

**AGENDA
CITY OF BELLEVILLE -
ORDINANCE & LEGAL REVIEW COMMITTEE
TUESDAY, JANUARY 12, 2016 6:00
CITY HALL COUNCIL CHAMBERS
101 SOUTH ILLINOIS STREET, BELLEVILLE, ILLINOIS**

- 1. CALL TO ORDER BY CHAIRMAN MUSGROVE**
- 2. EXPLANATION OF DISASTER PROCEDURE**
- 3. ROLL CALL ALDERMEN**
- 4. ROLL CALL DEPARTMENTS HEADS**
- 5. PUBLIC PARTICIPATION (2-3 MINUTES PER PERSON)**
See reverse side
- 6. APPROVAL OF MINUTES**
 - 6-A. Ordinance and Legal Review Meeting –November 10, 2015
- 7. UNFINISHED BUSINESS**
 - 7-A. Status of Codification.
 - 7-B. Consideration of amending parking of recreational vehicles.
(Alderman Ovian)
 - 7-C. Discussion of Fire Safety Act. (Alderman Ovian)
 - 7-D. Consideration of amending Chapter 60 (60-7-5(c)(Permitted Home Occupations) of the City’s Revised Code of Ordinances.
(Alderman Ovian)
- 8. MISCELLANEOUS & NEW BUSINESS**
 - 8-A. Discussion of review of tax exemptions under utility tax ordinance.
 - 8-B. Discussion of Certificates of Business Occupancy.
- 9. EXECUTIVE SESSION**

The Ordinance and Legal Committee may go into executive session to discuss personnel, litigation, privacy and safety.

 - 9-A. Possible motion regarding confidentiality.
- 10. ADJOURNMENT (ALL QUESTIONS RELATING TO THE PRIORITY OF BUSINESS SHALL BE DECIDED BY THE CHAIR WITHOUT DEBATE, SUBJECT TO APPEAL)**

PUBLIC PARTICIPATION (2-3 MINUTES PER PERSON)

- (a) Members of the public may address the City Council in accordance with Section 2.06(g) of the Illinois Open Meetings Act (5 ILCS 120/2.06(g);
- (b) Public comments are limited to three (3) minutes per speaker;
- (c) The subject of public comments shall be reasonably related to matters(s) identified on the meeting agenda and/or other city business;
- (d) Repetitive public comments should be avoided, to the extent practical, through adoption of prior public comment (e.g. agreeing with prior speaker);
- (e) The following conduct is prohibited during public participation:
 - Acting or appearing in a lewd or disgraceful manner;
 - Using disparaging, obscene or insulting language;
 - Personal attacks impugning character and/or integrity;
 - Intimidation;
 - Disorderly conduct as defined in Section 30-1-2 of this revised code of ordinances.
- (f) Any speaker who engages in such prohibited conduct during public participation shall be called to order by the chair or ruling by the chair if a point of order is made by a sitting alderman.

**CITY OF BELLEVILLE, ILLINOIS
ORDINANCE AND LEGAL REVIEW COMMITTEE
CITY HALL COUNCIL CHAMBERS
NOVEMBER 10, 2015 6:00 PM**

Alderman Musgrove called the meeting to order.

Members present on roll call: Alderman Kinsella, Alderman Schmidt, Alderman White, Alderman Musgrove, Mayor Eckert, City Attorney Hoerner and City Treasurer Hardt.

Alderman Galetti excused.

PUBLIC PARTICIPATION

Jean Friedrich, Belleville, Illinois.

Ms. Friedrich stated on January 2, 2016 she is having Confederate Railroad Band at the Fairgrounds and to bring in the New Year she is requesting to have a 10-15 minute fireworks show. Ms. Friedrich stated over the summer Millstadt, Mascoutah, Shiloh and Lebanon had fireworks. She is requesting Belleville to open the door for the residents of Belleville so they do not have to leave town for a fireworks show.

MINUTES

Alderman Schmidt made a motion seconded by Alderman White to accept the minutes of October 13, 2015.

All members present voted aye.

UNFINISHED BUSINESS

Status of Codification

City Attorney Hoerner stated he and the Mayor had a telephone conference with the staff attorneys with American Legal Publishing and from that they have requested the city forward each department heads comments to them for consideration and incorporation and then reconvene a telephone conference in a few weeks to go over what they consider to be the final draft at which point it will be brought before this committee for review.

Consideration to issue a permit for a fireworks display

Assistant Fire Chief Penet stated the city's current ordinance was reviewed by the State Fire Marshall's office and it is vague; however, it did allow for a pyrotechnics display under expert supervision. Two years ago it was proposed to the police and fire committee to allow fireworks for consumers as well as professionals; however, was tabled.

They have since reviewed and revised the proposed ordinance by removing "consumer" and left in the language regarding "professional pyrotechnics displays". This ordinance will require a full permit process which includes the forms and site plans.

City Attorney Hoerner stated the pyrotechnics use Act requires that a governing body of an entity that wanted to allow either consumer displays or pyrotechnics displays to adopt reasonable rules and regulations for the issuance of the permit.

Alderman White made a motion seconded by Alderman Kinsella to submit the revised ordinance and forward to city council for approval.

All members present voted aye.

Consideration of ordinance limiting the sale of single serving containers of beer for Class C liquor licenses

City Attorney Hoerner stated this draft ordinance follows the discussion from the last committee meeting and is intended to address the issues associated with service of single serve containers of beer (alcoholic) beverages. There have been other communities in the State that have addressed issues relating to single serve beverages. This is least restrictive start and may or may not solve any issues that are received.

Alderman Schmidt made a motion seconded by Alderman Kinsella to approve the ordinance limiting the sale of single serve containers of alcoholic beverages for Class C Liquor License and include it shall not be displayed at the cashier counter or in the aisles and forward to city council for approval.

Discussion...

Alderman Buettner stated there were questions regarding the small bottles of alcohol sold by counters; City Attorney Hoerner stated it would depend on the desire of the committee and council and could be considered. It is recommended to revise to state it shall not be displayed at the cashier counter or in the aisles.

All members present voted aye.

Consideration of amended parking of recreational vehicles

City Attorney Hoerner stated based upon the discussions at the last meeting and the draft that was submitted by Alderman Ovian he took the existing section 52.809 regarding parking of RVs from the Traffic Code and made amendments to include some important portions of what Alderman Ovian had raised.

First, included the definition of recreational vehicles, water craft, the definition of yards and additional conditions on storage. The loading was changed from 48 to 24 hours. With respect to the registration and use was added.

Alderman Schmidt made a motion seconded by Alderman White to approve the ordinance amending portions Chapter 52 of the Traffic Code and forward to council for approval.

All members present voted aye.

Chapter 14 – Cemeteries Fees

City Treasurer Hardt stated he submitted a redlined version in the packet. Alderman Schmidt asked if this is what finance approved; City Treasurer Hardt stated yes.

Alderman Schmidt made a motion seconded by Alderman Kinsella to approve the revision of Chapter 14 Cemetery Fees changes as recommended by City Treasurer Hardt and forward to city council for approval.

All members present voted aye.

MISCELLANEOUS AND NEW BUSINESS

Mayor Eckert reminded everyone of Veterans Days on November 11, 2015.

ADJOURNMENT

Alderman Schmidt made a motion seconded by Alderman White to adjourn the meeting at 7:28 p.m.

All members present voted aye.

Alderman James Musgrove, Chairman

ORDINANCE NO. 2732

AN ORDINANCE ACCEPTING THE PLAT OF "MEADOWDALE HEIGHTS", BEING A SUBDIVISION OF PART OF LOTS 7, 8, 9 AND 10 OF MORRISON'S SUBDIVISION U.S. SURVEY 380, CLAIM NO. 483 ST. CLAIR COUNTY, ILLINOIS.

BE IT ORDAINED BY THE CITY COUNCIL OF BELLEVILLE, ILLINOIS:

SECTION 1. That the hereto attached plat of "MEADOWDALE HEIGHTS", being a subdivision of Part of Lots 7, 8, 9 and 10 of Morrison's Subdivision U. S. Survey 380, Claim No. 483 St. Clair County, Illinois, situated in the City of Belleville, be and the same is hereby approved and accepted.

SECTION 2. That the easements, conditions, restrictions, reservations and limitations included in the instrument attached to said plat are hereby approved and accepted.

SECTION 3. That the City Clerk of the City of Belleville, Illinois, be and he is hereby directed to cause a copy of this ordinance, together with a copy of the hereto attached plat, to be filed and recorded in the Office of the Recorder of Deeds of St. Clair County, Illinois, and that the expense of such recording shall be borne by the owner or owners of the property included in said plat.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage and approval.

PASSED June 6, 1966

APPROVED June 7, 1966

Charles E. Nichols
MAYOR

ATTEST W. J. Geolaf
CITY CLERK

**AN ORDINANCE AMENDING CHAPTER 3 ADMINISTRATION
BY AMENDING PORTIONS OF SECTIONS THEREOF**

NOW, THEREFORE, be it ordained by the City Council of the City of Belleville, Illinois, as follows:

SECTION 1. That section 3.19 is hereby deleted and the following substituted therefore:

3.195 CITY OFFICE HOURS. The office hours of the City office in the City Hall, except the Police Department, shall be from 8:00 A.M. until 5:00 P.M. Monday through Friday, except legal holidays.

SECTION 2. That section 3.211 Holidays is hereby amended by deleting the words "school picnic day" and substituting the words "day after Thanksgiving" therefore.

SECTION 3. That section 3.295 is hereby amended by deleting section (b) therefrom.

SECTION 4. That section 3.30 Sick Leave (c) is hereby amended by deleting the first sentence and substituting the following therefore:

All employees working under the jurisdiction of the Agreement shall receive fifteen (15) days per year sick leave, accumulative at the rate of one and one-fourth (1-1/4) days per month starting with the first month of employment and shall be able to accumulate an unlimited amount of sick leave; except that the employees of the Belleville Fire Department shall receive one hundred twenty-six (126) hours per year sick leave accumulative at the rate of ten and one-half (10-1/2) hours per month starting with first month of employment and shall be allowed to accumulate an unlimited amount of sick leave.

SECTION 5. That section 3.301 Funeral Leave is hereby deleted and the following substituted therefore:

3.301 FUNERAL LEAVE. When there is a funeral within the immediate family of an employee, such employee shall be allowed five (5) days time off, not including Saturday, Sunday, or holidays. Immediate family shall be husband, wife, father, mother, child or step-child of an employee. When there is a funeral for the sister, brother, father-in-law, mother-in-law, sister-in-law, brother-in-law, step-father, step-mother, grandfather, grandmother or grandchildren of an employee, such employee shall be allowed three (3) days time off, not including Saturday, Sunday, or holidays.

SECTION 6. The conflicting ordinances in force at the time this ordinance shall take effect are hereby repealed.

SECTION 7. This ordinance shall be in full force and effect from and after its passage and approval all as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this 19th day of November, 1990, on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Jerry Dinges	<u>X</u>	---
Wayne Saeger	<u>X</u>	---
Robert Holshouser	<u>X</u>	---
Paul Klingler	<u>X</u>	---
Robert Kraft	<u>X</u>	---
William Knapp	<u>X</u>	---
Ray Sonnenberg	<u>X</u>	---
Jerry Hemmer	<u>X</u>	---
Kenneth Koehler	<u>X</u>	---
John Hawthorne	<u>X</u>	---
Roy Koeneman	<u>X</u>	---
Paul Seibert, Jr.	<u>X</u>	---
Otis Miller	<u>X</u>	---
Kenneth L. Hise	<u>X</u>	---
Henry Beykirch	<u>X</u>	---
Thomas R. Mabry	<u>X</u>	---

APPROVED by the Mayor of the City of Belleville,
Illinois this 19th day of November, 1990

Richard A. Brauer
MAYOR

ATTEST:

Lois Hock
CITY CLERK

CHAPTER 3

CITY ADMINISTRATION

3.01 **CORPORATE SEAL.**

(A) The corporate seal of the City shall be the same as that heretofore provided and used by the City. It shall be circular in form with the words, "**City of Belleville, Illinois**", in the exterior circle, and the figure of an eagle in the center.

(B) The corporate seal shall be used as such seal in all cases provided for by law or by the ordinances of the City, and in all other cases in which, by law and custom, it is usual and necessary for the corporation to use a seal.

3.02 **ELECTIONS.**

(A) **Election Procedures.** The provisions of the **Illinois Compiled Statutes, Sections 5/3-2-1, et seq.**, and of **Chapter 10**, concerning municipal elections, shall govern the conduct of the City elections.

(B) **Voting Hours.** The judges of election shall keep the polls open during the hours prescribed by law. **(#2311)**

(C) **Beginning of Electives' Terms.** The City hereby adopts the date of **May 1st** (the beginning of the City's fiscal year) as the date for the beginning of the term of officials elected at the April elections. **(Ord. No. 3779; 03-16-81)**

3.03 **CITY OFFICERS.**

(A) **Appointment.** On the first Monday of May in each year, or as soon thereafter as possible, there shall be appointed by the Mayor, with the approval of the City Council, all appointive City officers, who shall hold their several offices for the term of **one (1) year** and until their successors are appointed and qualified.

(B) **Offices Vacated by Removal.** Any officer of the City who leaves the City with the intention of permanently residing without the limits thereof shall be deemed to have vacated his office.

(1) If the City Attorney fails to qualify under **Sections 3.14(F)(1)** or **(2)** for any reason other than voluntarily discontinuance of the private practice of law, or fails to qualify under **Sections 3.14(F)(3)** or **(4)** for any reason, the attorney's appointment shall be deemed terminated. **(Ord. No. 7686; 05-06-13)**

(C) **Leaves of Absence.** Any officer desiring to be temporarily absent from the City shall apply to the Mayor for leave of absence, which may, in the discretion of the Mayor, be granted in writing for any time not exceeding **twenty (20) days**, and when granted shall be filed with the City Clerk.

(D) **Books Delivered to Successor.** Every officer shall, upon going out of office, deliver to his successor all books, papers, furniture, and other things appertaining to such office and which is the property of the City.

(E) **Books Open to Inspection.** Every officer shall, at all times when required, submit the books and papers of his office to the inspection of the Mayor, or any committee or member of the Council.

(F) **Fees.** No officer of the City shall be entitled to charge or receive any fees as against the City of Belleville.

(G) **Report of Fees.** All officers of the City entitled to receive fees, shall keep a correct amount thereof, and make a report thereof, under oath, to the Council on the first Monday of May, August, November and February in each year. In the report they shall specify from whom such fees were received, for what service and when received. All fees received shall be paid over into the City Treasury, except when otherwise provided.

(H) **Building Fees.** All plumbing fees, building permit fees and electrical inspection and boiler inspection fees shall be deposited with the City Clerk on or before the **eighth (8th) day** of each month by the City officials charged with the collection thereof. **(#2169)**

(I) **Other Rules and Regulations.** Every officer of the City shall perform such other duties, and be subject to such other rules and regulations, as the Council may provide by ordinance.

3.04 APPOINTMENT OF SUBORDINATES. The City Clerk and City Treasurer, severally, shall appoint the various clerks and subordinates in their respective offices which the City Council may authorize, and shall be responsible, severally, for the fidelity of all persons so appointed by them. This power, however, is subject to the provisions of **Section 5/10-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes.**

3.05 BONDS OF CITY OFFICERS.

(A) **Amount.** Bonds of City officers shall be executed in the following penal sums:

Mayor	\$ 3,000.00
City Clerk	10,000.00
License Collector	3,000.00
Chief of Police	3,000.00
Lieutenants of Police	500.00
Sergeants of Police	500.00
Fire Chief	500.00
City Attorney	1,000.00
Assistant City Attorney	1,000.00
City Engineer	5,000.00
Superintendent of Streets	4,000.00
Superintendent of Waste Water	
Treatment and Sewer Lines	5,000.00
Electrical Inspector	1,000.00

Inspector of Steam Boilers

2,000.00

Superintendent of Cemetery	2,000.00
Supervisor of Sewer Collections	5,000.00
Director of Finance	3,000.00
Board of Police & Fire Commissioners	1,000.00 (Ord. No. 5747; 07-21-97)

The City Treasurer shall post a bond in the amount of \$160,000.00; said bond shall be his public official bond and shall also be the bond for the Police Pension Fund, Firemen's Pension Fund, Sewer Rental Fund and the Cemetery Fund. **(Ord. No. 3437; 06-20-77) (Ord. No. 5147; 11-01-93) (Ord. No. 5144; 11-01-93)**

(B) **Premium Payment by City.** Whenever the City Treasurer or City Clerk shall furnish a surety bond required by ordinance, the City may, upon proper allowance by the City Council, pay the premium due upon such bond, not exceeding **one percent (1%)** per annum on the amount of the bond.

(C) **Surety.** The City Council shall not receive or approve any bond or security whereon the name of the Mayor, any one of the Aldermen, or any of the elected or appointed officers of the City appear as bondsman or security. If, by mistake, a bond containing the name of any such officer is approved by the Council, or if any bondsman, after becoming such is elected or appointed to any City office, this section shall not act as a release of any such obligation incurred. **(Ord. Nos. 2539, 2672, and 2677)**

3.06 CITY OFFICES CONSOLIDATED.

(A) The City Council may, from time to time by ordinance, impose upon any officer, filling any office created by the ordinances of the City, any such other or further duties as shall be consistent with the laws of this State, and may consolidate any **two (2)** or more of said offices and impose the duties thereof upon any other officer, and may make any such regulations respecting such offices as shall be consistent with the laws of this State.

(B) In case the City Council consolidates any offices created by it, the person performing the duties of the offices so consolidated shall not be entitled on account thereof to receive any salary or compensation which he would not have been entitled to receive if such consolidation had not taken place.

3.07 REFUSAL TO PERFORM DUTIES. Any officer of the City who refuses to discharge any lawful duty imposed upon him by any ordinance of this City shall on conviction thereof be fined not less than **Twenty Dollars (\$20.00)** nor more than **Two Hundred Dollars (\$200.00)**.

