING: A method of visually shielding or obscuring structures or uses from abutting or nearby properties with fences, walls, berms or densely planted vegetation.

SEGREGATED: Recyclable material separated at the point of generation from municipal waste.

SELF-SERVICE STORAGE FACILITY: See WAREHOUSE, MINI.

SETBACK LINE: Setback lines indicate an acceptable encroachment into a yard requirement of this Ordinance by an accessory structure or those distances required along State and Federal highways which may be greater than the yard requirements of Table Two of this Ordinance. (See Appendix A).

SHOOTING RANGE, INDOOR: A facility designed or used for shooting targets with rifles, pistols, or shotguns, and which is completely enclosed within a building or structure.

SHOPPING CENTER: A commercial development which is designed, developed, operated and controlled as a unit with off-street parking placed on the site to serve jointly all establishments in the center.

SIGN: Any surface, fabric, or device exposed to public view and bearing lettered, pictorial or sculptured material designed to convey information visually; or a structure (including billboard or poster panel) designed to carry the above type of visual information. "Sign" means any outdoor sign, display, devise, notice, figure painting, drawing, message, placard, poster, billboard, or other thing, which is designated, intended, or used to advertise or inform, and of which any part of the existing or intended advertising or informative contents is or will be visible from any place on the main traveled way of any portion of a State of Illinois or Federal highway.

Any identification, description, illustration, symbol, statute or device, illuminated or non-illuminated, which is visible from any public place designed to advertise, identify or convey information, including any landscaping where letters or numbers are used for the purpose of directing the public's attention to a product or location, with the exception of window displays and state or national flags. For the purpose of removal, sign shall also include all sign structures. Sign shall also include balloons used for

advertising, but shall not include toy balloons designed to be held by one person.

SIGN FACE: The entire area of sign on which copy could be placed.

SIGN LEGEND: Copy.

SIGN STICKER: A sticker affixed either to the face or the channel of a sign visible from the street denoting the name of the manufacturer or designated servicing company for purpose of identification by Village officials or others.

SIGN STRUCTURE: Any structure which supports, has supported or is designed to support a sign. A decorative cover is part of a sign structure.

SITE COVERAGE: The area of a site which is covered by buildings, parking areas, roads, drives and loading areas.

SLOPING ROOF: A roof that slopes up to sixty degrees from the horizontal. For greater slopes (see "Mansard roof").

SPECIAL PURPOSE SIGN: Any sign other than a business, non-accessory, identification sign, including but not limited to traffic signs.

SPECIAL USE: A use that, owing to some special characteristics, is permitted in a district, subject to special requirements.

SPECIFIED ANATOMICAL AREAS: Means:

- a. Less than completely and opaquely covered
 - i. Human genitals and pubic region; or
 - ii. Cleavage of the human buttocks; or
 - iii. That portion of the human female breast encompassed within an area falling below the horizontal line one would have to draw to intersect a point immediately above the top of the areola (the colored ring around the nipple); this definition shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed; or
- b. Human male genitals in a discernable turgid state, even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES: Means:

- a. Human genitals in a state of sexual stimulation, arousal or tumescence; or
- b. Acts of human anilingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sexual intercourse, or sodomy; or
- c. Fondling or other erotic touching of human genitals, pubic region, buttock, anus, or female breast; or
- d. Excretory functions as part of or in connection with any of the activities set forth in subsections TT.a through TT.b; or
- e. Striptease, or the removal of clothing, or wearing of transparent or diaphanous clothing, including models dressed only in lingerie to the point where specified anatomical areas are exposed.

SPOT ZONING: The zoning of a relatively small area differently from the zoning of the surrounding area, usually for an incompatible use, in order to favor the owner of a particular piece or pieces of property.

STABLE, PRIVATE (NON-PROFESSIONAL): An accessory structure and/or land use which is designed, arranged, used or intended to be used for the keeping of equines for the private use of occupants of the dwelling, and their guests, but which in no event are for hire, and which use does not constitute a primary source of income.

STABLE, PROFESSIONAL: A structure and/or land in or on which an operator keeps equines primarily for boarding, training and giving lessons, but in no event are the equines rented to the public.

STABLE, PUBLIC (LIVERY): A structure and/or land in which an operator keeps equines for hire, and to solicit and promote business and remuneration for services as a primary source of income.

STACKING REQUIREMENTS: The number of cars that must be accommodated in a reservoir space while awaiting ingress or egress to specified businesses, service establishments or parking lots.

STORAGE: The placement of merchandise, equipment or personal property for safe keeping.

STORY: That part of a building between the wearing surface of a floor and the floor next above, and if there is no floor above, then the ceiling

immediately above. A basement is a story if its ceiling is six (6) feet or more above the level from which the height of the building is measured.

STORY, HALF: A basement or portion thereof, of which the finished floor is not more than four (4) feet below the adjoining outside finished grade at required windows.

STRATEGIC REGIONAL ARTERIAL (SRA): An arterial street designated as such by the Illinois Department of Transportation and shown on the Road Classification Map. (See Appendix C).

STREET: A vehicular way which (1) is an existing state, county or municipal roadway; or (2) is shown upon a plat approved pursuant to law. A public highway, road or thoroughfare which affords the principal means of access to adjacent lots, measured from property line to property line.

STREET, ARTERIAL: A street which primarily serves to connect major activity centers, with the capability of providing for a high degree of mobility, accommodating a high volume of travel, and serving primarily long trips. A street which serves to supplement or connect other arterial streets at a high degree of mobility and has the capability to serve high volumes of traffic and is part of an integrated network. As shown on the Road Classification Map. (See Appendix C).

STRUCTURAL ALTERATION: Any change in the supporting members of a building, such as foundation wall, bearing walls or partitions, columns, beams, girders or any substantial change in the roof or in the exterior walls, excepting such repairs as may be required for the safety, maintenance and upkeep of the building or structure.

STRUCTURE: Anything constructed, erected or placed, which requires location in or on the ground, or in or on a body of water, or is attached to something, having a location on the ground, including earthen works.

SUBDIVISION: The division of any tract or parcel of land into two or more lots, plots, or other divisions of land for the purpose, whether immediate or future, of building for rental or sale, and including all changes in street or lot lines.

SUBSTANTIAL IMPROVEMENT (OF A BUILDING OR STRUCTURE): For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the

external dimensions of the structure. The term does not, however, include any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

SWIMMING POOL, (ABOVE GROUND): A structure or container designed or intended to be used outdoors, at or above ground level, for swimming, bathing. Wading or other recreational activities, and capable of holding water to a depth of more than 12 inches.

SWINGING SIGN: A hinged sign installed on an arm or spar, which sign is not, in addition, permanently fastened to an adjacent wall or upright pole.

TEMPORARY SIGN: A sign which is not permanently affixed. All devices such as banners, pennants, flags (not intended to include flags of any nation), searchlights, twirling or sandwich type signs, sidewalk or curb signs and balloons or other air or gas filled figures.

TEMPORARY WINDOW OR BUILDING SIGN: A sign painted on the interior of a window or constructed of paper, cloth, or other like material and attached to the interior side of a window or displayed on the exterior of a building wall in order to direct attention of persons outside the building to a sale of merchandise or a change in the status of the business.

THEATER: A building or part of a building devoted to showing motion pictures.

TRANSFER OF OWNERSHIP OR CONTROL OF AN ADULT BUSINESS: “Transfer of ownership or control of an adult business” shall mean and include any of the following:

- a. The sale, lease or sublease of the business; or
- b. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means; or
- c. The establishment of a trust, gift or other similar legal devise which transfers ownership or control of the business, including the transfer by bequest or other operation of law upon the death of a person possessing the ownership or control.

UNDERAGE: Any person under eighteen (18) years of age, the legally minimum age at which one can purchase or view adults-only items.

UNDER CANOPY OR MARQUEE SIGN: A sign suspended below the ceiling or roof of a canopy or marquee.

UNDERWRITER'S LABORATORIES: A nonprofit organization which establishes standards for electrical and mechanical equipment and materials and is commonly referred to as "UL." The electrical section dealing with signs is known as "Underwriters' Laboratories (48)."

UNLAWFUL SIGN: A sign which contravenes this code or which the administrator may declare as unlawful if it becomes dangerous to public safety by reason of dilapidation or abandonment of a nonconforming sign for which a permit required under a previous code was not obtained.

USE: Any purpose for which a building or other structure or a lot or parcel may be designed, arranged, intended, maintained or occupied; or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a lot or parcel.

USE, ACCESSORY: See BUILDING, ACCESSORY.

USE, ADULT: "Gentlemen's clubs, adult video and/or book stores, x-rated movie theaters, nude dancing and other displays of public nudity, massage parlors, etc. (See 517).

USE, CONDITIONAL: See CONDITIONAL USE (202.83).

USE, INTENSIVE: Any agricultural, business, or industrial use liable to negatively influence surrounding uses.

USE, PRINCIPAL: See BUILDING, PRINCIPAL.

USE, TEMPORARY: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

USED LATEX PAINT: All interior latex paints generated by households.

USED MOTOR OIL: Motor oil generated by households where its characteristics have changed since being originally manufactured, and which is suitable for recycling.

UTILITY FACILITY, NON-EXEMPT: Equipment, structures or sites used for the provision of services such as water, sewer, electricity, natural gas, and telephones but not including municipal facilities, accessory uses such as individual wells and septic as well as any poles, towers, wires, cable, conduits, vaults, laterals or any other similar distributing equipment for the following:

1. A public utility as defined in the Public Utilities Act (220 ILCS 5/3-105 et.seq.) which is subject to one of the following:
 - a. The Messages Tax Act, 35 ILCS 610/1 et.seq. as amended.
 - b. The Gas Revenue Tax Act, 35 ILCS 620/1 et.seq. as amended.
2. A public utility which is subject to the Public Utilities Revenue Act, 35 ILCS 620/1 et.seq. as amended.
3. Public facilities or equipment which are located on any rights-of-way and are used for railroad purposes.

VACANT LAND / VACANT ACREAGE / VACANT LOTS: Privately owned, unused, undeveloped, non-agricultural, un-subdivided or subdivided land which has been provided with basic utilities (streets, electricity, natural gas, etc.) but which has no completed structures on it. Management of vacant land may be minimal or nonexistent.

VARIATION: A divergence from the Zoning Ordinance bulk, loading and/or parking requirements.

VILLAGE: The Village of Ringwood, Illinois.

WALL: The vertical exterior surface of a building or vertical interior surfaces which divide a building's space into rooms.

WALL SIGN: Any flat sign which is placed against a building or other structure and attached thereto in such manner that only one side is visible. (See "Fascia Sign").

WAREHOUSE: A building used primarily for the storage of goods and materials.

WAREHOUSE, MINI: A building or group of buildings in a controlled access area that contain varying sizes of individual, compartmentalized and controlled-access stalls or lockers for the storage of a customer's goods or wares.

WATERCOURSE: Any natural or artificial watercourse, stream, river, draw, creek, ditch, channel, canal, conduit, culvert, drain, waterway, swale, gully, ravine, or wash in which water flows intermittently and which has a definite channel, bed and banks. These shall include any area adjacent thereto, subject to inundation by reason of overflow or floodwaters.

WINDOW SIGN: A sign installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise located in window.

WINDROW: An elongated pile of solid waste or composting material constructed to promote composting.

YARD: Any space, on the same zoning lot with a principal building or group of buildings, which is unoccupied and obstructed from its lowest level upward, except as otherwise permitted in this Ordinance, and which extends a lot or parcel line and at right angles thereto to a depth or width determined by the nearest point of the principal building. (See Appendix A).

YARD, FRONT: A yard extending across the full width of the front lot line between side lot lines and from the front lot line to the front of the principal structure. For the purpose of Table Two of this Ordinance, the minimum yard abutting a road shall be considered the front yard. (See also LOT LINE, FRONT). (See Appendix A).

YARD, REAR: A yard extending across the full width of the rear lot line and lying between the rear lot line and rear of the principal structure. (See also LOT LINE, REAR). (See Appendix A).

YARD, SIDE: A yard extending between the side lot line and the side of the principal structure on both sides of the principal structure extending between the front and rear yards. (See also LOT LINE, SIDE). (See Appendix A).

YARD, TRANSITIONAL: A more restrictive yard requirement for a zoning district with a more intense use when it abuts a zoning district with a less intense use. The transitional yard area conforms to the most restrictive zoning district.

ZERO LOT LINE: The location of a building in a Planned Development District in such a manner that one or more of the building's sides rests directly on a lot line.

ZONING BOARD OF APPEALS (ZBA): The Village of Ringwood Zoning Board of Appeals.

ZONING DISTRICT: A section of the incorporated area of the Village of Ringwood, designated in the zoning ordinance text and delineated on the zoning map, in which requirements for the use of land, and building and

development standards, are uniformly prescribed within each section or district.

ZONING LOT: Parcel or lot or combination thereof or fractions thereof considered or treated as a single unit that meets the requirements of the zoning district it is located and the other requirements of this Ordinance. A zoning lot may or may not coincide with the definition of a lot or parcel.

ZONING MAP: The map or maps which designate various zoning districts and which are incorporated into this Ordinance and made a part thereof.

ARTICLE THREE – ZONING DISTRICTS

301 INTENT

For the purpose of this Ordinance, all land and water areas within the Village of Ringwood, Illinois, are hereby divided into Zoning Districts. These districts are established as a matter of policy to better guide and plan land use changes, particularly the conversion of rural land to urban uses. It is recognized that a diversity of lifestyles and land uses should be maintained for the residents of the Village. Therefore, the Village of Ringwood is hereby divided into the following Zoning Districts:

A-1	Agricultural Zoning District
RR-3, RR-2, RR-1	Rural Residential Zoning Districts
E-5, E-3, E-2	Estate Zoning Districts
R-1, R-2, R-3	Residential Zoning Districts
B-1, B-2, B-3	Business Zoning Districts
O/R	Office / Research Zoning District
I-1, I-2	Industrial Zoning Districts

302 OFFICIAL ZONING MAP

The boundary of each said Zoning District is shown on the OFFICIAL ZONING MAP of the Village of Ringwood, which is filed in the office of the Village Clerk.

302.1 ADOPTION OF MAP

To implement the intent of this Article, the Village of Ringwood is hereby divided into Zoning Districts as shown on the OFFICIAL ZONING MAP of the VILLAGE OF RINGWOOD, ILLINOIS, which, together with all the explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

302.2 DESCRIPTION OF THE MAP

The boundary lines of each Zoning District within the Village of Ringwood, the identification and classification of each district, and any explanatory notations or other matters deemed necessary for understanding of that map shall be shown on the OFFICIAL ZONING MAP of the Village of Ringwood.

All amendments passed by the Board of Trustees of the Village of Ringwood subsequent to said map being certified in accordance with Section 302.3 shall be deemed to be a part of said map. The Zoning Enforcement Officer shall keep an up-to-date list of all amendments not recorded on the OFFICIAL ZONING MAP of the Village of Ringwood.

302.3 CERTIFICATION (65 ILCS 5/11-13-19)

The OFFICIAL ZONING MAP shall be certified by the signature of the President of the Village of Ringwood, as attested by the Village Clerk, and shall bear the seal of the Village of Ringwood, Illinois.

Prior to March 31 each year, the map showing the Village of Ringwood zoning shall be submitted to the Board of Trustees of the Village of Ringwood for certification. Such map shall show the zone boundaries and other such information as is necessary to give a clear understanding of the zones created by this Ordinance and subsequent amendments as of March 31 of the certification year.

302.4 UNCLASSIFIED LANDS OR ANNEXED AREAS

It is the intent of this Ordinance that all land within the Village be included in one of the zones established. Any land located now or in the future in the Village of Ringwood which is not shown to be included in a zone on the OFFICIAL ZONING MAP of the VILLAGE OF RINGWOOD, ILLINOIS, shall be deemed to be in the "A-1" Agricultural Zoning District.

The following rules shall be used to determine the precise location of any Zoning District boundary shown on the OFFICIAL ZONING MAP.

1. Boundaries shown as following or approximately following the limits of the Village of Ringwood shall be construed as following such limits.
2. Boundaries shown as following or approximately following streets shall be construed to follow the center lines of such streets.
3. Boundary lines which follow or approximately follow platted lot lines or other property lines as designated in the official McHenry County plat books shall be construed as following such lines.
4. Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines, shall be construed as following such lines.
5. Boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main track of such railroad lines.
6. Boundaries shown as following or approximately following shore lines of any lakes shall be construed as following the mean high water lines of such lakes, and, in the event of change in the mean high water line, shall be construed as moving with the actual mean high water line.
7. Boundaries shown as following or approximately following the center lines of streams, rivers, or other continuously flowing water courses shall be construed as following the channel center line of such water courses taken at mean low water line and in the event of a natural change in the location of such streams, rivers, or other water courses the district boundary shall be construed as

moving with the channel center line.

8. Boundaries shown as separated from and parallel or approximately parallel to any of the features listed in paragraphs above shall be construed to be parallel to such features and at such distances therefrom as is shown on the map. Distances not specifically indicated on the map shall be determined by the scale of the map.

302.5 CHANGES

If by amendment to this Ordinance, the boundary of any Zoning District as shown on the OFFICIAL ZONING MAP, or any other matter shown thereon, is changed by action of the Village of Ringwood, such change shall be indicated on the OFFICIAL ZONING MAP of RINGWOOD, ILLINOIS, by the Zoning Enforcement Officer or someone under his direction in a timely manner.

303 ZONING DISTRICTS

303.1 A-1 AGRICULTURAL ZONING DISTRICT

The Agricultural Zoning District is intended to benefit and protect agricultural uses within the Village of Ringwood.

This Zoning District is designed principally to maintain an environment where agricultural purposes may be served and restrict those uses which would conflict with these purposes. Forty (40) acres is the minimum lot or parcel size in this Zoning District for a single family dwelling.

303.2 RURAL RESIDENTIAL ZONING DISTRICTS

These Zoning Districts are intended to allow for single family dwellings and to provide a transition between Agricultural and Estate Zoning Districts and uses. Subdivision of land is allowed in certain Rural Zoning Districts while others are designed to accommodate “farmettes” or “hobby farms.” Passive and active Open Space uses as well as agricultural uses are allowed in Rural Residential Districts. Agricultural uses include the keeping of farm animals, in compliance with the McHenry County Public Health Ordinance (see Appendix D) and Section 403.

1. RR-3 RURAL RESIDENTIAL

This Zoning District is designed principally for a single family dwelling with agricultural uses (i.e. farmette, hobby farm) on a minimum of ten (10) to a maximum of forty (40) acres per lot or parcel that is topographically and locationally well suited for a single family dwelling and agricultural uses. The keeping of farm animals must be in compliance with the McHenry County Public Health Ordinance (see Appendix D) and Section 403. The creation of lots through an exception to the Plat Act (765 ILCS 205/0.01 et. seq. as amended), shall not be allowed in this District.

2. RR-2 RURAL RESIDENTIAL

This Zoning District is designed principally for a single family dwelling on a minimum of five (5) to a maximum of fifteen (15) acres per lot or parcel that is topographically and locationally well suited for single family dwelling and agricultural uses. Agricultural uses are allowed in this district; however, the keeping of farm animals must be in compliance with the McHenry County Public Health Ordinance (see Appendix D) and Section 403.

3. RR-1 RURAL RESIDENTIAL

This Zoning District is designed principally for a single family dwelling on a minimum of two (2) to seven (7) acres per lot or parcel that is topographically and locationally well suited for single family use. Agricultural uses are allowed in this district; however, the keeping of farm animals must be in compliance with the McHenry County Public Health Ordinance (see Appendix D) and Section 403.

303.3 ESTATE ZONING DISTRICTS

Estate Zoning Districts provide areas of somewhat higher density than in Rural Residential Zoning Districts. Single family dwellings and agricultural uses are allowed in Estate Zoning Districts. However, the keeping equines is allowed by right if in compliance with the McHenry County Public Health Ordinance (see Appendix D and Section 403), and the keeping of other farm animals is allowed

- Only as a Conditional Use; and
- Only if in compliance with the McHenry County Public Health Ordinance (see Appendix D and Section 403).

1. E-5 STATE

This Zoning District is designed principally for a single family dwelling on a minimum of five (5) acres or more per lot or parcel that is topographically and locationally well suited for single family use.

2. E-3 ESTATE

This Zoning District is designed principally for a single family dwelling on a minimum of three (3) acres per lot or parcel that is topographically and locationally well suited for single family use.

3. E-2 ESTATE

This Zoning District is designed principally for a single family dwelling on a minimum of two (2) acres per lot or parcel that is topographically and locationally well suited for single family use.

303.4 RESIDENTIAL ZONING DISTRICTS

Residential Zoning Districts provide areas of somewhat higher density located in, adjacent to, or near municipalities where services are or may become available and more accessible. No farm animals are allowed in these districts.

1. R-1 SINGLE-FAMILY RESIDENTIAL

This zoning district provides for single family dwelling use. A minimum lot size of one and three-tenths (1 and 3/10ths) net acres (56,628 square feet) of land is required if septic systems are utilized; otherwise either an innovative waste water disposal system under central management (i.e. public utility or Waste Water Management District) or a Community Sewer System must be employed. However, where land zoned R-1 Single Family Residential District is submitted for subdivision, the maximum number of dwelling units permitted thereon shall be calculated by first deducting the total area of all road right of ways located therein from the total acres located within the subdivision boundaries and then by dividing the remaining subdivision area by 1 .3. Twenty percent of the maximum number of dwelling units thereby permitted in the subdivision may be located on lots therein having a minimum lot area of three-fourths acre each, with the remainder of the number of dwelling units permitted therein being located on lots having a minimum lot area of one acre each. (ORD. 2005-2-3)

2. R-2 TWO FAMILY RESIDENTIAL

This Zoning District provides for a single family dwelling use. A minimum of two (2) acres of land is required if septic systems are utilized; otherwise, either an innovative wastewater disposal system under central management (i.e. public utility or Wastewater Management District) or a Community Sewer System must be employed).

3. R-3 MULTIPLE FAMILY RESIDENTIAL

This Zoning District provides for multiple family dwelling use in areas where central utilities, facilities and services exist or could logically be extended in the near future. The minimum lot size is one (1) acre of land plus a supplement of one-half (1/2) acre for each unit.

303.5 BUSINESS ZONING DISTRICTS

Business Zoning Districts are intended to provide areas for the selling of goods and services, ranging from low impact local uses to more intense regional uses. These districts should be easily accessible to transportation routes. It should be note that certain types of business activity produce waste products which are not acceptable for disposal within septic systems. The McHenry County Health Department should be consulted in this regard.

1. B-1 NEIGHBORHOOD BUSINESS DISTRICT

This Zoning District provides for service to adjacent residential areas, satisfying those basic shopping or service needs which occur frequently. Retail ventures related to the Village's proximity to Glacial Park / Prairie Path are also encouraged. One (1) apartment is allowed in a building housing a business or businesses and shall be located in the story below (step apartment) or above the stories for the business, provided height restrictions are met.

2. B-2 LIMITED BUSINESS DISTRICT

This Zoning District is designed to accommodate the retail and limited service needs of a larger consumer population than is typically served by the Neighborhood Business District. Uses within this Zoning District should be located in areas adjacent to arterial and collector streets.

3. B-3 GENERAL BUSINESS DISTRICT

This Zoning District provides for those businesses and services that cater to the needs of a relatively larger, more specialized population from a larger regional area; it is a more intense use than B-2 Zoning District and typically would generate truck traffic.

303.6 O/R OFFICE / RESEARCH ZONING DISTRICT

This Zoning District provides for office and research facilities and other related non-production activities.

303.7 INDUSTRIAL ZONING DISTRICTS

Industrial Zoning Districts are intended to provide areas for light and heavy industrial uses. These areas should be separated from residential development and located near major roads and rail lines. Industrial parks are encouraged where their external impacts are minimized by the use of large setback distances, buffering, and screening. New industrial buildings shall be limited to a maximum height of two stories. (See Table Two: Bulk Chart). It should be noted that certain types of industrial activity produce waste products which are not acceptable for disposal within septic systems. The McHenry County Health Department should be consulted in this regard.

1. I-1 LIGHT INDUSTRY

This Zoning District permits light industrial, wholesale, warehousing, research, administrative and related uses of such nature that they do not create serious problems of compatibility with other kinds of land uses. Uses in this Zoning District shall conform to the Industrial Use Regulations of this Ordinance.

2. I-2 GENERAL AND INTENSIVE INDUSTRY

This Zoning District permits general and intensive (heavy) industry including manufacturing, assembling and fabricating activities and large scale or specialized operations whose external effects will be felt to some degree by surrounding districts. Uses in this Zoning District shall conform to the Industrial Use of this Ordinance.

304 USES PERMITTED IN ZONING DISTRICT

304.1 TABULATION OF USES

The intent of this section is to provide an inventory of representative uses allowed in various Zoning Districts, either by right, as accessory uses or conditional uses, or by permit, as temporary uses. It is not intended to be a complete list of all uses allowed in the Village of Ringwood.

The Ordinance does not intend to regulate agricultural uses, which are exempt from certain restrictions as cited in 55 ILCS 5/5-12001.

304.2 ADOPTION OF TABLE ONE¹

In order to implement the objectives of this section, Table One, Principal Uses Permitted in Zones, is hereby adopted by reference and declared to be a part of this Ordinance.

304.3 USES NOT TABULATED

The uses in Table One are permitted in the zones designated. Any use not listed in Table One is not permitted in the Village of Ringwood; however, the Zoning Enforcement Officer shall have the right to allow any other uses which are similar to and compatible with the other uses allowed in a particular district in relation to hours of operation, traffic generation, intensity of use, size of lot or parcel, size of building and type of use. Such determination by the Zoning Enforcement Officer will take into account the recommendations of the applicable departments and shall be in writing. An objection shall be appealable to the Zoning Board of Appeals within thirty (30) days of the date of the notification sent by the Zoning Enforcement Officer. A record shall be kept on each additional use allowed, and shall be available for public inspection.

304.4 TABLE ONE – PRINCIPAL USES PERMITTED IN ZONING DISTRICTS

Uses are listed vertically down the center of each page. Each vertical column represents a Zoning District, with that district's designation at the top. The symbols in the following key indicate the permitted degree of use. When a symbol appears in a district column opposite a listed use, the use is permitted to that extent.

- X Use Permitted by Right.
- C Use permitted on a conditioned basis subsequent to hearing process and conditions applied.
- T Use allowed by permit granted on a specified time period, generally less than one (1) year, as issued by the Zoning Enforcement Officer.
- L Sale of liquor for consumption on premises is allowed as an accessory use upon receipt of necessary liquor licenses.
- * Must comply with Village of Ringwood Liquor Ordinance.
- ** Minimum lot size shall be two acres.
- *** See Article 4, Section 401 "Industrial Regulations," for Compliance Standards.

TABLE ONE: PRINCIPAL USES PERMITTED IN ZONES

A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
										Advertising Agency	X			X		
										Agricultural Implements: Sales & Service			X			
C										Airport, Commercial						
C										Airport-Restricted Landing Area (503)						
										Alcoholic Beverages: Package Sales		X	X			
										Consumption on Premises		C				
										Ambulance Service Garage			X			
C										Amphitheater (508)			X			
										Amusement Park (L)			C			
C										Animal Care Shelter (202.15)			C			
C										Animal, Exotic: Breeding, Training						
X										Animal Hospital: Large Animal						
X										Small Animal			X	X		
C										Animal Shelter (202.19, 513)						
T										Animal Show / Circus	T	T	T			
										Antique Sales, Repair, Restoration	X		X			
X	X	X	X	X						Apiculture (Beekeeping)						

A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
										Apparel Sales	X		X			
										Archery Range: Indoor			X			
X										Outdoor			X			
X	X	X	X	X	X					Arena, Enclosed						
X	X	X	X							Arena, Equine Enclosed						
										Army / Navy Surplus Store			X			
										Art Gallery, Studio, Sales, Supplies	X		X	X		
T										Asphalt Batching Plant					T	T
C	C	C	C	C	C	C	C	C	C	Athletic Field						
										Auction House			X			
T	T	T	T	T	T	T	T	T	T	Auction	T	T	T	T	T	T
										Auditorium			X			
										Automobile: Car Wash			X			
										Outdoor Sales Lot			X			
										Parking Lot / Garage, Commercial			X			
										Parts and Supplies			X			
										Rentals			X			
										Repair Shop			C		X	
										Sales, Showroom			X			
										Service Station			X			
										Servicing and Parts			X			
										Bait Shop			X			
										Bakery, Retail	X		X			
										Bank / Savings & Loan	X		X	X		
										Barber / Beauty Shop	X		X			
X	X	X	X	X	X	X	X	X	X	Beach, Private						
C	C	C	C	C	C	C	C	C	C	Bed & Breakfast	X		X			
										Beverage, Wholesale & Storage			X			

A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
										Bicycle: Sales or Repair	X		X			
X	X	X	X	X						Blacksmith Shop (Horse Related)						
										Blueprinting & Photostat Shop		X		X		
										Boilers, Retail Sales			X			
										Bookseller	X		X			
										Bowling Alley (L)		X	X			
										Broadcasting Station / Studio			X	X		
										Building Materials: Sales			X		X	
										Bus Terminal			X			
										Business Machine: Sales, Repair, Service		C	X	X		
C				C	C					Camp, Day (505)						
C										Campgrounds (504)						
										Catalog Sales Office	X			X		
										Caterer	X		X			
X	X	X	X	X	X	X	X	X	X	Cemetery (506)						
C										Cemetery, Pet						
T	T	T	T	T	T	T	T	T	T	Christmas Tree Sales	T	T	T	T	T	T
C	C	C	C	C	C	C	C	C	C	Church / Place of Worship (507)	C		C			
										Cleaner (Clothing) / Pickup	X		X		X	
										Clinic: Medical, Dental, Chiropractic	X		X	X		
C										Club or Lodge: Private, Social, Political, Fraternal (L)		X	X			
C										Community Center (Public)	X		X			
T	T	T	T	T	T	T	T	T	T	Contractor's Project Office / Shed	T	T	T	T	T	T
										Convenience Store		X	X	C		
										Currency Exchange			X	X		
X										Dairy Processing (2 acre minimum)						
										Dancing School	X					

A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
	C	C	C	C	C	C	C	C	C	Day Care Center (505)	C	X				
										Department Store		X	X			
										Detective Agency		C	X	X		
X	X	X	X	X	X	X	X			Dwelling: Single Family						
								X		Two Family						
									X	Multiple Family						
										Egg Production, Commercial					X	X
C	C	C	C	C	C	C	C	C	C	Electrical Distribution Center		C	C	C	C	C
X										Emergency Shelters (510)	X					
										Extermination & Fumigation Shop			X		X	
C										Fairgrounds (508)						
X										Feed, Grain & Seed Sales*			X*		C	
T	T	T	T	T	T	T	T	T	T	Festival (L)	T	T	T	T	T	T
X	X	X	X	X	X	X	X	X	X	Fire Station / Public Rescue Squad	X	X	X	X	X	X
										Flea Market	T	T	T	T	T	T
										Florist	X		X			
C										Flour, Feed & Grain Milling						X
										Food Locker		X				
X										Forest & Game Management						
										Funeral Home		X	X			
										Furnace & Water Heater: Sales			X			
										Repair & Service			X		X	X
										Furniture Sales (New, Used)	X		X			
C										Game Breeding / Shooting Preserve (509)						
										Garage, Public			X	X		
										Gift Shop	X		X			
C	C	C	C	C	C	C	C			Golf Course, Country Club (L)						
										Golf Driving Range &/or Mini Golf			X			

A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
C										Grain Elevator, Commercial					C	X
X										Greenhouse / Commercial Nursery Center			X			
										Grocery, Retail	X		X			
C	C	C	C	C	C	C	C	C	C	Group Homes	X		X			
C	C	C	C	C	C	C	C	C	C	Halfway Houses (510)		C	C			
										Handicraft; Custom Production	X		X			
										Hardware Store (Retail)		X	X			
										Health Club, Gymnasium, Athletic Club (L)		X		X	C	
C										Heliport (503)			C			
C	C	C		C	C					Homes, Institutions, Specialized Care Facilities (511)	C		X			
X	X	X	X	X						Horse Farm						
C	C	C	C	C	C	C	C	C	C	Hospice (510)	C		X			
C	C	C	C	C	C	C	C	C	C	Hospital (512)	C		C	C		
										Hotel		X	X(L)			
										Household Appliances: Sales / Repair			X			
										Ice Cream Shop	X					
										Industry, Heavy: Production, processing, fabrication, cleaning, testing, storage or repair activities including or similar to the following: Abrasive products; chemicals; clay; glass; stone; concrete; refinishing; textile mill; transportation equipment						X
										Industry, Light: Production, processing, fabrication, cleaning, testing, storage or repair activities including or similar to the following: Advertising displays; apparel; art work; electrical assembly; food processing; furniture; laundry processing (non-retail); lumber; mail order house; machine shop; manufacturer's agent					X	

										office; warehouse; wholesaling or goods & services						
A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
										Insurance Agency	X			X		
										Interior Decorator	X			X		
										Janitorial Services			X			
										Jewelry, Retail	X		X	X		
										Judo, Karate, Jujitsu Instruction	X					
C										Kennel, Commercial (202.152, 513)			C			
C	C	C	C							Kennel, Private (202.153, 513)		C	C			
										Laboratory				X		
										Laundromat	X	X	X			
X	X	X	X	X	X	X	X	X	X	Library, Public	X		X	X		
										Liquor Store		X	X			
										Loan Company Offices	X			X		
										Locksmith	X					
										Marine Supplies			X			
										Markets: Fish, Fruit, Meat, &/or Vegetables	X		X			
C										Mobile Home Parks (514)						
										Mobile home Sales			X			
										Motel		X	X			
										Motorcycle, ATV, Snowmobile Sales & Service			X			
										Museum (L)			X			
										News Stand: Magazines, Cigarettes, Notions	X			X		
X										Nursery, Commercial (Plants)			X			
										Office Supply, Stationary	X		X			
										Offices: Business & Professional Services	X			X		
										Optician (Sales, Office)	X			X		

A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
										Paint & Wallpaper Store			X			
										Pharmacy	X					
										Photography Studio	X		X	X		
										Plumbing Supplies / Fixture Sales			X		X	
X	X	X	X	X	X	X	X	X	X	Police Station	X	X	X	X	X	X
										Printing Establishment					X	X
										Public Utility Co. Yard & Garage			X		X	X
T	T	T	T	T	T	T	T	T	T	Retail Estate Project Sales Office	T	T	T	T	T	T
										Rental Service Store			X			
C										Resort			C			
										Restaurant	X	X	X			
										Retail, General	X		X			
	C	C	C	C	C	C	C	C	C	Retirement Community	C					
X	X	X	X	X	X	X				Roadside Sales Stands: Produce Grown on Premises						
T										Produce Grown off Premises						
										Roller Skating Rink			X			
X	X	X	X	X	X	X	X	X	X	Schools: College (Univ. or Comm.)			X	X	X	X
X	X	X	X	X	X	X	X	X	X	Preschool through Grade 12			X	X	X	X
										Commercial or Trade			C		X	
										Second Hand Store	X		X			
										Shooting Range, Indoor			X			
										Shopping Center		C	X			
										Sporting Goods, Retail	X					
X	X	X	X	X	X	X				Stable: Private						
X	X	X	X	X						Professional						
X										Public (i.e. Livery)						
C										Storage, Commercial Equipment & Vehicles			C		X	X
										Store, Wholesale			X			

A-1	RR-3	RR-2	RR-1	E-5	E-3	E-2	R-1	R-2	R-3	USE	B-1	B-2	B-3	O/R	I-1	I-2
										Swimming Pool, Commercial			X			
										Tailor	X		X			
										Tavern / Night Club		C				
T	T	T	T	T	T	T	T	T	T	Tent Theaters, Religious Meetings or Festivals Sponsored by Local Civic, Religious, Governmental Organizations & Recognized Duly Chartered Fraternal Organizations	T	T	T	T	T	T
										Theater, Indoor Movie			X			
C										Theater, Outdoor Movie / Drive-In (515)						
										Tool Grinding & Sharpening			X		X	X
C	C	C	C	C	C	C	C	C	C	Towers Over 100' Tall (516)	C		C	C	C	C
C	C	C	C	C	C	C	C	C	C	Towers Under 100' Tall		C	X	C	C	C
X										Township / County Buildings	X		X		X	X
										Trucking, Freight Terminals					C	X
										Upholsterer	X					
										Use, Adult (517)					C	C
C	C	C	C	C	C	C	C	C	C	Utility Facility, Non-Exempt (518)	C		C	C	C	C
										Video Arcade	X		X			
										Warehouse			X		X	X
										Warehouse, Mini-Storage			X		X	
C										Water Well Construction & Pump Sales & Service			X		X	X
										Welding					X	X
										Wholesaling & Distribution of Goods & Services					X	X
										YMCA-YWCA		X	X			
										Yard & Garden Equipment Sales & Service			X			
C										Zoo (L)			C			

*Must Comply with Industrial Regulations

305 LOT AREA, PARCEL AREA, YARD AND BULK REQUIREMENTS IN ALL ZONES

305.1 INTENT

It is the purpose of this section:

1. To set forth the requirements of minimum lot areas, minimum frontage widths, and the dimensions of the required front, rear, side, other yards and setbacks for lots in all Zoning Districts for principal, other permitted and conditional uses for all Zoning Districts.
2. To set forth maximum land coverage percentages, and height limitations for principal and accessory uses for all Zoning Districts.
3. To summarize lot area, yard and bulk requirements in tabular form for the convenience of persons referring to this Ordinance for information, compliance or administrative purposes.

305.2 ADOPTION OF TABLE TWO

To implement the intent of this section, Table Two, Bulk Chart, and all descriptive matter printed therein and pertaining thereto, is hereby adopted by reference and declared to be part of this Ordinance.

305.3 TABLE TWO – LOT AREA, YARD AND BULK REGULATIONS

1. Requirements are tabulated along the top of the Bulk Chart. Zoning District designations and names are tabulated along the left edge of the Bulk Chart.
2. All structures shall be located upon a zoning lot. Except in the Agricultural and Industrial Districts, not more than one (1) principal structure shall be placed upon a zoning lot. In the agricultural, residential and estate zones, a second home may be constructed on a zoning lot provided that:
 - a. The property owner enters into a legally binding agreement, as approved by the Village Attorney, stipulating that the occupancy of the second home be tied to a demolition schedule for the first home, and,
 - b. The property owner posts a letter of credit in the amount of 150% of the cost of demolition and removal, in a form approved by the Zoning Enforcement Officer. This letter of credit may be redeemed by the Village if the property owner defaults on the aforementioned agreement.
3. Setbacks shall be at least eighty (80) feet from the centerline of the right-of-way along Arterial and Collector Streets (Ringwood Road, Barnard Mill Road) and ninety (90) feet from the centerline of the right-of-way along strategic Regional Arterials (SRA's – Route 31) as stated on Table Two.
4. All lot area, yard, and bulk regulations in all districts may be subject to stricter

requirements for Conditional Uses.

305.4 EXCEPTIONS TO BULK REGULATIONS

The following exceptions are established to provide relief from the Zoning District Bulk Regulations where applicable.

1. HEIGHT EXCEPTIONS

The following structures or parts thereof, are exempt from the height limitations set forth in Table Two, except as limited by height restrictions imposed by an airport authority or similar agency operating an airport.

- a. Agricultural Buildings, excluding Dwellings
- b. Bell Towers
- c. Bulk Storage Silos and Towers
- d. Cooling Towers
- e. Flagpoles (not used for advertising)
- f. Gravity Feed Apparatus
- g. Public Utility Poles, Towers, Wires and other Apparatus
- h. Smokestacks
- i. Towers and Customary, Necessary Accessory Structures (subject to the requirements of Article IV and Article V)
- j. Water Tanks and Standpipes

2. YARD AND BUILDING SETBACK EXCEPTIONS

A limited number of structures are allowed to project into or be constructed in a required yard within the area otherwise prohibited by building lines. The structures allowed and the requirements governing intrusion are listed in the building code adopted by Village.

TABLE TWO: BULK CHART

DISTRICT	Lot Area, Parcel Area & Frontage				Yard Requirements				Bulk Limits				Minimum Size		
	Minimum Area ****	Minimum Width Frontage	Min. Yard Abutting Road or Street *	Minimum Rear Yard	Minimum Side Yard	Transit Yard	Max. Land Coverage of Bldg. & Structures	Height Limit for Principal Use	Height Limit for Accessory Use *****	Stories	FEET	Stories	FEET	One Floor Dwelling	Two Floor Dwelling (1st flr min =1300, 2nd flr min = 800)
	ACRES	FEET	FEET	FEET	FEET	FEET	Cumulative %	FEET	FEET	Stories	FEET	Stories	FEET	Sq. Ft.	Sq. Ft.
A-1 Agriculture / Residential	40	330	50**	75	50	-	10	-	-	-	-	-	-	2,200	2,500
RR-3 Rural Residential	10	330	50	75	50	-	10	35	20	2.5	20	1	2,200	2,500	
RR-2 Rural Residential	5	330	50	75	50	-	10	35	20	2.5	20	1	2,200	2,500	
RR-1 Rural Residential	2	250	50	75	50	-	10	35	20	2.5	20	1	2,200	2,500	
E-5 Estate	5	330	50	50	30	-	10	35	20	2.5	20	1	2,200	2,500	
E-3 Estate	3	250	50	50	30	-	15	35	20	2.5	20	1	2,200	2,500	
E-2 Estate	2	175	50	30	25	-	20	35	20	2.5	20	1	2,200	2,500	
R-1 Single Family Residential	1.5	100	50	20	15	10	30	35	14	2.5	14	1	2,200	2,500	
R-2 Two Family Residential	2	150	50	20	20	20	30	35	14	2.5	14	1	2,200	2,500	
R-3 Multiple Family Residential	****	175	50	20	10	30	30	35	14	2.5	14	1	1000/unit	1250/unit	
B-1 Neighborhood Business	1	100	50	20	10	30	35	35	20	2.5	20	1			
B-2 Limited Business	1	150	50	20	10	50	35	35	20	2	20	1			
B-3 General Business	1	150	50	20	10	50	35	35	20	2	20	1			
O/R Office / Research	2	100	50	20	10	30	35	35	20	2.5	20	1			
I-1 Light Industry	1	150	50	20	10	75	40	40	20	2	20	1			
I-2 General & Intensive Industry	10	150	50	20	10	100	40	40	20	2	20	1			

* For lots and parcels abutting Arterial and Collector Streets (Ringwood Rd, Barnard Mill Rd), the required setback shall be at least eighty (80) feet from the centerline; and for lots and parcels abutting SRA's (Route 31), the setback shall be at least ninety (90) feet. (See Section 305.3 of this Ordinance).

** Fifty (50) feet from established right-of-way or eighty (80) feet from centerline, whichever is greater.

*** Lot or parcel area shall be determined by the actual lot lines of the lot or parcel in question and shall not be determined by any dimension measured from the center of any road, street, or highway.

**** Minimum one acre plus one-half (1/2) acre suitable soil for each unit.

***** Modified yard requirements are applicable when sixty (60) percent or more of the lots or parcels of the same zoning district classification in a block contain existing structures and establish a building line other than required by this Ordinance, that line shall establish the required yard. If the building lines of such structures vary, other than required by this Ordinance, the average of all structures shall establish the minimum yard requirement.

***** All yards, setbacks, and modified yards shall be measured from the overhang of the structure or building.

***** See Section 306 for additional Accessory Structure bulk limits.

NOTE: All property subdivided prior to the year 1950 and all property parcels which prior to 1950 contained less than one acre of area shall be excepted from the minimum rear yard requirements set forth in Table II above, provided however that the Minimum Rear Yard requirements for such properties shall be 10 feet.

306 ACCESSORY BUILDINGS, STRUCTURES AND USES

The uses of land, buildings and other structures permitted in each of the Zoning Districts established by this Ordinance are designated by listing the principal uses permitted in Table one. It is the intent of this Section to regulate uses customarily incidental to any principal use permitted in the Zoning District.

306.1 STANDARDS

Each permitted accessory use shall meet the following standards:

1. It shall be constructed after or at the same time as the principal structure.
2. It shall be incidental to the principal use, be established on the same lot, and serve no other principal use or purpose.
3. In Residential and Estate Zoning Districts, accessory buildings and structures shall be subordinate in volume, floor area, intensity, extent and purpose to the principal use.
4. It shall contribute to the comfort, convenience or necessity of users of the principal use.

306.2 HEIGHT REQUIREMENTS

Height limits for accessory uses are tabulated in Table Two. However, an accessory building or structure shall never be taller than the main building or structure.

306.3 REGULATIONS:

1. Accessory buildings in Residential and Estate Zoning Districts shall be located only in the rear yards and shall not exceed the maximum areas hereinafter specified for such Zoning districts:

<u>IN ZONING DISTRICTS</u>	<u>ACCESSORY BUILDING MAXIMUM SQUARE FOOTAGE</u>
RR-3 and E-5	2,400 sq. ft.
E-3	1,225 sq. ft.
RR-1, RR-2, and E-1	240 sq. ft.
R-1	80 sq. ft. (ORD. 05-5-1)

2. No accessory building or structure shall be located closer than fifteen (15) feet to any principal building. (ORD. 05-5-1)
3. A detached garage shall be considered an accessory structure for purposes of this Ordinance. A maximum of one (1) accessory structure shall be allowed in

Residential and Estate Zoning Districts, except in R-3 Districts wherein accessory structures are prohibited. (ORD. 05-5-1)

4. Accessory buildings, structures and uses shall not be erected, altered or located in yards (as specified in Bulk Chart), except as follows:

- a. Fences complying with Section 307 below R
- b. Garages or carports attached..... R
- c. Garages or carports attached R
- d. Island and pumps and underground fuel storage Tanks for gasoline service station F S R
- e. Sheds and storage buildings for garden equipment and household items as accessory to dwellings in R-1 Zoning Districts. The design and construction of the exterior walls and roof shall be the same as those of the dwelling, with the maximum floor area thereof not to exceed 240 square feet. (Not allowed on premises having swimming pool houses) (ORD. 15-4-2, 2007-2-1) R
- f. Signs, in accordance with the Village of Ringwood Sign Ordinance F
- g. Swimming pools, private, when conforming with The McHenry County Health ordinance R
- h. Kennels and stables R
- i. Satellite dishes, towers R
- j. Swimming pool houses. The design and construction of the exterior walls and roof shall be the same as those of the dwelling. The swimming pool house may consist solely of an enclosed structure having an exterior wall height of not more than 8 feet, a roof height of not more than 16 feet and a maximum floor area not to exceed 176 square feet and it may include in addition, thereto a roof overhang on the pool side with the overhang not to exceed 8 feet from the pool house’s exterior walls. (Not allowed on premises having a shed or storage building nor a swimming pool) (ORD. 2007-2-1) R

WHERE:

F – Denotes permitted obstruction in front yards and side yards contiguous to streets

S – Denotes permitted obstruction in interior side yards

R – Denotes permitted obstruction in rear yard

NOTE:

Lots along Nippersink Creek shall have the following consideration:
Detached garages will be a permitted obstruction in the front yard subject to all other setback provisions of this Ordinance.

5. For accessory structures, except for fences which are regulated in Section 307 of this Ordinance, the rear and side yard setback shall be ten (10) feet. Also, except in the case where the Zoning Enforcement Officer will determine the setback based on existing setbacks of surrounding property and Table Two.
6. No accessory structure shall be used for dwelling purposes.
7. An accessory structure or detached garage existing prior to the passage and approval of this amendatory Ordinance may be reconstructed to its former dimensions and location if it is destroyed by fire or other event. (ORD. 05-5-1)
8. An accessory structure shall be constructed with the same or similar material as the principal structure. (ORD. 05-5-1)

307 FENCING

1. A building permit is required for all types of fences.
2. Fences allowed. Fences in all zoning districts, A-1 (less than one acre) are allowed only in that part of the rear yard which abuts upon the rear principal building line of the Principal Building or Structure and whose area may extend from said building line to the rear lot line, provided however that such fences are prohibited in the remainder of the rear yard as depicted in Exhibit A which is attached hereto and incorporated herein by reference. Support members shall be on the side of the fence facing the property so that the finished or "good" side of the fence faces adjacent property. Fences may not impede the flow or surface drainage. The following restrictions shall apply to solid and see-through fences. (ORD 2010-12-1)

SOLID FENCE: A fence obscuring more than fifty percent (50%) of the view through the fence.

1. A solid fence shall not exceed building lines of any lot abutting a street.
2. A solid fence shall not exceed four (4) feet in height.

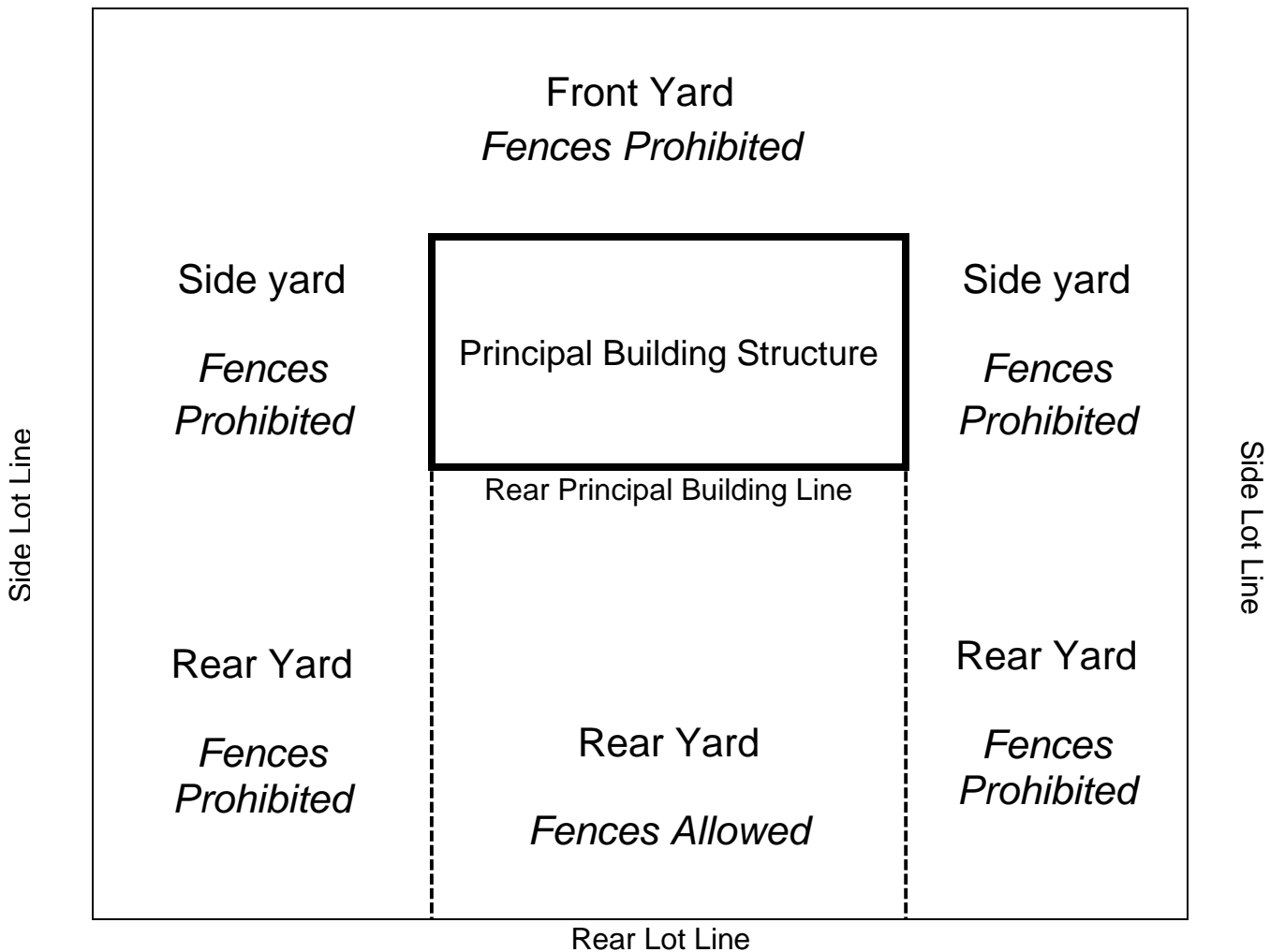
SEE-THROUGH FENCE: A fence obscuring fifty percent (50%) or less of the view through the fence.

1. A see-through fence in a Residential, estate, or Rural Residential Zoning District shall not exceed four (4) feet in height.

2. Wire and chain-link fences are prohibited in residential areas.
3. The use of barbed wire, electrical fences, or masonry fences topped with broken glass is prohibited in Residential, Office, and Business Zoning districts. In Industrial Zoning Districts, the use of barbed wire is permitted in the portion of the fence exceeding eight (8) feet in height. The barbed wire must be attached to the top of the fence at a forty-five degree (45°) angle towards the interior of the property.

Exhibit A

Front Lot Line



308 SCREENING

Screening shall be designed, planted or constructed, and maintained in accordance with the following general guidelines.

1. Permanent screening during all seasons shall be required of Industrial, Business and Office District uses in the following instances:

- a. A screen shall be required for an Industrial and/or Agricultural-Business^{***4} use when it is adjoining a Residential, Rural Residential, Estate, Business or Office District.
 - b. A screen shall be required for a Business use when it is adjoining a Residential, Rural Residential, Estate, or Office District.
 - c. A screen shall be required for Office use when it is adjoining a Residential, Rural residential, or Estate District.
 - d. A screen shall be required for parking areas fronting any road or non-vehicular pathway.
2. No screening shall interfere with sight requirements for safe ingress and egress. A "Vision Triangle" shall be maintained at all intersections: The Vision Triangle includes all land within the area bounded by the intersection of the centerlines of rights-of-way and both points 100 feet from that intersection. Screening within the Vision Triangle shall not exceed three feet in height above the center line of the street(s)
 3. One (1) of the following screening types or a combination of the following screening types shall be used:
 - a. A dense compact screen of plantings to attain the dimensions specified within a two (2) year time span.
 - b. A solid fence {less than fifty percent (50%) view through the fence} to be maintained at the dimensions specified.
 - c. A ground contoured earthen berm to be maintained at the dimensions specified.
 4. Vegetation and grassed earthen berms should be used whenever possible.
 5. Earthen berms shall have a side slope not less than four (4) feet horizontal distance for each one (1) foot of vertical distance.
 6. Except in the Vision Triangle, screening shall be six (6) feet in height, excluding vegetation growth.
 7. If a combination of vegetation and other screening is to be used, the vegetation shall be placed on the outside perimeter of the fencing.
 8. A plan specifying dimensions, locations and types of screening shall be supplied at the time a building permit is applied for.
 9. Screening shall be in place prior to the issuance of an Occupancy Certificate.

⁴ See Article 3, Section 304.4

ARTICLE FOUR – SUPPLEMENTARY REGULATIONS

400 INTENT

It is the purpose of this Section too establish regulations and standards for the installation and operation of the uses specified in this Section based upon consideration of the unique and objectionable characteristics of such uses and the zones in which they are permitted.

401 INDUSTRIAL REGULATIONS

401.1 Any use permitted in the I-1, I-2 or A-1^{***5} zones, whether such use is permitted as a principal use, conditional use, or as an accessory use, shall be subject to these regulations, unless alternative provisions are included in a specific ordinance granting a conditional use. Refer to Table One to determine A-1^{***5} uses subject to these regulations.

These regulations shall apply to any proposed use, construction, alteration or addition, including an alteration or addition to a structure existing prior to the adoption of the ordinance.

401.2 REQUIREMENTS

1. All uses in I-1, I-2, or A-1^{***5} Zoning Districts shall conform to the requirements governing the emission of noise, vibration, smoke and particulate matter, water or other effluents, toxic or noxious matter, fire, glare, heat or radiation, as cited in the “Environmental Protection Act,” 415 ILCS 5/1 et.seq., as amended.
2. Along the outer perimeter of an Industrial Zoning District adjacent to an Estate, Residential or Agricultural District, no building, structure, or land within one hundred (100) feet for the I-2 Zoning District and seventy-five (75) feet for the I-1 Zoning District shall be used in connection with the operation of any establishment including parking, except that railroad sidings or spurs lines may extend over this area. This perimeter area shall be landscaped and screened according to the requirements of Section 308 (2) & (3).
3. All activities and operations in I-1, I-2, or A-1^{***5} Zoning Districts shall be within completely enclosed buildings.

401.3 PROCEDURE AND ENFORCEMENT

1. PERMIT PROCEDURE: Before a Building Permit is issued in an I-1, I-2, or A-1^{***5} zone, the applicant shall furnish the Village Enforcement Officer with the following information to enable him to assure himself that all regulations set forth in this Ordinance can and will be complied with at all times:

⁵ See Article 3, Section 304.4

- a. A plot plan showing the location of all present and proposed structures, building lines, setbacks, drives, parking lots, waste disposal areas, bulk storage areas, streets, water supply systems, septic systems, streams, or other significant features on or within three hundred (300) feet of the proposed site.
 - b. A description of the activity to be conducted regarding waste products and their disposal, external effects or other conditions which are regulated herein; provided, however, that the applicant shall not be required to reveal any trade secrets of sufficient detail with regard to a process or manufacturing procedure for a closely guarded proprietary compound or product to become public knowledge and be available to competitors.
 - c. Upon request of the Enforcement Officer, certification from an independent testing laboratory that the industrial performance standards cited in the Environmental Protection Act can be met by the use.
 - d. Such other data and certification as may reasonably be required by the Enforcement Officer to reach a determination regarding the possible approval of a Building permit under the regulations of this Ordinance.
 - e. Proof that the applicant has notified the Illinois Environmental Protection Agency in writing as to the intended use of the land.
2. Upon receipt of all data required above, the Enforcement Officer, working in conjunction with both the Village Planning Commission and the McHenry County Health Department, will review the data as to its compliance with the Industrial Use Regulations of this Section. Permits shall be denied if the plans or proposed work do not conform to the regulations set forth herein. Denial with reasons shall be given in writing and corrected plans may be returned for review. If proposed work conforms to the regulations herein and all other pertinent laws and ordinances, a building permit shall be issued.

All information and evidence submitted in applications to indicate conformity to Industrial Use Regulations shall constitute a certification and an agreement on the part of the applicant that the proposed use can and shall conform to such regulations at all times.

3. APPEAL: The Enforcement Officer's action with respect to the Industrial Use Regulation procedure may be appealed to the Village Board (Section 808).
4. VIOLATIONS AND ENFORCEMENT: The Enforcement Officer shall refer any suspected violation of Industrial Use Regulations to the McHenry

County Health Department, which, in conjunction with the Illinois Environmental Protection Agency, shall determine if a violation does exist.

5. **SUSPENSION OF PERMITS:** If, after the conclusion of the time granted for compliance with Industrial Use Regulations, the McHenry County Health Department or the Illinois Environmental Protection Agency finds the violation is still in existence, the Enforcement Officer may institute appropriate legal proceedings to cause the revocation of any permits previously issued by the Enforcement Officer.