3.08 MAYOR.

(A) **Appointment of Officers.** The Mayor, by and with the advice and consent of the City Council, shall appoint all City officers whose election or appointment is not otherwise provided for by law. The Mayor, by and with the advice and consent of the Council, shall appoint such special legal counsel as the Mayor may deem expedient. Such consent for all such appointments or temporary appointments shall be expressed by a majority of the Council members authorized by law to be elected, by a vote taken by yeas and nays and entered upon its record.

(B) **Notice to City Council of Appointment.** Whenever a vacancy occurs in any office which by law the Mayor is required to make an appointment, the Mayor shall, within **sixty (60) days** after such vacancy occurs, communicate to the Council by written notice or verbally at a duly called meeting of the City Council the name of the appointee or temporary appointee to such office. The City Council shall vote on the pending appointment in a period of

time of not less than **ten (10) days** nor more than **twenty-one (21) days** after receiving such notification.

(C) **Temporary Appointment.** Pending the concurrence of the Council in such appointment, the Mayor may designate a suitable person to discharge the functions of such office. The Mayor shall notify members of the City Council of such temporary appointment within **forty-eight (48) hours** of making the appointment. A temporary appointee shall not serve for more than **thirty (30) days** without approval by a majority vote of the City Council.

(D) **Rejection of Appointment.** Should the name of any Mayoral appointment or temporary appointment fail to receive a majority vote by the members of the City Council authorized by law to be elected, the employment of the appointee so rejected shall cease within **sixty (60) days** after the vote. The Mayor shall determine the exact date of termination but in no case shall employment and accompanying salary, wages or compensation of the person so rejected continue beyond **sixty (60) days** from the date so rejected by the City Council. Any person rejected for appointment shall not be further recommended to the City Council for the position so rejected or as a temporary appointee for the position so rejected until the beginning of the next fiscal year. Until a successor is appointed and qualified, the Mayor, by and with the advice and consent of the City Council, shall make a temporary appointment of a suitable person other than an appointee so rejected.

(E) **Removal of Officers.** The Mayor may remove any officer appointed by him as provided by law.

(F) **Signature.** The Mayor shall sign all commissions and permits granted by authority of the City Council, except as may be otherwise provided.

(G) **General Duties.** In addition to the foregoing, and to the duties imposed upon him by law, the Mayor shall perform such other duties pertaining to his office, as are or may be required of him by ordinance. **(Ord. No. 5730; 05-05-97)**

(H) **Overtime and Compensatory Time Review.** For budgetary purposes, all department heads shall turn over to the Mayor's office on a bi-monthly basis all overtime and compensatory time for their department during the preceding **two (2) weeks**. Both the name of the employee, the date and hours worked and the reason for the overtime must be on this report. This report is separate from the report that must be turned in to Human Resources. **(Ord. No. 6331; 09-17-01)**

3.09 CITY CLERK.

(A) **Council Minutes.** The City Clerk shall attend all meetings of the City Council, and shall keep in a suitable book to be styled the "**Journal of the City Council**", a full and faithful record of its proceedings.

(B) **Records.** The City Clerk shall record and properly index in a book kept for that purpose, all ordinances passed by the City Council and at the foot of the record of each ordinance so recorded, he shall make a memorandum of the date of the passage, and when published, of the publication of such ordinance. He shall also record, in proper books for the purpose, all official bonds, and note upon each bond so recorded, when the same was entered of record and the book and pages where recorded.

(C) **Papers.** The City Clerk shall deliver to the several committees of the City Council, and to the officers of this City, all petitions, communications, reports, resolutions, orders, claims and other papers, referred to those committees or officers, by the Council, on demand therefor. He shall also, without delay, deliver to the Mayor all ordinances or resolutions in his charge, which may require to be approved or otherwise acted upon by the Mayor.

(D) **Commissions, Licenses.** The City Clerk shall prepare all commissions, licenses, permits and other official documents required to be issued by him under this Code and shall attest the same with the corporate seal, and he shall in like manner attest all deeds for the sale of real estate owned and conveyed by this City.

(E) **Report on Licenses.** The City Clerk shall report to the City Council at its regular meetings held on the first Mondays in January, April, July and October in each year, and oftener if the Council so requires the data contained in his license register with respect to licenses issued during the previous quarter.

(F) **License Plates.** In all cases where the City requires a license to be obtained for the purpose of engaging in or carrying on any business or occupation, and the licensee is required to obtain from the City Clerk plates, tags or stickers, it shall be the duty of the City Clerk to deliver such plates, tags or stickers free to the person paying the license fee.

(G) **Successor.** The City Clerk shall carefully preserve in his office all books, records, papers, maps and effects of every description belonging to the City or pertaining to his office, and not in actual use and possession of other City officers, and upon the expiration of his official term, he shall deliver all such books, records, papers and effects to his successor in office.

(H) **Payroll.** The City Clerk shall prepare the City payroll for all persons who come under appropriations for salaries.

(I) **Payments.** The City Clerk shall daily prepare an itemized list of all moneys received and shall deliver a copy of the same to the City Treasurer and shall also daily pay over to the City Treasurer all moneys received by him and take a receipt therefor.

(J) **Warrant Register.** The City Clerk shall keep an accurate register of warrants drawn upon the City Treasurer, specifying the date, to whom payable, the amount, and the particular fund or appropriation to which the same is chargeable.

(K) **Ex-Official Clerk of Town.** The City Clerk shall be ex-officio clerk of the Town of Belleville, and shall keep a separate record of all proceedings in relation to the town.

(L) **Ex-Officio Clerk of Board of Local Improvements.** The City Clerk shall be ex-officio clerk of the Board of Local Improvements, and shall keep a separate record of all proceedings in relation thereto.

(M) **Other Duties.** In addition to the foregoing duties, the City Clerk shall perform all such other duties pertaining to his office as are or may be imposed upon him by law or by resolution or ordinance of the City Council.

3.10 ASSISTANT CITY CLERK. The office of Assistant City Clerk is hereby created. The assistant shall be appointed by the City Clerk at the first regular meeting of the Council in May of each year. The Assistant Clerk shall perform such duties as may be prescribed by the City Clerk. (2000)

3.11 DEPUTY CLERK.

(A) There is hereby created the office of Deputy Clerk.

(B) The City Clerk shall appoint the Deputy Clerk who shall have the power and duty to execute all documents required by any law to be executed by the City Clerk and affix the seal of the City thereto whenever required. In signing any documents, the Deputy Clerk shall sign the name of the City Clerk followed with the word "By" and the Deputy Clerk's own name and the words "Deputy Clerk".

(C) The powers and duties herein described shall be exercised by such Deputy Clerk only in the absence of the City Clerk from the City Clerk's office in the City Hall, and only when either written direction has been given by the City Clerk to such deputy to exercise such power or the City Council has determined by resolution that the City Clerk is temporarily or permanently incapacitated to perform such functions. (2372)

3.115 LICENSE COLLECTOR.

(A) **Created.** There is hereby created the office of License Collector.

(B) **Appointment.** The License Collector shall be appointed by the Mayor by and with the consent of the City Council.

(C) **Oath and Bond.** The License Collector before entering upon the duties of his office, shall take the oath of office prescribed by law, and shall execute a bond to the City of Belleville with sureties as shall be approved by the City Council, conditioned for the faithful performance of the duties of his office.

(D) **Supervision.** The License Collector shall be under the supervision of the City Clerk and shall perform such duties as the Clerk shall direct, and in addition thereto shall initiate prosecution against all parties in violation of any of the ordinances of the City of Belleville prescribing the purchase of a license for any purpose whatever.

(E) **Salary.** There shall be allowed and paid to the License Collector an annual salary as provided in the appropriation ordinance which shall be paid in equal semi-monthly installments. (2677)

3.12 BUDGET SYSTEM.

(A) **Adoption of Annual Budget.** The City hereby adopts **Sections 5/8-2-9.1** through and including **Section 5/8-2-9.10 of Chapter 65 of the Illinois Compiled Statutes** providing for an Annual Municipal Budget in lieu of the passage of an Annual Appropriation Ordinance. (#3192; 01-21-74)

(B) **Director of Finance.** The Mayor, with the approval of the City Council, shall appoint a Director of Finance, who shall have the powers, duties and responsibilities enumerated in the above sections of the **Illinois Compiled Statutes** as they are now or may hereafter be required by the City Council, however, such bond shall not be less that required by statute.

In addition to the powers, duties and responsibilities enumerated in the above section of the Illinois Compiled Statutes, the Director of Finance shall be responsible for direct management and supervision of the financial affairs of the City not otherwise reserved to the

City Treasurer. Such functions shall include, but not be limited to: responsibility for the general accounting and financial reporting of the City's operations; supervision and coordination of the preparation of the Annual City Budget; analyzing financial records to forecast future cash flow and financial results; evaluating needs and sources for short-term and long-term financing; directing and formulating internal control systems; supervising all Accounts Payable functions; oversee the Centralized Purchasing functions; coordinate the Annual Audit; evaluate, plan and develop management information system for all areas of the City's operations; develop a Capital Improvement Plan; discharge such duties as may be assigned by the Mayor or the City Council. **(Ord. No. 5584; 06-18-96)**

(C) **Assistant Budget Officer.** The Mayor, with the approval of the City Council, may appoint an Assistant Director of Finance whose duties and responsibilities shall be to assist the Director of Finance in all matters set forth in paragraph (B). The Assistant Director of Finance shall give a bond in each sum as may be required by the City Council; however, such bond shall not be less than required by statute. **(Ord. No. 3236; 07-01-74)**

(D) **Compensation.** The Director of Finance and Assistant Director of Finance shall receive such compensation as set from time to time by the Mayor and City Council. **(Ord. No. 3236; 07-01-74)**

(E) **Office of Purchasing.**

(1) **Duties and Responsibilities.**

- (a) There is hereby established an Office of Purchasing under the direction of the Purchasing Agent and the office will be responsible to the Finance Director for the entire purchasing program.
- (b) The office or designee shall have the following responsibilities, in addition to any others designated by the City Council:
 - (i) Act to procure all necessary supplies, materials, and services subject to City Council approval, for the efficient operation of the City at the lowest possible cost.
 - (ii) Discourage collusive or restrictive bidding and endeavor to obtain as full and open competition as possible on all purchases.
 - (iii) Establish all rules and regulations authorized by this ordinance and amend, when necessary, with the approval of the City Council.
 - (iv) Keep informed of current developments in the field of purchasing, prices, market conditions and new products, and keep abreast of the benefits of research done in the field of purchasing by: other governmental jurisdictions, national technical associations, trade associations having

national recognition and by private businesses and organizations.

- (v) Prescribe and maintain forms necessary to the operation of this ordinance.
- (vi) Prepare, adopt and maintain a vendor's catalog file; said catalog shall be filed according to materials and shall contain descriptions of vendor's commodities and prices.
- (vii) Exploit the possibilities of buying "in bulk" to take full advantage of discounts.
- (viii) Act to procure all federal and state tax exemptions to which the City of Belleville is entitled.
- (ix) Cooperate with other personnel to secure the maximum efficiency in budgeting and accounting.
- (x) Declare as irresponsible those bidders or vendors who default on their quotations, and to disqualify them from receiving any business from the City of Belleville for a stated period of time, as determined by the City Council.

(2) **Operation Procedures.**

- (a) All departments shall henceforth submit requisition orders to the purchasing office as the first step in procuring supplies, materials, services or equipment.
- (b) The purchasing designee shall review each request form, have the authority to consult the Requesting Department, and make any necessary revisions. The designee must communicate with the Requesting Department before making any decision that deviates from the original request.
- (c) When the estimated cost of materials, supplies and contractual services, except as otherwise provided herein, exceeds **Ten Thousand Dollars (\$10,000.00)** they shall be purchased by sealed bids, formal bidding procedures, and from the lowest and best bidder after an adequate period of public notice.
 - (i) Any work or other public improvement which is not to be paid for in whole or in part by special assessment or special taxation, and supplied needed for use by the City of Belleville, and when the expense thereof will exceed **Ten Thousand Dollars (\$10,000.00)** shall be constructed either:
 - (1) by a contract let by the City Council to the lowest responsible bidder after advertising for bids;
 - or (2) any such contract may be entered into by the proper officers without advertising for bid, if

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authorized by a vote of **two-thirds (2/3)** of all the aldermen then holding office.

- (ii) Public notices shall be published in at least **one (1) newspaper** of general circulation in the City of Belleville, and shall be published at least **ten (10) days** prior to bid closing. The newspaper notice required herein will include at a minimum: a brief description of the item to be purchased or sold, where bid blanks and specifications may be secured, the time and place for bid opening and a rejection rights clause.
- (iii) The purchasing office shall also solicit sealed bids from all responsible prospective suppliers, vendors and contractors. The purchasing agent shall have the authority to pre-qualify any potential contractor or vendor and solicit sealed bids from them.
- (iv) The purchasing agent shall have the authority to call a pre-bid conference with prospective bidders after draft specifications have been prepared. Such conferences help detect unclear provisions and tend to widen competition by removing unnecessarily restrictive language.
- (v) Liability protection shall be sought on service procurement specifications to protect the City of Belleville from any unforeseen liability or loss. Service procurement specifications shall include a "hold-harmless" and a "certificate-of-insurance" clause. The hold-harmless insert requires the contractor or service provider to "save and hold-harmless" the City of Belleville from any alleged damage as a result of work performed or not performed. The certificate-of-insurance clause specifies the contractor must furnish a "proof of purchase", which indicates the existence of insurance in sufficient quantities to protect all parties in the event of loss.
- (vi) Bond, with sufficient sureties, in such amount as shall be deemed adequate, not only to insure performance of contract in the time and manner prescribed in the contract, but also to save, indemnify, and keep harmless the municipality against loss, may be required of each bidder upon contracts involving amounts in excess of **Ten Thousand Dollars (\$10,000.00)** when, in the opinion of the purchasing office, the public interest will be served thereby.

- (vii) All sealed bids shall be publicly opened by the purchasing agent of the City of Belleville, or by an officer or employee in the office of the purchasing agent duly authorized in writing by the purchasing agent to open such bids. Bid openings shall be witnessed by a representative of the City Clerk's Office and the involved Department Head or designee. Written notice of all bid opening dates and times shall be forwarded to the City Clerk and involved Department Head or designee upon bid letting. All such bids shall be open to public inspection in the office of the purchasing agent for a period of at least **forty-eight (48) hours** before award is made.
- (viii) Any agreement or collusion among bidders or prospective bidders in restraint of freedom of competition by agreement to bid a fixed price, or otherwise, shall render the bids of such bidders void. Each bidder shall accompany his bid with a sworn statement, or otherwise swear or affirm, that he has not been a party to any such agreement. Any disclosure in advance of the opening of bids, of the terms of the bids submitted in response to an advertisement, made or permitted by the purchasing agent shall render the proceedings void and shall require re-advertisement and re-award.
- (d) The purchasing designee, with consent of the City Council, shall have the authority to reject any or all sealed or quoted bids.
 - (i) In determining the responsibility of any bidder the purchasing agent may take into account other factors in addition to financial responsibility, such as past records of transaction with the bidder, experience, adequacy of equipment, ability to complete performance within a specified time limit and other pertinent considerations.
 - (ii) Any and all bids received in response to an advertisement may be rejected by the purchasing agent if the bidder is not deemed responsible, or the character or quality of the services, supplies, materials, equipment or labor does not conform to requirements or if the public interest may

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otherwise be served thereby. If the contract is

- awarded to a bidder other than the lowest, a written statement of reasons shall be prepared and placed into the public record.
- (e) Purchases of materials, supplies and contractual services with the estimated value of less than **Ten Thousand Dollars (\$10,000.00)** may be made on the open market without public advertisement, and the requirements of the formal bid procedures are not applicable.
 - (i) Open market purchases shall be based on **three (3) competitive bids**, whenever possible, and shall be solicited by mail, phone and bulletin board notice.
 - (ii) Open market purchases shall also be based on the "lowest responsible bidder", whenever feasible.
 - (f) Emergency purchases above **Ten Thousand Dollars (\$10,000.00)** may be made in order to protect life, health or safety of citizens. Those permitted to purchase emergency materials shall be Department Heads and they shall be required to submit a monthly record of emergency purchases. All emergency purchases must be approved by the City Council as required by state law.
 - (g) Disposition of surplus, obsolete, or worn-out material or equipment for sale, shall be done by the Purchasing Office in conformance with competitive conditions, including when necessary, newspaper advertising and sealed bids. Items valued at **Ten Thousand Dollars (\$10,000.00)** or less may be sold by Purchasing. Items valued greater than **Ten Thousand Dollars (\$10,000.00)** must be approved for sale by the City Council. The sale or trade of vehicles, regardless of value, must be approved by the City Council.
 - (h) All contracts to which the City of Belleville is party, shall contain a non-discrimination in employment clause which provides, "The contractor shall not discriminate against any employee or applicant because of race, creed, sex, color or national origin throughout the contract period".
 - (i) The purchasing designee, or authorized representative, shall assist in the inspection or supervise the inspection of all deliveries or contractual services to determine adherence to advertised specifications.
 - (j) The purchasing designee shall be vested with the authority to require the prompt reporting and subsequent reassignment of any surplus materials, supplies or

equipment. These transfer capabilities include, but are not limited to, obsolete items, surplus items, and items no longer in use.

(Ord. No. 5587; 05-20-96)

3.13 CITY TREASURER.

(A) **Money; Warrants.** The City Treasurer shall receive all moneys belonging to the City, and shall pay all warrants signed by the Mayor and countersigned by the City Clerk and not otherwise, and shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto. He shall give to every person paying money into the City Treasury a receipt therefor, specifying the date of payment, and upon what account paid, and he shall file copies of such receipts with the City Clerk with his monthly reports.

(B) **Register.** The City Treasurer shall keep a register of all warrants redeemed and paid by him, showing the number, date and amount of each, the fund from which paid, and the name of the person to whom and when paid, and he shall cancel all warrants as soon as redeemed by him.

(C) **Funds.** The City Treasurer shall keep all moneys in his hands belonging to this City separate and distinct from his own money, and he shall not use either directly or indirectly the

City moneys or warrants in his custody and keeping for his own use and benefit, or that of any other person. Any violation of this subsection (C) shall subject him to removal from office by the City Council.