402 HOME OCCUPATIONS

402.1 CRITERIA

Any occupation which is customarily, in whole or in part, conducted in a residential area is permitted provided all of the following criteria are met:

1. It is conducted entirely within the dwelling by a member of the family residing in the dwelling; such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.
2. It is not conducted from an accessory building.
3. There is no display or activity that will indicate from the exterior of the dwelling that it is being used for any use other than a dwelling, except that one (1) nameplate, which contains only the name of the occupant of the dwelling and the home occupation conducted therein, which is no more than one and one-half (1-1/2) square feet in total area, and which is not illuminated, shall be permitted.
4. No more than one (1) person other than a member of the immediate family residing in that dwelling unit shall be employed or engaged in conducting the home occupation.
5. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking Regulations of this Ordinance, and in addition, if another person is employed as provided for in the paragraph above, one (1) off-street parking space shall be provided exclusively for that person's use during working hours.
6. No stock in trade shall be kept, displayed or sold on the premises unless such stock is clearly secondary and necessary to the performance of the services provided by the home occupation; and at no time shall exterior storage materials be permitted.
7. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance which is perceivable at or beyond the lot lines shall be produced.
8. All receipt and delivery of merchandise, goods or equipment shall be made by either carrier service or passenger automobile owned by the resident and no

such receipt, delivery, or any other transaction of business within the residence, except emergency service, shall be made between the hours of 10:00 p.m. and 7:00 a.m. on Monday through Saturday or at any time on Sunday.

403 HORSES AND OTHER EQUINES

403.1 REGULATIONS (See also Appendix D).

When horses or other equines are maintained on a parcel, then the following regulations shall apply:

1. Private Stables:

- a. Such stables are allowed by right in the A-1, RR-3, RR-2, and RR-1 Zoning Districts.
- b. The minimum lot or parcel area for a private stable shall be two (2) acres.
- c. The minimum gross lot area per horse over eight (8) months of age shall be 20,000 square feet.
- d. No more than two (2) horses not belonging to the owner of a private stable may be boarded in such private stable.
- e. Riding lessons may be given in a limited manner at a private stable, consistent with the intent of the Zoning District.

2. Horse Farms and Professional Stables:

- a. Such uses are allowed by right in the A-1, RR-3, RR-2, and RR-1 Zoning Districts.
- b. The minimum lot or parcel area for a horse farm or professional stable shall be ten (10) acres.
- c. The minimum gross lot area per horse over eight (8) months of age shall be 20,000 square feet per horse.
- d. At a horse farm, any number of equines not belonging to the operator of the farm may be kept for boarding or breeding purposes, so long as the total number of horses kept does not exceed that allowable under the requirement above. In addition, riding lessons may be given in a limited manner to boarders and others. However, no horse shall be kept or made available as livery.
- e. At professional stables and horse farms, horse shows and related activities may be conducted without a temporary use permit. However, sufficient off-street parking shall be provided to meet the needs of all visitors.

3. Public Stables:

- a. Such stables are allowed by right in the A-1, Agricultural Zoning District.
- b. The minimum lot or parcel area for a public stable shall be ten (10) acres.⁶
- c. At a public stable, any number of equines not belonging to the owner

⁶ There can be no residence on an A-1 lot less than 40 acres.

or operator may be kept for boarding purposes. In addition, riding lessons may be given to boarders and others.

- d. At public stables, horse shows and related activities may be conducted without a temporary use permit. However, sufficient off-street parking shall be provided to meet the needs of all visitors.

4. All persons maintaining equines shall meet all applicable requirements of the McHenry County Public Health Ordinance.

404 TEMPORARY USES

404.1 INTENT

It is the of the following to govern the operation of certain transitory or seasonal uses. The Enforcement Officer, upon receipt of an application for a temporary use permit, shall notify the Village President and the Village Board of Trustees thereof. Signage shall be in conformity with Village sign regulations. The applicant shall post a bond of \$100.00, which shall be returned when the sign is removed within twenty-four hours following the expiration of the temporary use.

404.2 PERMITS FOR TEMPORARY USE

Applications for a temporary use permit shall be made to the Enforcement Officer at least ten (10) days before the starting date of the Temporary Use, and shall contain the following information:

1. The commonly known address of the property to be used, rented or leased for the temporary use, legal description and permanent property index number.
2. A description of the proposed use.
3. The applicant's name and property owner's name if different from that of the applicant.
4. Sufficient information to determine that the following are in compliance with ordinances in effect:
 - a. Provisions for waste disposal (solid and human);
 - b. Provisions for temporary food service facilities;
 - c. Security personnel;
 - d. Paved or graded ingress and egress for emergency, police and regulatory traffic;
 - e. General liability and dram shop insurance (based upon anticipated number of participants);
 - f. Yard requirements;
 - g. Parking space;
 - h. Traffic control;
 - i. Provisions for clearing debris, including signs.

Said permit shall be issued only if the above criteria are met to the satisfaction of the Enforcement Officer.

404.3 SPECIFIC USES AND REGULATIONS

The following are considered temporary uses and are subject to the following specific regulations and time limits, in addition to the regulations of any zone in which the uses are located. Fees for each temporary use shall be in conformity with the adopted Village fee schedule.

1. **Animal Shows:** A temporary use permit may be issued for showing of animals and displays of their performance in both formal and informal competition. The permit shall be valid for no more than seven (7) days, but may be renewed.
2. **Asphalt Batching Plants:** A temporary use permit may be issued for portable asphalt batching plants, for use in road construction and repair in the Village. The permit shall be issued for a period not to exceed sixty (60) days, but may be renewed for one or more 30-day period(s) if completion of the local project is delayed for reasons beyond the control of the contractor. Groundwater monitoring in accordance with Section 508.13 (2) will be required.
3. **Auctions:** A temporary use permit may be issued for the public sale of property to the highest bidder. The permit shall be valid for not more than five (5) days, and no sales shall be made within thirty (30) feet of any street or road right-of-way.
4. **Carnival or Circus:** A temporary use permit may be issued for a carnival or circus for a period not longer than seven (7) days.
5. **Christmas Tree Sales:** A temporary use permit may be issued for the display and open-lot sale of Christmas trees for a period not longer than thirty (30) days.
6. **Contractor's Office and Equipment Shed:** A temporary use permit may be issued for a contractor's temporary office and equipment shed incidental to a construction project in the Village. The office or shed shall not contain sleeping or cooking accommodations. The permit shall be valid for not more than one (1) year, but may be renewed. The office or shed shall be removed upon completion of the construction project.
7. **Festivals:** A temporary use permit may be issued for tents or other temporary structures and related facilities to house and serve public celebrations, special observances, cultural events or entertainment programs sponsored by a local civic, religious, governmental or recognized, duly chartered fraternal organizations.
8. **Flea Markets:** A temporary use permit may be issued for the establishment of an open air market for the sale of new and second hand goods, handicrafts and antiques by ten (10) or more people each occupying separate booths or tables. The permit shall not be valid for more than seven (7) days, but may be renewed.

9. Outdoor Music Entertainment Events, Outdoor Concerts: A temporary use permit may be issued for outdoor music and entertainment events or outdoor concerts not otherwise qualifying as a tent theater, religious meeting or festival sponsored by local civic, religious, governmental organizations and recognized, duly chartered fraternal organizations. Said permit shall only be valid for eight (8) days from the date of issuance.
10. Real Estate Project Sales Office: A temporary use permit may be issued for a temporary real estate office in any new subdivision which has been approved by the Village Board. The office shall contain no sleeping or cooking accommodations. The permit shall be valid for not more than one (1) year, but is renewable. The office shall be removed upon completion of the development of the subdivision. A model home may be used as a temporary sales office.
11. Religious Tent Meetings: A temporary use permit may be issued for a tent or other temporary structure to house religious meetings for a period of not more than seven (7) days.
12. Sawmills (Portable): A temporary use permit is required and may be issued for the cutting and use of the trees from that parcel or lot only. The sawmill shall not be located closer than five hundred (500) feet to a residence unless that of the owner. The permit shall be valid for six (6) months, but may be renewed.
13. Seasonal Sales of Farm Products: A temporary use permit may be issued for the operation of a roadside stand for the sale of farm produce which was not grown on the premises. The permit shall be valid for not more than six (6) months per year. No sales shall be made within thirty (30) feet of any street or road right-of-way. For a roadside stand operating more than three (3) months per year, an off-street parking area shall be provided.
14. Temporary Emergency Residence: In the event of a fire or natural disaster which results in the partial or total demolition of any residence making it unfit for human habitation, the Enforcement Officer may, upon application from the owner of such residence, issue a temporary use permit for the use of a mobile home for each family during rehabilitation of the original residence or construction of a new residence, subject to the following conditions:
 - a. A mobile home shall be placed on the lot of the home damaged or destroyed, if possible.
 - b. Required water and sanitary facilities shall be provided.
 - c. The permit is to be limited to six (6) months, but in the event of circumstances beyond the control of the owner, the Enforcement Officer may extend the permit for a period or periods not to exceed sixty (60) days, and the foregoing only when the application is made fifteen (15) days prior to expiration of the original permit.

- d. The trailer or mobile home is to be removed from the property by the owner/applicant when the Enforcement Officer determines the new or rehabilitated residence is fit for occupancy.
- e. If not removed during the specified time frame, applicant gives express consent and authorizes the Village to remove the temporary shelter at his expense upon termination of permit.

15. Tent Theater: A temporary use permit may be issued for a tent theater. The permit shall be valid for not more than four (4) months per year.

16. Tent Sales: A temporary use permit may be issued for a tent or other temporary structure to house the sale of merchandise by an established local retailer. The permit shall be valid for not more than thirty (30) days, but may be renewed. No sales shall be made within thirty (30) feet of any road right-of-way.

404.4 ISSUING PERMITS

The Enforcement Officer shall issue a Temporary Use permit only if the following conditions have been met:

1. All other County and State permits, if required for the proposed use, have been approved.
2. All conditions specified in the specific regulations of this section are met.
3. Any conditions specified by the Enforcement Officer and/or other Village authorities having enforcement powers have been formally agreed to. Any disputes shall be settled by the Village Board.

404.5 PERMIT FORM

A written permit will be issued for all Temporary Uses and shall contain the following information:

1. The applicant's name.
2. The location and effective dates of the Temporary Use.
3. Conditions specified by Village authorities for the Temporary Use.
4. Signature of the Enforcement Officer issuing the permit.

404.6 PERMIT RENEWAL

Permits which are renewable shall have an application filed for renewal at least fifteen (15) days prior to the expiration date of the current permit, except that applications for renewal or extension of a permit for less than fifteen (15) days may be applied for, no later than three (3) days prior to the expiration date of the current permit.

404.7 EMERGENCY PERMITS

Temporary Use permits may be issued in time of emergency for temporary emergency residence as specified above, without regard to application time limits.

405 OFF-STREET PARKING

The purpose of this Section is to promote the establishment of adequate off-street parking facilities in order to alleviate traffic problems and engender public safety and convenience, as well as to meet the specialized parking needs of those who are physically handicapped, or who prefer to use bicycles or “motored cycles” instead of automobiles. Compliance with the provisions of this Section shall be required in all districts.

405.1 APPROVAL OF PARKING PLAN

When off-street parking facilities are required under this Section, the plans for such facilities shall be submitted to the Village Engineer. Off-street parking plans will be reviewed with regard to the parking lot design and stormwater management for the entire site. The stormwater management design must consider all existing or proposed impervious surfaces such as driveways, parking lots and building roof tops and any topographic alterations. A Building Permit shall not be issued until any recommended changes to the design of the parking lot or stormwater detention facilities have been submitted.

405.2 GENERAL REQUIREMENTS

The duty to provide and maintain an off-street parking area shall be the responsibility of the owner or operator of the use which requires the off-street parking area.

When any existing use requiring parking spaces under this Ordinance is enlarged, expanded or changed, parking spaces shall be provided for the increment of expansion as if the increment were a separate use.

For all uses established or placed into operation after the effective date of this Ordinance, the amount of off-street parking space set forth in this Section shall be provided.

All off-street parking spaces, whether provided in accordance with the provisions of this or former ordinances, shall be continued to be provided and shall be maintained as required in this Section.

Parking spaces for all types of uses may be provided either in garages or open parking areas conforming with the provisions of this Ordinance.

Stormwater management facilities must be designed by an Illinois Registered Professional Engineer.

Controlled stormwater discharge outlets from sites shall be to a drainage-way, to a storm sewer, or to a natural path of overland sheet flow permitted by statute or drainage law.

For calculation of the detention/retention provisions, all features of systems shall be computed using methods which are based upon generation of a true or simulated hydrograph such as Soil Conservation Method TR55.

Stormwater management facility designs shall be cognizant of water quality management standards.

Stormwater management facility designs shall not be altered from the approved engineer's drawing without approval from the Village Engineer.

405.3 LOCATION OF REQUIRED PARKING SPACES

1. Required off-street parking may be remotely located from the use for which it is required to the following extent:
 - a. In all residential districts, parking facilities shall be located on the same or contiguous lot or lots with the building they are required to serve.
 - b. In all business districts, parking facilities shall be located within four hundred (400) feet of the building they are required to serve.
 - c. In all industrial districts, parking facilities shall be located within six hundred (600) feet of the building they are required to serve.
2. Enclosed buildings and carports containing off-street parking shall be subject to applicable yard and setback requirements.
3. Unroofed parking space may be located in the required front yard. However, not more than fifty (50) percent of the area of the required front yard may be developed as parking space and an unobstructed space of at least fifty (50) feet shall be left along the lot line. (ORD. 99-9-1)
4. Unroofed parking space may be located in required side or rear yard, but only if an unobstructed space of at least ten (10) feet is left along the lot line.
5. No parking space(s) shall be permitted between the property line and the curb line or edge of the pavement.

405.4 COMBINING OF PARKING AREA

When two (2) or more uses on the same lot or parcel require off-street parking space, such space may be combined and used jointly. However, when parking space is combined and used jointly, the parking space shall be adequate in area to provide the sum total of off-street parking space requirements of all such uses.

405.5 DESIGN, DEVELOPMENT AND MAINTENANCE REQUIREMENTS

After the effective date of this Ordinance, every parcel of land used as a public or private parking area, commercial parking lot, or automobile or trailer sales lot, shall be designed, developed and maintained in accordance with the following requirements:

1. The parking area shall be graded for proper drainage and provided with an improved surface such as gravel, blacktop, or concrete, and maintained in such manner as to be free of dust, trash and debris. The volume of stormwater run-off shall be controlled so as not to exceed that which existed in the natural state.

The maximum rate of discharge shall be related to the carrying capacity of the existing drainage features without distress to adjacent properties. The design of stormwater control systems shall comply with Article 7 of the Ringwood Subdivision Ordinance.

Velocity of discharge shall be limited to 2.0 feet per second at the point of departure from the site unless discharge is into storm sewerage or to an armored channel. All energy dissipation and attenuation of velocity shall be accomplished on the site being developed.

2. Screening of parking lots⁷ shall be provided as required in the screening section of this Ordinance. Any lights used to illuminate such parking lots shall be so arranged and shaded so as to reflect lighting down.
3. The parking area shall not have more than one attendant shelter, which shall conform to all setback and yard requirements for structures, in the district in which is located.
4. The parking area shall be designed with the appropriate means of vehicular access to a street or alley in such a manner as to minimize interference with traffic movement. It shall be provided with entrances and exits not less than twelve (12) feet in width and not more than twenty-five (25) feet in width.
5. For any use which requires twenty (20) or more parking spaces, space and facilities shall be provided for the parking of bicycles.
6. For any use which requires twenty (20) or more spaces, one space designed, reserved and designated for a motorcycle shall be provided for each twenty automobile spaces. However, the total need not exceed five (5). Motorcycle parking spaces shall have minimum dimensions of 4' x 7' and shall not be counted as parking spaces for the purpose of this Ordinance.
7. All off-street parking areas shall provide parking spaces designed and reserved for handicapped persons as follows: One (1) space per each twenty-

⁷ See Article 3, Section 308(1)(D)

five (25) spaces for the first one hundred (100) spaces with a minimum of one (1) space required; one (1) space per fifty (50) spaces for the next one hundred (100) spaces; and one (1) space for one hundred (100) spaces for all remaining spaces. These parking spaces must be of additional width to provide for wheelchair access.

8. The parking area shall be provided with wheel guards, bumper guards, or curbs so as to prevent the parked vehicles from extending beyond the outside perimeter of the parking area.
9. When off-street parking for fifty (50) or more vehicles is required, a minimum of 10% of the entire surface area of the parking lot shall be maintained as landscaped open space. The parking area shall be designed such that each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. No aisle designed for two-way traffic shall be less than twenty-four (24) feet in width.
10. The following minimum design standards shall be observed in laying out off-street parking facilities.

Parking Angle Degrees	Stall Width	Aisle Width	Parking Stall Depth	Curb to Curb
0 to 15	10 ft.	12 ft.	23 ft.	30 ft.
16 to 37	10 ft.	11 ft.	19 ft.	47 ft.
38 to 57	10 ft.	13 ft.	19 ft.	54 ft.
58 to 74	10 ft.	18 ft.	19 ft.	61 ft.
75 to 90	10 ft.	24 ft.	19 ft.	63 ft.

All spaces shall have a minimum vertical clearance of eight (8) feet.

405.6 SPACE REQUIRED

1. When units of measurement result in the requirement of a fractional space, any fraction shall require one (1) additional parking space.
2. When the number of employees is used in a calculation of required parking spaces, the maximum number of employees who will be working at one time shall be used.
3. The required off-street parking spaces for a particular use shall be determined by the following minimum requirements:
 - a. Financial institutions shall have one (1) parking space per two hundred (200) square feet of floor area, plus two (2) parking spaces for every three (3) employees. In addition, each drive-in banking window shall

have a stacking requirement of five (5) spaces. The required stacking space shall not be located in an access aisle if the presence of vehicles in queue would prohibit parked vehicles from being readily removed. In addition, no required stacking spaces shall be permitted upon the public right-of-way.

- b. Businesses or professional offices, and buildings not specifically mentioned elsewhere in this Section, shall have one (1) parking space per two hundred fifty (250) square feet of floor area. However, areas not normally open to the public may be excluded in computing the number of required parking spaces.
- c. Churches or places of worship shall have one (1) parking space per three (3) seating spaces.
- d. Convalescent, nursing, and other health homes and institutions shall have one (1) visitor parking space per four (4) patient beds, plus two (2) parking spaces per three (3) employees, plus one parking space per staff doctor.
- e. Hospitals shall have one (1) visitor parking space per two (2) patient beds, plus two (2) parking spaces per three (3) employees, plus one (1) parking space per staff doctor.
- f. Hotels, motels, and bed-and-breakfast establishments shall have one (1) parking space per room or suite, plus two (2) parking spaces per three (3) employees.
- g. Industrial, manufacturing, warehouse and wholesale establishments shall have one (1) parking space per three (3) employees.
- h. Clinics (medical, chiropractic, veterinarian) shall have six (6) parking spaces per staff doctor plus two (2) parking spaces for every three (3) other employees.
- i. Funeral Homes shall have fifteen (15) parking spaces on the premises, plus five (5) spaces for each area which can be used as a parlor.
- j. Private clubs and lodge halls shall have one (1) parking space per three (3) persons based on the design capacity of the facility.
- k. Recreational businesses shall have one (1) parking space per three (3) patrons, based on the design capacity of the facility.
- l. Residential structures shall have two (2) parking spaces per dwelling unit. In addition, there shall be one (1) visitor parking space for every three (3) dwelling units.
- m. Restaurants, taverns, and lounges shall have one (1) parking space per fifty (50) square feet of floor area.

- n. Retail sales and personal service shops shall have one (1) parking space per two hundred (200) square feet of sales space open to the public.
- o. Private schools shall have parking spaces as follows:
 - i. Elementary and junior high schools shall have one (1) parking space for each teacher and other employee.
 - ii. Senior high schools, colleges and universities shall have one (1) parking space for each teacher and other employee, plus one (1) parking space per five (5) students.
 - iii. Nursery schools shall have one (1) parking space for each teacher and other employee, plus one (1) off-street loading space per eight (8) pupils.
 - iv. If a school has an auditorium or assembly hall which may be used by persons other than students of the school, the parking requirements set forth under “theaters, auditoriums and places of assembly” shall be used to fulfill the parking requirements of the school, provided the parking spaces are located near both uses.
 - v. Commercial and trade schools shall have two (2) parking spaces per five (5) students plus two (2) parking spaces per three (3) employees.
- p. Theaters, auditoriums and places of assembly shall have one (1) parking space per three (3) people based on the design capacity of the structure.

405.7 OFF-STREET LOADING SPACE

All uses involving receipt of or distribution of goods by motor vehicle shall have space on the premises for the pickup, service and delivery vehicles necessary for normal daily operation. These spaces shall be in addition to any required off-street parking space.

405.8 MODIFICATION

The Village Board may authorize a variation following the procedures of Article Seven of this Ordinance for modification, reduction or waiver of the requirements of this Section, if it should find that in a particular case, the peculiar nature of the use, the exceptional shape or size of the property, or other exceptional situation or condition would justify such actions.

406 STORAGE

The outdoor storage and outdoor parking of commercial equipment and commercial vehicles is prohibited in Residential and Estate Zones created after the effective date of this Ordinance. This prohibition shall not apply to commercial vehicles and

equipment being temporarily used for the provision of a service, delivery or pickup for the benefit of a residence nor shall it apply to receptacles used for the collection of trash or recyclables. This prohibition shall not apply to commercial vehicles being used for agricultural purposes. Outdoor storage of boats, all types of watercraft, campers, recreation vehicles, motor homes, trailers of all types, all-terrain-vehicles and snowmobiles are prohibited in the A-1 Agricultural Zoning District (10 acres or less), R-1, RR-1, R-3, R-2, E-1 Residential Zoning Districts and also in the B-1, B-2, B-3, O/R, I-1 and I-2 Business and Industrial Zoning Districts in the Village of Ringwood. (Ord 5-5-1)

407 STANDARDS FOR CERTAIN PERMITTED USES

407.1 PURPOSE

It is the purpose of this Section to establish, in the public interest, additional regulations and standards for the creation and operation of certain permitted uses to cover circumstances unique to the specific use.

407.2 REQUIREMENTS

Any of the permitted uses regulated in this Section, whether such use is permitted as a principal use or as an accessory use, shall be subject to the standards imposed in this Section.

407.3 FIRE STATIONS, POLICE STATIONS, TOWNSHIP, VILLAGE, OR COUNTY BUILDINGS

1. The site shall be screened according to the provisions of Section 308 to minimize the impact upon adjoining properties.
2. Plans relating to drainage and runoff shall be submitted to the Enforcement Officer and reviewed by the Village Engineer. Such plans shall conform to Village and County standards for stormwater detention, retention and release.
3. A thirty (30) foot side and rear yard shall be maintained in residential districts.

407.4 TOWERS: COMMUNICATION, AMATEUR RADIO, AND CITIZEN BAND

1. The standards of this Section apply to towers 100 feet or less in height. Towers over 100 feet must comply with the tower conditional use Section of this Ordinance.
2. Any tower, the height of which exceeds the distance from such tower to the lot's or parcel's property lines, shall be constructed to withstand a wind load pressure caused by a 100 mph basic wind speed or forty (40) pounds per square foot on surface areas, whichever is greater. Construction of

any commercially manufactured tower one hundred (100) feet in height or less, constructed in accordance with the manufacturer's instructions, recommendations, and specifications shall be considered as satisfying the provisions of this Section.

3. All towers and associated uses shall conform to all applicable standards established by the Federal Communications Commission, the federal Aviation Administration, and all other relevant Federal, State and County regulatory agencies.

407.5 HALFWAY HOUSES, HOSPICES, EMERGENCY SHELTERS

1. A location map which identifies the property on which the proposed halfway house, hospice or emergency shelter shall be located shall be submitted to the Enforcement Officer. Said map shall be of sufficient size and scale to be readable and shall locate any other similar or identical use property located within a six hundred (600) foot radius of that subject property. No such map will be required for emergency shelters for individuals displaced by reasons of abuse or domestic violence.
2. Evidence that the proposed halfway house, hospice or emergency shelter is licensed, certified or accredited by an appropriate Federal, State or National agency or organization shall be submitted to the Enforcement Officer.
3. The aforementioned standards shall be met prior to occupancy of any halfway house, hospice or emergency shelter allowed by right in any zoning district.

408 SOIL OVERLAY REGULATIONS

408.1 PURPOSE

1. To promote the public health, safety, and general welfare, and to conserve the values of property throughout the County, by regulating the design of structures and facilities to be located on and in certain soil types lying within or near the Village of Ringwood that have limitations for certain types of uses because of one or more of the following factors:
 - a. Frequent or continuous waterlogging;
 - b. Periodic surface inundation by surface stormwater runoff;
 - c. Subsurface or groundwater pollution;
 - d. Susceptibility to erosion;
 - e. Slow or excessively rapid internal water movement (permeability);
 - f. Depth to bedrock deposits;

- g. High organic materials content.

The following hydric soils shall not be disturbed or built upon:

- | | |
|------------------------------------|-----------------------------------|
| 1. (67) Harpster Silty Clay Loam | 13. *(198) Elburn Silt Loam |
| 2. (76) Otter Bottom Loam | 14. *(206) Thorp Silt Loam |
| 3. (82) Millington Bottom Loam | 15. (210) Lena Muck |
| 4. (97) Houghton Peat | 16. (219) Millbrook Silt Loam |
| 5. (102) LaHogue Peat | 17. (232) Ashkum Silty Clay Loam |
| 6. (103) Houghton Muck | 18. (292) Walikill Silt Loam |
| 7. (104) Virgil Silt Loam | 19. (296) Washtenaw Silt Loam |
| 8. (125) Selma Loam | 20. (329) Will Silty Clay Loam |
| 9. (132) Starks Silt Loam | 21. (330) Peotone Silty Clay Loam |
| 10. (149) Brenton Silt Loam | 22. (347) Harpster Silt Loam |
| 11. *(152) Drummer Silty Clay Loam | 23. (358) Loamy Burned Muck |
| 12. (191) Knight Silt Loam | |

*The most common hydric soil types within the Village are Thorp Silt Loam, Elburn Silt Loam, and Drummer Silt Clay Loam.

- 2. To create and designate certain soils overlay districts and to provide supplementary land use controls in addition to the requirements of the several primary zoning districts.
- 3. To hereby incorporate by reference and make a part of this Ordinance the soil maps as prepared and published by the university of Illinois, Agricultural Station, in cooperation with the Soil Conservation Service, United States Department of Agriculture (Soil Report #81), as updated and interpreted by the U.S.D.A. Soil Conservation Service, 1970, and soil survey legend 1978, SCS Technical Guide for McHenry County (herein referred to as the "Official Soil Maps"), which maps are hereby adopted by the county of McHenry and by reference thereto incorporated herein.
- 4. To hereby incorporate by reference the "Soil Standards Manual for Wastewater Disposal Systems" prepared and published by the County of McHenry.

408.2 PROCEDURES FOR ADMINISTRATION AND ENFORCEMENT

- 1. The Enforcement Officer shall have the principal responsibility for the administration and enforcement of these soil overlay regulations and the "Soil Standards Manual for Wastewater Disposal Systems."
- 2. The McHenry County Department of Planning and Development and the McHenry County Health Department shall furnish such aid and assistance as may be requested by the Enforcement Officer or as may be required in

this Ordinance or in the “Soil standards Manual for Wastewater Disposal Systems.”

3. To obtain a permit from McHenry County for on-site sewage disposal systems, all applications must be reviewed for soil conditions per the “Soil Standards Manual for Wastewater Disposal Systems” by the McHenry County Department of Planning and Development and the McHenry County Health Department.
4. In the event of any dispute as to the accuracy of the Official Soil Map of McHenry County or as to the location or classification of soils upon a particular lot or parcel, the Enforcement Officer may resolve such discrepancies upon being provided with a definitive soil analysis and boring report certified by a soil scientist, or upon receipt of a supplemental report prepared by the United States Department of Agriculture, Soil Conservation Service. All such reports shall be reviewed by the McHenry County Department of Planning and Development and the McHenry County Health Department, prior to decision by the Enforcement Officer.
5. Those soils classified as Non-Critical and listed in the “Soil Standards Manual for Wastewater Disposal Systems” are generally suitable for wastewater disposal systems, but shall nonetheless be subject to recommendations by the Health and Planning Development Departments.
6. Those soils classified as Organic, Wet, Clay, Steep, Shallow to Bedrock, Shallow to Loam Till or Sandy and listed in the “Soil Standards Manual for Wastewater Disposal Systems” as having severe or very severe rating for wastewater disposal systems shall require additional soil testing as required above for resolving discrepancies and such data shall be submitted by the applicant. Review of such test results shall be made by the McHenry County Department of Planning and Development and the McHenry County Health Department before a decision is made by the Enforcement Officer.
7. An objection to, or appeal of the decision of the Enforcement Officer may be made according to Section 3.01 of Article I of the McHenry County Health Ordinance.

409 INTENSIVE USE

409.1 PURPOSE

It is the purpose of this Section to establish a method of notification to interested parties that a unique use that may negatively influence surrounding properties is being conducted on certain properties within a Zoning District. This Section is designed to provide a method of notification and not to create any artificial buffer zones or areas privileged from encroachment.

409.2 STANDARDS

Such unique uses that may negatively influence surrounding properties include but are not limited to the following, as regulated by the EPA:

1. Feedlots, covered confinement livestock facilities and dairy facilities that accommodate one hundred (100) animal units or more. Animal units shall be defined pursuant to the standards of the State of Illinois Title 35: Environmental Protection; Subtitle E: Agriculture Related Pollution; January 1, 1984.
2. Concrete and/or cement manufacturing
3. Coke manufacturing
4. Grinding, woodworking, sandblasting and shotblasting
5. Primary metal industry
6. Rubber and plastic products industry
7. Chemicals and allied products industry
8. Food and kindred products industry
9. Printing and publishing industry
10. Petroleum and coal products industry
11. Bituminous concrete (asphalt) plants
12. Stone, clay, glass products, and paper and allied products industry
13. Painting products industry
14. Incinerators
15. Electric, gas, and sanitary service
16. Gas and oil fired boilers
17. Grain-handling and conditioning operations
18. Grain-handling and drying operations

409.3 PROCEDURES

1. Any landowner/operator interested in making note of the existence of an intensive use activity may submit an affidavit to the Enforcement Officer. Said affidavit will set forth the existence of any or all of the listed criteria.
2. Likewise, the Enforcement Officer may submit an affidavit concerning the existence of an intensive use activity.
3. Said affidavit will set forth the existence of any or all of the listed criteria when such information becomes available to the Enforcement Officer.
4. Upon the filing of such an affidavit, the appropriate township zoning map shall be marked by the Enforcement Officer to indicate the existence of an intensive use activity. The Enforcement Officer shall also publish notice of the filing of an affidavit concerning the existence of an intensive use activity. At such time as an intensive use activity ceases to exist on

properties so indicated, the map shall be corrected to reflect the change. It will be the responsibility of the landowner/operator to make such information available.

5. The maps will be considered as a part of the whole criteria by the Zoning Board of Appeals and the Village of Ringwood and those within the unincorporated areas of McHenry County which are within the one-and-a-half-mile area surrounding the Village.

ARTICLE 5 – CONDITIONAL USES

501 INTENT OF CONDITIONAL USES

In order to accomplish the general purpose of this Ordinance, certain unusual uses need special consideration. The purpose of the Conditional Use is to establish standards for those uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at that particular locations.

502 GENERAL REQUIREMENTS

The following uses shall be subject to the standards and requirements of this Article, and to any additional requirements imposed in the public interest to cover circumstances unique to the selected site. All conditions and requirements set forth for a particular Conditional Use shall be considered as additional to the general requirements of this Ordinance for the zoning district in which the conditional Use is located, except where specifically amended by the terms of the particular Conditional Use Permit.

SECTION NUMBER

- 503 Airports, Restricted landing Areas and Heliports
- 504 Campgrounds
- 505 Camps, day and Youth, Day Care Centers and Nursery Schools
- 506 Cemeteries
- 507 Churches
- 508 Fairgrounds, Exposition Grounds, Sports Centers, Summer Theaters and Amphitheaters
- 509 Game Breeding and Shooting Preserve Areas
- 510 Halfway Houses, Hospices and Emergency Shelters Not meeting Licensing or Spacing Requirements
- 511 Homes, Institutions and Specialized Care Facilities
- 512 Hospitals
- 513 Kennels, Commercial and Private; and Animal Shelters
- 514 Mobile Home Parks
- 515 Theaters, Drive-In Movie
- 516 Towers: Communication, Amateur Radio and Citizen Band Over 100 Feet in height
- 517 Use, Adult

518 Utility Facilities, Non-Exempt

Other uses of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities, and which are not allowed by right may also be allowed as Conditional Uses, subject to the basic requirements of this Section.

502.1 APPLICATION PROCEDURE

1. An application for a Conditional Use Permit shall be submitted to the Zoning Board of Appeals. The administrative procedures for processing a Conditional Use Application are described in Article Eight of this Ordinance.
2. All applications for Conditional Use Permits shall be accompanied by at least the following information and exhibits:
 - (a) A map of the proposed site and the surrounding area within three hundred (300) feet of the site. Such map shall show the following:
 - (i) The location and names of all streets.
 - (ii) The location of all easements and rights-of-way.
 - (iii) The location of any parks.
 - (iv) The location of any public space uses.
 - (v) The location of any residences or other permanent structures.
 - (vi) The zoning of each lot or parcel therein.
 - (b) A plot plan of the site showing the location of all existing and proposed structures, enclosures and other improvements.
 - (c) A Natural Resource Inventory Report prepared by the McHenry County Soil and Water Conservation District or proof of application for this report.
 - (d) Control of noise and light pollution, if applicable, shall be addressed as a part of the application.
 - (e) Any additional information specified in this Article for a particular Conditional Use. Such additional information must be filed with the Zoning Board of Appeals at the same time as the filing of the Conditional Use application.

NOTE: When the scale to be used for the map and plot plan required above is not specified for a particular Conditional Use, the scale shall be reasonable to the area of land covered so as to show necessary detail, and so that the area covered may be included on the map, the width of which does not exceed forty-two (42) inches. Suggested scales to be used are:

Up to 10 acres:	1" = 100'
Up to 40 acres:	1" = 200'
40 acres and above:	1" = 400'

All graphic exhibits submitted in accordance with the requirements should include one set for display purpose at the hearing, and a second set, reduced to report size, for attachment to amending ordinance.

502.2 RENEWAL PROCEDURES

Unless otherwise provided for in this Ordinance, application to renew an existing Conditional Use shall be made at least three (3) months prior to the expiration date of the existing Conditional Use Permit. Failure to file an application within this time frame shall result in the cessation of all operations provided for under the expired Conditional Use Permit until such time as a new Conditional Use Permit takes effect.

502.3 STANDARDS FOR CONDITIONAL USES

No Conditional Use shall be approved unless, after public hearing and recommendations of the Village of Ringwood Zoning Board of Appeals, the Village of Ringwood Board of Trustees shall find:

1. That the petitioner has demonstrated the ability to meet the requirements listed in the Section covering individual Conditional Uses.
2. That the site shall be so situated that the proposed use is compatible with the existing or planned future development of the area.
3. That the establishment, maintenance or operation of the Conditional Use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.
4. That the Conditional Use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
5. That the Conditional Use shall not substantially diminish and impair property value within the neighborhood.
6. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
7. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on the public streets.
8. That the Conditional Use shall in all other respects conform to the applicable regulations of the Village of Ringwood Zoning Ordinance for the district in which it is located.
9. That the Conditional Use is reasonably in the interest of the public welfare.

502.4 REQUIREMENTS FOR PARTICULAR CONDITIONAL USES

The following Sections contain information specific to each listed Conditional Use, including:

1. Additional information which must be filed with the applications for that particular use.
2. The minimum requirements which apply to that Conditional Use and any other criteria to be applied in evaluating that type of Conditional Use.

503 AIRPORTS, RESTRICTED LANDING AREAS AND HELIPORTS

503.1 APPLICATION

In the case of an application for a Conditional Use Permit to establish or operate an Airport, Restricted Landing Area or a Heliport, the basic information required in Section 502 shall be modified to the following extent:

1. If the proposed facility is for the use of fixed-wing aircraft, the map required in Section 502 shall be modified to show the surrounding area within one-half (1/2) mile of the proposed site.
2. If the proposed facility is an airport, a noise assessment study shall accompany the application. This study shall include maps depicting Noise Exposure Forecast (NEF) contours for both the degree of operation being proposed, and the maximum noise which would be allowable under state and federal requirements and regulations for the class of facility being proposed.
3. All State and/or Federal permits or licenses shall be obtained by the applicant prior to granting of a Conditional Use permit. If a permit or license cannot be obtained prior to granting zoning, a letter from the appropriate agency, stating acceptance for permit and pending zoning approval will be required.

503.2 REQUIREMENTS AND POSSIBLE CONDITIONS

1. The design and operation of Airports, Restricted Landing Areas, and Heliports shall be governed by the following requirements. The Zoning Board of Appeals shall evaluate a petitioner's ability to meet these requirements when considering a request for a Conditional Use Permit:
 - a. The areas shall be sufficient and the site otherwise adequate to meet the standards of the United States Department of Transportation, Federal Aviation Administration and the Illinois Department of Transportation, Division of Aeronautics for the class of airport proposed, and shall be designed and constructed in accordance with their published Rules and Regulations.
 - b. All buildings and structures shall meet the yard and setback requirements of the zoning district in which they are located. However, this requirement

shall not apply to equipment normally installed at the end of a runway such as ILS localizer antennas or VASI light arrays.

- c. Any proposed runway or landing strip for fixed winged aircraft shall be sited so that the approach zones within one-half (1/2) mile of the landing area do not pass over any school or hospital and multiple family dwelling.
 - d. Off-street parking space shall be provided. As a minimum, one (1) automobile parking space shall be provided for each aircraft or storage space. Additional automobile parking spaces will be required if the proposed facility will have scheduled air carrier service.
2. For restricted landing areas, the Zoning Board of Appeals may consider conditions which address the following:
- a. Prohibition of careless or reckless operation as determined by the F.A.A., acrobatic flight, fly-in events, balloon launches and non-conventional aircraft (helicopters, ultra-lights, gliders, auto-gyros, seaplanes, amphibious airplanes, etc.)
 - b. Restrictions on accessory uses, storage of planes and number of take-offs and landings.
 - c. Additional conditions as appropriate for the specific site.

504 CAMPGROUNDS

504.1 APPLICATION

An application for a Conditional Use Permit to establish or operate a campground shall be accompanied by the basic information required in Section 502.

504.2 REQUIREMENTS AND POSSIBLE CONDITIONS

1. The design and operation of a campground shall be governed by the following requirements:
 - a. The campground shall comply with all requirements of the McHenry County Camp Grounds Ordinance, as passed by the McHenry County Board on May 9, 1967, and amended from time to time, and with all applicable requirements of the McHenry County Health Department. (See Appendix E).
 - b. The campground shall have direct access to a County, State or U.S. road or highway.
 - c. The campground must comply with all applicable codes and regulations governing the installation, construction and/or operation of swimming pools, sewage disposal systems, food storage, plumbing, buildings and structures, electrical wiring and fire prevention.

2. The Zoning Board of Appeals may consider conditions which address the following:
 - a. Spaces in the campground may be provided to accommodate travel trailers, motor homes, tents or other types of short-term housing.
 - b. Management headquarters, recreational facilities, coin-operated laundry facilities, and other uses and structures customarily associated with the operation of a campground are permitted as accessory uses.
 - c. Spaces in the campground may not be provided for year-round housing of travel trailers and motor homes.
 - d. Additional conditions as appropriate for the specific site.

505 CAMPS, DAY AND YOUTH; DAY CARE CENTERS AND NURSERY SCHOOLS

505.1 APPLICATIONS

In the case of an application for a Conditional Use Permit to establish one of these facilities, the following is required in addition to the basic information required in Section 502:

A report from the McHenry County Department of Health regarding the type of facility proposed and Health requirements which must be met.

505.2 REQUIREMENTS

The design and operation of these facilities shall be governed by the following requirements:

1. All facilities shall comply with all requirements of the McHenry County Health Department and the State of Illinois for the type of facility being proposed.
2. The site of any of these facilities shall include a usable outdoor recreation area of not less than the minimum area required by DCFS. The recreation area shall not be a part of any required yard.
3. In addition to the front yard required in the zone in which the facility is located, there shall be two (2) side yards and a rear yard of at least thirty (30) feet each. No outside recreation apparatus or play fields shall be located in any required yard.
4. All outdoor recreation areas within two-hundred (200) feet of a street or boundary line shall be bounded with a chain link fence.

506 CEMETERIES

506.1 APPLICATION

An application for a Conditional Use Permit to establish or operate a cemetery shall be accompanied by the basic information required in Section 502.

506.2 REQUIREMENTS

The design and operation of cemeteries shall be governed by the following requirements; see also 410 ILCS 5/1; 5/2; 805 ILCS 320/0.01 et.seq.:

1. The site proposed for a cemetery shall not interfere with the development of a system of collector and larger streets. The site shall have direct access to a public thoroughfare.
2. All burial buildings shall be set back at least eighty (80) feet from any street bounding a cemetery or memorial park and there shall be two (2) side yards and a rear yard of at least twenty-five (25) feet each, which are to contain no burial lots or graves.
3. All graves or burial lots shall be set back at least thirty (30) feet from any right of way bounding the cemetery and there shall be two (2) side yards and a rear yard of at least twenty-five (25) feet each, which are to contain no burial lots or graves.
4. Adequate facilities shall be provided on the site and no cemetery parking will be permitted on any public streets.
5. Pet cemeteries may also be allowed as Conditional Uses. Pet Cemeteries shall comply with all state and county requirements covering this type of use. Pet Cemeteries must be specifically requested in an application for a cemetery when it will be in addition to human burials.

507 CHURCHES

507.1 APPLICATION

An application for a Conditional Use Permit to locate and operate a church shall be accompanied by the basic information required in section 502, and it shall also include a traffic study and report showing an unobstructed line of site distance along all contiguous streets, an estimate of peak traffic volumes generated by the church facility, and counts on said streets. (Traffic count maps are available from the Illinois Department of Transportation, Schaumburg).

507.2 REQUIREMENTS

The design and operation of a church shall be governed by the following:

1. Unobstructed line of sight stopping distances along contiguous streets shall be observed and shall meet the following schedule of posted traffic speeds:

Existing Speed Posted (Miles Per Hour)	Required Stopping Sight Distance (Feet)
20	125
25	150
30	200
40	325
50	475
55	550

2. The church facility shall comply with the parking requirements of Article Four.
3. Drainage and stormwater detention shall conform to Village standards for stormwater detention, retention and release.
4. The church facility shall comply with all applicable Health Department requirements based upon an estimated church membership.

508 FAIRGROUNDS, EXPOSITION GROUNDS, SPORTS CENTERS, SUMMER THEATERS AND AMPHITHEATERS

508.1 APPLICATION

An application for a Conditional Use Permit to establish one of these uses shall be accompanied by the basic information required in Section 502.

508.2 REQUIREMENTS

The design and operation of one of these facilities shall be governed by the following requirements:

1. The facility shall meet all applicable requirements of the McHenry County Department of Health.
2. The site shall contain at least twenty (20) acres and shall have direct access to a State-maintained route, County-maintained route, or Township-maintained route, if such township route has been brought up to County standards.
3. All yards shall be at least fifty (50) feet from the boundary line of the Property In Question (P.I.Q.) on the sides, rear and front.
4. Adequate vacant area must be available on the site to provide sufficient parking space to handle all anticipated crowds.

5. Accessory uses consistent with the operations of the grounds shall be permitted to the extent that they do not constitute a general retail sales outlet.

509 GAME BREEDING AND SHOOTING PRESERVE AREAS

509.1 APPLICATION

In the case of an application for a Conditional Use Permit to establish operate a Game Breeding and Shooting Preserve Area, the basic information required in Section 502 shall be modified to the following extent:

1. A letter from the Illinois Department of Natural resources is required, stating that the proposed area meets the requirements of that Department for the establishment of a Game Breeding and Shooting Preserve Area.

509.2 REQUIREMENTS

Game Breeding and Shooting Preserve Areas shall be operated in accordance with the following requirements:

1. Discharge of any shotgun used to take game on a preserve area must fall within the limits of the preserve area unless written permission is obtained from surrounding landowners.
2. The area shall comply with all requirements established by the State of Illinois relating to Game Breeding and Shooting Preserve Areas. (520 ILCS 5/3.27 through 5/3.35)
3. All State and/or Federal permits required shall be obtained prior to the issuance of a Conditional Use Permit.

510 HALFWAY HOUSES, HOSPICES AND EMERGENCY SHELTERS NOT MEETING LICENSING OR SPACEING REQUIREMENTS

510.1 APPLICATION

In the case of an application for a Conditional Use Permit to establish one or more of these facilities, the information and procedures required in Section 502 shall be met and accompanied by the following:

1. When submitted, the application shall also include the following:
 - a. A statement of the exact nature of the facility planned.
 - b. The qualifications of the organization or individuals which will operate the facility.
 - c. The type and number of personnel who will be involved in the daily operation of the facility.
2. In the case of halfway houses, including but not limited to those involved with

drug abuse, alcohol rehabilitation and prison pre-parolees, the proposed facility shall be reviewed by the County Mental Health Board. A copy of its report shall be attached to the application.

510.2 REQUIREMENTS

The design and operation of group homes, halfway houses, hospices, and emergency shelters where licensing is not required or spacing requirements cannot be met shall be governed by the following requirements:

1. Adequate utilities, access roads, drainage and other necessary facilities must be provided.
2. Ingress and egress shall be designated so as to minimize traffic congestion and hazard on the public streets.
3. The location of the group home, halfway house, hospice or emergency shelter shall not have an adverse impact on the residents in nearby uses of a similar or identical nature, nor on the character of the area in general.

511 HOMES, INSTITUTIONS AND SPECIALIZED CARE FACILITIES

511.1 APPLICATION

In the case of an application for a Conditional Use Permit to establish or operate one of the above facilities, the information and procedures required in Section 502 shall be met and accompanied by the following:

1. When submitted, the application shall also include the following:
 - a. A statement of the exact nature of the facility planned.
 - b. The qualifications of the organization which will operate the facility.
 - c. The type and number of personnel who will be involved in the daily operation of the facility.
 - d. Evidence that the facility will be able to obtain all of the Federal, State and local licenses and certification of accreditation needed for the type of use being proposed.
2. In the case of a health-related facility which requires a State certificate of need, the proposed facility shall be reviewed by the local Health Systems Agency, and a copy of its report shall be attached to the application.
3. In the case of a facility related to mental health, including but not limited to those involved in developmental disabilities, mental retardation, drug abuse or alcohol rehabilitation, the proposed facility shall be reviewed by the County Mental Health Board. A copy of its report shall be attached to the application.

511.2 REQUIREMENTS

The design and operation of the aforementioned facilities shall be governed by the following requirements:

1. All facilities shall obtain and maintain any State, Federal or local licenses required for their operation. Failure to maintain such licensure may result in a revocation of the Conditional Use.
2. All facilities shall meet the off-street parking requirements of Article IV.
3. Homes, Institutions and Specialized Care Facilities shall conform as much as possible to the type and outward appearance of the residences in the area in which they are located. This provision shall in no way restrict the installation of any ramp or other special features required to serve handicapped residents.
4. Any residential care facility which has residents who may require medical consultation shall have provisions for obtaining the medical consultation whenever necessary. This provision shall in no way require constant, in-house medical care.

512 HOSPITALS

512.1 APPLICATIONS

In the case of an application for a Conditional Use Permit to establish or operate a hospital, the information or procedures required in Section 502 shall be met and accompanied by the following:

1. The proposed hospital shall be reviewed by the local Health Systems Agency. (See 20 ILCS 3705: The Illinois Health Facilities Authority Act). A copy of its report shall be attached to the application.
2. The application shall be accompanied by any permits required by the State of Illinois for the construction of a hospital, or evidence that the needed permits will be issued pending the granting of proper zoning.

512.2 REQUIREMENTS

The design and operation of a hospital shall be governed by the following requirements:

1. The facility shall meet all standards set by the State of Illinois which cover the design and operation of hospitals.
2. The hospital shall obtain and maintain any licenses required for its operation. Failure to maintain any licensure may result in a revocation of the Conditional Use.
3. The facility shall comply with the off-street parking requirements of this Ordinance.

513 KENNELS, COMMERCIAL AND PRIVATE; AND ANIMAL SHELTERS

513.1 APPLICATIONS

In the case of an application for a Conditional Use Permit to establish or operate a Commercial or Private Kennel or an Animal Shelter, the information required in Section 502 shall be modified to the following extent:

1. The map required in Section 502 shall be modified to show the surrounding areas within one-quarter (1/4) mile of the site.
2. The plan of the site required in Section 502 shall also show any existing or proposed plantings and landscape features which may serve as noise buffering and visual screening elements.
3. A report from the McHenry County Department of Health is required, certifying that the proposed location and operation will not create a public hazard or in any way cause pollution of any surface or groundwater supply and that the owner and/or operator complies with the McHenry County Public Health Ordinance.

513.2 REQUIREMENTS

The design and operation of COMMERCIAL KENNELS, PRIVATE KENNELS, and ANIMAL SHELTERS subject to this Article shall be governed by the following:

1. The owner and/or operator shall meet all applicable requirements of the McHenry County Public Health Ordinance as required above.
2. The owner and/or operator shall meet all applicable requirements of the Village of Ringwood Building Code.
3. The main kennel building used to house the animals shall be insulated in such a manner that animal noises are minimized.
4. Exercise yards, when provided for training or exercising, shall be restricted to use during daylight hours.

In addition, thereto, COMMERCIAL KENNELS and ANIMAL SHELTERS shall be governed by the following standards:

1. The owner and/or operator or a responsible person shall be present at all times.
2. All points on the perimeter of the kennel structure exercise yards shall be at least one hundred (100) feet from the nearest boundary line of the parcel on which the structure is located.

In addition, thereto, ANIMAL SHELTERS, which may be used to house dogs, cats, or other species of domestic animal temporarily, up to ninety (90) days each, shall be governed by the following standards:

1. The owner, operator, or other responsible person shall be present at all times.
2. The Animal Shelter owner and/or operator shall comply with all federal, state, and county requirements.
3. The Animal Shelter shall be licensed by the State of Illinois Department of Agriculture.
4. Animals housed in the Animal Shelter shall be licensed by the McHenry County Health Department.
5. The Animal Shelter shall meet appropriate McHenry County Health Department health requirements and shall demonstrate that it does so by submitting an annual report from McHenry County Health Department certifying that the operation does not or will not create a public hazard or in any way cause pollution of any surface or groundwater supply and that the owner and/or operator complies with the McHenry County Public Health Ordinance.
6. The building used to house the animals shall be insulated in such a manner that animal noises are minimized, and that the site map shall show any existing or proposed plantings, landscaped features, or manmade structures which may serve to buffer noise or provide visual screening.
7. All points on the perimeter of any structure housing animals or any outdoor area available to animals shall be at least one hundred (100) feet from the nearest boundary line of the parcel on which the structure or available outdoor area is located.
8. Exercise yards or other outdoor facilities shall be restricted to animal use during daylight hours.
9. Premises may be inspected, without notice, anytime during daylight hours.
10. A form¹ which describes each animal in detail (breed, sex, color, markings, weight, etc.) and which monitors its intake and discharge on a daily basis shall be maintained for each animal.
11. The following shall be exempt from the ninety (90) day restriction:
 - a. Non-canines,
 - b. Lactating bitches with puppies under eight weeks of age on the premises,
 - c. Puppies under three (3) months of age, and
 - d. Up to four (4) dogs over three (3) months of age.
12. The Animal Shelter shall comply with any and all conditions that the Village of Ringwood deems appropriate.

1 Date Called _____ Time _____ Taken by _____
 Owner's Name _____ Phone _____
 Address _____, Ringwood, IL 60072
 Date acquired _____ Acquired from _____
 Breed _____ MIX PB Sex: M N F S Age: _____ Years _____ Months
 Color _____ Markings _____
 Collar _____ Tags _____ Pet's Name _____
 Hair: long medium short wiry wavy smooth clipped
 Tail: long short cutoff Ears: erect flop cropped
 Declawed: front back not Approx. weight _____ Eye color _____
 Found book checked
 date _____ | _____ | _____ | _____ | _____
 by _____ | _____ | _____ | _____ | _____
 Center checked
 date _____ | _____ | _____ | _____ | _____
 by _____ | _____ | _____ | _____ | _____

Form 1

514 MOBILE HOME PARKS

514.1 APPLICATION

In the case of an application for a Conditional Use Permit to develop a Mobile Home Park, the information and procedures required in Section 502 shall be met and modified to show the surrounding area within one-half (1/2) mile of the proposed site.

514.2 REQUIREMENTS

The design and operation of Mobile Home parks shall be governed by the following requirements:

1. The facility shall comply with all requirements of the McHenry County Health Department and the State of Illinois applicable to this type of use.
2. The facility shall meet all requirements of the McHenry County "Trailer Park and Motel Control Law" as passed by the McHenry County Board on July 9, 1957, and amended from time to time. (See Appendix F).
3. Each trailer site shall meet all requirements of the Village of Ringwood Subdivision Ordinance.

515 THEATERS, DRIVE-IN MOVIE

515.1 APPLICATION

An application for a Conditional Use Permit to establish or operate a Drive-In Movie Theater shall be accompanied by the basic information required in Section 502.

515.2 REQUIREMENTS

The design and operation of Drive-In Movie Theaters shall be governed by the following requirements:

1. The site shall contain at least five (5) acres.
2. The site shall have direct access to a major street.
3. All structures, viewing areas and seating areas shall be set back at least one hundred (100) feet from any street or boundary line.
4. All parking areas and access ways shall be adequately lighted, provided however, that such lighting shall be shielded to prevent glare or reflection onto neighboring properties or public streets.
5. Off-street reservoir parking spaces for vehicles of patrons awaiting admission to or departing from any Drive-In Movie Theater shall be equal to ten (10) percent of the vehicle capacity of the theater.
6. The following accessory uses may be permitted as incidental to, and limited to patrons of the principal use:
 - a. Playground area
 - b. Refreshment stands or booths
7. The viewing surface of the theater screen shall not be visible from any existing or proposed street within one-half (1/2) mile of any existing residence.

516 TOWERS: COMMUNICATION, AMATEUR RADIO AND CITIZEN BAND, OVER 100 FEET IN HEIGHT

516.1 APPLICATION

An application for a Conditional Use Permit to establish a tower shall be accompanied by the basic information required in Section 502.

516.2 REQUIREMENTS

1. Any tower the height of which exceeds the distance from such tower to the lot's or parcel's property lines shall be constructed to meet the requirements of applicable building codes.
2. All towers shall be equipped with an anti-climbing device or fence to prevent unauthorized access.

3. The plans of tower construction shall be certified by an Illinois Licensed Structural Engineer.
4. All towers must meet the standards of the FAA and FCC.
5. All buildings constructed shall be of such style and material that they are compatible with the area.
6. Landscaping of the site shall be required.

517 USE, ADULT

517.1 PURPOSE AND INTENT

It is the purpose of this Section to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of the Village of Ringwood while establishing reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses within the Village.

The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this section to condone or legitimize the distribution of obscene material.

517.2 SUPPLEMENTAL RULES, DEFINITIONS and CLASSIFICATIONS

517.2(1) RULES

- A. Each adult business must, prior to commencement or continuation of such business, first apply for and receive from the Village of Ringwood a Conditional Use Permit.
- B. Each adult business must, prior to commencement or continuation of such business, first apply for and receive an adult business license.
- C. Each adult business must comply with all applicable regulations specified in this section.
- D. Each adult business must comply with all applicable regulations or other zoning use designations in which the business is located.

517.2(2) CLASSIFICATION

Sexually oriented businesses (adults-only businesses) are classified as follows:

1. Adult arcades;
2. Adult bookstores or adult video stores;

3. Adult cabarets;
4. Adult entertainment centers;
5. Adult hotels/motels;
6. Adult massage parlors;
7. Adult motion picture theaters (includes adult mini-motion picture theaters);
8. Adult nightclubs;
9. Adult theaters;
10. Escort agencies;
11. Nude model studios;
12. Rap parlors; and,
13. Sexual encounter centers.

517.3 ZONING DISTRICTS

It shall be unlawful for any person to operate, engage in, conduct or carry on any adult business within the Village of Ringwood unless the person of the adult business first obtains, and continues to maintain in full force and effect, an adult business license and a Conditional Use permit. In addition to the base zoning requirements governing Conditional Use permits generally, the following additional requirements shall be satisfied by adult businesses. Such additional requirements shall be included in any approved Conditional Use permit:

- A. Maximum occupancy load, fire exits, aisles and fire equipment shall be regulated, designed and provided in accordance with the fire protection district and building codes, in addition to any other regulations and/or standards adopted by the Village of Ringwood.
- B. No adult business shall be operated in any manner that permits the observation of any material depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” from any public way or from any location outside the building area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening.
- C. Lighting shall be required which is designed to illuminate all off-street parking areas serving such use for the purpose of increasing the personal safety of store patrons and reducing the incidents of vandalism and theft. Said lighting shall be shown on the required plot plans and shall be reviewed and approved by the Village Board of Trustees.
- D. No loudspeakers or sound equipment shall be used by an adult business for the amplification of sound to a level discernible by the public beyond the walls of the building in which such use is conducted or which violates any noise restrictions as may be adopted by the Village of Ringwood.
- E. The building entrance to an adult business shall be clearly and legibly posted with a notice indicating that minors are precluded from entering the premises. Said notice shall be constructed and posted to the satisfaction of the Zoning Enforcement Officer of the Village of Ringwood.

- F. The adult business shall not be located, in whole or in part, within any portable structure.
- G. The adult business shall not conduct or sponsor any special events, promotions, festivals, concerts or similar activities which would increase the demand for parking spaces beyond the approved number of spaces for the business.
- H. The adult business shall not conduct any massage, acupuncture, figure modeling, tattooing, acupressure or escort services and shall not allow such activities on the premises.
- I. It shall be unlawful to sell, serve or permit the consumption of alcohol in a structure occupied by an adult business.
- J. Any adult business which allows customers to remain on the premises while viewing any live, filmed or recorded entertainment, or while using or consuming the products or service supplied on the premises, shall conform to the following requirements:
 - a. At least one security guard shall be on duty outside the premises, patrolling the grounds and parking areas, at all times while the business is open. If the occupancy limit of the premises is greater than 50 persons, an additional security guard shall be on duty inside the premises. The security guard(s) shall be charged with preventing violations of the law and enforcing compliance by patrons with the requirements of this ordinance, and notifying the Sheriff's Department and Zoning Enforcement Officer of any violations of law observed. Any security guard required by this subparagraph shall be uniformed in such manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state and/or local law. No security guard required pursuant to this subparagraph shall act as a door person, ticket seller, ticket taker, or admittance person while acting as a security guard hereunder.
 - b. Screening shall conform to the standards set forth in Section 308 of the 1997 Village of Ringwood Zoning Ordinance, except that, if the adult business is the sole use on a lot, no planting shall exceed 30 inches in height, except trees with foliage no less than six feet above the ground.
 - c. The entire exterior grounds, including the parking lot, shall be lighted in accordance with standards promulgated by the Zoning Enforcement Officer.
 - d. The premises within which the adult business is located shall provide sufficient sound-absorbing insulation so that noise generated inside said premises shall not be audible anywhere on any adjacent property or public right-of-way or within any other building or other separate unit within the same building.
 - e. No exterior door or window on the premises shall be propped or kept

open at any time while the business is open; additionally, any exterior windows shall be covered with opaque covering at all times. Such opaque covering shall be subject to approval of the Zoning Enforcement Officer.