(D) **Delinquent Officers.** The City Treasurer shall report to the City Council any officer authorized to receive money for the use of the City who may fail to make a return of the moneys received by him at the time required by law.

(E) **Bookkeeping.** The City Treasurer shall keep his books and accounts in such manner as to show the accuracy all moneys received and disbursed by him for the City, stating from whom and on what account received, and to whom and on what account paid out, and in such way that the books and accounts may be readily investigated and understood, and the books and accounts and all files and papers of his office shall be at all times open to examination by the Mayor, or the Finance Committee of the City Council.

(F) **Monthly Statements.** The City Treasurer at the end of each month, and oftener when required by the City Council, shall make a report in writing of all moneys collected by him and the account whereon collected.

(G) **Annual Account.** The City Treasurer shall annually prepare and file an account with the City Clerk an account of all monies received and expenditures incurred during the preceding fiscal year in accordance with the requirements set forth in Illinois Municipal Code. The City Clerk's office shall publish such account in accordance with the requirements of the Illinois Municipal Code.

(Ord. No. 7056; 11-20-07)

(H) **Ex-Officio Collector of Special Taxes and Special Assessments.** There is hereby created the office of Collector of Special Taxes and Special Assessments. The City Treasurer shall be ex-officio Collector of Special Taxes and Special Assessments.

(I) **Funds Separate.** Moneys received by the City Treasurer on any special assessment shall be held by him as a special fund to be applied to the payment of the improvement for which such special assessment or special tax was made, or to reimburse the City for money expended for such improvement.

(J) **Duties.** The City Treasurer as Collector of Special Taxes and Special Assessments shall execute all warrants for the collection of special taxes and special assessments, which by law and ordinance may be executed by such collector, and he shall collect all special taxes and special assessments which are or may be levied or assessed by virtue of any ordinance for the making of any local improvement.

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(K) **Receipts; Discounts.** The City Treasurer shall receive and give a receipt for payment by any person against whose property special taxes are assessed for local improvements, or whose property is assessed for local improvements, or whose property is assessed as specially benefited by local improvements, in the amount of his special tax or special assessment, less such discount as may be authorized by the contract for the making of such improvement. The City Treasurer shall not allow any discount upon any such special taxes or special assessments, except when paid before or within **ten (10) days** from the completion and acceptance of the whole or such part of the improvement as may be provided in the contract.

(L) **Adjustment of Accounts.** In the adjustment of accounts of the City Treasurer with the City Clerk, there shall be an appeal to the Finance Committee of the City Council, whose decision in all matters of controversy arising between these officials shall be final, unless the Council shall otherwise provide.

(M) **Municipal Bonds and Debt Payments - Responsibility for Assuring Timely Disbursements.** It shall be the responsibility of the City Treasurer to pay all principal and interest payments for bond and other debt obligations of the City of Belleville in a timely manner utilizing an automated payment scheduling system as well as assuring that all bond covenants are being met. **(Ord. No. 5641; 10-21-96)**

3.14 CITY ATTORNEY.

(A) **Duties.** The City Attorney shall prosecute and defend all suits and actions originating and pending in any court of this state to which the City is a party, or in which, in the opinion of the Mayor or City Council, the interests of the City are affected, or in which the official acts of any of the officers, agents or employees of the City are involved. He shall advise the City Council and its committees, and any City officer, on such legal questions as may arise in relation to the business of the City, and shall perform such other services as may be required of him.

(B) **Documents Drafted.** The City Attorney shall draw ordinances as may be required by the City Council or by a committee thereof. He shall draw the leases, deeds, contracts and other papers connected with any of the departments of the City when required to do so by the head of such department or by the Mayor or Council. All ordinances introduced before the Council shall first be submitted to the City Attorney to consider their proper construction and legality.

(C) **Suits.** The City Attorney may dismiss any suit instituted by or in behalf of the City only with the written consent of the Mayor.

(D) **Report.** The City Attorney shall make a report to the City Council on the first Monday of May, August, November and February in each year, and also at the close of his term in office, of all his acts and doings, including an abstract of his docket. He shall, at the same time, settle with the City Treasurer, and pay over to him all moneys in his hands belonging to the City.

(E) **Successor.** Upon the expiration of his term of office, or his resignation or removal, the City Attorney shall forthwith, upon demand, deliver to his successor in office

all deeds, leases, contracts, books, and papers in his hands belonging to the City or delivered to him by the City or any of its officers, and all papers in actions prosecuted or defended by him, then pending and undetermined.

(F) **Qualifications of City Attorney.** The City Attorney shall reside in Belleville or within **ten (10) miles** of the City limits of Belleville. **(Ord. No. 7686; 05-06-13)**

3.141 ASSISTANT CITY ATTORNEY. There is hereby created the office of Assistant City Attorney. The Assistant City Attorney shall assist the City Attorney in all matters outlined in **Section 3.14. (2672)**

3.142 FEES FOR SUITS. In all suits prosecuted by the office of the City Attorney, there shall be assessed a fee of **Five Dollars (\$5.00)** payable to the City of Belleville. **(2688)**

3.15 PERSONNEL MANAGER AND AFFIRMATIVE ACTION OFFICER.

(A) **Created.** There is hereby created the appointive office of Personnel Manager and Affirmative Action Officer. He/she shall be appointed and serve in accordance with the provisions of **Section 3.08** of this Code.

(B) **Duties.** Manager and Affirmative Action Officer shall:

- (1) Ensure that all requirements of existing Civil Rights laws, Affirmative Action Programs and all other legal requirements pertinent to Equal Employment Opportunity and non-discriminatory practices are in place and properly functioning in the City of Belleville.
- (2) Work with the Personnel Committee of the City Council and the Mayor in developing personnel procedures, policies, wage guidelines, job descriptions, and employee records systems.
- (3) Train all management staff in personnel matters and administration.
- (4) Assist with the development and implementation of new employee benefit programs.
- (5) Participate with management and staff in day-to-day personnel activities, contract negotiations, addressing grievances, counseling, and in the hiring process of the City employees.
- (6) Attend City Council meetings, departmental meetings and such other meetings as may be necessary to adequately discharge his/her duties.
- (7) Perform any other duties that may be assigned by the City. **(Ord. No. 5201; 01-03-94)**

3.16 **INSPECTOR OF WEIGHTS AND MEASURES.** The Mayor, by and with the advice and consent of the City Council, shall appoint an inspector of Weights and Measures. The Inspector of Weights and Measures shall have the powers and perform the duties as are provided by law.

3.17 **CUSTODIAN OF CITY HALL.** The Mayor, with the approval of the City Council shall appoint a custodian of the City Hall. The custodian shall be appointed in like manner and at such time as provided for the appointment of City officers and he shall be governed by the same rules and regulations prescribed for City officers. **(Ord. No. 2071)**

3.18 **SALARIES AND INSURANCE.**

(A) The salaries of the Mayor, City Clerk and City Treasurer shall be those listed below which will take effect on the effective date listed below:

<u>Effective Date:</u>	<u>5/1/09</u>	<u>5/1/10</u>	<u>5/1/11</u>	<u>5/1/12</u>
Mayor	\$75,000.00	\$77,625.00	\$80,341.00	\$83,152.00
City Clerk	\$65,000.00	\$67,275.00	\$69,629.00	\$72,066.00
City Treasurer	\$65,000.00	\$67,275.00	\$69,629.00	\$72,066.00

(Ord. No. 7057; 11-20-07)

(B) The Mayor, City Clerk and City Treasurer shall each be entitled to reimbursement for the actual expenditures incurred in the performance of his official duties; prior approval of the City Council shall be required only for those single item expenditures exceeding **One Hundred Dollars (\$100.00)**. **(Ord. No. 3404; 12-06-76)**

(C) All appointed municipal officers and employees shall receive the salary, wages, or other compensation that is fixed by the annual budget ordinance. The salary of each elected official, appointed officer and appointed employee shall, for each department be scheduled as part of the budget document. The total for such schedule shall equal the line item "Personnel Services" object class of each department's budget. Once the Annual Budget Ordinance is adopted, the salary, wages or other compensation of any appointed officer or appointed employee may not be increased without a duly approved amendment to said budget. The salary, wages or other compensation so established shall be paid in bi-weekly installments. If a vacancy occurs after the Annual Budget Ordinance is adopted and before a new appointment or temporary appointment is approved by the City Council, the salary, wages, or other compensation for said vacancy may be raised or lowered by legally amending said budget. **(Ord. No. 5716; 03-17-97)**

(D) **Insurance at Cost.**

(1) **Elected Official.** Any elected official who has served one full term, is not re-elected or chooses to retire from his/her elected office shall be allowed to continue to participate in the City health insurance indefinitely, so long as they pay their own expenses for premiums and any other cost that may be associated with said coverage.

(2) **Aldermen.** The aldermen shall additionally be allowed to purchase insurance coverage through the City so long as they pay their own expense for premiums and any other cost that may be associated with said coverage. **(Ord. No. 5419; 04-17-95)**

Labor Day
Veterans Day
Thanksgiving
Day-After Thanksgiving
Christmas Eve – Observed – Closed at Noon
Christmas Day – Observed
New Year's Eve - Observed – Closed at Noon

(Ord. No. 4788; 11-19-90)

(B) If any of the above holidays fall on Saturday, then the immediate preceding Friday shall be considered the holiday. If any of the above holidays fall on a Sunday, the next succeeding Monday shall be considered the holiday.

(C) The following designated days shall be legal holidays for all employees and the City offices shall be closed for **one-half (1/2) day** on such days:

Christmas Eve
New Year's Eve

Since a full day consists of **eight (8) hours**, a half-day shall consist of **four (4) hours**.

(D) If Christmas or New Year's falls on Saturday, the preceding Friday shall be considered the holiday and Thursday shall be considered the Christmas Eve or New Year's Eve holiday. If Christmas or New Year's falls on Sunday, the following Monday shall be considered the holiday and the preceding Friday shall be considered the Christmas Eve or New Year's Eve holiday. If Christmas or New Year's falls on a Monday, the preceding Friday shall be considered the Christmas Eve or New Year's Eve holiday.

(E) The provisions of this Section shall not apply to members of the Police Department, Fire Department and shift operators at the City Sewer Treatment Plant. Such employees shall be governed by the provisions of their respective union contracts. **(Ord. No. 3264; 12-02-74)**

3.22 **IMPROVEMENTS.** Any work or public improvement which is not to be paid for in whole or in part by special assessment or special taxation, when the expense thereof will exceed **Ten Thousand Dollars (\$10,000.00)**, shall be constructed either (1) by contract let to the lowest responsible bidder after advertising for bids, in the manner prescribed by ordinance, except that any such contract may be entered into by the proper officers without advertising for bids, if authorized by a vote of **two-thirds (2/3)** of all the aldermen or trustees then holding office. **(Ord. No. 4724; 04-02-90)**

3.23 **CLAIMS.**

(A) **Presentations.** All claims against the City for goods purchased, damages, or originating in any other way, except claims for salaries and other allowances that are fixed by ordinance, must be presented on or before the last Monday of each month to the City Clerk. All such claims must be in writing and items shall be specified.

(B) **Reception.** The City Clerk shall receive all such bills and present them on the day following the last Monday of the month to the chairman of the Committee on Claims.

(C) **Exception.** This Section does not prohibit the City Council from passing on any claims, not previously presented to the City Clerk, if in the opinion of the Council, justice to the claimant requires it, but all such claims must be presented to the Council by the claimant in person or by his representative.

3.24 **TOWN OF BELLEVILLE.**

(A) **Clerk and Collector.** The Town of Belleville and the City of Belleville are co-extensive, and the City Clerk is ex-officio Clerk of the Town of Belleville, and the City Treasurer is ex-officio Collector of the Town of Belleville.

(B) **Elections; Meetings.** The Town of Belleville is divided into **thirty-three (33) election districts**, each district to be co-extensive with and have the same boundaries as the election districts of the City. The voting place in each district shall be the same as that designated by the City Council as the voting place for the election of City officers. The judges of election at any town election shall be the same persons for each district as are appointed as judges for an election for City officers held on the same day. The town meeting for the transaction of town business shall be held in the City Hall in the City of Belleville. **(Ord. No. 4888; 10-07-91)**

3.25 **LIBRARY.**

(A) **Established.** There is hereby established a free public library and reading room for the use and benefit of the citizens of the City, which shall be called the Belleville Public Library.

(B) **Board Created.** The Mayor with the approval of the City Council shall appoint a board of **nine (9) directors**, who shall be chosen from the citizens at large with respect to their fitness for such office. **One (1) member** of the City Council shall be a member of the Board.

(C) **Powers and Duties.** The Board of Directors shall hold office, have such powers and perform such duties as are prescribed by the Illinois Revised Statutes governing such bodies.

(D) **Tax.** In order to maintain the library and reading room a tax not to exceed **nine-tenths (9/10)** of a mill on the dollar may be levied annually. Such tax shall be levied and collected in like manner and in addition to the general rate and to be known as the library fund. **(1592)**

(E) **Injury to Books.** No person shall willfully or maliciously write upon, deface, tear, or destroy any book, newspaper, plate picture, engraving or statue, or piece of furniture belonging to the Belleville Public Library.

(F) **Failure to Return Books.** No person shall fail to return any book belonging to the library in the time and manner required by the library regulations.

(G) **Fines, Library Fund.** All fines collected under the provisions of this section shall be paid into the City Treasury, and shall be credited by the City Treasurer to the Library fund and be kept as part of such fund.

3.26 PLAN COMMISSION.

(A) **Membership.** There is hereby created a City Plan Commission to consist of **nine (9)** voting members appointed by the Mayor with the advice and consent of the City Council, **two (2) members** of which shall be Aldermen. The term of office of members shall be **three (3) years** or until a successor is appointed, except that the terms of the members first appointed shall be so fixed that no more than **three (3) members** shall be so reappointed or replaced. In the event of vacancies, the Mayor shall appoint with City Council consent and approval a replacement to fill the unexpired term members whose terms have expired shall hold office until their successors have been duly appointed. All members of the Commission shall reside within the corporate limits of the City of Belleville or within **one and one-half (1 1/2) mile** planning area excluding territory within the corporate limits of any other municipality, community or village.

The City Engineer, Director of Planning and Development and the Building and Zoning Commissioner shall serve as non-voting Ex-Officio members of the Commission and shall provide technical input and advice on matters. **(Ord. No. 5344; 12-05-94)**

(B) **Duties, Compensation.** It shall be the duty of the City Plan Commission to consider a city plan for the City of Belleville, and matters in regard to future growth, zoning, planning, traffic, etc., in the City, and to make reports and recommendations to the City Council from time to time as occasion warrants. The Commission shall make no expenditure, except after appropriation by the Council, and it shall be optional with the Council whether or not to make appropriation in any year for the Commission. The Commissioners shall serve without compensation and shall not be interested in any contracts with the City, directly or indirectly. Any planning commission member that misses **three (3)** consecutive meetings of the Planning Commission shall forfeit his office as a member of the Planning Commission. **(Ord. No. 5998; 07-06-99)**

3.27 PLAYGROUND AND RECREATION BOARD.

(A) **Established.** A playground and recreation system shall be established, conducted and maintained in the City.

(B) **Members.** The establishment, conduct and maintenance of the playground and recreation system shall be under the jurisdiction of a Playground and Recreation Board consisting of **five (5) members**, appointed by the Mayor with the consent of the City Council. The members of the Board shall serve without compensation. Terms of members of the Board shall be for **five (5) years**, except that the members of the Board first appointed shall be appointed for such terms that the term of **one (1) member** shall expire annually thereafter. If a vacancy occurs in the office of any member, the Mayor shall appoint a successor to serve the unexpired term.

(C) **Powers.** The Playground and Recreation Board shall exercise all the powers and responsibilities, not reserved to the Council, as set forth in the Illinois Municipal Code, Section 11-95-1 to 11-95-10, inclusive. The object in exercise of the powers and responsibilities of the above statute shall be achieved so far as possible by providing a

staff of employees trained in public recreation and leisure-time activities for children, young people, men and women in all walks of life; conducting a program, making use of the physical properties available in the community and surrounding territory; offering leadership in coordinating and correlating all those activities of a similar nature in the community to obtain maximum benefit to the citizens of the City of Belleville; building the public recreation program into and about the public schools and public parks and by identifying it with all public and private organizations having to do with public welfare, education, family relations and juvenile delinquency; focusing public attention, constantly upon the need of adequate provision for year-round healthful recreation of all; solicitation and encouragement of gifts of money and property for the benefit of the community recreation program, but if the acceptance thereof for such purposes shall subject the City to expense for improvements, maintenance or renewals, the acceptance of any grant or devise of real estate shall be subject to the approval of the Council. **(#3823; 09-08-81)**

(D) **Officers, Duties, Elections.** The officers shall consist of a president, vice-president and secretary. The City Treasurer shall, by virtue of his office, be the treasurer of the Board. The secretary or treasurer need not be a member of the Board. **Two (2) members** of the Board shall serve as a standing finance committee. The elective officers of the Board shall be elected annually at the stated meeting of the Board in the month of May and shall serve until their successors are elected. Vacancies in the elective offices of the Board may be filled for the unexpired term at a stated or special meeting of the Board. The Board shall adopt an administrative manual with such rules, by-laws, and regulations as it may deem proper for the conduct of its work. **(#3823; 09-08-81)**

(E) **Fiscal Affairs.** The fiscal year of the Board shall conform to the fiscal year of the City. The Board shall, prior to the adoption of annual budget ordinance by the Council each year, submit appropriate budgets as a request to the Council to levy and collect a playground and recreation tax, and any other requests for fund assistance, required by law. The proceeds of the playground and recreation tax and any funds coming into the Board for playground and recreation purposes, shall be held by the City Treasurer, required by law, and paid out by him only with the approval of the Board on vouchers signed by the president or vice-president and secretary of the Board. The City Treasurer shall, by virtue of his office, prepare an annual report in writing, which report shall show receipts from taxes and from other sources as a financial statement due prior to the first day of September. **(#3823; 09-08-81)**

(F) **Meetings and Procedure.** Special meetings of the Board shall be held on the call of the president. At the request of any **two (2) members** of the Board, the president shall call a special meeting; notice of such meeting and the purpose thereof shall be given all members of the Board at least **twenty-four (24) hours** in advance and the business transacted at such special meeting shall be limited to that contained in such notice, except when all members of the Board attend such special meeting, any business may be transacted. A quorum shall consist of a majority of the Board.