- f. Permanent barriers shall be installed and maintained to screen the interior of the premises from public view for each door used as an entrance/exit to the business.
- K. All indoor areas of the adult business within which patrons are permitted, except restrooms, shall be open to view at all times.
- L. Except as specifically provided in this section, the adult business shall comply with the zoning, parking, development, and design standards applicable to the district in which the business is located.
- M. No adult material shall be displayed in such manner as to be visible from any location other than within the premises occupied by the adult business.
- N. No person under the age of 18 years shall be permitted within the premises at any time.
- O. The adult business shall provide and maintain separate restroom facilities for male patrons and employees and female patrons and employees. Male patrons and employees shall be prohibited from using the restroom(s) for females, except to carry out duties of repair, maintenance and cleaning of the restroom facilities. Female patrons and employees shall be prohibited from using the restroom(s) for males, except to carry out duties of repair, maintenance and cleaning of the restroom facilities. The restrooms shall be free from any adult material. Restrooms shall not contain television monitors or other motion picture or video projection, recording or reproduction equipment. The foregoing provisions of this paragraph shall not be applicable to an adult business which deals exclusively with the sale or rental of adult material which is not used or consumed on the premises, such as an adult bookstore or adult video store, and which does not provide restroom facilities to its patrons of the general public.
- P. Except as otherwise required by law for adult motion picture theaters, and adult arcades, all areas of the adult business which provide live entertainment, shall be illuminated at least to the extent of 20 foot-candles, minimally maintained and evenly distributed at ground level.
- Q. All on-site signage shall conform to the relevant provisions of the Village of Ringwood Sign Ordinance regarding signs. All adult materials and activities shall be concealed from view from any public right-of-way, parking lot or neighboring property.
- R. No adult business shall be open or operating during the hours from 10:00 p.m. to 8:00 a.m.

- S. The following additional requirement shall pertain to adult arcades which provide one or more viewing area:
- a. Upon application for a Conditional Use permit for an adult arcade, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager's stations, the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed 32 square feet of floor area with no dimension greater than eight feet. The diagram shall also designate the place at which the adult business license will be conspicuously posted. A professional prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram shall be oriented to the north or to some designated street or object and shall be drawn to a designated scale with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the adult arcade to an accuracy of plus or minus six inches.
 - b. The application shall be sworn to be true and correct by the owner under penalty of perjury.
 - c. No alteration in the configuration or location of a manager's station(s) may be made without the prior approval of the Village Board of Trustees.
 - d. It shall be the duty of the owner(s) to ensure that at least one employee is on duty and situated at each manager's station at all times that any patron is present inside the adult arcade.
 - e. The interior of the adult arcade shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the adult arcade to which any patron is permitted access for any purpose excluding restrooms. If the adult arcade has two or more manager's stations designated, then the interior of the adult arcade shall be configured in such a manner that there is an unobstructed view of each area of the adult arcade to which any patron is permitted access for any purpose, excluding restrooms, from at least one of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.
 - f. It shall be the duty of the owner(s) and it shall be the duty of all employees present in the adult arcade to ensure that the individual viewing area remains unobstructed by any doors, walls, persons, merchandise, display racks, or other materials at all times and to ensure that no patron is permitted access to any area of the adult arcade which has been designated as an area in which patrons will not be permitted.
 - g. No individual viewing area may be occupied by more than one person at any one time. "Individual viewing areas" shall mean a viewing area designed for occupancy by one person. Individual viewing areas of the adult arcade shall be operated and maintained without any hole or other opening or means of direct communication or visual or physical access between the interior space of two or more individual viewing

areas.

- h. No individual viewing area shall contain booths, stalls, or partitioned portions used for the viewing of adult material or other forms of entertainment, having doors, curtains or portal partitions, unless such individual viewing areas containing booths, stalls or partitioned portions have at least one side open to the manager's station and visible to such manager's station. Any booth, stall or partitioned portion of an individual viewing area authorized under this subparagraph shall be constructed so as to allow 12 inches of open space between the bottom of the stall or partition and the floor. Such open space shall remain unobstructed at all times.
 - i. The adult arcade shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access but such lighting shall not be of any intensity as to prevent the viewing of the adult material.
 - j. It shall be the duty of the owner(s) and it shall also be the duty of all employees present in the adult arcade to ensure that the illumination described above is maintained at all times that any patron is present in the adult arcade.
- T. The following additional requirements shall pertain to adult businesses providing live entertainment depicting specified anatomical areas or involving specified sexual activities:
- a. No person shall perform live entertainment for patrons of an adult business except upon a stage at least 18 inches above the level of the floor which is separated by a distance of at least six feet from the nearest area occupied by patrons, and no patron shall be permitted within six feet of the stage while the stage is occupied by an entertainer. "Entertainer" shall mean any person who is an employee or independent contractor of the adult business, or any person who, without any compensation or other form of consideration, performs live entertainment for patrons of an adult business.
 - b. The adult business shall provide for entertainers separate dressing room facilities which are exclusively dedicated to the entertainers use.
 - c. The adult business shall provide for entertainers an entrance/exit to the adult business which is separate from the entrance/exit used by patrons.
 - d. The adult business shall provide for entertainer's access between the stage and the dressing rooms which is completely separated from the patrons. If such separate access is not physically feasible, the adult business shall provide a minimum three-foot wide walk aisle for entertainers between the dressing room area and the stage, with a railing, fence or other barrier separating the patrons and the entertainers, a barrier capable of (and which actually results in) preventing any physical contact between patrons and entertainers.
 - e. No entertainer, either before, during or after performances, shall have physical contact with any patron; and no patron shall have physical contact with any entertainer either before, during or after performances

by such entertainer.

- f. Fixed rail(s) at least 30 inches in height shall be maintained establishing the separations between entertainers and patrons required by this paragraph.
- g. The adult business shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access with an illumination of not less than 20 foot candles as measured at the floor level.

The foregoing applicable requirements of this section shall be deemed conditions of permit approval, and failure to comply with each and all of such requirements shall be grounds for revocation of the Conditional Use permit and the adult business license issued pursuant to this section.

517.4 LOCATION

No person shall cause or permit the operation of any proposed or existing adult entertainment establishment within the following minimum distances from the existing specified uses:

- 1. Another adult entertainment center establishment, two thousand (2,000) feet.
- 2. Church or religious institution, fifteen hundred (1,500) feet.
- 3. Educational institution, fifteen hundred (1,500) feet.
- 4. Residence or residential district, fifteen hundred (1,500) feet.
- 5. Designated Village of Ringwood landmarked buildings, fifteen hundred (1,500) feet.
- 6. Nursing Homes, fifteen hundred (1,500) feet.
- 7. Park, one thousand (1,000) feet.

517.5 METHOD OF MEASUREMENT

The location distances set forth shall be measured by drawing a straight line between the closest property lines of the proposed or existing adult entertainment establishment to the nearest point on the property line of such religious institution, educational institution, park, residence, residential zoning district, landmark or another adult entertainment establishment. Measurement shall be made in a straight line, without regard to intervening structures or objects.

517.6 STANDARDS FOR ADULT USES

No Conditional Use permit shall be granted for an adult use unless the use:

- A. Will not increase crime in the neighborhood in which it is located;
- B. Will not adversely affect other commercial or industrial enterprises in the surrounding area;
- C. Will not cause substantial injury to the value of other property in the neighborhood in which it is located;

- D. Will not have an adverse effect on traffic flow or parking within the surrounding area;
- E. Will not cause the generation of noise in excess of levels so great as to constitute an unreasonable interference with the rights or well-being of persons outside of the confines of such establishment;
- F. Will not have an adverse effect on the character of the surrounding neighborhood because of the hours of operation of use;
- G. Will not be inconsistent with the exterior appearance of other commercial or industrial establishments;
- H. Will conform to the applicable regulations of the district in which it is to be located; and,
- I. Is within the provisions of "Conditional Uses" set forth in Article Five of the 1997 Village of Ringwood Zoning Ordinance.

The recommendation of the Zoning Board of Appeals to approve or deny a request for a Conditional Use permit for an adult use shall be based solely on the considerations set forth in Section 517, and all such considerations shall be applied consistently with the applicant's constitutional rights contained in the First, Fifth, and Fourteenth Amendments of the United States Constitution, and Sections 2 and 4 of Article I of the Illinois Constitution.

517.7 SIGNAGE

Notwithstanding any provision of these regulations, building codes or any other Village ordinance or regulation to the contrary, it shall be unlawful for any owner or operator of any adult or adults-only business or any other person to erect, construct, or maintain any sign for the regulated establishment other than one "primary sign" and one "secondary sign," as provided herein:

- A. Primary signs shall have no more than two (2) display surfaces. Each such display surface shall:
 - a. Not contain any flashing lights, moving parts or be constructed to simulate movement;
 - b. Be a flat plane, rectangular in shape;
 - c. Not exceed seventy-five (75) square feet in area; and,
 - d. Not exceed ten (10) feet in height or ten (10) feet in length.
- B. Primary signs shall contain no photographs, silhouettes, drawings or pictorial representations of any manner, and may contain only:
 - a. The name of the adult establishment and/or
 - b. Only one phrase explaining the type of establishment.
 - c. Primary signs for Adult Movie Theaters may contain the additional phrase, "Movie Titles Posted on the Premises."

- C. Secondary signs shall have only one (1) display surface. Such display surface shall:
 - a. Be a flat plane, rectangular in shape;
 - b. Not exceed 20 square feet in area; and,
 - c. Be affixed or attached to any wall or door of the establishment.

517.8 SUSPENSION AND REVOCATION OF AN ADULT USE CONDITIONAL USE PERMIT

The Village of Ringwood Board may suspend or revoke any adult business Conditional Use permit if it is found that any of the following conditions exist in addition to the criteria set forth in this section:

- A. The operation conducted by the permittee does not comply with all applicable laws, including, but not limited to, the Village's building, health, and zoning ordinances, the requirements of this section, and the conditions of approval of the Conditional Use permit; or
- B. The approved use has been substantially enlarged without the approval of the Zoning Enforcement Officer; the approved use has been partially or wholly converted to another adult business without the approval of the Zoning Enforcement Officer; the Conditional Use permit has not been utilized within six months of its issuance; or
- C. The adult business license has been suspended or revoked.

517.9 ADULT BUSINESS-LICENSE

An applicant for the operation of an adult business must obtain an adult business license in addition to a Conditional Use permit. No adult business license shall be sold, transferred, or assigned by any license holder, or by operations of law to any other person, group, partnership, corporation or any other entity, and any such sale, transfer, or assignment, or attempted sale, transfer, or assignment shall be deemed to constitute a voluntary surrender of such license, and such license shall be thereafter null and void. An adult business license held by an individual in a corporation or partnership is subject to the same rules of transferability as contained above. Any change in the nature or composition of the adult business from one type to another type of adult business use shall also render the license null and void. An adult business license shall be valid only for the exact location specified in the license.

517.10 APPLICATION AND RENEWAL PROCEDURES FOR AN ADULT BUSINESS LICENSE

Applicants for such licenses shall file a written, signed and verified application or renewal application on the form provided by the Village Clerk.

- A. Such application shall contain:
 - a. The name and permanent address of the applicant(s);
 - b. The name and business address of the applicant(s). If the applicant(s)

is a corporation, the name shall be exactly as set forth in its articles of incorporation and the applicant(s) shall show the name and residence address of each of the officers, directors and each stockholder owning no less than five (5) percent of the stock of the corporation. If the applicant(s) is a partnership, the application shall show the name and residence address of each of the members, including limited partners;

- c. A detailed description of the manner of providing proposed entertainment, including type of entertainment and the number of persons engaged in the entertainment;
 - d. Hours of operations;
 - e. A location, address and floor plan showing where the specific entertainment uses are proposed to be conducted within the building;
 - f. The name or names of the person or persons having management or supervision of the applicant(s)' business and of any entertainment;
 - g. A statement of the nature and character of the applicant(s)' business if any, to be carried on in conjunction with such entertainment; and
 - h. For a renewal application, the applicant(s) in addition shall indicate and changes since the filing of the initial application.
- B. Whether the applicant(s) or any of the other individuals pursuant to this section has had a previous permit under this section or other similar ordinances from another Village, city or county denied, suspended or revoked, including the name and location of the adult business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the applicant(s) or any other individuals listed pursuant to this section has been a partner in a partnership or an officer, director or principal stockholder of a corporation that was permitted under this section whose permit has previously been denied, suspended or revoked, including the name and location of the adult business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.
- C. Whether the applicant or any other individual listed pursuant to this section holds any permits and/or licenses for an adult business from another Village, city or county, and if so the names and locations of such other permitted businesses.
- D. If a person who wishes to operate an adult business is an individual, he/she must sign the application for a permit as applicant. If a person who wishes to operate an adult business is other than an individual, each individual who has a five (5) percent or greater interest in the business must sign the application for a permit as applicant. If a corporation is listed as owner of an adult business or as the entity which wishes to operate such a business, each individual having a five (5) percent or greater interest in the corporation must sign the application for a permit as applicant.
- E. All applications for a license or renewal shall be filed with the Village Clerk. Each application shall be accompanied by a non-refundable fee for filing or

renewal in the amount determined by resolution of the Village of Ringwood Board, which fees will be used to defray the costs of investigation, inspection and processing of such application.

- F. A license shall expire as of the end of the 12-month period from the date of its issuance, and renewal applications for such licenses shall be submitted no sooner than 45 days prior to expiration and no later than the third Monday immediately preceding the date of expiration of the license.
- G. Upon timely and proper application for renewal and the payment in full of all license fees, the Zoning Enforcement Officer shall issue to the applicant(s) a receipt showing the date of the renewal application and granting to the applicant a temporary extension of the license for a period of 45 days or until the application for renewal is approved or disapproved. Any license issued under the provisions of this ordinance may be renewed by issuance of a new license for an additional 12-month license period. All applications for renewal of licenses shall be processed in the manner provided for the issuance of the initial license.
- H. If the application for renewal of a license is not made during the time provided as set forth, then the license shall expire upon the effective expiration date, and a new license application and a new Conditional Use permit shall be required in order to continue the operation of the adult business.

517.11 INVESTIGATION

Upon receipt of an application properly filed with the Village Clerk, and upon payment of the non-refundable application fee, the Village Clerk shall immediately stamp the application as received and shall immediately thereafter send photocopies of the application to the McHenry County Sheriff's Department and any other departments or agencies responsible for enforcement of health, fire, building codes, and ordinances. Each department or agency shall promptly conduct an investigation of the applicant, application and the proposed adult business in accordance with its responsibilities under law and as set forth in this ordinance. Said investigation shall be completed within twenty-five (25) days of receipt of the application by the Village Clerk. At the conclusion of its investigation, each department or agency shall indicate on the photocopy of the application its approval or disapproval of the application, date it, sign it, and in the event it disapproves, state the reasons therefor.

A department or agency shall disapprove an application if it finds that the proposed adult business will be in violation of any provision of any statute, code, ordinance, regulation or other law in effect in the Village of Ringwood. After its indication of approval or disapproval, each department or agency shall immediately return the photocopy of the application to the Village Clerk.

517.12 AMORTIZATION POLICY

Any adult business/adults-only business lawfully operating on the effective date of this section which is in violation of subsection 517.4 of Section 517 shall be deemed a non-conforming use. The non-conforming use may be continued as hereinafter provided:

- A. Upon written notice from the Village of Ringwood to the owner(s) or interest therein, that any building, structure, lot or regulated use is non-conforming under the Conditional Use provisions of the zoning ordinance as amended, the owner(s) or interest therein shall, within three (3) months from the date of such notice, apply to the Village Clerk for a *Certificate of Non-Conformance* and *Amortization Schedule*.
- B. Failure to apply for a Certificate of Non-Conformance and Amortization Schedule within three (3) months of the notice provided for in Section 517.12 (A) will require the termination of the non-conformance within six (6) months of the notice.
- C. Non-conformances that have obtained a Certificate of Non-Conformance and Amortization Schedule from the Village Clerk shall be discontinued within one (1) year of the notice provided for in Section 517.12(A).
- D. Where the applicant(s) seek an amortization period longer than the allowed in subsection 517.12©, the applications for a Certificate of Non-Conformance and Amortization Schedule shall also include a statement in writing by the applicant(s) or his/her designated representative, as to the nature of the nonconformance and reasons for non-pursuance of conversion to a Conditional Use.

517.13 SEVERABILITY

Should any court declare any section, subsection, portion, sentence, clause, or other provision or subdivision of this section to be unconstitutional or otherwise void, such decision shall affect only that specific part and shall not affect any other section, provision or part of this section.

518 UTILITY FACILITIES, NON-EXEMPT

518.1 UTILITY EXEMPTION

In accordance with the Statutes of the State of Illinois, nothing in this Ordinance may impose restrictions on the type or location of any poles, towers, wires, cables, conduits, vaults, laterals or any similar distributing equipment of a public utility.

518.2 APPLICATION

In the case of an application for a Conditional Use Permit to construct and operate a non-exempt Utility Facility, the basic information required in Section

502 shall be met and modified to the following extent: An application to construct and operate either water works or sewage treatment plants shall be accompanied by a report and recommendations from the McHenry County Health Department.

518.3 REQUIREMENTS AND POSSIBLE CONDITIONS

The design and operation of a non-exempt Utility Facility shall be governed by the following requirements:

1. The facility shall comply with any recommendations from the Village Engineer as to design and construction, type of treatment, source of water, standards for testing and sampling and standards for the quality of effluent which are contained in the report required above.
2. The required lot area and location for the facility shall be determined in relation to the nature of the proposed use, the intensity of such use, and the effects of such upon the environment.
3. The facility shall comply with any Federal, State or local standards which are applicable to the particular type of use.

If findings indicate that a hazard may result, or that interference with the development of 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.

ARTICLE SIX – NONCONFORMING USES, LOTS AND STRUCTURES

601 INTENT

Within the Zoning Districts established by this Ordinance, and/or general amendments thereto, there exist

- Lots and Parcels
- Buildings and Structures
- Uses or Characteristics of Use

Which lawfully existed prior to the adoption of this Ordinance or amendment thereto, but which do not presently conform to the regulations and restrictions of this Ordinance or Zoning District in which they exist. It is the intent of this Article to provide for the regulation of these nonconformities and to specify the circumstances and conditions under which such nonconformities shall be permitted to continue.

602 GENERAL PROVISIONS

602.1 Non-conforming lots, parcels, buildings, structures and uses as defined in Article Two may be continued subject to the provisions of this Article. Such non-conformities shall be encouraged to convert to a conforming condition, where possible.

602.2 Nothing in this Ordinance shall be deemed to require any change in the plans, construction or designated use of any building or structure if a building permit for such building or other structure was lawfully issued prior to the effective date of this Ordinance and:

1. Actual construction pursuant to such permit was begun prior to the effective date of this Ordinance and has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent positions or fastening in a permanent manner. Where excavation or demolition or removal of an existing building has been substantially begun in preparation for rebuilding, such excavation or demolition or removal shall be deemed to be actual construction, provided that the work shall be carried on diligently.
2. All health, well and septic requirements in effect at the time the permit was issued shall be met.

603 NONCONFORMING LOTS OR PARCELS OF RECORD

A nonconforming recorded lot or parcel shall be subject to the following provisions:

1. In all Zoning Districts, the following activities shall be permitted subject to compliance with the requirements of this Ordinance, with the exception of those bulk requirements which cause the lot or parcel to be nonconforming:
 - a. Construction of new buildings

- b. Repair of existing buildings
 - c. Reconstruction of existing buildings that have been destroyed.
2. Required yards and setbacks for single family dwellings and accessory uses shall be measured from the outside perimeter of the overhang and shall meet the minimum requirements from Table Two and Sections 305 and 306 with the following exceptions:
- a. On interior lots or parcels, one side yard must be a minimum of ten (10) feet and the other must be ten percent (10%) of the width of the lot, but need not exceed ten (10) feet.
 - b. On a corner lot, the side yard abutting a street shall have a setback of twenty (20) feet, or the modified yard requirements found in Table Two of this Ordinance, whichever is greater.

604 NONCONFORMING BUILDINGS AND STRUCTURES

A nonconforming building or structure shall be subject to the following regulations:

1. If any nonconforming building or structure is destroyed by any means to an extent of more than fifty (50) percent of the replacement cost of that portion of the principal and accessory buildings which are above the average ground elevation, such building or structure shall not be rebuilt or reoccupied for any use except in accordance with the Zoning District in which it is located.

However, the rebuilding of structures used by hoofed animals (barns, shelters, etc.) after destruction by a calamity such as a fire, tornado, etc. shall be allowed only to the size and extent of its original development.

2. Damage to an extent less than that of the above paragraph shall be repaired in a manner as nearly conforming as possible.
3. Normal maintenance and repairs shall be permitted to the extent allowed in the Village of Ringwood Building Ordinance.
4. Nothing in this Section shall prohibit an addition to a residential building, provided that it meets the codes and shall not encroach upon any required yard as listed in Table Two.
5. Maintenance of septic systems in flood hazard areas shall be permitted to the extent of repair or replacement of tanks, fields and appurtenant parts essential for the functioning of the existing system and shall not include enlargement or upsizing of the septic system or field.

605 NONCONFORMING USES

Any land, building or structure containing or being used for a nonconforming use shall be subject to the following regulations:

1. A nonconforming use shall not be enlarged; however, nothing herein shall be

construed to as prohibiting additions to any dwelling located in the Rural Residential, Estate, or Residential Districts nor shall anything herein be construed as prohibiting the construction of a garage as an accessory use to any dwelling unit located in the Rural Residential, Estate, or Residential Districts. Nonconforming uses shall not be changed to another more intensive nonconforming type of use.

2. Nonconforming uses may continue to exist until such time as the use is discontinued for a period of more than twelve (12) consecutive months. This shall constitute abandonment of the nonconforming use, except, in the following cases:
 - a. Where government action impedes access to the premises;
 - b. Where the property owner files notice of the suspension of such nonconforming use with the Zoning Enforcement Officer at least ten (10) days prior to suspension of the nonconforming use. Failure to file such notice shall be deemed as intent to abandon such nonconforming use.

ARTICLE SEVEN – VARIATIONS

701 INTENT

In order to accomplish the general purpose of this Ordinance, consideration must be given to certain practical difficulties or hardships in carrying out the strict letter of regulations of this Ordinance. The purpose of the variation is to provide relief from such difficulties and hardships resulting from the bulk, setback, parking and loading requirements of this Ordinance. The term “variation” as used in this Ordinance does not include a map or text amendment to this Ordinance nor does it include a Conditional Use.

702 AUTHORIZED VARIATIONS

Applications for variations from the regulations of this Ordinance shall be reviewed and heard by the Zoning board of Appeals and then decided by the Village Board, and may be granted in the following instances:

1. To permit yard or setback less than the yard or setback required by the regulations of the applicable Zoning District.
2. To increase the height of any structure or the coverage of any lot or parcel.
3. To permit the same off-street parking facility to qualify as the required parking facility for two (2) or more uses provided that the use of such parking facility by each user does not take place during the same hours of the same day of the week.
4. To permit required off-street parking facilities to be located off the lot or parcel of the use for which the space is provided.
5. To increase by not more than twenty-five percent (25%) the maximum distance that required parking spaces are permitted to be located from the use served.
6. To reduce the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading space or twenty percent (20%) of the applicable regulations, whichever number is greater.
7. To vary the regulations of this Ordinance to allow innovative energy systems to be optimally placed within a site. The review and advisory recommendations of the Village Engineer, Health Department, and other relevant applicable agencies (e.g., EPA) are necessary in this instance.
8. To permit the exception from yard requirements for a Zoning District when a lot of record or a zoning lot which, either as a conforming or nonconforming lot or zoning lot, is reduced in size by the acquisition of a portion of said lot, by negotiation or by condemnation, for highway purposes by the McHenry County Highway Department or the State Highway Department.

9. To permit the use of a lot or parcel for a use otherwise prohibited solely because of the insufficient width frontage of the lot or parcel.

703 STANDARDS FOR VARIATIONS

The regulations of this Ordinance shall not be varied by the Village Board unless evidence presented to the Zoning Board of Appeals in each specific case demonstrates:

1. That the particular surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the regulations were carried out.
2. That the conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property within the same zoning classification.
3. That the purpose of the variation is not based exclusively upon a desire to increase the monetary gain realized from the property.
4. That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.
5. That the granting of a variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
6. That the proposed variation will not:
 - Impair an adequate supply of light and air to adjacent property, or
 - Substantially increase the congestion in the public streets, or
 - Increase the danger of fire, or
 - Endanger the public safety, or
 - Substantially diminish or impair property values within the adjacent neighborhood.
7. That the granting of the variation requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings of the same district.

In addition, the Zoning Board of Appeals may recommend that conditions or restrictions regarding the structure, its size, location or duration may be imposed upon the premises benefited by a variation as may be necessary to comply with the standards established in this subsection to reduce or minimize the effect of such variation on other property in the area and better carry out the general intent of this Ordinance.

ARTICLE EIGHT – ADMINISTRATION AND ENFORCEMENT

801 INTENT

It is the intent and purpose of this article to identify certain officers and agencies which will be required to administer and enforce this Ordinance; to identify and define other agencies, officers and officials with whom working relationships shall be required; to define the duties and responsibilities of said officers, officials and agencies; to set forth a procedural system for enforcing and amending this Ordinance; to establish guidelines for the interpretation of this Ordinance by Village agencies and officers.

802 ORGANIZATION

802.1 VESTED POWERS

The administration of this Ordinance is hereby vested in the Village Board of the Village of Ringwood, Illinois, and its Zoning Enforcement Officer, and the Zoning Board of Appeals (ZBA).

802.2 ZONING ENFORCEMENT OFFICER

Under the direction of the Village Board, the Zoning Enforcement Officer shall be responsible for the enforcement and interpretation of the Zoning Ordinance. More specifically, the Zoning Enforcement Officer shall:

1. Prepare reports for the Zoning Board of Appeals (ZBA) in the case of all applications made pursuant to this Ordinance, annexations, and annexation agreements. These reports, at a minimum, shall address consistency of a request with the Land Use Plan, surrounding zoning and land uses. These reports shall also suggest areas of concern for investigation at the hearing, including possible conditions for a Conditional Use or for a Variation.
2. Issue all certificates of occupancy and make and maintain records thereof.
3. Issue and renew, where applicable, all temporary use permits in consultation with other interested official bodies, and make and maintain records thereof.
4. Monitor for compliance all Conditional Use Permits granted by the Village Board under the provisions of Article Five and of this Article and make and maintain records thereof.
5. Issue all sign permits in accordance with the Village of Ringwood Sign Ordinance, and make and maintain records thereof.
6. Conduct such inspections, field examinations, and research as are necessary to ensure compliance with all of the provisions of this Ordinance, and where there are violations initiate action to secure compliance. For purposes of making inspections, the Enforcement Officer and duly authorized

representatives shall have the right to enter upon any property at reasonable times.

7. Keep the Zoning Map and Text up-to-date.
8. Provide zoning information upon request.
9. Perform such other duties as are assigned by this Ordinance.
10. Interpret the provisions of this Ordinance for conformance; such interpretation to be appealable to the Zoning Board of Appeals.

802.3 VILLAGE OF RINGWOOD ZONING BOARD OF APPEALS

1. Established

The Village of Ringwood Zoning Board of Appeals is hereby established and may be referred to as the “Zoning Board of Appeals,” “Zoning Board,” or “ZBA.”

2. Composition and Terms of Members

The ZBA shall consist of seven (7) members. Terms of office, vacancies, successors, appointments, etc., of the members of the Zoning Board of Appeals shall be in accordance with requirements of the Illinois Statutes at the time of the appointment; and members shall continue to serve in that capacity for the remainder of the terms to which they have been duly appointed and until their successors have been appointed by the Village President by and with the advice and consent of the Board of Trustees. Said members shall be eligible for reappointment upon completion of their present terms providing they meet all of the requirements for appointment.

3. Chair

The Chair of the Zoning Board of Appeals shall be appointed by the President of the Village Board from members of the Zoning Board of Appeals with the advice and consent of the members of the Village Board. The term of office of the Zoning Board of Appeals Chair shall be until his/her successors is appointed as aforesaid.

4. Meetings

All meetings of the Zoning Board of Appeals shall be at the call of the Chair, or in his/her absence the Vice Chair or the Chair Pro-Tem. All meetings of the Zoning Board of Appeals shall be in accordance with the Open Meetings Act.