(G) **Administrative Staff.** The administrative staff of the Board shall consist of a Director of Parks and Recreation, and such other employees as shall be deemed necessary. The Director of Parks and Recreation shall be a specially trained and qualified to organize and direct recreation and leisure-time activities of a public nature. Other employees shall be employed by the Board upon recommendation of the Director of Parks and Recreation. The Director of Parks and Recreation shall be the chief administrative officer of the Board and shall be responsible for the program of the Board and for the proper discharge of their respective duties for all other employees. He may also serve as secretary of the Board. **(#3823; 09-08-81)**

3.28 **PUBLIC UTILITY COMMISSION.** The Mayor, with the consent and approval of the City Council, shall appoint a City Public Utility Commission consisting of **five (5) citizens** of the City, at least **two (2)** of the members thereof to be members of the City Council. The purpose of the City Public Utility Commission shall be to receive complaints and grievances of citizens against any alleged unfair treatment, excessive charges, poor service or any other complaints against utility companies. **(#2285)**

3.29 **RESERVED.** (Ord. No. 6942; 12-04-06)

3.295 APPOINTMENT OF EMPLOYEES.

(A) All persons seeking employment with the City of Belleville, other than appointive officers, shall make application for such employment to the office of City Clerk, which application shall then be read at the next regular Council meeting. All such applications must be accompanied by a certified copy of the birth record of the applicant and no more than **ten (10) days** prior to the appointment there should be submitted to the office of the City Clerk, a report of physical examination by a duly licensed physician as more fully set out hereafter in **Section 3.30(E)** of this Chapter. All appointments of employees are to be approved by the City Council at a regular meeting.

(B) **Reserved.**

(C) Any person hired on a full time basis by the City of Belleville shall become a resident of the City within **fifteen (15) months** from the date of his or her employment and his or her continuing residency from that date forward shall be condition of his or her employment. A City employee who has established legal residency outside the City prior to the effective date of this ordinance shall be exempted from the aforesaid residency requirement; however, if any exempted City employee moves from his or her current address (outside the City) that employee must relocate within the City. If a City employee moves from the City of Belleville while this requirement is in effect, his or her employment shall be terminated. **(Ord. No. 5359; 12-05-94) (Ord. No. 6100; 04-03-00)**

(D) All department heads, including the Director of the Public Library and the Director of Parks and Recreation shall become a resident of the City within **fifteen (15) months** from the date of his or her employment and his or her continuing residency from that date forward shall be a condition of his or her employment. If a Department head, the Director of Public Library or the Director of Parks and Recreation moves from the City of Belleville while this requirement is in effect or fails to move into the City within **fifteen (15) months**, his or her employment shall be terminated. **(Ord. No. 6100; 04-03-00)**

(E) Residency of the City Attorney shall be governed by **Section 3.14(F)** of the Code. **(Ord. No. 7686; 05-06-13)**

3.30 SICK LEAVE.

(A) The term '**sick leave**' as used in this Section means any illness or injury incurred while employee is actually in the service of the City.

(B) This Section shall not apply to seasonal workers or employees serving under temporary appointments.

(C) All employees working under the jurisdiction of the Agreement shall receive **fifteen (15) days** per year sick leave, accumulative at the rate of **one and one-fourth (1 1/4) days** per month starting with the first month of employment and shall be able to accumulate an unlimited amount of sick leave; except that the employees of the Belleville Fire Department shall receive **one hundred twenty-six (126) hours** per year sick leave accumulative at the rate of **ten and one-half (10 1/2) hours** per month starting with the first month of employment and shall be allowed to accumulate an unlimited amount of sick leave. In the event the City deems it necessary to have a written statement from the doctor, the

CITY ADMINISTRATION 3.30

employee shall so present it. This is not to be construed that it is necessary to present a doctor's certificate at all times. The employees are not to abuse the provisions of this Section. Over-

time shall not be used for sick leave unless accumulated sick leave has been used. **(Ord. No. 4788; 11-19-90)**

(D) Sick leave as herein provided will be granted only upon a written communication from the head of the department with which employee is connected, recommending that same be granted. **(*This sentence was inadvertently deleted in the last supplement.)*** The department head may require the employee to furnish a certificate from a reputable licensed physician or dentist stating the nature and cause of the illness or injury and stating that employee was physically unable to perform the duties of his employment during the whole of the time that he was absent therefrom. The communication from the department head and physician's or dentist's certificate shall be filed with the City Clerk. Each department head shall keep a complete record of sick leave and the reasons therefor of all employees in his department. **(Ord. No. 3264; 12-02-74)**

(E) It shall be a prerequisite to the employment of any individual seeking employment with the City of Belleville that such individual submit to the City Council through the office of the City Clerk a report of physical examination made by a licensed physician of the State of Illinois no more than **ten (10) days** prior to the submission of the application to the City Council for its consideration of the appointment. Such physical examination shall be made by a physician of the applicant's choice and the City shall not incur any expense therefor. The examination should contain a concluding statement by the examining physician concerning the condition of health of the applicant and shall contain a statement of the degree of work the applicant is capable of performing, there being specified in such statement any limitations because of physical disabilities. Any applicant who is not in good health shall not be eligible for employment. A physical handicap that does not affect the ability of the applicant to perform the employment sought shall not be deemed a bar to employment.

All reports of physical examination submitted as heretofore described are to remain confidential to the officers and Aldermen of the City of Belleville. In the event a person is disqualified by reasons of ill health, such information is not to be divulged to any one other than the applicant or his duly authorized attorney. The requirements of a physical examination shall not apply to appointive officers. **(Ord. No. 2681)**

3.301 FUNERAL LEAVE. When there is a funeral within the immediate family of an employee, such employee shall be allowed **five (5) days** time off, not including Saturday, Sunday, or holidays. Immediate family shall be husband, wife, father, mother, child or step-child of an employee. Where there is a funeral for the sister, brother, father-in-law, mother-in-law, sister-in-law, brother-in-law, step-father, step-mother, grandfather, grandmother

or grandchildren of an employee, such employee shall be allowed **three (3) days** time off, not including Saturday, Sunday or holidays. **(Ord. No. 4788; 11-19-90)**

3.31 OUTSIDE EMPLOYMENT, POLICEMEN AND FIREMEN.

Members of the Police and Fire Departments of this City may be employed or engaged in a business or occupation compatible with their City employment, subject, however, to the following limitations:

(A) They shall not engage in the occupation of bartender, bouncer, or tavern operator; if a policeman or fireman is employed at an organizational dance within the City limits, he shall not be considered to be a bouncer.

(B) They shall not engage in any illegal occupation, such as gambling or working in gambling houses.

(C) **Reserved.**

(D) They shall not be gainfully employed or engaged in any business or occupation other than their City employment for more than **twenty (20) hours** in any calendar week.

(E) They shall not be gainfully engaged in any employment or other business or occupation outside the greater Belleville area.

(F) In the event of injury sustained in gainful employment, business or occupation other than City employment, policemen and firemen shall not be entitled to time off with pay for any lost employment resulting therefrom. In the event that an injury is incurred in said outside gainful employment or occupation and sick pay is denied by the City of Belleville, this shall in no way affect the employee's tenure in his position.

(G) That even though engaged in other approved employment, business or occupation, members of the Police and Fire Department shall be available for call to duty within a reasonable time.

(H) That if the chief of the department has reason to believe that outside employment is adversely affecting the work of any of his men, he should discuss the matter with that employee. After such discussion, if no agreement is reached, both the chief and the employee should request a hearing before the Mayor and the Police and Fire Committees. If the Mayor and the Police and Fire Committees concur in the opinion of the chief, the employee may appeal to a committee composed of **one (1) Alderman** who is not a member of the Police and Fire Committees, a representative of labor and a representative of the Chamber of Commerce. Such representatives shall be mutually agreed upon. If the findings of the Mayor and Police and Fire Committees concur in the opinion of the employee, there shall be no appeal. **(2503)**

3.32 **JUVENILE DEPARTMENT.**

(A) **Creation.** There is hereby created the office of Juvenile Department and the head of the department shall be known as the Juvenile Officer.

(B) **Juvenile Officer.** The Juvenile Officer shall be appointed by the Mayor by and with the consent of the City Council and the Board of Police and Fire Commissioners of the City of Belleville.

(C) **Duties.** The Juvenile Officer shall have charge of all juveniles either in the Police Station or in any penal institution of the City, and his duties shall be as follows:

1. He shall make investigations on all matters referred by the Belleville Police Department wherein juvenile subjects are involved.
2. He shall complete all papers required by the Twentieth Judicial Circuit Court, St. Clair County, Juvenile Division, for and in the processing of juvenile subjects brought before that court by the Juvenile Department.
3. He shall investigate all reports received by the Belleville Police Department or the Juvenile Department involving the desertion or neglect of minor children and make reports thereon to the Chief Probation Officer of the Twentieth Judicial Circuit Court, St. Clair County, Illinois.
4. He shall process all juvenile subjects and maintain records on all juvenile subjects.
5. He shall prosecute all juvenile offenders when in his discretion such prosecution is necessary, and further, shall prosecute parents when in the opinion of the Juvenile Officer such prosecution is warranted.
6. He shall maintain liaison between the St. Clair County Probation Office, and the Belleville Police Department and the Belleville Juvenile Department.
7. He shall direct the Police Matron to assist him in all investigations involving female juvenile subjects and shall direct her to keep all papers necessary in the processing of all female subjects.

(D) **Supervision.** The Juvenile Officer shall be under the direct supervision and control of the Chief of Police of the City of Belleville, and further shall be subject to executive directives of the office of the Mayor of the City of Belleville. He shall be subject to 24 hour call, but during off-duty hours shall be called only when necessary to process a juvenile offender. Interrogation of juvenile offenders shall not in itself be considered as necessary in regard to this provision concerning off-duty call. The Juvenile Officer, as to the detention of a juvenile subject, shall have such authority as may be conferred upon him by the "**Juvenile Court Act**", being **Illinois Revised Statutes, Chapter 37, Sections 701-1, et seq. (2 640, 2877)**

3.33 BURGLAR AND FIRE ALARM SYSTEMS.

(A) The existing burglary, robbery and fire alarm systems connected to the Belleville Police Department for monitoring shall be connected to a central board owned and operated by the City, within **sixty (60) days** after the acquisition by the City of Belleville of such a central control board.

(B) An electric or control system covering fire, robbery and burglary alarm devices connected with the Police Department of this City shall only be installed in business or public establishments and with the prior permission of the City Council. No automatic telephone dial or radio alarms which are designed to call the Belleville Police Department shall be permitted in the City of Belleville. Any corporation, person or individual servicing, installing or permitting the servicing or installation of an automatic telephone dial or radio alarm system in the City shall be assessed a fine of **Five Hundred Dollars (\$500.00)**. A separate offense shall be deemed committed on each day a violation occurs. Corporations, persons or individuals already having an automatic telephone dial or radio alarm system installed shall have **six (6) months** from the effective date of this ordinance to remove same. **(#3394; 10-18-76)**

(C) Any corporation, person, or individual, servicing or installing a burglary, robbery or fire alarm system in any commercial, institutional or industrial establishment within the City, shall first submit a proposed installation plan to the Chief of Police and to the Chief of the Fire Department, and such system to be connected to the City-owned electric control board. Any such system proposed shall comply with all the rules and regulations for fire prevention and safety as established by the State of Illinois, Department of Public Safety, as they are presently established or as they are, from time to time, amended.

(D) The installation of any such alarm on any premises in the City shall be installed under the supervision of the Chief of Police and the Chief of the Fire Department.

(E) The Chief of Police and the Chief of the Fire Department are hereby empowered to enforce the provisions of this Section to the end that the said system may be unified and operated through the City-owned control board.

(F) The City Council shall decide all questions arising as to the use and operation of such systems, through the City-owned electric control board.

(G) Before permission is granted to any corporation, person or individual for the installation of a burglary, robbery or fire alarm system, or combination thereof, they shall pay to the City Clerk the sum of **One Hundred Dollars (\$100.00)**, constituting a connection fee for such system.

(H) The above connection fee hereby established shall be for the purpose of defraying the cost of supervising the installation of the fire, robbery and burglary

alarm control systems to the City-owned central control board. The actual cost of installation shall be borne by the corporation, person or individual installing same and connecting it to the City-owned central control board.

(I) Any corporation, person or individual requesting permission to install a system through the City-owned electric control board shall be advised in writing by the City Clerk that the City of Belleville assumes no liability whatsoever for the proper installation or maintenance of the system so installed, and shall be further advised in writing that the City assumes no liability whatsoever for the malfunctioning of any such system. The City's only obligation shall be to monitor any alarms sounded through its central control board, and to respond to such alarms in the manner such alarms are usually responded to by either the Police or Fire Departments of this City.

(J) In addition to the connection fee as hereinbefore established, the City Clerk shall collect a fee of **Fifty Dollars (\$50.00)** per annum from the corporation, person or individual connecting any such burglary, robbery or fire alarm system to the central control board owned and operated by the City. Such fees shall be collected annually at the beginning of each fiscal year. Any corporation, firm or individual connecting any such system to the City-owned central control board after May 1st of any given year shall pay the sum of **Five Dollars (\$5.00)** per month, based upon the remaining months of the year, and such sum to be paid in advance for the remainder of the year. **(2870)**

(K) Corporations, persons or individuals permitted to install a system through the City-owned electric control board shall be responsible for any and all false alarms. Each such corporation, person or individual shall be subject to a fine of not less than **Ten Dollars (\$10.00)** nor more than **Five Hundred Dollars (\$500.00)** for each false alarm received in excess of **six (6)** during any **twelve (12) month** period. **(#3394; 10-18-76)**

(L) Any corporation, person or individual already having installed a system through the City-owned electric control board shall not change from one alarm system to another without prior permission of the City Council. Any corporation, person or individual already having installed a system through the City-owned electric control board who wishes to disconnect same shall give written notification to the City Clerk of the City of Belleville prior to disconnection. Thereafter, any corporation, person or individual shall be permitted to reconnect only with prior permission of the City Council and the payment of a new connection fee. **(#3394; 10-18-76)**

3.34 CONFLICT OF INTEREST.

(A) Municipal officer, as used in this Code, shall mean any elected or appointed official of the City of Belleville. Appointed officials shall include, but are not limited to all members of any board, committee, commission or other body appointed by the City.

(B) No municipal officer shall vote on any proposition or issue before the body on which he sits if said officer will be directly or indirectly benefited financially by the passage or failure of the proposition or issue.

(C) When a proposition or issue arises where a municipal officer will be directly or indirectly benefited financially, it shall be the duty of said municipal officer to inform the body on which he sits of the possible financial benefit. If the proposition or issue is to be forwarded to the City Council for the final approval, then it shall further be the duty of said municipal officer to report to the City Council of the City of Belleville, Illinois, of his possible financial benefits from their action. **(Ord. No. 3276; 12-30-74)**

3.35 STATE GIFT BAN CODE.

(A) **Adoption of Act.**

(1) The State Gift Ban Act **(5 ILCS Sec. 425 et seq.)** is hereby adopted as required by Section 83 of the Act **(5 ILCS Sec. 425/83)**.

(2) The solicitation or the acceptance of gifts prohibited to be solicited or accepted under any Act is prohibited by any elected or appointed official or any employee of the City.

(B) **Ethics Officer.** To the extent authorized by law and to the extent required by Section 35 of the Act **(5 ILCS Sec. 425/35)**, the Chairman of the Ordinance and Legal Review Committee of the City is hereby appointed Ethics Officer. The Ethics Officer's duties shall be as provided in Section 35.

(C) **Local Ethics Commission; Complaints.**

(1) The Ordinance and Legal Review Committee of the City Council shall be the Local Ethics Commission.

(2) The Local Ethics Commission shall have the power and duties set forth in Section 55 of the Act.

(3) To the extent that any of its provisions may be applicable, Section 45 of the Act shall be applicable to the Local Ethics Commission.

(4) The complaint procedure and the enforcement and penalty provisions of the Act and this Section shall be as are provided in Sections 60, 65 and 70 of the Act.

(D) **Existing Ethics Ordinance or Gift Ban Ordinance.** This Code does not repeal or otherwise amend or modify any ordinance which regulates the conduct of City officials and employees.

(E) **Future Amendments to State Gift Ban Act.** Any amendment to the State Gift Ban Act (**5 ILCS Sec. 425/1 et seq.**) that becomes effective after the passage of this Code shall be incorporated into this Code by reference and shall be applicable to the solicitation and acceptance of gifts. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Code by reference without formal action by the corporate authorities of the City.

(F) **Future Declaration of Unconstitutionality of State Gift Ban Act.**

- (1) If the Illinois Supreme Court declares the State Gift Ban Act (**5 ILCS Sec. 425/1 et seq.**) unconstitutional in its entirety, then this Code shall be repealed as of the date that the Supreme Court's decision becomes final and not submit to any further appeals or rehearings. The Code shall be deemed repealed without further action by the corporate authorities of the City if the Act is found unconstitutional by the Illinois Supreme Court.
- (2) If the Illinois Supreme Court declares part of the State Gift Ban Act (**5 ILCS Sec. 425/1 et seq.**) unconstitutional but upholds the constitutionality of the remainder of the Act or does not address the remainder of the Act, then the remainder of the Act as adopted by this Code shall remain in full force and effect; however, that part of this Code relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the corporate authorities of the City.

(Ord. No. 5982; 05-17-99)

3.36 **POWER TO DEDUCT WAGES FOR DEBTS.** When an employee of the City is indebted to the City, the City may withhold from the compensation of that employee the amount of the debt that is due and owing; provided, however, that the maximum deduction for any work week shall not exceed the lesser of (1) **fifteen percent (15%)** of the gross amount paid for that week or (2) the amount by which disposable earnings for a week exceed **forty-five (45) times** the Federal Minimum Hourly Wage prescribed by Section 206(a)(1) of Title 29 of the United States Code as amended, in effect at the time the amounts are payable. No amounts required by law to be withheld may be taken for the amount collected by the creditor. The term disposable earnings means that part of the earnings of any individual remaining after the deduction from those earnings of any amounts required by law to be withheld.