5. Duties of the Zoning Board of Appeals

The Zoning Board of Appeals shall have the authority to compel the attendance of witnesses at hearings and to administer oaths, and in furtherance of its duties shall:

- A. File minutes of its proceedings and any written recommendations from other official bodies; show the vote of each member by name, upon every question, or if absent or failing to vote, indicate such fact, and keep records of its examinations and other official actions.
- B. File with the Village Clerk all rules and regulations and amendment or repeal thereof, and every order, requirement, decision, or determination of said Board. These shall become public records.
- C. Establish rules of procedure, and such other rules as it deems necessary for conducting hearings, not in conflict with the Statutes of the State of Illinois or this Ordinance, and make said procedures available to the public.
- D. Hear appeals from the decisions of the Enforcement Officer.
- E. Determine whether the necessary documents for conducting any hearings have been filed.
- F. Hear and review applications for text amendments and for any relief from the provisions of this Ordinance with respect to particular premises; and make reports and recommendations in connection therewith to the Village Board.
- G. Except in the case of appeals from the decisions of the Zoning Enforcement Officer, the decisions of the ZBA concerning any application shall be in the nature of an advisory recommendation to the Village board.

All documents filed with the Zoning Board of Appeals shall be available for public inspection and copying in accordance with the Illinois Freedom of Information Act as now or hereafter amended.

6. Public Hearing Format

The format of the public hearing shall be as follows:

- Call to order
- Identification roll call in petition who are present
- Parties of interest in petition who are present
- Reading of the petition, verification of notice of publication and by certified mailings of abutting owner(s)
- Identification of objectors
- Presentation of evidence by Applicant
- Questions by Zoning Board of Appeals members

- Questions by objectors
- Presentation of evidence by objectors
- Questions by Zoning Board of Appeals members
- Question by Applicant
- Applicant's closing statement
- Objector(s)'(s) closing statement
- Vote by Zoning Board
- Adjournment

7. Zoning Board of Appeals Quorum

No hearing shall be conducted unless at least four members of the Zoning Board are present.

8. Zoning Board's Vote on Petitions; Report and Recommendation

- A. The concurring vote of four (4) members of the ZBA shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the Applicant on any matter upon which it is required to pass under this Ordinance. Where a vote is conducted at any meeting subsequent to the hearing, any member present at the time of the hearing who states that he has read the transcript or listened to the tape recordings of the proceedings of the Zoning Board hearing from which he was absent may vote upon any questions before the Board.
- B. The Zoning Board of Appeals may postpone its vote on any petition for only one of its meetings, but a vote and recommendation upon such petition must be made at the next meeting thereafter provided a quorum of the Board is present, unless further delay is obtained with the approval of the Applicant, his attorney or agent.
- C. The report and recommendation of the BZA shall be made to the Village Board and shall contain a short summary of the petition, locate the property, and give the reasons advanced by the ZBA for rejecting or approving the prayer of the petition. The report shall also contain the recommendation of the ZBA and shall indicate the making of the motion, the seconding thereof, and all votes for or against the motion. Members not voting or absent shall also be recorded.

803 INTERPRETATION OF THIS ORDINANCE

803.1 GENERAL PROVISIONS

This Ordinance shall be interpreted strictly and in accordance with standards set forth in the following section. The Enforcement Officer's decision shall be subject to appeal as provided in the sub-section of this Article, entitled Appeals.

803.2 STANDARDS

Whenever any provision of this Ordinance overlaps, contradicts or covers the same subject matter as any other provision of this Ordinance or any other Ordinance, regulation, statute or rule, the more restrictive or higher standard shall control.

803.3 MINIMUM REQUIREMENTS

In the interpretation and application of this Ordinance, the provisions shall be held to be minimum requirements for the promotion and protection of the public health, safety, morals, comfort and welfare.

804 GENERAL PROCEDURES

804.1 APPLICATION

Application for any zoning amendment, Conditional Use, variation, appeal, etc. shall be filed with the Village Clerk. A hearing date for an amendment, variation or Conditional Use will be set by the Chair of the Zoning Board when all of the filing requirements of Ordinance have been met. The Zoning Board of Appeals will not consider the sufficiency of the application and evidence until after a public hearing has been held and all parties have been given an opportunity to address such application, evidence, and documents. After said hearing, the Zoning Board shall make findings as to the evidence, documents, and testimony, and shall report its findings in its recommendation to the Ringwood Village Board.

Applications will contain, at a minimum, the nature of the request; a legal description, permanent parcel number and common description of the property; a statement of the present zoning and use of the subject property and of surrounding properties; the names and current addresses of the Applicants; and verification by the owners or their authorized agent attesting to the truth and correctness of all facts, statements and information presented. In addition, applications for zoning amendments, variations, and Conditional Use shall contain a survey of the property by a surveyor registered with the State of Illinois and a list of the names and addresses of the current tax payers of record of the adjoining properties. The legal description in the survey must coincide with the legal description in the petition, legal notices and ordinance, when presented.

All Petitions shall be brought in the name(s) of the record title owner(s) through their attorneys or authorized agents. If a contract purchaser or tenant shall be involved, either with or without a contingent right, the contract purchaser or tenant shall be revealed and be named as a second party to the Petition, but such contract purchaser or tenant may not file without the owner. Petitions may not contain alternative requests, such as one zoning classification and a second alternative classification.

If an application is made by the trustee of any land trust, the application and notice shall identify each beneficiary of such land trust by name and address and define his interest therein. All such applications shall be verified by the Applicant

in the Applicant's capacity as trustee or by the beneficiary(-ies) as (a) beneficial owner(s) of an interest in such land trust.

804.2 PUBLIC HEARING AND NOTICE

A hearing shall be held on any application requiring such a hearing (per this ordinance or other statute) before the Zoning Board of Appeals in the Ringwood School or such other place the chair may designate.

The Applicant shall present clear and convincing evidence to the Zoning Board of Appeals at the hearing that the standards of this Ordinance have been met.

Notice requirements for a public hearing before the Zoning board of Appeals shall be met by the Applicant as follows:

1. Notice of Public Hearing – by Zoning Poster

Every lot, parcel or block of parcels involved in a request requiring public hearing shall be posted with a zoning poster by the Applicant, and proof of posting will be required by filing an affidavit with the Zoning Board stating the time, date, and place of posting on or before the date of the hearing. Failure to file the required affidavit shall cause a delay in the scheduled hearing. Posters must be placed on the principal road frontage of the subject property at a location visible to the public. If the lot, parcel or block of parcels have no principal road frontage, posters shall be provided by the Village Clerk, and they shall be posted at least fifteen (15) consecutive days before each hearing and shall be removed by the Applicant as soon as possible after the hearing.

2. Notice of Public Hearing – Publication of

Notice of the time and place of any public hearing required by this Ordinance shall be published not less than fifteen (15) days and not more than thirty (30) days before such hearing in a newspaper of general circulation that is published in McHenry County. A certificate of Publication shall be filed with the Zoning Board on or before the hearing date.

3. Published Notice of Public Hearing – Contents Required

The notice shall contain:

- A. The location of the real estate by legal description and street address and if no street address then by locating such real estate with reference to any well-known landmark, highway, road, thoroughfare or intersection; and permanent property index number.
- B. The name(s) of the Applicant(s);
- C. When an Applicant is a trustee, the name(s) and address(es) of all beneficial owners thereof;

- D. When the Applicant is a business or entity doing business under an assumed name, the names and residence addresses of all true and actual owners of such business or entity;
 - E. When the Applicant is a partnership, joint venture, syndicate, or an unincorporated voluntary association, the names and addresses of all partners, joint ventures, syndicate members or members of the unincorporated voluntary association;
 - F. A statement of the present zoning on the parcel in question;
 - G. A brief statement of the proposed request proposed in the petition;
 - H. The time, date and location of hearing.
4. Notice to Adjoining Property Owners

The Applicant shall also furnish the Village Clerk with the full names and addresses of the taxpayers who have last paid taxes on all property contiguous to or abutting the parcel or parcels concerned in the petition, including such taxpayers of record as may own property across the road, street or alley, which may abut the premises concerned on one or more sides. It shall also be the duty of the Applicant to send such taxpayers a copy of the notice concerning the hearing, by certified mail with return receipt requested, mailed no more than thirty (30) nor less than fifteen (15) days prior to said hearing. At the hearing, the Applicant shall file return receipts with the Chair of the Zoning Board of Appeals and an affidavit of such mailing as to those taxpayers of record for whom return receipt have not been received from the post office.

804.3 ORDINANCE PREPARATION AND CONSIDERATION

It shall be the obligation of the Applicant or the Attorney for the Applicant to prepare a suitable Ordinance incorporating the recommendation of the Zoning Board.

After a hearing and recommendation by the Zoning Board, the Village Board shall either approve or deny the ordinance. As soon as possible after the ordinance has been voted upon, the Village Board shall notify the Applicant of the decision.

804.4 INTERIM REQUIREMENT PRIOR TO RESUBMISSION OF A DENIED REQUEST

Any petition which shall have been denied by the Village Board shall not be brought before the Zoning Board again until one year shall have passed from the date of the first public hearing unless the prayer of the petition shall make a substantially different request.

805 CONDITIONAL USE PERMIT

1. Application: The application for a Conditional Use Permit shall meet both the general requirements and the specific requirements as set forth in Article Five.
2. Certification or Denial: After hearings by the Zoning Board, the Village Board shall either approve or deny the application, and where approved, shall establish the specific conditions under which the application is approved.

806 VARIATIONS

Variations may be granted only when in conformity with the “Authorized Variation” and “Standards for Variations” established in Article Seven. No variation that has been granted shall be valid for a period longer than twelve (12) months from the date of granting unless a building permit is obtained within that period and the erection or alteration of a building is started or commenced.

807 MAP AMENDMENT FACTORS

- 807.1 The following factors shall be considered by the Zoning Board in evaluating an application for Map Amendment:
- A. Whether the proposed amendment is detrimental to the orderly development of the Village of Ringwood;
 - B. Whether the proposed amendment is detrimental to or endangers the public health, safety, morals or general welfare of the community of McHenry County and the Village of Ringwood;
 - C. Whether the request is consistent with existing uses of property within the general area of the property in question;
 - D. Whether the request is consistent with the zoning classifications of the property within the general area of the property in question;
 - E. Whether the property in question is suitable for the permitted uses under the existing zoning classification;
 - F. Whether there is a trend of development in the general area of the property in question, including changes, if any, which may have taken place since the property in question was placed in its present zoning classification;
 - G. Whether the property has been vacant as zoned, and for what length of time, considered in the context of the land development in the area surrounding the subject property;
 - H. Whether and to what extent the values of the property in question as well as adjacent property are diminished or enhanced by particular zoning restrictions.

807.2 WRITTEN PROTEST

1. A written protest may be filed with the Village Clerk against the proposed map amendment, signed and acknowledged by:
 - A. The owner or owners of at least twenty percent (20%) of the land to be rezoned;
 - B. The owner or owners of land immediately touching or immediately across a street, alley or public right-of-way, from at least twenty percent (20%) of the perimeter of the land to be rezoned.
2. All written protests shall be served by the protester or protesters on the Applicant for the proposed amendment and a copy upon the Applicant's attorney, if any, by certified mail at the address of such Applicant and attorney shown in the application for the proposed amendment. Copies of all protests and returns from service by certified mail shall be filed with the Village Clerk before the Village Board meeting at which the Board will vote on the proposed amendment. Failure to meet all of the requirements for filing and service of a protest shall render such protest invalid.

807.3 APPROVAL OR DENIAL

No amendment shall be passed except by a favorable vote of two-thirds of the Village Trustees then holding office.

807.4 TIME LIMIT AND NOTIFICATION

All proposed amendments shall be decided by the Village Board as soon as practicable after the public hearing and vote of the Zoning Board. The Applicant shall be notified by the Village Board in writing whether the amendment has been granted or denied.

808 APPEALS

808.1 SCOPE OF APPEALS

Any person aggrieved by any decision made with respect to this zoning ordinance by the Enforcement Officer may appeal to the Zoning Board of Appeals. Such appeal shall be taken within thirty (30) days of the decision being appealed, by filing a notice of appeal, specifying the grounds thereof, with the Officer from whom the appeal is taken and with the Zoning Board of Appeals. The Officer shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.

808.2 PETITION FOR AN APPEAL

A petition for an appeal shall contain the following information:

1. Name and address of the Applicant;
2. Location of property in question;

3. Copy of the Enforcement Officer's letter outlining the decision being appealed;
4. Identification of the ordinance provision(s) in dispute;
5. A description of the proposed use, including plot plan, if applicable.
6. Statement of the grounds for the appeal.

808.3 NOTICE OF HEARING

The Zoning Board of Appeals shall fix a reasonable time for the hearing of the appeal. The appeals hearing shall be subject to the notice provisions contained in Sections 804.2, paragraphs 2, 3, and 4. At the hearing, any party may appear in person, by agent or by attorney. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination which in its opinion ought to be made in the premises, and to that end shall have all the powers of the Enforcement Officer.

808.4 STAY OF PROCEEDINGS

An appeal stays all official proceedings unless the officer from which the appeal is taken provides the Zoning Board of Appeals with a statement stating that a stay of the proceedings would cause imminent peril to life or property.

808.5 DECISION OF THE ZONING BOARD OF APPEALS

The Zoning Board of Appeals shall reach its decision within thirty (30) days from the date of the public hearing on the appeal. The concurring vote of five (5) members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision or determination of the Enforcement Officer. The Zoning Board of Appeals shall maintain complete records of all appeal actions. Decisions shall be submitted to the Applicant and the Enforcement Officer.

808.6 APPEALS TO COURTS

All final administrative decisions of the Zoning board of Appeals are subject to judicial review pursuant to the provisions of the "Administrative Review Act," approved May 8, 1945, and all amendments and modifications thereof and the rules adopted pursuant thereto.

809 FEES

Fees for all required permits described in this Ordinance, and fees required for the filing of petitions before the Zoning Board of Appeals shall be established by the Village Board. There shall be no fees in the case of applications filed in the public interest by the Village of Ringwood, the Zoning Board of Appeals, or public governmental body. All fees shall be collected by the Village Clerk. No fees described herein shall be refundable.

810 PENALTIES

810.1 FAILURE TO COMPLY

Failure to comply with any of the requirements of this Ordinance shall constitute a petty offense, and any person upon conviction thereof shall be fined not more than five hundred (500) dollars for each offense. Each day the violation continues shall be considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, who commits, participates in, assists in, or maintains such violations may be found guilty of a separate offense and subject to the above penalties.

The Village may also take other lawful action as is necessary to prevent or remedy a situation.

810.2 VIOLATIONS

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained; or any building, structure or land is used in violation of this Act or of any ordinance, resolution or other regulation made under authority conferred thereby, the proper authorities of the Village, or any person, the value or use of whose property is or may be affected by such violation, in addition to other remedies, may institute any appropriate action or proceedings in the Circuit Court to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

ARTICLE NINE – MISCELLANEOUS PROVISIONS

901 SEVERABILITY

This Ordinance and any amendment hereto and the various parts, sections, subsections and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance or amendment hereto shall not be affected thereby. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid as applied to a particular property, building or other structure, it is hereby provided that the application of such portion of the Ordinance to other property, buildings or structures shall not be affected hereby. Whenever any condition or limitation is included in an order authorizing any Conditional Use, variation, certificate of occupancy, site plan approval or designation of legal nonconformance, it shall be conclusively presumed that the authorizing officer of the body considered such condition or limitation necessary to carry out the spirit and purpose of this Ordinance or the requirements of some provision hereof, and to protect the public health, safety and welfare, and that the officer or board would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation was lawful.

902 EFFECTIVE DATE

This Ordinance shall be in full force and effect after its enactment by the Village Board in accordance with the provisions of law until repealed or amended by a subsequent Village Board Ordinance.

903 REPEAL OF CONFLICTING ORDINANCE

All previously existing zoning regulations of the Village of Ringwood in conflict with this Ordinance are hereby repealed and supplanted to the extent of such conflict.

904 RELATIONSHIP

Whenever regulations or restrictions imposed by this Ordinance are either more or less restrictive than regulations or restrictions imposed by any other governmental authority through legislation, rule or regulations, the regulations, rules or restrictions which are more restrictive or which impose higher standards or requirements shall govern. Regardless of any other provision in this Ordinance, no land shall be used and no structure erected or maintained in violation of any State or Federal pollution control or environmental protection law or regulation.

ARTICLE TEN – SIGN REGULATIONS

1001 STATEMENT OF PURPOSE

The purpose of this ordinance is to establish standards for the fabrication, erection and use of signs, symbols, markings and advertising devices within the Village. These standards are designed to protect and promote the public welfare, health and safety of persons within the community and to aid in the development and promotion of business and industry by providing sign regulations which encourage aesthetic creativity, effectiveness and flexibility in the design and use of such devices without creating detriment to the general public.

This ordinance authorizes the use of signs provided they are:

Compatible with their surroundings, pursuant to the objectives of proper design and zoning amenities;

Designed, installed and maintained to meet the sign user's needs while at the same time promoting the amendable environment desired by the general public;

Designed, constructed, installed and maintained in such a manner that they do not endanger public safety or traffic safety;

Legible, readable and visible in the circumstances in which they are used.

1002 PERMITS REQUIRED

(1) Except as otherwise provided in this ordinance it shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the Village, or cause the same to be done, without first obtaining a sign permit for each such sign from the Administrator as required by this ordinance. These directives shall not be construed to require any permit for a change of copy on any sign, nor for the repainting, cleaning and other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign or sign structure is not modified in any way. No new permit is required for signs which have permits and which conform with the requirements of this ordinance on the date of its adoption unless and until the sign is altered or relocated.

(2) Any sign permit issued by the Administrator shall become null and void if manufacture is not commenced within one hundred and eighty days from the date of such permit. If work authorized by such permit is suspended or abandoned for one hundred and twenty days any time after the work is commenced, a new permit shall be first obtained to do so, and the fee will be one-half the amount required for a new permit for such work, provided that no changes have been made in the original plans. Such permit may not be unreasonably withheld, providing that proper applications and payment of permit fees is complied with.

- (3) In emergency situations, where there is imminent danger of personal injury or harm to property, work may be initiated and completed without first applying for a permit. However, a permit shall be applied for within forty-eight hours after the first working day when work has commenced on the sign.

1003 PERMISSION TO INSTALL SIGN

No person shall erect, construct or maintain any sign upon any property or building without the consent of the owner or person entitled to possession of the property or building if any, or their authorized representatives.

1004 APPLICATION FOR PERMIT

Application for a permit shall be made to the Administrator upon a form provided by the Administrator and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the Village including:

- (1) Name and address of owner of the sign.
- (2) Name and address of owner of the person in possession of the premises where the sign is located or to be located.
- (3) Clear and legible drawings with description definitely showing location of the sign which is the subject of the permit and all other existing signs whose construction requires permits, when such signs are on the same premises.
- (4) Drawing showing the dimensions, construction supports, sizes, foundation, electrical wiring and components, materials of the sign and method of attachment and character of structure members to which attachment is to be made. The design, quality, materials and loading shall conform to the requirements of the building code. If required by the Administrator, engineering data shall be supplied on plans submitted certified by a duly licensed structural engineer.

1005 ISSUANCE - DENIAL

The Administrator shall issue a permit for the erection, alteration, or relocation of a sign within the Village when an application therefor has been properly made and the sign complies with all appropriate laws and ordinances.

The Administrator may, in writing, suspend or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a misstatement of material fact or fraud. When a sign permit is denied by the Administrator, he shall give written notice of the denial to the applicant, together with a brief written statement of the reasons for the denial.

1006 EFFECT OF ISSUANCE

No permit for a sign issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in an action to abate an unlawful sign.

1007 PERMIT FEES

Application for permits shall be filed with the Administrator, together with a permit fee for each non-residential sign, provided, however, that the minimum fee for a permit shall be forty-two dollars. The fee for each sign permit shall be calculated at a basis of \$1.00 a square foot, for each square foot in excess of ten square feet.

- (1) The calculation on a free-standing pole, ground, monument or any similar or roof sign shall be based only on one face of the sign. That calculation shall be based on the largest face of the sign.
- (2) Facia or wall signs: only the copy area as calculated in this Code shall be included in the above-mentioned fee.

1008 SIGN PERMIT APPEALS

Appeal may be taken to the Village Board from the Administrator's denial of a sign permit.

1009 NOTICE OF CHANGE OF SIGN OWNER OR USER

Whenever there is a change in the sign user (excluding outdoor advertising signs), owner or owner of the property on which the sign is located, the new sign user, owner, or new property owner shall forthwith notify the Administrator of the change. No new sign permit is required, unless the sign is altered or relocated.

1010 INSPECTION

The person erecting, altering, or relocating a sign shall notify the Administrator upon start of construction and upon completion of the work for which permits are required.

- (1) Inspections. All free-standing signs may be subject to a footing inspection. All electrical signs may be subjected to a final electrical inspection by the Administrator.
- (2) Maintenance. Every sign in the Village, including any sign exempted from normal permit requirements, shall be maintained in good structural condition at all times, and shall be kept neatly painted, including all parts and supports. The Administrator shall have the authority to order the painting, repair, alteration or removal of signs which become dilapidated or are abandoned, or which constitute physical hazard to the public safety.

- (3) Signs declared unlawful. The Administrator may declare any sign unlawful if it endangers public safety by reasons of inadequate maintenance, dilapidation or abandonment. Any such declaration shall state the reasons of the Administrator for stating that any sign owned, kept, displayed, or maintained by any person within the Village, the ownership keeping a display which is unlawful pursuant to the provisions of this ordinance, is hereby declared to be in violation of this ordinance. The Administrator may declare any such sign to be unlawful, and such declaration shall state in writing the reason or reasons why such sign and the keeping, owning, maintenance, construction, and display or operation thereof, is unlawful.

1011 CONSTRUCTION SPECIFICATIONS:

- (1) COMPLIANCE WITH BUILDING CODE. All signs shall comply with the appropriate detailed provisions of the Village building code relating to design, structural members and connections. Signs shall also comply with the provisions of the National Electrical Code and the additional construction standards hereinafter set forth in this section.
- (2) CONSTRUCTION OF SIGNS, AUXILIARY SPECIFICATIONS.
 - (a) Identification and marking. Each non-residential sign hereafter erected or remodeled shall bear, in a permanent position thereon a clearly legible identification plate stating the name and address of the owner of the sign, and the person, firm or corporation responsible for its construction, erection and the date of erection. Electrical signs shall be marked with input amperages at the full load input.
 - (b) Sign identification tag. Each non-residential sign shall have a two by four-inch sticker placed on the sign that identifies the permit number that was originally issued by the Administrator. This sticker shall be renewed on a five-year basis as provided for in this ordinance.
 - (c) Obstruction to exits. No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.
 - (d) Obstruction to ventilation. No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation, except that such signs may be erected in front of and may cover transom windows when not in violation of the provision of the building or fire prevention code.
 - (e) Clearance from high voltage power lines. Signs shall be located not less than eight feet horizontally or thirteen feet vertically from overhead electrical conductors which are energized in excess of seven hundred and fifty volts. Signs located in the vicinity of electrical conductors energized with less than seven hundred and fifty volts shall maintain horizontal or vertical clearances from all overhead electrical conductors

in accordance with the specifications of the National Electric Safety Code, published by American National Standards Institute, 1430 Broadway, New York, New York 10018. However, in no case, shall a sign be installed closer than thirty-six inches horizontally or vertically from any electrical conductor or public utility guy wire.

- (3) **FREE-STANDING SIGNS -MATERIALS.** All free-standing sign structures or poles shall be self-supporting structures erected on and permanently attached to concrete foundations. Foundations shall be designed to carry weight and wind load of the sign, in soil which it is placed. Such structures or poles shall be fabricated only from painted or galvanized steel, or such other materials as may provide equal strength.
- (4) **ELECTRIC SIGNS.** All electric signs shall conform to the standards of the Village electrical code. The full number of illuminating elements thereof shall be kept in safe and working condition or immediately repaired or replaced, if faulty. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated. All electric signs shall have a disconnect switch located in accordance with the provisions of the Village building code.
- (5) **GLASS.** When glass is used for sign letters or transparent or translucent panels, it shall be at least double strength thickness for sign areas up to and including three hundred square inches. When glass is used for sign letters or transparent or translucent panels for sign areas in excess of three hundred square inches at least one-quarter inch wire glass shall be used and the maximum span between supports shall be four feet.
- (6) **PLASTIC.** Plastic shall be of thickness and shape necessary to withstand wind loadings specified in section 9. Proper allowance or provision shall be made in connections to provide for thermal contraction and expansion.
- (7). **STRENGTH OF PARAPET, WALL OR ROOF.** A parapet wall or roof must be designed for and have sufficient strength to support any sign which is attached thereto.
- (8) **SUPPORTS AND BRACES.** Metal supports or braces shall be adequate for wind loadings, specified in section 9. Wire or cable supports shall have a safety factor of four. All metal, wire cable supports and braces and all bolts used to attach sign to bracket or brackets and signs to the supporting building or structure shall be of galvanized steel or of an equivalent material. All sign supports shall be an integral part of the sign design.
- (9) **WIND LOADS.** All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind loads as follows:

For solid signs, thirty pounds per square foot on one face of the sign.
For signs that are not solid, thirty-six pounds per square foot of the total face area of the letters and other sign surfaces, or ten pounds per square foot of

the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.

- (10) **SIGN ANCHORING.** Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action, unless specifically designed by means of bearings or other methods approved, to allow for movement.

1012 ZONING.

No sign shall be placed or erected in violation of the Zoning Ordinance of the Village.

1013 SPECIFIC SIGN TYPE REGULATIONS.

The following regulations shall apply to the specific sign types as permitted in the district regulations:

- (1) **Canopy and marquee signs.** Canopy and marquee signs shall not exceed a 32 square feet area.
- (2) **Construction signs.** The erection of one construction sign shall be permitted on property where construction is actually in progress under a current building permit. This sign shall be a ground sign not to exceed 48 square feet and may include the names of persons and firms performing services, labor, or supplying material to the premises.
- (3) **Development signs.** Two development signs may be permitted where there are two entrances to an undeveloped subdivision shown on a properly recorded plat. This sign shall be a ground sign and shall be limited in size to 100 square feet for each of the two entrances. Permits for such development signs shall be issued for a period of one year only and shall be subject to renewal by application. Such permits shall be reviewed by the chief building official only after determination that the promotion of the development is active. Subdivision signs are permitted as provided in section 5, paragraph (i) of this ordinance.
- (4) **Ground signs.** All ground signs and billboards shall be subject to the following limitations:
 - (a) **Surface area limit.** Not to exceed 150 square feet for billboards and, except as otherwise provided in this ordinance, 75 square feet for all other ground signs.
 - (b) **Height of the billboards** shall not exceed 25 feet measured from finished grade to the highest point on the sign; height of all other ground signs shall not exceed five feet measured from finished grade to the highest point.

- (c) Clearance. There shall be a clearance of nine feet between the finished grade and the bottom of the sign if said sign extends over a street right-of-way, sidewalk, or drive.
 - (d) Number. Only one ground sign shall be permitted for each premises, except that on corner and double frontage lots, two ground signs are permitted.
- (5) Billboards. No billboards shall be permitted within the Village except those that are intended to advertise or inform persons who are traveling on the wider traveled way of a State of Illinois or Federal Highway and no such billboard may be located within 400 feet of such highways nor within 1500 feet of another billboard on the same side of such highway.
- (6) Projecting signs. Projecting signs shall be subject to the following limitations:
- (a) Projection limitations. Four feet beyond the surface of the portion of the building to which it is attached or designed.
 - (b) Surface area and height limitations.

Building Size	Surface Area Limits	Maximum Height of Sign Above Ground
1 Story	12 sq. ft.	12 ft.
2 Stories	12 sq. ft.	12 ft.
3 Stories	32 sq. ft.	20 ft.

- (c) Number. Only one projecting sign per building.
- (7) Real estate signs. Real estate signs offering to sell the property where the sign is placed are permitted provided that only one sign shall be erected for each parcel of property or unit offered for sale, exchange, lease or rent, subject to the following regulations:
- (a) No such sign shall exceed 10 square feet in area.
 - (b) Such signs are to be located a minimum of three feet from the right-of-way line and a minimum of ten feet from the side lot lines except, where the building is in a commercial area, it may extend to the sidewalk line. No signs may be fastened to buildings except in commercial areas. No signs shall be fastened to trees or utility poles in any area.
- (8) Subdivision signs. Subdivision signs shall be treated as ground signs and shall be permitted at subdivision entrances provided the following requirements are met:

- (a) A sign plan showing the sign design and location is submitted to and approved by the Village Board.
 - (b) The sign shall not exceed four feet in height and shall not obstruct the line of sight of motorists when entering or leaving the subdivision.
 - (c) No sign shall exceed 40 square feet in area.
- (9) Wall signs. Wall signs shall be subject to the following requirements:
- (a) Wall signs may not exceed five square feet of sign area for each ten lineal feet of building wall on which the sign is located;
 - (b) A wall sign may not project more than 12 inches from the building wall to which it is attached;
 - (c) Illuminated wall signs shall be back lighted to silhouette the title or be illuminated from an indirect light source;
 - (d) Number. Only one wall sign shall be permitted for each premises, except that on corner and double frontage lots, two wall signs are permitted;
- (10) Outdoor illuminated signs. Outdoor illuminated signs shall comply with the provisions of this ordinance and the Village Outdoor Lighting Code.

1014 PERMIT EXCEPTIONS

The following operations shall not be considered as creating a sign insofar as requiring the issuance of a sign permit, but the signs must be in conformance with all other buildings, structural and electrical laws and regulations of the Village.

- (a) Changing of the advertising copy of message on an existing approved painted or printed sign, marquee, changeable copy sign or a similar approved sign whether electrical, illuminated, electronic changing message center or non-illuminated painted message which are all specifically designed for the use of replaceable copy.
- (b) Painting, repainting, cleaning or other normal maintenance and repair of a sign not involving structural changes. Replacement of the plastic face will be included as an exempt operation provided that it is due to a change caused by breakage or deterioration of the face, but not for the substitution of a new or different advertiser.
- (c) Changes in the content of show window displays and permitted temporary signs.

1015 EXEMPT SIGNS

- (a) Construction signs. One construction sign per construction project not exceeding the size permitted by the zoning ordinance, provided that such signs shall be erected no more than five days prior to the beginning of construction for which a valid building permit has been issued, shall be confined to the site of construction, and shall be removed five days after completion and prior to occupancy.
- (b) Directional or instructional signs. Signs which provide directions and do not exceed four square feet in area, signs, identifying rest rooms, public telephones, walkways, or signs providing direction such as parking lot entrance and exit signs and those of similar nature.
- (c) Flags. The flags, emblems, or insignia of any national or political subdivision.
- (d) Governmental signs. Governmental signs for control of traffic and other regulatory purposes, street signs, danger signs, railroad crossing signs, and signs of public service companies indicating danger and aids to service or safety which are erected indicating danger and aids to service or safety which are erected by or on the order of, a public officer in the performance of his public duty.
- (e) Holiday signs. Signs of a primarily decorative nature, clearly incidental and customary and commonly associated with any national, local or religious holiday; provided that such signs shall be displayed for a period of not more than thirty consecutive days nor more than sixty days in any one year. Such signs may be of any type, number, area, height, illumination or animation; and shall be set back not less than ten feet from all boundary lines of the lot, provided that a clear area be maintained to a height of seventy-two inches, within fifty-five feet of the centerline of the intersection of two streets, a railroad and a street and a street and driveway. Subject to the foregoing, any type of holiday decorations that partially camouflage or divert attention from traffic signals or directional signals are specifically prohibited.
- (f) House numbers and name plates. House numbers and name plates not exceeding two square feet in area for each residential building.
- (g) Incidental signs. Up to two incidental signs, as defined in this Code, may be attached to a free-standing sign structure or to a building wall. Area of each sign may not exceed five square feet; the total area of all such signs may not exceed ten square feet.
- (h) Interior signs. Signs located within the interior of any building or stadium, shopping center, or within an enclosed lobby or court of any building, and signs for and located within the inner or outer lobby, court

or entrance of any theater, that are not visible from the public right-of-way.

- (i) Memorial signs. Memorial signs or tablets, names of buildings, and date of erection when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other incombustible material.
- (j) Notice bulletin boards. Notice bulletin boards not over twenty-four square feet in area for medical, public, charitable or religious institutions.
- (k) No trespassing or no dumping signs. No trespassing or no dumping signs not to exceed one and one-half square feet in area per sign and not to exceed four in number per lot, except that special permission may be obtained from the Administrator for additional signs under proven special circumstances.
- (l) Occupant signs. One sign for each dwelling unit not to exceed two square feet in area indicating the name of the occupant, or identification of a home professional office.
- (m) Placques. Placques or name plate signs not more than two and one-half square feet in area which are fastened directly to the building.
- (n) Political and campaign signs. Political or campaign signs on behalf of candidates for public office or measures on election ballots provided that said signs are subject to the following regulations:
 - (1) Said signs shall be removed within fifteen days following a primary election, except that nominee's signs, write-in candidate's signs and referenda signs shall be removed within fifteen days following the general election.
 - (2) No sign shall be located within or over the public right-of-way.
- (o) Public notices. Official notices posted by public officers or employees in the performance of their duties.
- (p) Public signs. Signs required or specifically authorized for a public purpose by any law, statute or ordinance; which may be of any type, number, area, height above grade, location, illumination, or animation, required by the law, statute or ordinance under which the signs are erected.
- (q) Real estate signs. One real estate for sale sign (single or double face) on any lot or parcel, provided such sign is located entirely within the property to which the sign applies, is not illuminated, does not exceed 32 square feet in area, and is removed within seven days after the sale, rental, or lease has been consummated. One additional sign, as

described above, is permitted where a parcel has in excess of three hundred feet of frontage or fronts on two streets.

- (r) Permanent window signs. For each ground floor occupancy of a building not more than two permanent signs may be painted on or otherwise displayed from the inside surface of any window, showcase or other similar facility. Said signs shall be in addition to those signs permitted under the other provisions of this ordinance. The total copy area of such signs, however, shall not exceed a maximum of twenty-five percent of the total window area, or one square foot per lineal front foot of the premises occupied, whichever is the lesser.
- (s) Signs in the display window. Signs in the display window of a business use which are incorporated with a display relating to services offered.
- (t) Symbols or insignia. Religious symbols, commemorative plaques of historical agencies, or identification emblems of religious orders or historical agencies.
- (u) Temporary signs. Temporary signs not exceeding four square feet in area pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that said signs are posted only during said drive or no more than thirty days before said event and are removed no more than seven days after an event. The Village council may grant a temporary permit for signs or banners over a street or public way. A temporary banner may exceed 40 square feet in area.
- (v) Warning signs. Signs warning the public of the existence of danger, but containing no advertising material, of a size as may be necessary, to be removed upon subsidence of danger.

1016 PROHIBITED SIGNS

The following types of signs are expressly prohibited mall districts, except as otherwise provided by this ordinance:

- (a) ANIMATED AND INTENSELY LIGHTED SIGN. No sign shall be permitted which is animated by means of flashing, scintillating, blinking or traveling lights or any other means not providing constant illumination. Changing signs as defined in this ordinance are permitted.
- (b) MOVING SIGNS. Except as otherwise provided in this ordinance, no sign or any portion thereof shall be permitted which moves or assumes any motion constituting a nonstationary or non-fixed condition except for the rotation of barber poles, changing signs or multi-prism units. Indexing multi-prism units must not exceed a speed of two complete revolutions every twenty seconds. This section is not meant to prohibit any form of vehicular sign such as a sign attached to a bus or lettered on a motor vehicle.

- (c) **ABANDONED SIGNS.** No person, firm or corporation shall abandon any sign anywhere in the Village.
- (d) **SIGNS ON MOVING VEHICLES.** No person shall drive, on the public streets, any vehicle with a sign that interferes with the vision of the driver of that vehicle or of any other vehicle. No person shall drive, on the public streets, any vehicle with any moving sign.
- (e) **PUBLIC AREAS.** No sign shall be placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property or over or across any street or public thoroughfare except expressly be authorized by this ordinance.
- (f) **BANNERS.**
 - (1) Banners, flags, pennants, search lights, twirling signs, sandwich board signs, sidewalk or curb signs, balloons, or other gas-filled figures shall not be used except as described in paragraph (2) of this section.
 - (2) Signs described in (1) above will be permitted in a commercial or industrial district for a total period not to exceed fifteen days in any six-month period at any business location. Banners, flags and pennants will be allowed in residential districts in conjunction with a demonstration of model homes in a new subdivision for two days before the opening of such demonstration to two days after and not to exceed a total period of fifteen days in any calendar year.
- (g) **PORTABLE SIGNS.** Portable or wheeled signs are prohibited. This shall not be interpreted to prohibit lettering on motor vehicles or advertising on buses.
- (h) **OTHER SIGNS.** The following signs are also prohibited:
 - (1) signs which bear or contain statements, words, or pictures of an obscene, or pornographic character;
 - (2) signs which are painted on or attached to any fence (except temporary fences around construction sites), or on any wall or structure (other than structures for permitted signs) which is not structurally a part of a building, except to identify a residence or residence structure by means of posting the name of the occupant or structure, and the street address;
 - (3) signs which operate or employ any stereopticon or motion picture projection or media or have visible moving parts or give the illusion of motion except as expressly permitted in this ordinance;

- (4) signs which emit audible sound, odor, or visible matter; resemble an official traffic sign or signal;
- (5) signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal;
- (6) signs which, by reason of their size, location, movement, content coloring or manner of illumination, may be confused with or constructed as a traffic control sign, signal or device, hide from view any traffic or street sign or signal or device.
- (i) BILLBOARDS. No billboard sign shall be permitted in the Village except those intended to advertise or inform persons traveling on the main traveled way of a State of Illinois or Federal Highway.
- (j) FLASHING SIGNS.
- (k) ROOF SIGNS.
- (l) ADVERTISING BALLOONS (not including toy balloons designed to be held by one person).

1017 LEGAL NONCONFORMING SIGNS

- (a) Notification of nonconformity. After the enactment of this ordinance, the Administrator shall as soon as practicable, survey the Village for signs which do not conform to the requirements of this ordinance. Upon determination that a sign is nonconforming, the Administrator shall use reasonable efforts to so notify either personally or in writing the user or owner of the property on which the sign is located of the following: (i) the sign's nonconformity; and (ii) whether the sign is eligible for characterization either as legal nonconforming or unlawful. If the sign owner, user, or owner of the property cannot be located, the notice may be affixed in a conspicuous place to the sign or to the business premises with which the sign is associated.
- (b) Signs eligible for characterization as "legal nonconforming." Any sign located within the Village limits on the of adoption of this ordinance, or located in an area annexed to the Village thereafter, which does not conform with the provisions of this ordinance, is eligible for characterization as a "legal nonconforming" sign, if the sign was in compliance with applicable law on the date of adoption of this ordinance.
- (c) Loss of legal nonconforming status. A legal nonconforming sign shall immediately lose its legal nonconforming designation if: (1) The sign is altered in any way in structure, which tends to or makes the sign less in compliance with the requirement of this ordinance than it was before the alteration; or (2) The sign structure is relocated to a position making it less in compliance with the requirements of this

ordinance; or (3) The sign (except for copy on a changeable copy sign) is replaced; On the happening of any one of (1), (2) or (3), the sign shall be immediately brought into compliance with this ordinance with a new permit secured therefor, or shall be removed.

1018 LEGAL NONCONFORMING SIGN MAINTENANCE AND REPAIR

Nothing in this section shall relieve the owner or user of a legal nonconforming sign or owner of the property on which the legal nonconforming sign is located from the provisions of this ordinance regarding safety, maintenance, and repair of signs, contained in this ordinance, provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure in any way which makes it more nonconforming.

1019 MAINTENANCE AND REPAIR

Every sign including but not limited to those signs for which permits are required or for which no permits or permit fees are required, shall be maintained in a safe, presentable and good structural material condition at all times, including the repair or replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign. The Administrator shall require compliance with all standards of this ordinance. If the sign is not made to comply with adequate safety and maintenance standards, the Administrator shall require its removal in accordance with this section.

1020 ABANDONED SIGNS

Except as otherwise provided by this ordinance, any on-premises sign which is located on property which becomes vacant and unoccupied for a period of three months or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months or more. Any off-premises sign which no longer, and for a period of three consecutive months, advertises goods, products, services or facilities available to the public or which directs persons to a different location where such goods, products, services or facilities are not for a period of three consecutive months available, shall be deemed to have been abandoned. Abandoned signs shall be removed by the owner of the premises on which the sign is located.

1021 DANGEROUS OR DEFECTIVE SIGNS

No persons shall maintain or permit to be maintained on any premises owned or controlled by him any sign which is in a dangerous or defective condition. Any such sign shall be removed.

1022 UNLAWFUL SIGNS

No person shall erect or permit to be erected any sign which does not comply with the provisions of this ordinance.

1023 SIGN IN RIGHT -OF-WAY

Any sign located in or projecting over a public right-of-way at the time of the effective date of this ordinance which was subject to removal or relocation at the owner's expense, pursuant to a permit or other ordinance of the Village, shall be removed by the owner or altered at the owner's expense to comply with the regulations of this ordinance.

1024 REMOVAL OF SIGNS BY THE ADMINISTRATOR

The Administrator shall cause to be removed any sign that endangers the public safety such as an abandoned, dangerous, or materially, electrically or structurally defective, sign or a sign for which no permit has been issued. The Administrator shall prepare a notice which shall described the sign and specify the violation involved and which shall state that if the sign is not removed or the violation is not corrected within ten days the sign shall be removed in accordance with the provisions of the section.

All notices mailed by the Administrator shall be sent by certified mail. Any time periods provided in this section shall be deemed to commence on the date of the receipt of the certified mail.

The notice shall be mailed to the owner of the property on which the sign is located, the owner of the sign and the occupant of the property. If any of such persons is unknown or cannot be found, notice shall be mailed to such persons last known address, if any, and posted on the sign or on the premises. .

Any person having an interest in the sign or the property may appeal the determination of the Administrator ordering removal or compliance by filing a written notice of appeal with the Building Board of Appeals within ten days after the receipt of the notice.

Notwithstanding the above, in cases of emergency, the Administrator may cause the immediate removal of a dangerous or defective sign without notice.

1025 DISPOSAL OF SIGNS - COSTS

Any sign removed by the Administrator pursuant to the provisions of this section shall become the property of the Village and may be disposed of in any manner deemed appropriate by the Village. The cost of removal of the sign by the Village shall be considered a debt owed to the Village by the owner of the sign and the owner of the property, and may be recovered in an appropriate court action by the Village. The cost of removal shall include any and all incidental expenses incurred by the Village in connection with the sign's removal.

When it is determined by the Administrator that said sign would cause an imminent danger to the public safety, and contact cannot be made with a sign owner or building owner, no written notice shall have to be served. In this emergency situation, the Administrator may correct the danger, all costs being charged to the sign owner and property owner.

If it shall be necessary for the Administrator to remove a sign pursuant to the provisions hereof, and it should be practicable to sell or salvage any material derived in the aforesaid removal he may sell the same at private or public sale at the best price obtainable, and shall keep an account of the proceeds thereof. Such proceeds, if any, shall be used to offset the costs of removal to be charged to the sign owner or property owner. The Village may file a suit in court to collect any excess over such cost and the cost of the removal shall be levied as an assessment against the property on which the sign is located.

1026 - 1029 (RESERVED)

1030 REGULATION OF OFF-PREMISES HIGHWAY ADVERTISING

- 1030.1 LOCATION. No off-premises sign shall be erected or located within 400 feet of any state of Illinois or Federal highway.
- 1030.2 SIZE. No sign may be erected which exceeds 150 square feet in area, including border and trim, but excluding ornamental base or apron, supports and other structural members, nor shall the top of any sign exceed 25 feet in height from any point along the ground elevation beneath such sign. The maximum size limitation shall apply to each side of a sign or sign structure. Only one sign may be erected in a facing. Signs may be double-spaced or be placed back to back or V-type. The sign area shall be measured by the smallest square, rectangle, triangle, circle or combination thereof which will encompass the entire sign.
- 1030.3 LIGHTING. No illuminated sign may be erected.
- 1030.4 SPACING. No two sign structures may be erected along the same side of any State of Illinois or Federal Highway less than 1,500 feet apart.
- 1030.5 RAILROAD CROSSING. No sign shall be erected within 100 feet of any railroad grade crossing or placed in such a manner as to create an obstruction of full view of the intersection of a highway and railroad right-of-way.
- 1030.6 PERMITS. No sign, except signs described herein, may be erected along any State of Illinois or Federal highway without first obtaining a permit from

the Village of Ringwood. The annual license fee for such sign permit shall be \$500.

- 1030.7 Any person, firm or corporation violating any provision of this ordinance shall be fined Five Hundred Dollars (\$500. 00) for each offense committed on each day during, or on which, a violation occurs or continues.
(ORD 96-3-2)

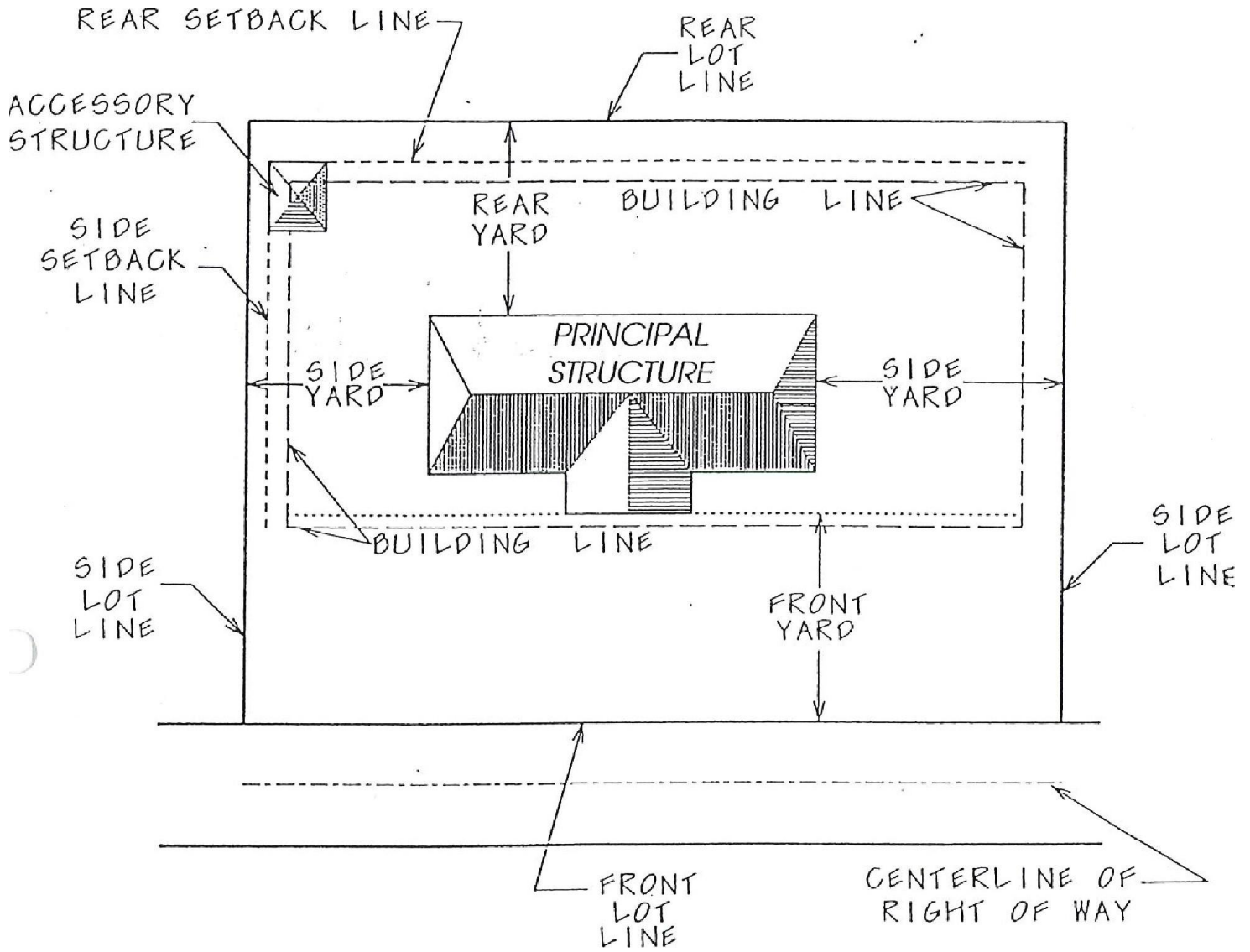
APPENDICES

Appendix A	Lot, Line, and Yard Illustration
Appendix B	Block and Lot Illustration
Appendix C	Street Classification Map
Appendix D	Adapted from McHenry County Department of Health Ordinance, Article XVII (Animal Control), Section 9 (Farm Animals)
Appendix E	McHenry County Campgrounds Ordinance
Appendix F	McHenry County Trailer Coach Park and motel Control Law

In addition to the above listed items included in the Appendix, many other Ordinances and documents are not included in the Appendix but are used in conjunction with the Zoning Ordinance, such as but not limited to:

- Building Ordinances
- Health Ordinances
- Junked Vehicle Ordinance
- Liquor Control Ordinance
- Village of Ringwood Subdivision Ordinance
- Village of Ringwood Year 2010 Land Use Plan

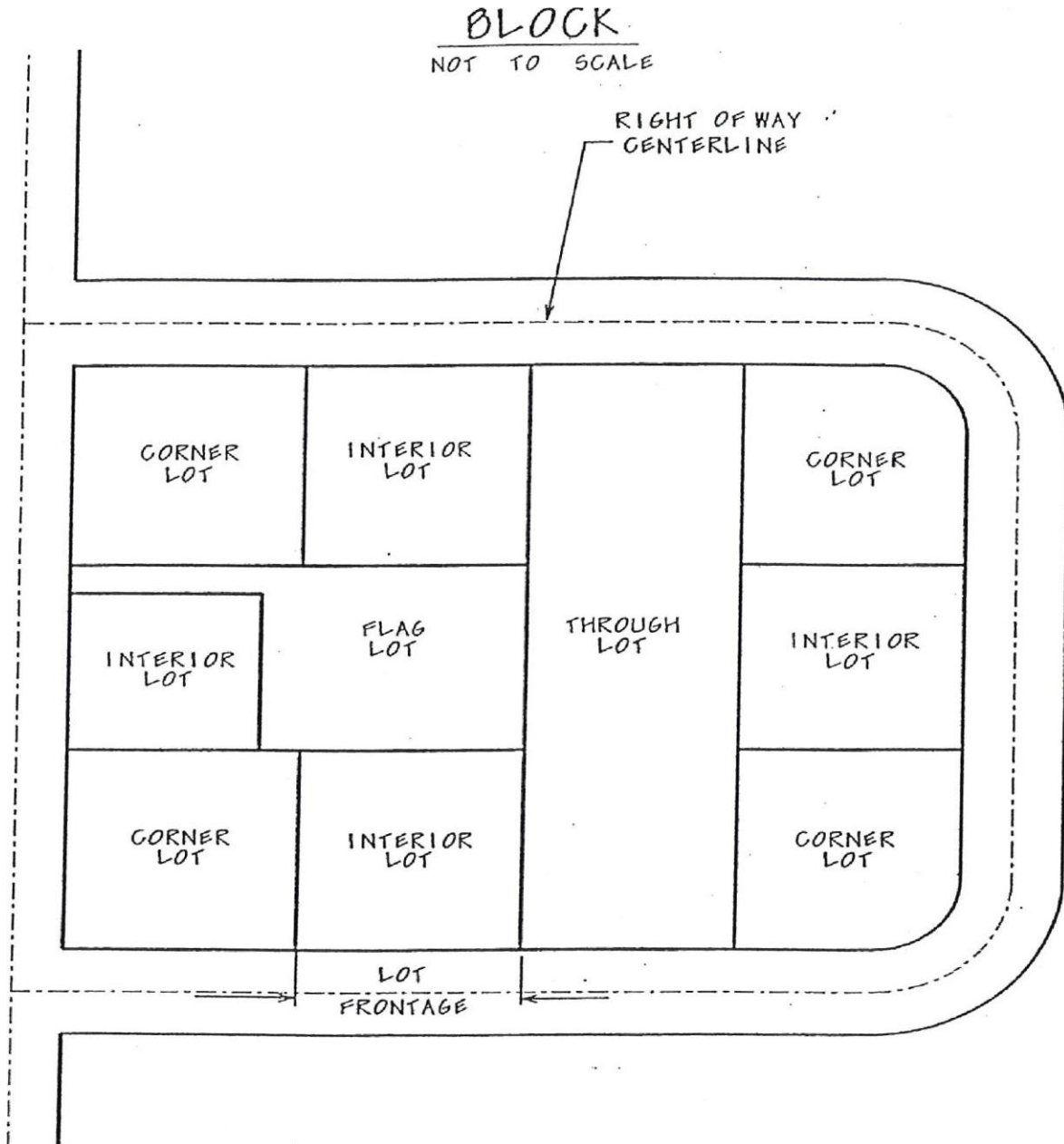
APPENDIX A



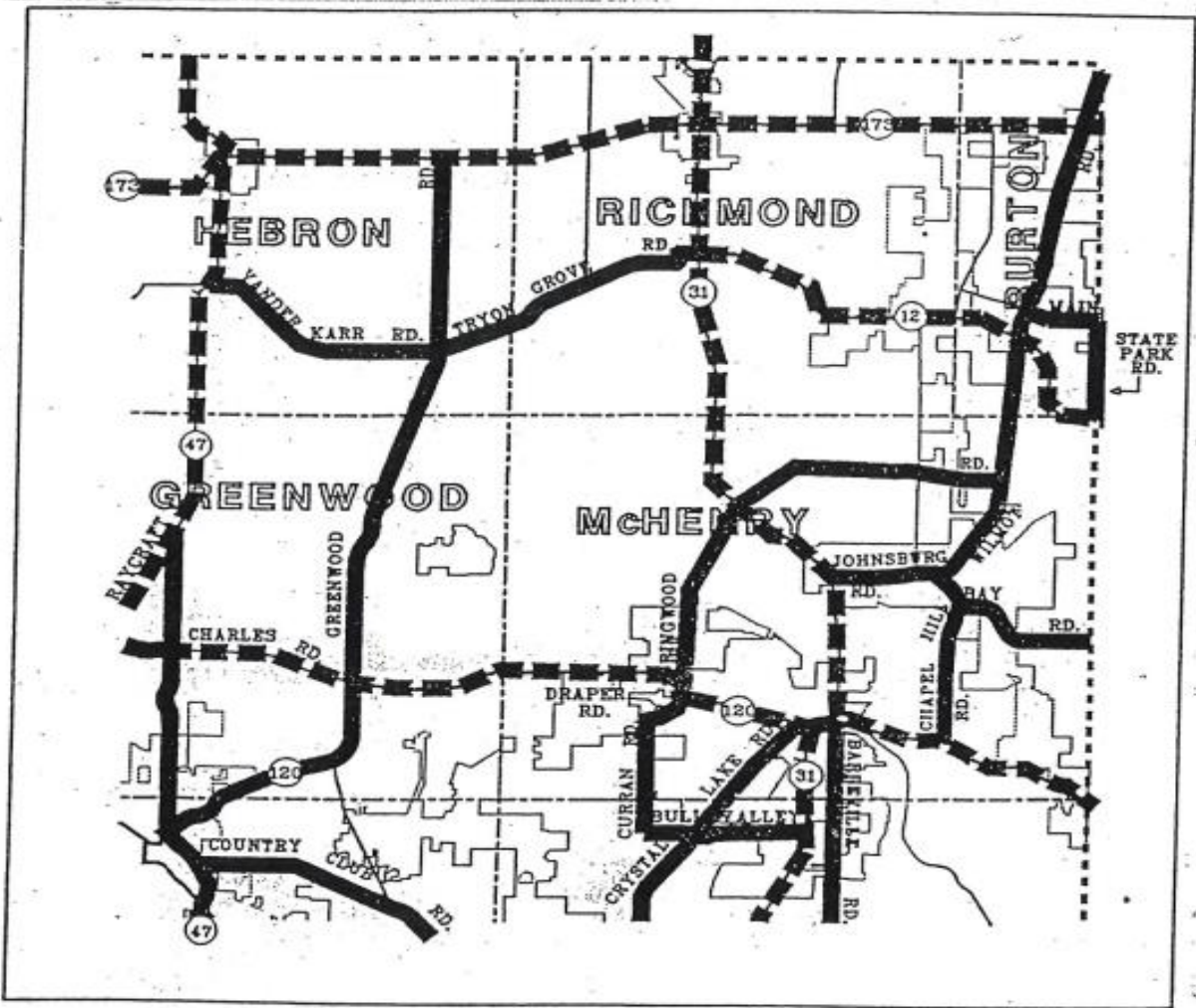
INTERIOR LOT

NOT TO SCALE

APPENDIX B



APPENDIX C – STREET CLASSIFICATION MAP



————— ARTERIAL STREET
————— STRATEGIC REGIONAL ARTERIAL



APPENDIX D

Adapted from Article XVII (Animal Control), Section 9 (Farm Animals), of the
PUBLIC HEALTH ORDINANCE for MCHENRY COUNTY

McHENRY COUNTY DEPARTMENT of HEALTH

APPROVED JULY 19, 1989
By the
McHENRY COUNTY BOARD

ARTICLE XVII
ANIMAL CONTROL:
SECTION 9
FARM ANIMALS

- 9.01 Farm Animals in Permitted Areas. No person shall keep or cause to be kept domestic animals and fowl or farm animals other than household pets including animals or fowl ordinarily permitted in the house or kept for company or pleasure, such as dogs, cats, canaries, rabbits, mice, and the like unless such person has met the following requirements:
- A. Has met all applicable requirements of the Village of Ringwood Zoning Ordinance, Rules and regulations.
 - B. Has met all applicable requirements of Article IX and Article X of the McHenry County Public Health Ordinance.
 - C. Has provided adequate shelter and are adequate enough to affect normal good husbandry practices so as to preclude public health nuisance and/or cruelty to animals.
 - D. Has provided fences, pens, shelters, corrals or similar enclosures of sufficient height and strength to retain the animals on their premises.
 - E. The stable or shelter shall be at least 50 feet from any adjoining residential dwelling, except that use of a structure existing at the time of the adoption or amendment of this Ordinance may be continued. If such use is discontinued or terminated for a period of twelve (12) months, any future use of the structure shall conform to the provisions of this Ordinance. Existing structures which comply with this provision at the time of the adoption of this Ordinance shall not be affected by an

addition of an adjoining residence built within fifty (50) feet of a stable or shelter.

F. The following minimum lateral distances shall apply in relationship to contamination to any well.

Sources of Contamination	Minimum Lateral Distances	Recommended Minimum Lateral Distance for Highly Pervious Gravel Formation
Manure Piles	75 feet	200 feet
Farm Silo	25 feet	100 feet
Barnyard	50 feet	100 feet
Stable or Shelters	50 feet	100 feet

G. Persons owning farm animals in permitted Estate areas shall provide proper facilities for manure storage and disposal, sufficient to prevent offensive odors, fly breeding, and other public nuisances. However, owners of domestic animals or farm animals who have adequate pasture so that naturally deposited manure does not cause a public health nuisance or hazard shall not be required to meet this provision.