The City may deduct any amount from the salary or wage of an employee of this Section. The employee shall be given an opportunity for a hearing to dispute the debt

that is due and owing to the City. The hearing shall be conducted by the City Finance Director. **(Ord. No. 6484; 11-18-02)**

3.37 STATE OFFICIALS AND EMPLOYEES ETHICS ACT.

(A) The regulations of Sections 5-15 (**5 ILCS 430/5-15**) and Article 10 (**5 ILCS 430/10-10 through 10-40**) of the State Officials and Employees Ethics Act, **5 ILCS 430/1-1 et seq.**, (hereinafter referred to as the "Act" in this Section) are hereby adopted by reference and made applicable to the officers and employees of the City to the extent required by **5 ILCS 430/70-5**.

(B) The solicitation or acceptance of gifts prohibited to be solicited or accepted under the Act, by any officer or any employee of the City, is hereby prohibited.

(C) The offering or making of gifts prohibited to be offered or made to an officer or employee of the City under the Act, is hereby prohibited.

(D) The participation in political activities prohibited under the Act, by any officer or employee of the City, is hereby prohibited.

(E) For the purposes of this Section, the terms "officer" and "employee" shall be defined as set forth in **5 ILCS 430/70-5(c)**.

(F) The penalties for violations of this Section shall be the same as those penalties set forth in **5 ILCS 430/50-5** for similar violations of the Act.

(G) This Section does not repeal or otherwise amend or modify any existing ordinances or policies which regulate the conduct of City officers and employees. To the extent that any such existing ordinances or policies are less restrictive than this Section, however, the provisions of this Section shall prevail in accordance with the provisions of **5 ILCS 430/70-5(a)**.

(H) Any amendment to the Act that becomes effective after the effective date of this Section shall be incorporated into this Section by reference and shall be applicable to the solicitation, acceptance, offering and making of gifts and to prohibited political activities. However, any amendment that makes its provisions optional for adoption by municipalities shall not be incorporated into this Section by reference without formal action by the corporate authorities of the City.

(I) If the Illinois Supreme Court declares the Act unconstitutional in its entirety, then this Section shall be repealed as of the date that the Illinois Supreme Court's decision becomes final and not subject to any further appeals or rehearings. This Section shall be deemed repealed without further action by the Corporate Authorities of the City if the Act is found unconstitutional by the Illinois Supreme Court.

(J) If the Illinois Supreme Court declares part of the Act unconstitutional but upholds the constitutionality of the remainder of the Act, or does not address the remainder of the Act, then the remainder of the Act as adopted by this Section shall remain in full force and effect; however, that part of this Section relating to the part of the Act found unconstitutional shall be deemed repealed without further action by the Corporate Authorities of the City. (**Ord. No. 6650; 05-03-04**)

AN ORDINANCE CREATING THE OFFICE OF LICENSE COLLECTOR

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE,

that:

SECTION 1. There be and is hereby created the office of License Collector.

SECTION 2. The License Collector shall be appointed by the Mayor by and with the consent of the City Council.

SECTION 3. The License Collector before entering upon the duties of his office, shall take the oath of office prescribed by law, and shall execute a bond to the City of Belleville in the penal sum of \$3,000.00 with sureties as shall be approved by the City Council, conditioned for the faithful performance of the duties of his office.

SECTION 4. The License Collector shall be under the supervision of the City Clerk and shall perform such duties as the clerk shall direct, and in addition thereto shall initiate prosecution against all parties in violation of any of the ordinances of the City of Belleville prescribing the purchase of a license for any purpose whatever.

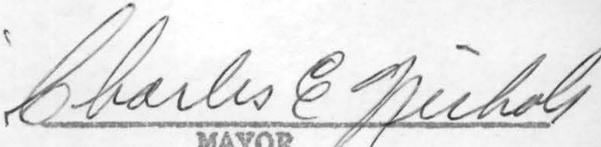
SECTION 5. There shall be allowed and paid to the License Collector an annual salary as provided in the appropriation ordinance which shall be paid in equal semi-monthly installments.

SECTION 6. All ordinances, sections and parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

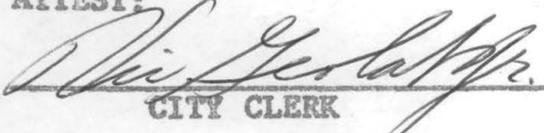
SECTION 7. This ordinance shall be in full force and effect from and after its passage and approval according to law.

PASSED by the City Council of the City of Belleville, Illinois this 6 day of July, 1965.

APPROVED by the Mayor of the City of Belleville, Illinois this 9 day of July, 1965.


MAYOR

ATTEST:


CITY CLERK

ORDINANCE NO. 7483

AN ORDINANCE AMENDING CHAPTER 52 (TRAFFIC) OF THE REVISED ORDINANCES OF THE CITY OF BELLEVILLE, ILLINOIS AS AMENDED, BY AMENDING PORTIONS OF SECTIONS THEREOF

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS:

Section 1. That **Section 52.801, 52.803, 52.804, 52.805, 52.806, 52.807, 52.808, 52.809** and **52.810** are hereby repealed and that which is attached hereto marked Exhibit "A" is substituted therefore.

Section 5. That conflicting Ordinances or pertinent portions thereof in force the time this takes effect are hereby repealed.

Section 6. Any person violating this Ordinance shall be subject to the penalties of Chapter 52, Article IX (Penalty).

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet, all as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this 18TH day of APRIL, 2011 on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Michael Heisler	<u> x </u>	<u> </u>
Ken Kinsella	<u> x </u>	<u> </u>

Dorothy Meyer	<u> X </u>	_____
Toni Togias	<u> X </u>	_____
Rob Anderson	<u> X </u>	_____
Arnold "Gabby" Rujawitz	<u> X </u>	_____
Stan Syzdek	<u> X </u>	_____
Tim Carpenter	<u> X </u>	_____
Randy Hoercher	<u> X </u>	_____
Phillip Silsby	<u> X </u>	_____
Paul Seibert	<u> X </u>	_____
David Martinson	<u> X </u>	_____
Jack LeChien	<u> X </u>	_____
Phil Elmore	<u> X </u>	_____
Catherine Kreher	<u> X </u>	_____
James Musgrove	<u> X </u>	_____

APPROVED by the Mayor of the City of Belleville, Illinois this 18TH day of APRIL, 2011.



 MAYOR

ATTEST:


 CITY CLERK

**AN ORDINANCE AMENDING CHAPTER 52 (TRAFFIC) OF THE REVISED
ORDINANCES OF THE CITY OF BELLEVILLE, ILLINOIS AS AMENDED BY
AMENDING PORTIONS OF SECTIONS THEREOF**

ARTICLE VIII- PARKING AT METERS AND IN OTHER DESIGNATED SPACES

52.801 PARKING.

(A) **Chief of Police's Authority.** The Chief of Police at the direction of the Mayor is hereby authorized and directed to promulgate rules and regulations for on-street parking and for off-street parking in City-owned lots. Further, s/he shall issue orders for signage and for painting of lines denoting regulations for parking and for no parking. Rules, regulations, and directions shall be in accordance with State law and the Federal Manual for Uniform Traffic Control Devices (MUTCD).

(B) **Parking Meters and Other Parking Spaces.** The Chief of Police at the direction of the Mayor is directed to cause parking meters to be installed and parking spaces, along with where parking is not permitted, to be designated upon such streets and in off-street areas of the City as s/he shall select. From time to time s/he may add to, change, or abandon parking meters and areas. In making changes to parking designations, s/he shall be guided and governed by location, amount of traffic, the demand for parking spaces, the congestion of traffic, the use of the street, and other pertinent conditions and demands.

(C) **Maintenance.** The Chief of Police at the direction of the Mayor shall maintain parking meters in good workable condition. S/He further is authorized to enter into contracts for such parts and maintenance of parking meters as may be necessary to maintain the same in good operating condition and to pay for such parts and maintenance from the general fund with advice and guidance from the City Finance Director. All receipts, funds and revenues from the operation of the parking meters shall be deposited into the City's general fund.

(D) **Installation and Operation.** Parking meters shall be placed immediately adjacent to the individual parking spaces. Each parking meter shall be placed or set in such a manner as to show or display a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter shall be installed and set to display, upon the deposit of a Twenty-Five Cent (25¢) coin of the United States, a signal indicating legal parking for a period of time allowed for such respective amount, and shall continue to operate from the time allotted for such respective coin or coins. Each meter also shall be so arranged that upon the expiration of the allotted time it will signal that the lawful parking period has expired.

Exhibit "A"

(E) **Parking Spaces**. The Chief of Police shall have lines or markings painted or placed adjacent to each parking meter for the purpose of designating the parking space for which the meter is to be used, and each vehicle parked alongside of or next to any parking meter shall park within the lines or markings so established.

(F) **Parking Position**. When a parking space is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be alongside of and next to the parking meter. When a parking space is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle directed at and next to such meter.

52-49 [Supplement No. 27; 10-01-09] Traffic 52.10.1

(G) **Operation of Meter**. When any vehicle enters a metered parking space, the operator of said vehicle shall immediately deposit in such parking meter a **twenty-five-cent coin (.25¢)** or coins of the United States, and at once shall put the meter into operation; the parking space may then be lawfully occupied by the vehicle during the period of time which has been prescribed for the amount so deposited. If the vehicle remains parked in any such parking space beyond the parking time limit allotted for the coin or coins inserted in the meter, the parking meter shall display a sign or signal showing illegal parking, and in that event such vehicle shall be considered as parked overtime and beyond the period of legal parking time and in violation of this Section.

(H) **Parking Time**. The insertion of coins of the United States as herein provided into any parking meter shall allow the occupancy by a vehicle of the parking space in conjunction therewith up to the limit of parking time which has been prescribed for the part of the street in which parking space is located and the parking meter shall be so set or adjusted that it shall indicate the elapsing of said time.

(I) **Disposition of Receipts**. The coins to be deposited in parking meters are levied and assessed as fees to cover the cost of the supervision, inspections, installation, operation, maintenance, control and use of the parking meters and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby.

(J) **Parking beyond Metered Time Period**. It shall be unlawful for any person or operator to cause, allow, permit or suffer any vehicle to be parked overtime or beyond the period for which the coin or coins s/he has inserted in the parking meter entitles the vehicle to occupy said parking space. It shall be unlawful for any person or operator to permit a vehicle to remain in any parking space adjacent to any parking meter while the meter is displaying a signal indicating that the vehicle occupying parking space has already been parked beyond the period for which the coin inserted in the meter entitled it to remain in the parking space.

(K) **Ticketing Violations**. Any law enforcement officer of the Belleville Police Department shall be authorized to affix to vehicles parked in violation of any of the provisions of this Section a "Parking Violation Notice" that such vehicle has been so illegally parked and instruct the operator to report to the **Police Department** in regard to such violation. Each such person may, within **Five (5) Business Days** of the time when such notice was attached to such vehicle, pay as the penalty for and in full satisfaction of such violation the sum which is printed on the Parking Violation Notice (Parking Ticket). The penalty for non-payment after Five (5) Business Days shall be at a rate of double the applicable rate for each violation as indicated on the face of the "Parking Violation Notice" affixed to the vehicle by a law enforcement officer. Five (5) Business Days shall be defined as Monday thru Friday from 8:00 a.m. until 5:00 p.m., excluding legal holidays..

(L) **Hours of Operation**. The parking meters shall control parking only between the hours of **8:00 A.M.** and **5:00 P.M.** on Mondays through Fridays, except legal holidays. When parking meters are not controlling parking as this Section provides, vehicles may be parked without inserting any coin or coins in the meter, but the parking line adjacent to the meters shall be adhered to in such parking in the same manner as is required during other times.

(M) **Off-Street Parking**. No person shall park a vehicle adjacent to any parking meter or in any gated lot in any of the off-street municipal parking lots at any time for a period in excess of the time provided via the posted signage.

(N) **Parking in Designated Spaces**. When parking meters are controlling parking in any lot, block or street, it shall be illegal to park except at a meter. When there are no meters, but parking spaces are denoted by lines and/or signage, it shall be illegal to park except as so specified.

(O) **Penalty**. It shall be illegal to park beyond the time limit indicated on the dial of each parking meter or by the signage. Police officers are authorized to mark tires of any vehicle parked at a meter or in a designated space. Any vehicle found to be over the time limit at that meter or in the space after having been so marked shall be issued a ticket. The amount of the fee to be assessed for the various violations hereunder shall be as set forth on the Parking Violation Notice, a copy of which is attached hereto as Exhibit "A" and by reference made a part hereof.

52.802 RESERVED.

52.803 MARKING PLACES. Suitable markings shall be painted or placed upon the curb or street adjacent to each parking meter for the purpose of designating the parking space and the angle at which vehicles are parked to the curb. Each vehicle parking within any parking meter zone shall park within the line or markings so established. It shall be unlawful to park any vehicle across any such line or marking or to park said vehicle in such a position that the same shall not be entirely within the area designated by such line or markings.

52.804 ISSUANCE OF PARKING PERMITS. The **Chief of Police** shall be authorized to issue permits at the cost of **One hundred forty-four (\$144.00)** per year or **Twelve (\$12.00)** per month to allow parking at **ten (10) hour** meters on the street and in parking lots, excluding both City Hall Lots; "A" and North Second Street; and "A" and Jackson Street. **(#3966; 07-05-83)**
When the person has so purchased and so displayed the permit, s/he shall not have to place any coins in said parking meters. **(#4380; 02-16-87)**

52.805 TAMPERING WITH METERS. It shall be unlawful for any person not authorized by the **Mayor or Chief of Police** to deface, injure, tamper with, open, or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Article. It shall be unlawful to deposit any slug, device or metallic or other substitute for a coin in any parking meter.

52.806 PARKING AND MISCELLANEOUS VIOLATIONS (PENALTIES) Any person accused of a violation of an ordinance prohibiting parking of a vehicle may settle the claim against them for such illegal parking by paying the sum as indicated on the face of the "Parking Violation Notice" (Parking Ticket) affixed to the vehicle by a law enforcement officer, provided that if such violation is paid within Five (5) Business Days from the date of the violation. Any violation(s) not settled after Five (5) Business Days shall be deemed to be in "Default". The penalty for non-payment after Five (5) Business Days shall be at a rate of double the applicable rate for each violation as indicated on the face of the "Parking Violation Notice" (Parking Ticket) affixed to the vehicle by a law enforcement officer. Five (5) Business Days shall be defined as Monday thru Friday from 8:00 a.m. until 5:00 p.m., excluding legal holidays. Provided further, that the above penalties shall constitute minimum fines for violations enumerated and shall not prohibit any court of law from assessing a fine up to **Five Hundred Dollars (\$500.00)** for said violation. (**#3703; 05-05-80**)

Provided further, that if, after the expiration of the said **Five (5) Business Day** period herein designated, the **Chief of Police** notifies the person accused of the said violation, and said person fails to make payment as requested, and the vehicle owned by said person is found to be illegally parked while payment is still due and owing as a result of said pending violation(s), then the **Chief of Police** shall be authorized to remove and tow away or have removed and towed away by a commercial towing service, said illegally parked vehicle. Vehicles so towed away for illegal parking shall be stored in a safe place and shall be restored to the owner of such vehicle and upon the payment of Police Department Tow Release Fees; reasonable charges for such removal and storage by the owner or operator of any such vehicle and the payment of all penalties due under this Section. (**Ord. No. 5178; 12-20-93**) and (**Ord. No. 52.10.1**)

52.807 PARKING WITHOUT PAYING. It shall be unlawful to park in any municipal parking lot, where a fee is required, without paying such fee. It shall also be unlawful to operate, without paying, or attempt to operate without paying, any mechanical device, such as a gate, which controls traffic either entering or leaving a municipal parking lot. (**#3413; 12-20-76**)

52.808 PARKING PROHIBITED DURING A SNOW EMERGENCY. An emergency is automatically declared to exist within the City whenever there is an accumulation of snow and ice of **two (2) inches** or more; at which time a parking prohibition shall automatically become effective throughout the City in accordance with the provisions of this Section.

(a) It shall be unlawful for any person to park, or allow any parked or unattended vehicle, or any vehicle to remain on any designated snow route set forth in **Schedule "O"** until the streets have been cleared of snow.

(b) A vehicle that is parked and/or unattended when there is an accumulation of snow or ice of **two (2) inches** or more shall be prima facie evidence of violation of this Section by the person in whose name said vehicle is registered.

(c) Officers of the Police Department are hereby authorized to ticket, pursuant to this Section, any vehicle parked and/or unattended in violation of this Section, and if the Superintendent of Streets or Chief of Police deems it necessary to effectuate snow removal operations, they shall have the vehicle removed.

(d) The penalty for violating this Section shall be **Fifty Dollars (\$50.00)** per violation and if it becomes necessary for the Police to have a vehicle removed and relocated, the violator shall not be deemed to have complied with this Section and shall remain liable for the fine provided, Police Department Tow Release Fees, plus all costs resulting from the removal, relocation and storage of said vehicle.

(e) When the parking prohibition of this Section becomes effective upon the occurrence of certain weather conditions, it shall take precedence over provisions of law normally in effect; except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency vehicles, or emergency traffic direction by a police officer. **(This Section Ord. No. 3912; 11-18-82) (Ord. No. 5192; 12- 20-93)**

52.809 PARKING OF RECREATIONAL VEHICLES.

(a) **Definitions.**

"Recreation Vehicle". A "recreational vehicle" is any motor vehicle or trailer designed and used as a travel trailer, camper, motor home, tent, trailer, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer or for any other similar purpose.

"Yard Front". A yard which is bounded by the sides of the residence, front lot line, and the front of the residence.

"Yard Side". A yard which is bounded by the rear of the residence, front of the residence and side lot line.

"Yard Rear". A yard which is bounded by the sides of the residence, rear lot line, and the rear of the residence.