H. Roofed shelters shall be structured to prevent run-off from draining into the shelter.

I. Enclosures shall be provided with secure latches.

J. No person whose husbandry or sanitation practices create a public health nuisance and/or cause cruel treatment of animals shall keep domestic or farm animals in a permitted area.

K. It shall be unlawful for any animal of the species of horse, pony, burro, donkey, mule, cattle, sheep, goat, swine or goose or other animals to run at large in the Village of Ringwood.

APPENDIX E

[McHenry County] CAMPGROUND ORDINANCE

To the Chairman and the Honorable Board of Supervisors of McHenry County, your Building and Zoning Committee presents herewith the following resolution and recommends its adoption to wit:

BE IT RESOLVED: That all property in McHenry County outside the incorporated limits of towns and Villages of McHenry County which is legally zoned for use as a Campgrounds be required to comply with the following:

DESIGN STANDARDS:

1. Natural vegetation should be used to screen campsites to enhance their aesthetic quality, to give assurance of privacy.
2. Campsites shall be spaced no closer than 50 feet, center to center.
3. The campsites shall be located in well-drained areas.
4. Each campsite shall be clearly defined by natural and/or artificial boundary markers.
5. Each campsite intended for tent camping should include a level and clearly defined space for actual tent location.
6. A picnic table shall be provided for each two campsites.
7. Unless open fires are prohibited, each campsite shall have a designated location for a fire.
8. The campground shall have a single entrance road for control of ingress.
9. The entrance road shall be a two-way road if a separate exit road is not provided.
10. There shall be sufficient visibility at the junction of the entrance road with the highway to permit safe entrance and exit.
11. Minimum widths of circulation roads shall be 18 feet for two-lane and 12 feet for one-lane.
12. Road curves shall have a minimum radius of 50 feet.
13. Brush and branches along roadsides shall be pruned sufficiently to prevent

damage to vehicles; this includes overhanging limbs which shall be cleared to minimum height of 12 feet.

14. Roads shall be readily passable, with a good riding surface.
15. Circulation roads shall either be free of dust or treated to reduce dust.
16. Each campsite shall have a clearly defined parking space using natural barriers wherever possible.
17. Trails and paths in the campground shall be located so as to encourage their use, prevent short cutting and resulting damage to ground cover.
18. Trails and paths should be located so as to avoid disturbance of campsite occupants.
19. All signs shall be legible and readily visible.
20. One or more campfire areas for group use shall be provided.
21. An open area adequate for group games and other recreation activities shall be provided.
22. Play equipment shall be provided for young children.
23. Waterfront design and equipment shall comply with acceptable standards such as those of the Red Cross.

SANITATION STANDARDS:

24. Unless the water is obtained from an approved public supply, a laboratory report certifying that the water is safe for drinking shall be obtained at least two (2) weeks before the campground opens each year.
25. Any well or spring used as a source of drinking water, and any structure used for the storage of drinking water, shall be so constructed and located as to protect the contents against contamination.
26. Should it be necessary to chlorinate the water, the chlorination equipment shall be mechanical, actuated by the water pump and with the chlorine applied to the pump discharge.
27. Water outlets shall be so located that there is one within 300 feet of each campsite.
28. The ratio of water outlets to campsites shall be such that there is at least one per

ten sites.

29. There shall be suitable arrangements to prevent the accumulation of standing water or the creation of muddy conditions at water outlets.
30. Drinking fountains, if provided shall be of approved sanitary design.
31. If potable water is piped to individual campsites to directly supply camping vehicles, the connection shall consist of a riser with a ¾ inch valve outlet threaded so that the flexible tubing with a screw connection may be attached between the riser and the camping vehicle.
32. If installed above the ground, the riser (standard number 31) shall terminate at least four inches above the ground surface. If installed in a pit, the riser shall terminate at least 12 inches above the floor of the pit, and the pit shall be drained to eliminate standing water.
33. There shall be at least one refuse receptacle for every two campsites.
34. Refuse receptacles shall be so situated that there is at least one within 100 feet of each campsite.
35. Refuse receptacles shall be water-tight, fly-tight, easily cleanable, non-absorbent, rodent proof and of durable material.
36. The contents of refuse receptacles shall be removed at least once each day or more frequently if necessary to prevent overflow.
37. Comfort stations shall be located no closer than 50 feet to any campsite.
38. No campsite shall be at a distance greater than 300 feet from the nearest comfort station.
39. There must be a minimum of two toilets or privy seats for each sex. When the number of campsites is in excess of twenty, the operator shall provide for each sex one additional toilet or privy seat for each additional twenty campsites or fraction thereof.
40. Lavatories or wash basins shall be provided for each sex, such lavatories to be located in the toilet rooms where water-flush toilets are provided.
41. One flushing rim service sink shall be provided in a separate compartment in each comfort station for disposal of night pail contents, wash water, and other liquid waste.
42. Seepage pits for the disposal of liquid wastes such as water and cooking water

shall be provided.

43. If provision is made for swimming, toilet facilities shall be provided within a reasonable distance of the bathing beach, but no closer than 50 feet.
44. The interior of the comfort stations shall be well lighted at all times.
45. A light shall be left burning all night outside each comfort station.
46. A vestibule or screen wall shall be incorporated in the design to prevent direct view into the comfort station when the exterior door is open.
47. Each toilet or privy seat shall be enclosed in a separate compartment and provided with a door to insure privacy.
48. All comfort stations and shower facilities shall be kept in a neat and clean condition.
49. Comfort stations shall be supplied with toilet paper at all times.
50. Comfort stations shall have entrance doors of the self-closing type.
51. Comfort stations shall be properly ventilated to assure circulation of air.
52. Exterior openings of comfort stations shall be covered with screening of at least 16 mesh (standard window screening).
53. The floors of comfort stations shall be impervious to water.
54. The floors of comfort stations shall be sloped to floor drains.
55. If privies (pit toilets) are used, they shall be constructed and maintained in accordance with State of Illinois recommendations on construction of privies. Privies shall be used only as an auxiliary and in no way lessen requirements of control comfort station.
56. If sewer connections for camping vehicles are provided, the inlet shall consist of a four-inch riser extending at a minimum of four inches above the surface of the ground in order that a hose connection from the camping vehicles can be made. The riser shall be imbedded [*sic*] firmly in the ground and protected against heaving and shifting. (A water trap shall be provided for each inlet).
57. If showers are provided, there shall be one head for each sex for every 20 campsites or fraction thereof.
58. Shower facilities shall be substantially constructed, conveniently located and

used for no other purpose.

59. Each shower head shall be enclosed in a separate compartment.
60. Wooden or cloth mats, grids, boards or walkways shall not be used inside the shower building.
61. In combination with each shower compartment, there shall be provided an individual dressing compartment so arranged as to insure privacy.
62. The floor of each dressing compartment shall provide proper drainage.
63. If the campground accommodates self-contained trailers and if sanitary hook-ups are not provided, a central sanitary trailer sewage disposal station (holding tank emptying station or dumping station) shall be provided.
64. A fully equipped first aid kit such as the 24-unit kit as recommended by the Red Cross shall be available at the campground at all times.
65. All necessary means shall be employed for the eradication or control of poisonous plants, noxious weeds, poisonous reptiles, ticks and obnoxious insects.
66. Firefighting equipment shall be readily accessible from every campsite.
67. A standing arrangement shall be made with the nearest firefighting unit and local fire warden or marshal for assistance in an emergency.
68. Tree branches shall be pruned to a height of at least twelve feet above fireplaces.
69. Care shall be taken to remove combustible material from an area within a radius of six feet surrounding the fireplace.
70. All buildings, structures, equipment and facilities shall be maintained in good repair.
71. The grounds shall be kept refuse-free and in clean condition.
72. There shall be one or more centrally located bulletin boards on which a map of the area and all necessary information can be displayed for all to see.
73. Interpretive programs such as self-guided nature trails that are conducive to the outdoor spirit shall be provided.
74. A definite registration procedure shall be established and records maintained of

all persons accommodated.

75. A definite check-out time should be established.

76. Use of overflow areas shall be restricted to overnight.

77. Permanent or semi-permanent structures such as platforms, ramps and lean-to's shall not be allowed to be constructed by campers.

78. The campground shall have printed rules and regulations for the campers [which are] posted in conspicuous places.

IN ADDITION TO THE ABOVE STANDARDS:

The campground must comply with all applicable codes and regulations governing the installation, construction and/or operation of swimming pools, sewage disposal systems, food storage, plumbing, buildings and structures, electrical wiring and fire prevention.

APPENDIX F

[McHenry County] TRAILER COACH PARK AND MOTEL CONTROL LAW

An Ordinance in relation to the licensing and regulation of trailer coach parks and motels.

- Section 1 Unless the context clearly requires otherwise, the words and phrases set forth in Section 1.1 to 1.8 inclusive shall have the meaning set forth in these Sections when used in this Ordinance.
- Section 1.1 “Trailer coach” or “Mobile Home” means any vehicle or similar portable structure used or so constructed as to permit its being used as a conveyance upon the public streets or highways and designed to permit the occupancy thereof as a dwelling place for one or more persons.
- Section 1.2 “Dependent trailer coach” or “Dependent mobile home” means a trailer coach which does not have a toilet and bath or shower facilities.
- Section 1.4 “Trailer coach park” or “park” means an area of land upon which one or more occupied trailer coaches are harbored either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as a part of the equipment of such trailer coach park.
- Section 1.5 “Trailer coach space” or “Trailer coach site” means any portion of a trailer coach park designed for the use or occupancy of one trailer coach.
- Section 1.6 “Cabins and Motels” means one or more cabins or cottages or multiple-unit structures used as a dwelling place for one or more persons either free of charge or for revenue purposes, and shall include any building, structure or enclosure used or intended for use as a part of the equipment of such motel. The word “motel” means one or more cabins or one or more cottages or multiple-unit structures wherever in the Ordinance the term “motel” is used.
- Section 1.7 “Building Officer” means the office of Building Officer. That Officer is meant wherever in this Ordinance the term “Building officer” is used.
- Section 1.8 “School district” means any district created or operated under the provisions of “The School Code” approved May 1, 1945, as amended.
- Section 2 No person, firm or corporation shall establish, maintain, conduct or operate a trailer park or motel after July 15, 1957, without first obtaining a license therefor from the Building Officer. Such license shall be issued for one year and shall expire at midnight on March 31 of the year next following the issuance thereof, and the license shall be renewed from year to year upon payment of the annual license fee herein provided.

Section 3 In order to obtain a permit to construct or an original license to operate a trailer coach park or motel, the applicant shall file with the Building Officer a written application setting forth:

- a) The full name and address of the applicant or applicants or names and addresses of the partners if the applicant is partnership, or the names and addresses of the officers if the applicant is a corporation, and the present or last occupation of the applicant at the time of filing of the application.
- b) The location and legal description of the tract of land upon which it is proposed to operate and maintain a trailer coach park or motel.
- c) The proposed and existing facilities in the trailer coach park or motel for water supply, sewage, garbage and waste disposal, fire protection and for sanitary community building which will include a description of toilets, urinals, sinks, wash basins, slop sinks, shower drains and laundry facilities, the proposed alterations therein and the maintenance thereof.
- d) The proposed method of lighting the structures and land upon which the trailer coach park or motel is to be located.
- e) The calendar months of the year which the applicant will operate said trailer coach park or motel.
- f) The plot plans of the trailer coach park, or motel, building plans and specifications for existing buildings and facilities, and the plans and specification for new buildings and facilities or the proposed alterations in the existing facilities, all as may be required by the rules and regulations of the Building officer under provision of this Ordinance.
- g) A statement of the firefighting facilities, public or private, which are available to the trailer coach park or motel.

An affidavit of the applicant as to the truth of the matters contained in the application shall be attached thereto. Where a permit to construct as well as an original license to operate is sought by the applicant, request therefore shall be made in the same application. Each application shall be accompanied by an application fee amounting to \$50.00 for each ten acres of land, or fraction thereof, proposed to be used as a trailer coach park. Each application fee shall be paid to the Building Officer by a separate certified check or United States money order in amount of the application fee only and said application fee once paid to the Building Officer shall not be refunded.

Section 4 Upon receipt of an application for a permit to construct a trailer coach park or motel, or an application for a license to operate and maintain the same, the Building officer shall, if the park or motel is, or the proposed park or motel will be, in conformity with this ordinance and the rules and regulations adopted by the Building officer pursuant thereto, issue a permit to construct or an original license, as the case may be, is declined, the Building Officer shall give the reasons therefore in writing to the applicant; and if the objection can be corrected, the applicant may amend his application and resubmit it for approval.

If a permit to construct a trailer coach park or motel has been issued, the applicant upon completion thereof shall notify the Building Officer. The Building Officer shall then inspect the trailer coach park or motel and if completed in accordance with the accepted application, the Building Officer shall then issue a license.

No change in sanitary facilities, methods of water supply, sewer, drainage, garbage or waste disposal, and no change in the plot plan shall be made without first making a written application to the Building Officer and receiving a written permit therefrom. Such application shall be made in the way and manner hereinbefore set forth; such change or changes shall comply with such safety and sanitary code, codes, rules and regulation as are applicable thereto.

Such a permit does not relieve the applicant from securing building permits, or from complying with any county zoning or other ordinance applicable thereto.

No trailer coach shall be allowed in any licensed trailer coach park in McHenry County that is not an independent trailer coach as described in section 1.3.

Whenever a trailer is moved from an existing trailer coach park, the lot or space left vacant shall not again be occupied by another trailer except that the lot or space is made to meet the requirements of this Ordinance. Permits may be issued for alterations which tend to make the trailer coach park conform with this Ordinance.

Section 5 In addition to the application fee provided for herein, the licensee shall pay to the Building Officer on or before April 1st of each year an annual license fee which shall be \$50.00 plus \$3.00 for each trailer coach space in the trailer coach park, and the license fee for a motel shall be \$10.00 per year plus \$1.00 per year for each unit available for hire as lodging.

Each license fee shall be paid to the Building Officer by a separate certified check or United States money order in the amount of the license

fee only and any license fee or any part thereof once paid to and accepted by the Building Officer, shall not be refunded.

The Building Officer shall deposit all funds received under this Ordinance with the County Treasurer.

Section 6 Any license granted hereunder shall be subject to revocation or suspension by the Building Officer. However, the Building Officer shall first serve or cause to be served upon the licensee a written notice in which shall be specified the way or ways in which such licensee has failed to comply with the Ordinance, or any rules or regulations promulgated by the Building Officer pertaining thereto. Said notice shall require the licensee to remove or abate such nuisance, insanitary or objectionable condition, specified in such notice within 5 days or within a longer period of time as may be allowed by the Building Officer. If the licensee fails to comply with the terms and conditions of said notice, within the time specified or such extended period of time, the building Officer may revoke or suspend such license.

Section 7 No person, firm or corporation shall construct a trailer coach park or motel without first obtaining a permit to do so. All permits to construct, all licenses to operate and all permits to make alterations therein shall be prominently displayed in the office of trailer coach park or motel. Licenses issued under this Ordinance shall be transferable only upon written consent of the licensor, provided, however, that the licensor may not withhold such consent where the provisions of this Ordinance have been complied with in all other respects.

Section 8 Each trailer coach park or motel licensed or to be constructed under the provisions of this Ordinance shall provide for the following, in the manner hereinafter specified:

- a) Supervision. Every trailer coach park or motel shall be in [the] charge of a responsible attendant or caretaker at all times, whose duty it shall be to maintain the park or motel, its facilities and equipment in a clean, orderly and sanitary condition, and be answerable, with the licensee, for any violation of the provisions of this Ordinance.
- b) Location and space. No trailer coach park or motel shall be so located that the drainage of the park area will endanger any water supply. All such parks or motel[s] shall be well drained and shall be located in areas free from ponds, swamps and similar places in which mosquitoes may breed. No waste water shall be deposited on the surface of the ground.

Section 9 Motel.

- a) Plans and construction to be in accordance with Article Two, Section 201, 204, and 209 inclusive; and Article Three Sections 301 to 315 inclusive of the Building Ordinance of McHenry County, Illinois, passed and subsequently amended.
- b) Minimum area of rooms, fifty (50) square feet for each occupant to be accommodated. Add forty (40) square feet if cooking facilities are provided. Closet and other accessory space is in addition.
- c) Maximum height one story.
- d) Two or more cabins or cottages, i.e., multiple-unit structures, may be built as a single structure if at least a one-hour fire resistive common wall is provided between dwelling units. Unless walls are of masonry, they shall contain a one-inch acoustical blanket.

The following requirements shall pertain to trailer coach parks only and not to motels:

- 1) Each trailer coach shall be allotted a site of not less than three thousand five hundred (3,500) square feet. Boundaries of each trailer coach site shall be clearly marked. No trailer coach shall be parked closer than seven and one-half (7 ½) feet to the side lot lines of a trailer coach park, or closer than fifteen (15) feet to a public street, alley or building. Each individual trailer site shall abut or face on a driveway that is in conformance of this Ordinance and that has an unobstructed access to a public highway or alley. There shall be an open space of at least fifteen (15) feet between the sides of every coach trailer and at least twenty (20) feet between the ends of every coach trailer. Bay windows or other projections of a trailer coach shall be considered as sides of a trailer coach when determining the rear and side yard requirements. The Building Officer may, upon application of a trailer coach park operator, waive such requirements if such waiver does not affect the sanitation requirements herein mentioned or create, or permit to continue, any hazard to the health and welfare of the community and the occupants of said park. Each trailer coach site shall have a concrete slab or runway for the trailer coach to set on, and be of a size large enough to accommodate a trailer coach in such fashion that the concrete will extend at least one (1) inch around the trailer coach on all sides. There shall be a concrete slab alongside of each trailer coach site, the minimum size of which shall be 12' x 30' and shall be used as a parking space for the occupants of the trailer coach. If a canopy is to be used over the area designated as car storage, it must be of fire proof material and be approved by the Building Officer and being at least 4 x 8 x 6 feet shall be erected at the rear end of each carport area [sic]. Skirting of trailer coaches shall be

of a fireproof material and approved by the building Officer. The concrete slab used for both trailer and carport shall be a six-inch reinforced concrete slab poured over a base of compressed gravel, the minimum thickness of which is at least eight (8) inches.

- 2) [sic] Water Supply. An adequate supply of water of safe, sanitary quality, approved by the Building Officer, shall be furnished at each trailer park. Where water from other sources than that supplied by a city or Village is proposed to be used, the source of such supply shall first be approved by the Illinois Department of Public Health. Each independent trailer site shall be provided with a cold water tap at least four (4) inches above the ground.
- 3) 1[sic] Adequate toilet, lavatory and bathing facilities for occupants of trailer coaches shall be provided in a community service building or buildings. Such building or buildings shall be conveniently located, well-constructed, having good natural and artificial lighting, adequate ventilation and floors of concrete or similar impervious material. Concrete curbing, extending at least six (6) inches above the floor, shall be provided and the floor sloped to adequate drains. Walls and partitions shall be constructed of impervious material where subject to splash. Such building shall be maintained at a temperature of at least 69 degrees Fahrenheit during the period from October 1st to May 1st.
- 4) The community service building shall be provided with toilet rooms for each sex plainly marked by appropriate signs, in which shall be installed water closets and lavatories adequate in number to serve the reasonable needs of occupants of trailer coaches. Each water closet shall be placed in a separate compartment, properly separated from the other water closets and shall be not less than three (3) feet wide and shall be enclosed with proper partitions. The community service building shall also be provided with tub or shower bath compartments, for both sexes, adequate in number to accommodate the reasonable needs of occupants of trailer coaches. In combination with each bath or shower stall, there shall be provided an individual dressing compartment not less than 2-1/2 feet by 3 feet in plan so arranged as to insure privacy. The floor of such compartment shall be water-proofed and elevated three (3) inches above the floor of the shower stall or a six (6) inch curbing provided, separating shower compartment from dressing room. Mats, grids and walkways made of wood, cloth or other absorbent materials will not be approved for use in bath section of community service building.
- 5) A laundry room or building constructed as specified in Section 8 (d-1) shall be provided containing laundry trays to accommodate the patrons of the trailer coach park. No laundry trays shall be located in toilet or

bathrooms.

- 6) An adequate water supply shall be provided for the operation of all water closets in service buildings, and an adequate supply of hot and cold water shall be provided at all times in the service buildings for all bathing, washing, cleansing and laundry facilities.
- 7) The McHenry County Board of Supervisors shall, by reasonable rules and regulations specify the number of water closets, lavatories and baths or showers required for service of trailer coach sites and the number of laundry facilities required for all trailer coach sites.
- 8) Disposal of sewage and other water carried wastes.
 - a) All sewage and other water carried wastes shall be disposed of into a municipal sewerage system whenever available. In trailer coach parks in which such connections are not available, disposal shall be into a private system which creates neither a nuisance nor a menace to health.
 - b) When a water carriage system of sewage is used, each trailer coach site shall be provided with a sewer connection for the combined liquid waste outlet or outlets of each trailer coach, and trapped below the frost line.
- 9) Garbage and rubbish storage and disposal.
 - a) A sufficient number of adequate fly-proof and water tight containers shall be supplied for the storage of garbage except where an adequate incinerator is provided.
 - b) Garbage containers shall be emptied at least three (3) days and shall not be filled to overflowing, or allowed to become foul smelling or a breeding place for flies.
 - c) Garbage and rubbish shall be disposed of in a manner which creates neither a nuisance nor a menace to health and which is approved by the Building Officer.
 - d) Adequate insect and rodent control measures shall be employed. All buildings shall be fly and rodent proof and rodent harborages shall not be permitted to exist in the park.
- 10) No central cooking and eating facilities shall be allowed.

- 11) Electric service to trailer site. Electrical outlets for each individual trailer shall be provided and the installation shall conform with the McHenry County Building Ordinance, except that:
 - a) All electrical distribution wiring shall be underground.
 - b) The electrical service outlet at each trailer site shall have a rating of not less than sixty (60) amperes.
 1. No connected electric extension cord shall lie on the ground or be suspended less than seven (7) feet from the ground above sidewalks or pathways.
 2. All metal frames or trailer coaches shall be suitably grounded in accordance with Article 250 of the National Electrical Codes 1956 edition.
- 12) Fire protection. Fire extinguishers of a type approved by the State Fire Marshal for use at trailer coach parks shall be placed at location within two hundred (200) feet of each individual trailer site. Each fire extinguisher shall be periodically examined and kept at all times in a condition for use.
- 13) Temporary porches, canvas roofed canopies and skirts around trailer coaches shall be permitted only after approval from the Building Officer, and shall be constructed of fire resistant material of such specifications and shall meet the requirements of the Building Officer.
- 14) All buildings constructed or altered, all plumbing and all electrical and heating installations shall be in accordance with existing municipal and county building ordinances and the rules and regulations of the Building Officer.
- 15) If garage space is provided between dwelling units in multiple-unit structures, garage walls and ceiling shall have a fire resistive rating of at least one hour.
 - a) Individual cabins used as dwelling units shall be separated from each other by at least fifteen (15) feet.
 - b) If facilities are provided for cooking, a hand operated fire extinguisher shall be provided of type approved by State Fire Marshal suitable for use on fat, oil and gasoline fires. Locate away from stoves, preferably near a door.

Section 10 When the Building Officer has approved an application for a permit to construct or make alterations upon a trailer coach park or motel or the appurtenances thereto or a license to operate and maintain the same, he shall retain the original and keep a file thereof, and no copy shall be returned to the applicant or his agent.

The Building Officer shall draft and supply all forms and blanks and specify the number and detail necessary to obtain permits to construct or make alterations upon trailer coach parks or motels, and for a license to operate and maintain such a park or motel according to this Ordinance.

Section 11 The Building Officer shall keep a record of all trailer coach parks and motels, said records to show the names and addresses of all trailer coach parks, and motels, names and addresses of the licensees, number of trailer coach lots in each park, number of units in each motel, source of water supply, system of sewage and garbage disposal and any other information deemed essential by the Building Officer.

The Building Officer shall supply licensees of all trailer coach parks and motels with any and all health rules and regulations pertaining thereto made by the Building Officer, and any change or changes that may be made from time to time which shall be posted and kept posted by the management in a protected, conspicuous place within the trailer coach park or motel.

Section 12 The following provisions shall be applicable to all trailer coach parks or motels licensed under the provisions of this Ordinance:

- a) It shall be the duty of each licensee on the first day of August, the first day of February, and the first day of April of each year to file with the School Board or Boards of the School district or districts wherein the trailer coach park or motel is located and with the County Superintendent of Schools who exercises the control and supervision over such school district or districts, a report giving the names and ages of all children of school age living in said trailer coach park or motel, name or occupation of father and mother and place of employment.
- b) All streets and driveways in every trailer coach park must be constructed and maintained as follows: roads must be thirty (30) feet wide with twenty (20) feet of hard pavement surface applied over eight (8) inches of crushed compact gravel.
- c) It shall be the duty of every owner, or operator or attendant of any trailer coach park or motel to report to the governing municipal

department or the county health office the full name, age and address of any person who is affected or suspected of being affected with any reportable or communicable disease.

- d) The management of every trailer coach park or motel shall assume full responsibility for maintaining in good repair and condition all sanitary and safety appliances on said park or motel and shall promptly bring such action as is necessary to prosecute or eject from said park or motel any person or persons who willfully or maliciously damage such appliances, or any person or persons who fail to comply with the regulations of this Ordinance.

Section 13 Each trailer coach park or motel shall be provided with a custodian[']s office where each trailer coach entering such trailer coach park, or each applicant for a cabin or unit for hire in a motel, shall be assigned a to a lot location, or a unit location, given a copy of the trailer coach park or motel rules, and registered according to the prescribed form. Said registration shall include the name and address of every occupant of said trailer coach or motel unit; the license number of all units; the state issuing such licenses; and a statement indicating the exact location, of a trailer, at which such trailer coach was last parked, including the state, city, town or Village where such parking occurred. The licensee shall keep a registry of all children of school age occupying trailer coach in the trailer coach park or motel. The above mentioned register shall be signed by an adult occupant of the trailer coach or motel. Any person furnishing misinformation for purposes of registration shall be deemed guilty of a misdemeanor [which is] punishable under the general statutes for such an offense. The registration records shall be neatly and securely maintained, and no registration records shall be destroyed until six (6) years have elapsed following the date of registration. The register shall be available at all times for inspection by the building Officer.

Section 14 The governing body of the school district in which such trailer coach park or motel is located, by and through its officer, attendance officers and proper employees, may inspect and visit a trailer coach park or motel for the purposes of examining the register with reference to children of school age for the purpose of enforcing attendance of school children housed in the trailer coach park or motel. When a trailer coach park or motel is located in two or more school districts, the school district boards of said districts, acting jointly shall be and are hereby authorized to proceed under the provisions of this section.

- Section 15 Whoever violates any provision of this Ordinance shall be fined not more than two hundred (200) dollars and each day upon which such violation continues shall constitute a separate offense.
- Section 16 Nothing in this Ordinance shall be construed to include the state parks of Illinois and the term "Trailer coach park" shall not be construed to include buildings, tents or other structures maintained by any individual or company on their own premises and used exclusively to house their own farm labor, or any military establishment of the United States or of this State wherein a trailer coach or coaches may be located or harbored, or the area or premises on any farm upon which are harbored trailer coaches occupied by persons employed upon such farm for not more than ninety (90) days in any calendar year in the production, harvesting, or processing of agricultural or horticultural products produced on such farm.
- However, any trailer coach park owner or operated by any municipality shall meet sanitary and safety provisions of this Ordinance, shall be inspected as herein provided, shall pay or cause to be paid to the building Officer the respective application and license fee provided for by this Ordinance and keep a register and make all reports, as herein required for a licensee.
- Section 17 The building officer shall enforce the provisions of this Ordinance and the rules and regulations adopted pursuant thereto affecting health, sanitation, water supply, sewage, garbage and waste disposal and the Building Officer shall personally inspect, at least once each year, each trailer coach park, and motel and all the accommodations and facilities therewith. Such officials or officers are hereby granted the power and authority to enter upon the premises of such trailer coach parks or motels at any time for the purposes herein set forth.
- The building officer may issue rules and regulations to carry out the provisions of this Ordinance.
- Section 18 Any person refused a permit to construct or alter a trailer coach park or motel or a license, or whose license is suspended or revoked, shall have the right to a hearing before the Building Officer, who shall have full power to conduct such hearing, issue subpoenas, administer oaths and affirmations and all other powers necessary to such hearing.
- a) All hearings before the Building Officer shall be open to the public.
 - b) The Building Officer shall keep minutes of the proceedings showing his determination and shall also keep records of his examination and other official actions.

- c) In the performance of this duty the Building Officer may incur such expenditures as shall be authorized by the McHenry County Board of Supervisors.
- d) The Building Officer shall adopt his own rules of procedure not in conflict with the Statute.
- e) No hearing shall be held before the Building Officer until notice of time and place of hearing have been published in a newspaper of general circulation in the county at least fifteen (15) days prior to the hearing date, said notice to contain the particular location of the trailer coach park or motel, as well as a brief statement as to the reason the hearing is being held.

Section 19 The “Administrative Review Act,” approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto, shall apply to and govern all proceedings for judicial review of final administrative decisions of the Building Officer hereunder. The term “administrative decision” is defined as in Section 1 of the “Administrative Review Act.”

Section 20 If any one or more of the provisions of this Ordinance is declared unconstitutional or the application thereof is held invalid, the validity of the remainder of the Ordinance and the application of such provision to other persons and circumstances shall not be affected thereby.