(b) **Storage.** In an area zoned for single family residential purposes a recreational vehicle may be stored in a garage. Storage outside of the garage, in the front yard or side yard of a residence shall only be allowed in the driveway and the vehicle must be stored **ten (10) feet** from the curb line. Outside storage shall

also be allowed in the rear yard if the rear yard is not adjacent to a street. Outside storage shall not be allowed in the side yard.

(c) **Parking on the Street.** It shall be unlawful to park any recreational vehicle on a City street unless it is connected to a motor vehicle and for the purpose of loading and unloading of personal property for a period not to exceed forty-eight (48) hours.

(d) **Towing a Vehicle.** If the owner of a recreational vehicle is violating this Section and fails to move said recreational vehicle after **seven (7) days** from the issuance of a notice from the Police Department, said vehicle shall be subject to removal and towing by an authorized tow service. The said recreational vehicle shall be stored by the tow service in a secure area until all penalties, fines and storage costs permitted by State Statute or City Ordinance have been satisfied by payment.

(e) **Vehicle Registration.** All recreational vehicles that are permitted to be parked under this Article must have current registration, title and insurance. **(Ord. No. 6849; 03-20-06)**

52.810 EMPLOYEE PARKING ON PARKING LOT A. Parking Lot A is a free parking lot. It is bordered by North High, North Jackson, and East "A" Streets. Parking in Lot A shall be restricted to members of the general public who are there to conduct business and/or to visit the area of "downtown". Individuals who work in the downtown area are prohibited from parking in Lot "A" Monday through Friday between the hours of **8:00 A.M.** and **5:00 P.M.** Any person issued a "Parking Violation Notice (Parking Ticket) for violating this Section shall pay as the penalty for full satisfaction of such violation the sum which is printed on the . Parking Violation Notice (Parking Ticket). The penalty for non-payment after Five (5) Business Days shall be at a rate of double the applicable rate for each violation as indicated on the face of the "Parking Violation Notice" affixed to the vehicle by a law enforcement officer. Five (5) Business Days shall be defined as Monday thru Friday from 8:00 a.m. until 5:00 p.m., excluding legal holidays. **(Ord. No. 7017; 08-20-07)**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 52 (TRAFFIC CODE)
OF THE REVISED CODE OF ORDINANCES OF BELLEVILLE, ILLINOIS,
AS AMENDED, BY AMENDING PORTIONS OF SECTIONS THEREOF**

THE CITY OF BELLEVILLE, ST. CLAIR COUNTY, ILLINOIS (THE "CITY"), IS A DULY ORGANIZED AND EXISTING MUNICIPALITY CREATED UNDER THE PROVISIONS OF THE LAWS OF THE STATE OF ILLINOIS.

THE CITY OF BELLEVILLE IS NOW OPERATING UNDER THE PROVISIONS OF THE ILLINOIS MUNICIPAL CODE, AS SUPPLEMENTED AND AMENDED AND AS A HOME RULE MUNICIPALITY PURSUANT TO ARTICLE VII OF THE ILLINOIS CONSTITUTION OF 1970; AND IN THE EXERCISE OF ITS HOME RULE POWERS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVILLE, ILLINOIS:

Section 1. That **Section 52.809** is hereby amended by repealing said Section 52.809 in its entirety, and substituting in lieu thereof the following:

52.809 PARKING OF RECREATIONAL VEHICLES.

(A) Definitions.

"Recreation Vehicle". A "recreational vehicle" is any motor vehicle or trailer designed and used as a travel trailer, camper, motor home, tent, trailer, boat/~~watercraft~~, boat/~~watercraft~~ trailer, snowmobile, snowmobile trailer, camping trailer or for any other similar purpose.

"~~Front~~ Yard ~~Front~~". A yard which is bounded by the sides of the residence, front lot line, and the front of the residence.

"~~Side~~ Yard ~~Side~~". A yard which is bounded by the rear of the residence, front of the residence and side lot line.

"~~Rear~~ Yard ~~Rear~~". A yard which is bounded by the sides of the residence, rear lot line, and the rear of the residence.

(B) Storage. In an area zoned for single family residential purposes, a recreational vehicle may be stored in a garage. Storage outside of the garage, in the front yard or side yard of a residence shall only be allowed upon satisfaction of all of the following conditions:

(1) Outside storage shall only be allowed in the driveway and the recreational vehicle must be stored ten (10) feet from the curb line. ~~Outside storage shall also be allowed or~~ in the rear yard if the rear yard is not adjacent to a street;

(2) The parking surface upon which a recreational vehicle is stored shall be continuously maintained free of all debris, trash, grass and weeds at all times;

(3) The recreational vehicle stored shall not be used to store trash, debris, garbage, plastic bags or boxes; and

(4) No more than two (2) recreational vehicles may be stored outside a single residence at any one time.

~~Outside storage shall not be allowed~~It shall be unlawful to store a recreational vehicle in the side yard.

(C) **Parking on the Street.** It shall be unlawful to park any recreational vehicle on a City street unless it is connected to a motor vehicle and for the purpose of loading and unloading of personal property for a period not to exceed ~~forty-eight~~twenty-four (24) hours.

(D) **Towing a Vehicle.** If the owner of a recreational vehicle is violating this Section and fails to move said recreational vehicle after **seven (7) days** from the issuance of a notice from the Police Department, said vehicle shall be subject to removal and towing by an authorized tow service. The said recreational vehicle shall be stored by the tow service in a secure area until all penalties, fines and storage costs permitted by State Statute or City Ordinance have been satisfied by payment.

(E) **Vehicle Registration and Use.** All recreational vehicles that are permitted to be parked under this Article must have current registration, title and insurance.

Section 2. That conflicting Ordinances or pertinent portions thereof in force the time this takes effect are hereby repealed.

Section 3. This Ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet, all as provided by law.

PASSED by the City Council of the City of Belleville, Illinois, on this 16th day of November, 2015 on the following roll call vote:

	<u>AYE</u>	<u>NAY</u>
Joseph Hazel	_____	_____
Ken Kinsella	_____	_____
Janet Schmidt	_____	_____
Michael Buettner	_____	_____
Kent Randle	_____	_____
Scott Tyler	_____	_____
Johnnie Anthony	_____	_____
Raffi Ovian	_____	_____
Edward Dintelman	_____	_____
Phillip Silsby	_____	_____
Paul Seibert	_____	_____
Bob White	_____	_____
Philip Elmore	_____	_____
Trent Galetti	_____	_____
Roger Wigginton	_____	_____
James Musgrove	_____	_____

APPROVED by the Mayor of the City of Belleville, Illinois this 17th day of November, 2015.

MAYOR

ATTEST:

CITY CLERK

PRESENT
ORDINANCE

Taken From: TRAFFIC Code CHAPTER 52
City of Belleville

**TRAFFIC
LIST OF SCHEDULES**

(C) Officers of the Police Department are hereby authorized to ticket, pursuant to this Section, any vehicle parked and/or unattended in violation of this Section, and if the Superintendent of Streets or Chief of Police deems it necessary to effectuate snow removal operations, they shall have the vehicle removed.

(D) The penalty for violating this Section shall be **Fifty Dollars (\$50.00)** per violation and if it becomes necessary for the Police to have a vehicle removed and relocated, the violator shall not be deemed to have complied with this Section and shall remain liable for the fine provided, Police Department Tow Release Fees, plus all costs resulting from the removal, relocation and storage of said vehicle.

(E) When the parking prohibition of this Section becomes effective upon the occurrence of certain weather conditions, it shall take precedence over provisions of law normally in effect; except that it shall not take precedence over provisions of law relating to traffic accidents, emergency travel of authorized emergency vehicles, or emergency vehicles, or emergency traffic direction by a police officer.

52.809 PARKING OF RECREATIONAL VEHICLES.

(A) **Definitions.**

"Recreation Vehicle". A "recreational vehicle" is any motor vehicle or trailer designed and used as a travel trailer, camper, motor home, tent, trailer, boat, boat trailer, snowmobile, snowmobile trailer, camping trailer or for any other similar purpose.

"Yard Front". A yard which is bounded by the sides of the residence, front lot line, and the front of the residence.

"Yard Side". A yard which is bounded by the rear of the residence, front of the residence and side lot line.

"Yard Rear". A yard which is bounded by the sides of the residence, rear lot line, and the rear of the residence.

(B) **Storage.** In an area zoned for single family residential purposes a recreational vehicle may be stored in a garage. Storage outside of the garage, in the front yard or side yard of a residence shall only be allowed in the driveway and the vehicle must be stored **ten (10) feet** from the curb line. Outside storage shall also be allowed in the rear yard if the rear yard is not adjacent to a street. Outside storage shall not be allowed in the side yard.

(C) **Parking on the Street.** It shall be unlawful to park any recreational vehicle on a City street unless it is connected to a motor vehicle and for the purpose of loading and unloading of personal property for a period not to exceed **forty-eight (48) hours**.

(D) **Towing a Vehicle.** If the owner of a recreational vehicle is violating this Section and fails to move said recreational vehicle after **seven (7) days** from the issuance of a notice from the Police Department, said vehicle shall be subject to removal and towing by an authorized tow service. The said recreational vehicle shall be stored by the tow service in a secure area until all penalties, fines and storage costs permitted by State Statute or City Ordinance have been satisfied by payment.

(E) **Vehicle Registration.** All recreational vehicles that are permitted to be parked under this Article must have current registration, title and insurance.

Members voting nay on roll call: Hazel, Buettner, Tyler, Galetti. (4)

Alderman Musgrove made a motion seconded by Alderman Ovia to amend Chapter 52 relating to recreational vehicles.

Discussion...

Alderman Buettner stated limiting to two recreational vehicles and the way it is written they will not be allowed to keep them on their property. If you are responsible you keep the grass cut and keep in your backyard out of sight. Alderman Buettner stated this is punishing people who are spending money that want to have Belleville as a base.

Alderman Elmore requested clarification on the ordinance; City Attorney Hoerner stated this is for outside storage. Alderman Elmore stated we are currently following visible from the street law. City Attorney Hoerner stated this is an existing ordinance and the changes are the limitations to two outside and certain limitations on how the foliage is maintained i.e. weeds, trash inside of it, cannot be used for storage. Alderman Elmore asked if a motorcycle is an RV; City Attorney Hoerner stated a motorcycle is not identified as a recreation vehicle.

Alderman Ovia stated the major problem in his ward is the parking of the recreational vehicles on the side of the house adjacent in the front of the property and not taking care of the trash and weeds. This is trashing up the resident and making everyone else around it basically becomes a sore eye as well.

Alderman Hazel stated he believes in the spirit of this that the city needs to clean up areas. Perhaps we already have ordinances that need to be cleaned up and maybe strengthened that limit improper storages.

Alderman Tyler stated while reviewing the definitions it looks like if you have a sea doo on a trailer will that count as two vehicles; Alderman Hazel stated it would count as one since the trailer is the only one licensed. City Attorney Hoerner stated the only thing added is the word "watercraft".

Alderman Randle inquired regarding outside storage i.e. alleys. Alderman Randle stated he does not have a problem maintenance aspect; however, we do have people that do a good job with storing their vehicles and others that are a problem. By limiting the number by two to be stored outside presents a problem in that people may expand their driveway space.

Alderman Elmore stated one of the issue is we are trying to keep the RVs not to be parked in the grass. Alderman Elmore recommended sending back to legal and ordinance for further discussion regarding limiting the number of things a person can own and how it is stored.

Alderman Hazel asked the definition of "side"; Mayor Eckert stated "side" starts at the front of the house going back.

Alderman Buettner stated the city needs to be careful with regulations. People may start getting tired of telling people how to live their lives. There are ordinances in place that deals with weeds, parking and these ordinances need place and they need to be enforced.

Alderman Hazel made a motion seconded by Alderman Buettner to send back to ordinance and legal for further discussion and rewritten regarding storage of vehicles.

Members voting aye on roll call: Hazel, Kinsella, Schmidt, Buettner, Randle, Tyler, Anthony, Silsby, White, Galetti, Elmore and Wigginton. (12)

Members voting nay on roll call: Ovian, Dintelman, Seibert and Musgrove. (4)

Alderman Musgrove made a motion seconded by Alderman Anthony to amend Chapter 30 relating to fireworks.

Members voting aye on roll call: Hazel, Kinsella, Schmidt, Buettner, Randle, Tyler, Anthony, Ovian, Silsby, Dintelman, Seibert, White, Galetti, Elmore, Wigginton and Musgrove. (16)

COMMUNICATIONS

Alderman Schmidt made the following motions seconded by Alderman Seibert to approve the following communication:

Communication from Eckert Florist, Inc. to place a refrigerated cooler in one of their designated "loading zones" located in the first block of North Second Street, from Saturday, November 21, 2015 and removed on or before, December 30, 2015. They will coordinate with the Street Department for cones and lighted barricades.

All members voted aye.

PETITIONS

None.

RESOLUTIONS

Alderman Kinsella made a motion seconded by Alderman Schmidt to read Resolution 3244, 3245, 3246 and 3247 by title only and as a group.

All members voted aye.

raffi ovian

From: Hanson, Scott <shanson@cityofedwardsville.com>
Sent: Tuesday, November 17, 2015 5:06 PM
To: raffi.ovian@charter.net
Subject: FW: Recreational Vehicle Storage
Attachments: Special Use Permit Application 08-2013.pdf; Fee Schedule - 2013-2014.doc

Raffi,

Below is the section relating to "Recreational vehicles and travel trailers" for the City of Edwardsville. Subsection (d) is the section that states that an approved Special Use Permit (SUP) is required in order to allow for one of these vehicles in a side yard. Rear yard storage is allowed without a SUP. (Vehicles of this type are NOT allowed in front yards.)

I've attached the SUP application. The application itself doesn't state that the cost is \$375 so I attached our current fee schedule (see page 2 under Zoning/Planning fees) This amount helps to cover the cost of the required newspaper ad and certified mail letters required to inform surrounding property owners within 250 feet of the subject tract.

Edwardsville's City Council is currently reviewing this fee amount (along with several other Planning/Zoning fees we charge) so it may be changed in the weeks ahead.

Generally speaking, the SUP process is helpful to planning staff in that it allows us to review a particular site and make specific recommendations based on the type of vehicle to be stored, how it will be screened from view, etc. At the SUP public hearing, the surrounding property owners also get a chance to let the Zoning Board of Appeals members know if they have thoughts/concerns/recommendations. The Zoning Board can then take staff input and public comments to set "contingencies" to the approval of the SUP application. For example, they could say that the SUP is granted with the contingency that the RV be stored on a concrete or asphalt surface.

Hope this helps. Please let me know if you have any additional questions.

Scott Hanson, AICP
City Planner
City of Edwardsville
618-692-2333

1248.02.14 - Recreational vehicles and travel trailers.

The regulations of this section do not apply to travel trailers or other recreational vehicles **parked** in a permitted travel trailer **park** that conforms to the pertinent requirements of a mobile home **park** within this title. The requirements of subsections (a), (c) and (d) do not apply to travel trailers or other recreational vehicles **parked** on a permitted recreational vehicle sales lot:

- (a) No more than one travel trailer or other recreational vehicle shall be **parked** on any lot.
- (b) No travel trailer or other recreational vehicle shall be used as a dwelling when **parked** in the city.
- (c) No travel trailer or other recreational vehicle shall be used as an office or for any other commercial purpose.

(d)The **parking** of a travel trailer, utility trailer or other recreational vehicle is allowed in the rear yard only, in side yards by special use permit only; but must remain behind the front yard building line. No living quarters or business shall be maintained in such trailer; and only one such trailer is allowed on any one lot.

(e)The **parking** of a travel trailer, utility trailer, recreational vehicle, etc. shall comply with the yard requirements for accessory buildings of the district in which it is located.

(f)All travel trailers and recreational vehicles shall conform to and not exceed regulations for height and weight restrictions when in use within city boundaries. No vehicle shall be **parked** or stored in a manner which inhibits or impedes travel on city throughways.

(g)Storage or **parking** of travel trailers and recreational vehicles must not violate any existing city fire codes.

A few definitions are in Section 1252 as follows:

Recreational vehicle: A term encompassing any type of vehicle used primarily for recreational pleasure.

Trailer: A vehicle without motive power, used or adaptable for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirting, which does not meet the requirements of part 14, "Building and housing code", of this code and has been or reasonably may be equipped with wheels or other devices for transporting the structure from place to place. The term trailer includes "camp trailer" and "house car".

Travel trailer: A mobile structure designed for temporary occupancy.

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University City, Mo

Section 400.2080 Prohibited Off-Street Parking Activities and Uses.

[R.O. 2011 §34-93.4; Ord. No. 6139 §1(Exh. A (part)), 1997; Ord. No. 6401 §1(part), 2002]

A.

The following off-street parking uses are expressly prohibited (for the purposes of this Section, all vehicles shall be deemed to fall under the definitions of either private passenger vehicle, commercial vehicle or major recreational equipment):

1.

Off-Street parking or storage of vehicles on surfaces other than properly maintained and properly drained pavements complying with the paving requirements of Section 400.1990.

2.

Off-Street parking of vehicles on any established lawn or landscaped area, except for vehicles required to perform repairs or construction on site.

3.

Outdoor parking or storage of pickup trucks on any part of a residential lot when partially or fully loaded with items of any nature, unless such truck and its contents are screened from view at normal eye level from any street or adjoining lot.

4.

Parking or storage of major recreational equipment on any part of any lot within a residential zoning district.

Exceptions. If said equipment is in condition for safe and effective performance of the function for which it is intended or can be made so at cost not exceeding the value of the equipment in its existing state, the following exceptions shall apply:

a. Private parking or storage of major recreational equipment within a fully enclosed garage;

b. Private parking or storage of major recreational equipment, not exceeding six and one-half (6½) feet in height, in a carport or in any part of a rear yard provided:

(1) Such parking or storage takes place in a manner that screens the vehicle or equipment from view at normal eye level from any street or from any adjoining lot;

(2) Any such parking or storage does not encroach upon the required off-street parking;

(3) The total area of the lot devoted to such outdoor parking or storage, measured within a single continuous rectangle, does not exceed two hundred fifty (250) feet; and

(4) All parking or storage of motor vehicles takes place only on graded and paved surfaces of bituminous hot mix, Portland cement concrete, or approved comparable paving material.

7.

The use of major recreational equipment for living, sleeping or housekeeping purposes when parked or stored in a residential zoning district.

Floodplain Section

Section 410.180 Recreational Vehicles.

[R.O. 2011 §15.16.190; Ord. No. 6495 §1(part), 2004]

A.

Require that recreational vehicles placed on sites within all unnumbered and numbered A Zones and AE zones on the community's Flood Insurance Rate Map either:

1.

Be on the site for fewer than one hundred eighty (180) consecutive days;

2.

Be fully licensed and ready for highway use*; or

3.

Meet the permitting, elevation, and the anchoring requirements for manufactured homes of this Chapter.

* A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

Definition

RECREATIONAL EQUIPMENT, MAJOR

Any recreational vehicle or equipment, other than commercial vehicles or equipment, used or designed to be used for camping, travel, or hauling purposes, including, but not limited to, a motor home, camping trailer, travel trailer, tent trailer, boat trailer, boat, camper body for mounting on a truck, or a container or trailer for storing or transporting camping, travel, recreational, or other equipment, whether occupied by such equipment or not. All vehicles not falling under the definition of private passenger vehicle or commercial vehicle shall be considered major recreational equipment.

approved on an individual use basis and subject to revocation of the authorization in the event such use, when in effect, is found by the City Council to create any nuisance for surrounding residences or businesses.

2. *Minimum site size.* A lot shall conform with the lot size requirements of the district within which it is located.
3. *Front setback.* No vehicle parking or any new or any addition to any existing structure shall be located within fifty (50) feet of the front lot line. The resulting front yard shall be landscaped including lawn, ground cover, ornamental trees and shrubbery and street trees.
4. *Parking.* See Article VII.
5. *Coverage.* Not more than fifty percent (50%) of the surface of a lot shall be occupied by buildings, driveways or parking surface. The balance of the site shall be maintained in lawn and landscaping.
6. *Buffering.* Any side or rear yard adjacent to any single-family residential property not eligible for the application of this provision shall maintain a minimum landscaped buffer equal in width to the side and rear yard requirements of the district in which it is located, together with a six (6) foot solid fence. All other yards abutting residential property eligible for this provision may be required to have a five (5) foot landscaped buffer on the outside of a six (6) foot solid fence.
7. *Signs.* Signs shall be limited to a maximum gross area as allowed by Section **405.940(D)** Single-Family Lots Fronting on a Numerically Designated State Highway. All freestanding low monument signs shall be incorporated into the residential landscape subject to the appearance requirements of this Section.
8. *Appearance.* All owners of property choosing to utilize this provision shall maintain said property in a manner which is compatible with surrounding residential neighborhoods of the City of Creve Coeur and in conformance with the appearance of residential occupancy. No modification of the size or bulk of the structure or of its appearance can be undertaken without the prior approval of the Planning and Zoning Commission.
9. *Affect of an RDD.* The regulations of Subsections **(E)(2), (3), (5)** and **(6)** of this Section may be modified through a residential design development as permitted by Section **405.450(C)**, Residential Design Development Procedure.

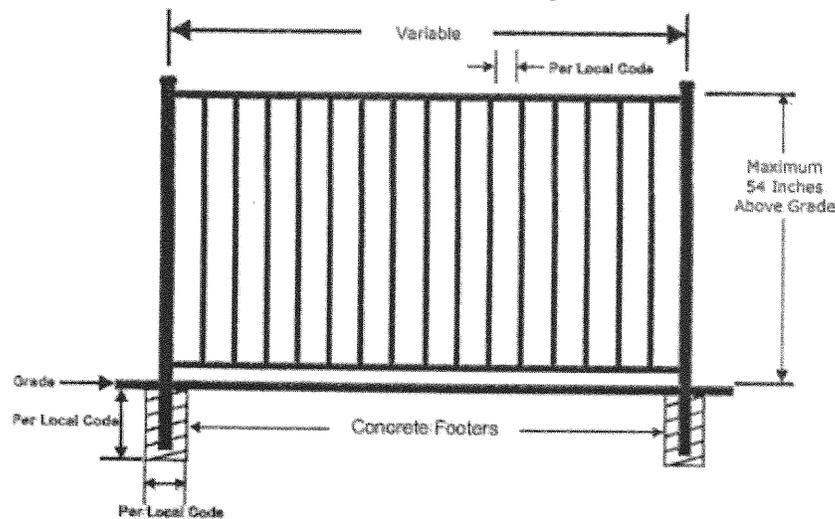
Section 405.460 Accessory Uses and Structures.

[R.O. 2008 §26-51; Ord. No. 1903 §1, 11-24-1997; Ord. No. 2123 §1, 5-29-2001; Ord. No. 2156 §1, 10-22-2001; Ord. No. 2198 §1, 10-28-2002; Ord. No. 5163 §1, 12-13-2010; Ord. No. 5165 §3, 12-13-2010; Ord. No. 5188 §2, 4-11-2011]

- A. *Authorization.* Accessory uses are permitted in any zoning district in connection with any principal use which is permitted within such district.
- B. *Permitted Accessory Uses And Structures.* A "permitted accessory use or structure" is any use or structure that complies with the definitions contained in Section **405.120** including, but not limited to, the following typical uses:
 1. Private garages or carports.
 2. Off-street parking for permitted motor vehicles and loading spaces as required by Article VII and any additional off-street parking or loading spaces which are devoted exclusively to the principal use or activity subject to other limitations and regulations of this Chapter.
 3. Private parking or storage of major recreational equipment or commercial vehicles, not exceeding seven (7) feet in height or twenty (20) feet in length, in any residential zoning district provided such parking or storage takes place in a garage or carport in a manner that screens the vehicle or equipment from view at normal eye level from any street or adjacent private property; or provided such parking or storage takes place in a rear yard in a manner that screens the vehicle or equipment from view at normal eye level from any street or adjacent private property; further provided that any such parking or storage does not encroach upon the required off-street parking for standard passenger vehicles. Boats, not exceeding seven (7) feet in height or twenty-five (25) feet in length, may be stored on a private driveway, located behind the front building line, within a recorded residential subdivision with a residential lake not less than twenty (20) acres in size.
 - 4.

A structure for storage incidental to a permitted use, provided no such freestanding structure that is accessory to a single-family dwelling shall exceed one hundred (100) square feet in gross floor area and twelve (12) feet in height.

5. A child's playhouse.
6. Private park or recreation facilities including private swimming pools, bathhouses or tennis courts, provided that such facilities are set back at least fifteen (15) feet from any lot line and separated from adjacent residential property by a fence of at least four (4) and not more than six (6) feet in height. The fence around a swimming pool shall be constructed in compliance with the Creve Coeur Building Code. The Zoning Administrator shall have the authority to approve a fence surrounding a swimming pool within a setback as described in Section **405.640** under the following conditions:
 - a. The fence and pool are more than fifteen (15) feet from any lot line;
 - b. The fence is a maximum of fifty-four (54) inches in height; and
 - c. The fence shall meet Building Code standards regarding design and placement of fence to the pool.
 - d. The fence is of an open slat black metal style, similar to the following:



If the Zoning Administrator finds that any of the aforementioned standards is not met, the fence shall require Planning and Zoning Commission approval in accordance with Sections **405.640** and **405.1080**. Tennis courts located in any residential district shall require separate submission and approval of a site development plan in accordance with Section **405.1080**, until such time that further regulations are adopted by the City of Creve Coeur.

7. Greenhouses.
8. Statuary, arbors, trellises, barbecue stoves, doghouses, flagpoles, fences, walls, hedges and gazebos, provided these elements are in compliance with other regulations of this Chapter including those relating to fences in Section **405.640**.
9. Auditoriums and other public assembly halls clearly accessory to any permitted use in a multi-family or non-residential district.
10. Health clubs including baths and gymnasiums clearly accessory to a permitted use in a multi-family or non-residential district.
11. Fallout shelters.
12. Mechanical equipment or utility facilities which are specifically related to and required by a permitted use.
- 13.

Solar collectors, provided such accessory structures shall not be located in the front yard or along street right of way within the area equivalent to the front yard setback of the applicable zoning district, and shall not exceed a maximum height of six feet or a maximum capacity exceeding the reasonably anticipated needs of the primary use on the site.

[Ord. No. 5431 §13, 7-27-2015]

14. Boat docks.
15. Outdoor lighting, provided these are in conformance with the standards and regulations specified in Section **405.680**.
16. Satellite dish antennas up to one meter in diameter shall be permitted in the "A", "B", "C", "D" and "AR" Districts.
[Ord. No. 5431 §13, 7-27-2015]
17. Satellite dish antennas up to two meters in diameter shall be permitted in the "MR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" Districts.
[Ord. No. 5431 §13, 7-27-2015]
18. Accessory antennas.
19. Roof-mounted telecommunication equipment in the "A", "B", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" Zoning Districts, subject to the following:
[Ord. No. 5381 §2, 7-14-2014]
 - a. Administrative approval may be granted for the placement of roof-mounted telecommunication equipment, subject to the conditions outlined under Sections **405.470(A)(4)**, **405.470(A)(5)** and **405.690** and the following design standards:
 - (1) An antenna is rectangular in shape, limited to a width of one and one-half (1.5) feet, height of six (6.0) feet and a depth of one (1.0) foot.
 - (2) The antennas and band are mounted to the face of an existing wall including existing penthouses and do not extend beyond the height of the wall.
 - (3) No more than four (4) antennas are placed on a band per building wall plane.
 - (4) No part of the antenna, including the antenna and holding brackets, extends beyond two (2.0) feet from the face of the wall on which it is mounted.
 - (5) All wiring and conduits connecting to the antennas from the rooftop must be within the wall cavity; thus no exposed wire or conduits are permitted, other than the antenna wall brackets.
 - (6) All equipment shelters in non-residential districts shall either be completely enclosed or fully screened from the rooftop elevation. All equipment shelters in residential districts must be located within the primary structure on which the antennas are mounted or below grade level so as to minimize the visibility from the outside.
 - b. Any application which does not meet the standards cited in Subsection **(B)(19)(a)** above shall require application for a conditional use permit in accordance to Section **405.1070** and subject to the standards of Section **405.470(A)(4)**, Section **405.470(A)(5)** and Section **405.690**.
 - c. Consideration of an application shall meet applicable time limitations pertaining to proposed wireless communications facilities and support structures under Sections 67.5090, RSMo. et seq. and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.^[1]
[1] Note: See also 47 U.S.C. 1455, 47 CFR 1.40001, FCC Report and Order, WT Docket No. 13-238 re. 10-21-2014.
 - d. Any telecommunication equipment that is no longer in use for its original communication purposes shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove

the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.

20. Accessory basement storage or inventory use.
 - a. The occupancy and use of such basement space shall only be in support of and operated by the user of a primary retail activity.
 - b. The primary retail use shall be one requiring large amounts of inventory space relative to sales and low customer sales activity.
 - c. No personnel shall be permanently stationed, no offices shall be located, no sales shall be transacted and no goods shall be displayed for customer inspection within said accessory basement space.
 - d. The City may include the conditions imposed upon the user due to basement space utilization in the business license issued to said user.
21. Horses and horse stables in residential districts "A", "B", "C" and "D" provided that:
 - a. The lot on which the use exists is at least three (3) acres in size;
 - b. No more than one (1) horse is kept per one (1) acre of fenced pasture;
 - c. All horses are kept within a stable; and
 - d. The stable is set back from any property line a minimum of fifty (50) feet.
22. Disguised support structure.
[Ord. No. 5381 §2, 7-14-2014]
 - a. Any freestanding, man-made structure designed for support of antennas, the presence of which is camouflaged or concealed as an appropriately placed architectural or natural feature. Such structures may include, but are not limited to, clock towers, observation towers, water towers, light standards, flagpoles, church steeples.
 - b. The placement of disguised support structures, which:
 - (1) Do not require a new structure or addition; and
 - (2) Are permitted in the applicable zoning districts, may be administratively reviewed and approved by the Department of Community Development.
 - c. The mounting of disguised support structure antennas shall not exceed the height limit established by the applicable zoning district regulations, and each such antenna shall be concealed or disguised by architectural or natural elements or camouflaged by including, but not limited to, painting a color matching the surface to which they are attached. The location of all equipment, equipment shelters, wires, conduits and/or any other related accessories or devices shall either be completely situated within an existing structure or fully screened from view. Notwithstanding the items above, equipment shelters and related elements, in appropriate residential districts, must be located within the primary structure (on which the antennas are concealed or disguised) or below grade level. However, the equipment may be located in an addition to the primary structure, in which event a conditional use permit must be secured if required by this Code. Furthermore, other reasonable design standards or requirements, not listed or identified herein, may be required by the City as a condition of the administrative approval.
 - d. The location of such equipment shall not be placed closer than one hundred fifty (150) feet from any residential structure.
 - e. Should the Director of Community Development determine such an application does not meet the spirit, intent and conditions outlined above in Subsections **405.460(B)(22)(a), (b) and/or (c)** and cannot be administratively approved, the application, as requested by the applicant, may be reviewed and acted on by the Planning and Zoning Commission and City Council as per the procedures in Section **405.1070**.

- f. Consideration of an application shall meet applicable time limitations pertaining to proposed wireless communications facilities and support structures under Sections 67.5090 RSMo. et seq. and FCC Declaratory Ruling WT Docket No. 08-165, rel. 11-15-2009.^[2]
 [2] Note: See also 47 U.S.C. 1455, 47 CFR 1.40001, FCC Report and Order, WT Docket No. 13-238 re. 10-21-2014.
- g. Any telecommunication equipment that is no longer in use for its original communication purposes shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.

C. *Use Limitations.*

1. No accessory structure shall be built prior to the construction of the principal use.
2. No accessory structure shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.
3. All accessory uses and structures shall comply with the use limitations applicable in the zoning district in which located.
4. No accessory structure shall be used as a dwelling unless specifically allowed in the applicable zoning district regulations.
5. Accessory structures in any residential district shall not exceed twelve (12) feet in height with the exception of walls, fences or hedges located within the required side, rear or front yard setback which shall not exceed six (6) feet in height.

D. *Location.*

1. If an accessory-type building shares a structural wall with a principal building, it shall be deemed to be a part of the principal building and shall comply in all respects with the requirements of this Chapter applicable to a principal building.
2. If an accessory building is detached from the principal building, it shall be located at least ten (10) feet from the principal building.
3. No accessory structure or use shall be located in any required corner visibility triangle as established in Section **405.670**.
4. No accessory structure, except those exempted by Section **405.630(A)**, shall be located within a front yard.
5. Accessory structures and uses shall be set back at least five (5) feet from the rear lot line.
6. Accessory structures and uses shall maintain the same side yard as is required for the principal structure located on the zoning lot, except that off-street parking, fences, walls and hedges may be located in the required side yard areas.

Section 405.470 Conditional Uses.

[R.O. 2008 §26-52; Ord. No. 1903 §1, 11-24-1997; Ord. No. 1909 §2, 12-8-1997; Ord. No. 1957 §2, 10-12-1998; Ord. No. 1958 §§2 — 3, 10-12-1998; Ord. No. 2051 §§1 — 2, 2-28-2000; Ord. No. 2102 §1, 1-22-2001; Ord. No. 2202 §1, 12-9-2002; Ord. No. 2247 §1, 11-24-2003; Ord. No. 2289 §1, 6-28-2004; Ord. No. 4043 §1, 11-13-2006; Ord. No. 5007 §1, 10-22-2007; Ord. No. 5228 §2, 10-24-2011; Ord. No. 5236 §§1, 3, 12-12-2011; Ord. No. 5295 §1, 2-11-2013; Ord. No. 5300 §19, 4-22-2013]

A. Conditional uses allowed in zoning districts are as follows:

1. *Electric power distribution* — (NAICS 221122) (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts). Shall provide a minimum six (6) foot high screen of evergreen plant material

Chapter 405: Zoning Ordinance

Article IV: Standards For Permitted, Accessory and Conditional Uses

Section 405.450 Permitted Uses.

[R.O. 2008 §26-50; Ord. No. 1903 §1, 11-24-1997; Ord. No. 3046 §1, 2-28-2005; Ord. No. 5033 §§1 — 2, 3-24-2008; Ord. No. 5123 Exh. A, 2-22-2010; Ord. No. 5165 §§3 — 4, 7, 12-13-2010; Ord. No. 5243 §4, 2-13-2012; Ord. No. 5300 §18, 4-22-2013; Ord. No. 5316 §1, 8-12-2013]

A. Home Occupations.

1. *Authorization.* Any home occupation that is customarily incidental to the principal use of a dwelling unit shall be permitted in any such dwelling unit based on the provisions of paragraphs (2) and (3) of this Subsection **405.450 (A)**.
2. *Use limitations.* All home occupations shall comply with the following provisions:
 - a. The business shall not employ persons other than members of the family residing on the premises.
 - b. No more than twenty-five percent (25%) of the total combined enclosed floor area of a dwelling unit or any otherwise permissible accessory buildings, including finished or unfinished basement or attic spaces, may be used for such business.
 - c. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall under no circumstances change the residential character thereof.
 - d. No alterations to the exterior appearance of the principal residential building or premises shall be made which changes the nature of its appearance as a residence.
 - e. No mechanical equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses outside the residence housing the home occupation.
 - f. No exterior displays or signs other than a name plate as exempted in Section **405.930(E)** of Article VIII.
 - g. There shall be no goods, materials or commodities sold at retail or wholesale or displayed for sale at wholesale or retail from inventory on the premises.
 - h. There shall be no exterior storage of equipment or material used in connection with the home occupation.
 - i. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street.
 - j. A home occupation shall be subject to all applicable City occupational licenses and permits.
3. *Permitted home occupations.* Customary home occupations include, but are not limited to, the following list of occupations. Others judged similar or identical thereto by the Zoning Administrator may be added to this list from time to time. Uses that are not similar or identical to any listed permitted home occupation, as determined by the Zoning Administrator, shall be considered prohibited. Each listed occupation shall, in any event, be subject to the limitations of the environmental performance standards provided in Section **405.550**.
 - a. Architects, engineers, lawyers, realtors, insurance agents, brokers and members of similar professions.
 - b. Artists and sculptors.

- c. Authors and composers.
 - d. Babysitting not more than four (4) children.
 - e. Dressmakers, seamstresses and tailors.
 - f. Data entry and similar computer work.
 - g. Home crafts such as model making, rug weaving, lapidary work, cabinet making, etc., provided that no machinery or equipment be used or employed other than that which would customarily be found in the home shop, in connection with a hobby or a vocation not conducted for gain or profit.
 - h. Music teachers, provided that instructions shall be limited to one (1) pupil at a time, except for occasional groups.
 - i. Office facility of a minister, rabbi, priest or other similar person associated with a religious organization.
 - j. Office facility of salesman, sales representative or manufacturer's representative, only when no retail or wholesale sales are made or transacted on the premises for goods, products or materials displayed, warehoused or stored on premises. Catalogue sales for goods, products or materials not inventoried, warehoused or stored on the premises are permissible.
 - k. Similar uses which do not involve retail or wholesale sales transactions on the premises, employment of persons other than occupants of the dwelling, any greater assembly, processing or fabrication operations. Such similar uses must be approved by the Zoning Administrator.
- B. *Group Homes*. (NAICS 62310 and 623990) The following specific standards shall be met before a permit shall be issued for a group home:
1. *Use regulations*. The prevailing lot size requirements, building bulk regulations and yard setback requirements of the single-family residential district ("A", "B", "C" or "D" district) in which the group home is to be located shall be satisfied by any existing single-family residence structure to be converted to group home occupancy or by any structure to be newly constructed for such occupancy, such group homes shall not be permitted in any attached residential district ("AR" district) or other condominium or multi-family project such as within the "CB" Core Business District.
 2. *Site density and certification of occupancy*. The owner or operator of a group home shall be duly licensed by the Department of Mental Health of the State of Missouri or accreditation acceptable to that department pursuant to Section 630.705 through Section 630.805, RSMo., or shall have applied for such license. Residents of such facilities must be intellectually disabled, physically disabled or developmentally disabled as defined under Section 630.005, RSMo. The home occupants shall not exceed eight (8) persons and the number of resident house parents shall not exceed two (2) persons. The objective of this certification of group home occupancy is to ensure that the occupancy of a group home is maintained exclusively for persons with valid developmental handicaps or disabilities at the above stated maximum density per group home. Specifically excluded are all other types of group or conjugate living such as homes for the elderly, fraternity houses, residences for nuns, priests or religious orders, residency for alcohol or chemical abuse patients and "half-way houses" for criminals or psychiatric patients.
[Ord. No. 5431 §2, 7-27-2015]
 3. *Community density*. In order to preclude the impaction of any single neighborhood or subdivision, no group home permitted in accordance with this Section shall be located within two thousand five hundred (2,500) feet of another such group home in the City of Creve Coeur.
 4. *Residential appearance*. The residential appearance of the group home structure and its lot or site shall be maintained at all times in reasonable conformance with the surrounding neighborhood or subdivision.
- C. *Residential Designed Development Procedure*. The purpose of this Section is to provide a permissive, voluntary and alternate zoning procedure in the "A", "B", "C" and "D" single-family residential and "AR" attached residential zoning districts in order to permit greater flexibility in the size and configuration of lots without altering the allowable residential

density in these districts and to provide thereby for desirable and proper common open space, tree cover, recreation areas, parks or scenic vistas and the preservation of the natural beauty of the City.

1. *Variation in number, size of lots.* The City Council may by ordinance grant a residential designed development permit upon recommendation of the Planning and Zoning Commission, when it finds that the residential designed development proposal is consistent with good planning practice, consistent with good site landscape planning, is not detrimental to the existing and permitted uses in the surrounding area, is deemed desirable to promote the purposes of this Section and is in accordance with the following criteria.
 - a. *Minimum project area.* No residential designed development permit shall be granted for any area of less than four (4) acres.
 - b. *Gross acreage.* The lot sizes within the subdivision may vary from those required by the regulations for the single-family residential zoning district within which the site is located. The maximum number of lots that may be approved shall be computed by including only common area and lot acreage in gross acreage and dividing the gross acreage by the minimum lot area requirements of the district.
 - c. *Yards.* The minimum front yard and side yard requirements for each lot as set out in the regulations for the single-family residential zoning district within which the site is located may be reduced by the City Council and, if so reduced, shall be set out on the preliminary subdivision plan to be submitted in accordance with Chapter **410**, Subdivision and Development of Land.
 - d. *Site and building coverages.* The maximum site and building coverage requirements for each lot, as set out in the regulations for the single-family residential zoning district within which the site is located, may be increased by the City Council and, if so increased, shall be set out on the preliminary subdivision plan to be submitted in accordance with Chapter **410**, Subdivision and Development of Land. In subdivisions approved prior to July 25, 1983 (adoption of Ordinance Number 1044) that are without a maximum site coverage set out on the preliminary subdivision plan, lots having less than fifty-one percent (51%) of the minimum lot area allowed by the underlying zoning district shall be subjected to the following site coverage percentage: for an A-RDD lot, thirty percent (30%); for a B-RDD lot, thirty-seven and five tenths (37.5%).
[Ord. No. 5418 §1, 2-9-2015]
2. *Common areas.* As part of the residential designed development plan, common land for open space of recreational use shall be reserved for common use by all the owners of the residential lots and the subdivision and such common land may be included in the total gross acreage used for determining the number of lots permitted under the minimum lot size provisions of the residential zoning district within which it is located, subject to the following standards and conditions:
 - a. *Subdivision plat.* All such common land shall be shown on the subdivision plat, to be approved by the Planning and Zoning Commission and the City Council and shall be shown as such on the record plat of such subdivision, subject to the restrictions set out below.
 - b. *Trust indenture.* All common land shall be conveyed by the developer in fee simple absolute title by warranty deed to the trustees for the subdivision. The developer shall at the time of recording the record plat of such subdivision record a trust indenture providing that such common land shall be held and maintained by the trustees for the benefit, use and enjoyment of the lot owners, present and future, of such subdivision. Such trust indenture shall provide a uniform means of assessment to ensure that all such common land and any improvements constructed thereon shall be maintained by the trustees for the lot owners in compliance with the ordinances of this City and in such manner that such land and improvements will remain attractive and useful to the lot owners and shall not be injurious to the health, safety and welfare of the lot owners and of residents of surrounding areas or be detrimental to property values of surrounding areas. Such trust indenture shall also provide that the conveyance or change of ownership of any lot shall carry with it ownership in the common land and that no lot owner shall have the right to convey his/her interest in such common land except as an incident of the ownership of the platted lot even though such provisions are not expressly included in the deed of conveyance and shall further provide that no right or power conferred on the trustees by such indenture, in order to comply with the provisions of this paragraph, may be abrogated. All such trust indentures shall be submitted to the City Attorney for approval as to legal form and shall be recorded with the Recorder of Deeds of St. Louis County simultaneously with the recording of the final subdivision plat.

Setbacks. The minimum and maximum setback requirements as set out in the regulations for the commercial zoning district within which the site is located may be modified by the City Council and, if so modified, shall be set out on the site concept plan to be submitted in accordance with Section 405.1080(D), Site Concept Plans.

- d. *Site coverage.* The maximum site coverage requirements, as set out in the regulations for the commercial zoning district within which the site is located, may be increased on individual lots by the City Council, however, the overall site coverage cannot be exceeded. Any increase shall be set out on the subdivision plat to be submitted in accordance with Chapter 410, Subdivision and Development of Land.
 - e. *Floor area ratio.* The maximum floor area ratio (FAR) requirements, as set out in the regulations for the commercial zoning district within which the site is located, may be increased on individual lots by the City Council, however, the overall density cannot be exceeded. Any increase shall be set out on the subdivision plan to be submitted in accordance with Chapter 410, Subdivision and Development of Land.
2. *Trust indentures.* As part of the commercial designed development procedure and the applicable subdivision plat, trust indentures shall be recorded tying each individual lot or phase to the conditions of the approved site concept plan in perpetuity, unless otherwise modified or amended by the City of Creve Coeur. The trust indentures shall be submitted in accordance with Chapter 410, Subdivision and Development of Land.
 3. *Procedure.*
 - a. *Application.* The granting of a commercial designed development may be initiated by the filing of an application by one (1) or more of the owners or authorized representatives of the owners of the property sought to be used for the commercial designed development proposal. Such application shall be submitted pursuant to and accompanied by a subdivision plat in accordance with Chapter 410, Subdivision and Development of Land including, but not limited to, the following information: The outboundaries of the property; the location, use and proposed improvements to all common land and streets; the total area of the property; and the proposed boundary lines of all lots showing the area and width of each lot.
 - b. *Review.* Such subdivision plat shall be reviewed by the Planning and Zoning Commission and a report and recommendation thereon made to the City Council for its approval in accordance with the voting, nature and fee provisions of Chapter 410, Subdivision and Development of Land.
 4. *Tree conservation.* Any development proposed as a commercial designed development shall provide for the conservation of existing trees and existing tree masses on the site. The percentage of trees and tree masses preserved during development shall exceed the minimum standards of the subdivision regulations (shall exceed twenty-five percent (25%) of the existing trees and twenty-five percent (25%) of the existing tree mass areas).
- E. *Commercial Uses Of Single-Family Residential Structures.* The Planning and Zoning Commission may authorize by site development plan approval in accordance with Section 405.1080 the use and conversion of existing single-family residential structures located within the "A", "B", "C", "D" and "AR" residential districts to office or certain prescribed retail service uses, provided said structures front on and have direct access available from a numerically designated State highway (Lindbergh Boulevard — 140; Olive Boulevard — 340). This authorization may be provided where the standards described below are satisfied and subject to any further conditions to be imposed by the Planning and Zoning Commission. In making its determination, the Planning and Zoning Commission shall determine that such authorization will not result in any substantial increase in traffic or fire hazard or traffic congestion; will not adversely affect the character of the neighborhood or the general welfare of the community; and will not overtax public utilities, facilities or services. The following specific standards shall be satisfied for any such authorization which shall be granted only for a specifically proposed usage.
1. *Permitted uses by site development plan approval.*
 - a. Professional, business, governmental or institutional office use including medical offices or clinics and financial institutions, but excluding freestanding drive-in banking facilities.
 - b. Retail services of a business or educational nature including adult day care center and child group day care home or family day care home as defined by the Missouri Division of Family Services, with a maximum of twenty (20) children permitted, excluding the sale of any goods at retail or wholesale, to be specifically

- or wall between any structure exceeding three (3) feet in height, with the exception of utility poles and any adjacent residential or institutional use or any right-of-way or street.
2. *Retreat houses* — (NAICS 813110) operated by non-profit or religious, fraternal or community service organizations including overnight accommodations for guests or members (conditional use in the "A", "B", "C", "D", "AR", "HE", "PH", "PO", "RO", "MX", "PC", "GC", "CB" and "LI" districts).
 - a. Shall be located on sites of at least three (3) acres.
 - b. Overnight accommodations shall be limited to guests or members.
 - c. The maximum capacity of such overnight guest facilities shall not exceed a ratio of four (4) overnight guests per acre of site occupied by the retreat house.
 3. *Accessory retail sales* — (NAICS 45299 all other general merchandise stores and NAICS 445120 convenience stores) (conditional use in the "PO" districts).
 - a. The floor area of retail uses shall not exceed twenty percent (20%) of the gross leasable floor area of any building.
 - b. The combined floor area of all retail uses shall not exceed ten percent (10%) of the gross leasable floor area of a given planned development within the district.
 - c. No signage relating to the retail use shall be allowed except within a building and such signage shall not be visible off the premises.
 4. *Roof-mounted communication equipment (CC-517929) (conditional use in the "HE," "PH," "PO," "RO," "MX," "PC," "GC," "CB" and "LI" Districts).*
[Ord. No. 5381 §3, 7-14-2014.]
 - a. Roof-mounted communication equipment shall not exceed fifteen (15) feet in height as measured from the roof of the building and shall meet the sky-exposure plane requirement in the applicable zoning district if applicable.
 - b. The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.
 - c. In addition to the requirements of Section **405.1080**, the site plan for the roof-mounted communication equipment shall include the following information:
 - (1) Proposed type, number and location of antennas or other transmission equipment to be located on the building roof; and
 - (2) Location of any adjoining or surrounding residential districts or structures used for residential purposes.
 - d. Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.
 - e. Roof-mounted communication equipment shall not be located within one hundred fifty (150) feet of any residential structure.
 - f. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.
 - g. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.

- h. Changes to existing facilities and/or structures that are not “substantial modifications” as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[1]

[1] Note: Federal law may impose shorter timelines than state law in some situations. See 47 U.S.C. 1455, 47 CFR 1.40001, FCC Declaratory Ruling WT Docket No. 08-135 rel. 11-15-2009, clarified by Report and Order, WT Docket No. 13-238 rel. 10-21-2014.

5. *Roof-mounted communication equipment (CC-517929) (conditional use in the “A” District).*

[Ord. No. 5381 §3, 7-14-2014.]

- a. Roof-mounted communication equipment may be located in a residential parcel if the property is over twenty (20) acres and is primarily used as a public or private school or place of worship.
- b. The location of the roof-mounted communication equipment shall be no less than three hundred (300) feet from any residential structure measured from the location of the proposed communication equipment.
- c. Any equipment building, cabinet or similar elements serving the antenna must be located within the structure on which it is mounted or below grade level so as to minimize the visibility from the outside of said structure.
- d. No antenna shall project above the existing height of the structure upon which it is mounted.
- e. The design of the communication equipment shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the communication equipment facilities with the surrounding natural setting and built environment.
- f. In addition to the requirements of Section ~~405.1080~~, the site plan for the roof-mounted communication equipment shall include the following information:
- (1) Proposed type, number and location of antennas or other transmission equipment to be located on the building roof; and
- (2) Location of any adjoining or surrounding residential districts or structures used for residential purposes.
- g. Roof-mounted communication equipment shall not be installed on residential buildings or on buildings located on lots used for residential purposes.
- h. Signs and lighting, other than safety or hazard signs or lighting, shall not be placed on any roof-mounted communication equipment.
- i. Any roof-mounted communication equipment that is no longer in use for its original communications purpose shall be removed at the communication equipment owner’s expense. The owner shall provide the City with a copy of its notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the equipment. Removal of existing equipment shall not be a condition of approval of any subsequent application.
- j. Changes to existing facilities and/or structures that are not “substantial modifications” as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[2]

[2]

Note: Federal law may impose shorter timelines than state law in some situations. See 47 U.S.C. 1455, 47 CFR 1.40001, FCC Declaratory Ruling WT Docket No. 08-135 rel. 11-15-2009, clarified by Report and Order, WT Docket No. 13-238 rel. 10-21-2014.

6. *Communication towers — (NAICS 517210) (conditional use in the "A," "B," "C," "D," "AR," "HE," "PH," "PO," "RO," "MX," "PC," "GC," "CB" and "LI" Districts).*
[Ord. No. 5381 §3, 7-14-2014.]
- a. A communication tower shall not exceed one hundred (100) feet in height except in the "LI" Light Industrial District.
 - b. A communication tower shall not be located on parcels of less than five (5) acres in size within the "A," "B," "C," "D," and "AR" District.
 - c. The communication tower shall be set back from the property line a minimum of one (1) foot for every foot of structure height or the distance required by the applicable zoning district, whichever is greater. No communication tower shall be located within two hundred (200) feet of any residential structure.
 - d. The design of the tower shall maximize use of building materials, colors, textures, screening and landscaping that effectively blend the tower facilities with the surrounding natural setting and built environment and otherwise reduce the visibility of it.
 - e. All accessory uses and any guy wire anchors or other supporting apparatus shall be subject to height and setback requirements generally applicable to principal uses in the zoning district in which they are located. All guy wire anchor locations, equipment shelter structures or buildings, fencing and similar structures or improvements constituting accessory uses shall be located on the same parcel of land occupied by the communication tower.
 - f. In addition to the requirements of Section **405.1080**, the site plan for the communication tower shall include the following information:
 - (1) Exact location of the tower and guy wire anchors or other supporting apparatus;
 - (2) Proposed type, number and location of antennas or other transmission equipment to be located on the tower; and
 - (3) Location of any adjoining residential districts or structures used for residential purposes.
 - (4) Location and number of evergreen plantings or other methods of screening provided for ground-based equipment.
 - g. Signs, lighting, other than safety or hazard signs or lighting, shall not be placed on any communication tower, unless required by the FAA or other Federal or State authority.
 - h. A communication tower shall not be located closer than fifty (50) feet from any street right-of-way.
 - i. The provisions of Section **405.620** and Section **405.690** shall not apply to communication towers.
 - j. Any communication tower that is no longer in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide the City with a copy of the notice to the FCC of intent to cease operations and shall be given ninety (90) days from the date of ceasing operations to remove the tower and accessory structures. In case of multiple operators sharing use of a single tower, this provision shall not become effective until all users cease operations. Removal of existing equipment shall not be a condition of approval of any subsequent application.
 - k. Changes to existing wireless facilities and/or support structures that are not "substantial modifications" as defined in Section 67.5092, RSMo., or that only involve collocation of additional facilities or replacement of existing facilities, shall only be reviewed for conformance with applicable building permit requirements, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability and engineering, without any public hearing review, except that collocation to a certified historic structure as

defined in Section 253.545, RSMo. shall not in any event be allowed except after public hearing and after thirty (30) days have elapsed since submittal of the application.^[3]

[3] Note: Federal law may impose shorter timelines than state law in some situations. See 47 U.S.C. 1455, 47 CFR 1.40001, FCC Declaratory Ruling WT Docket No. 08-135 rel. 11-15-2009, clarified by Report and Order, WT Docket No. 13-238 rel. 10-21-2014.

7. *Electromedical and electrotherapeutic apparatus manufacturing — (NAICS 334510), surgical appliance and supplies manufacturing — (NAICS 339113), dental equipment and supplies manufacturing — (NAICS 339114), and ophthalmic goods manufacturing — (NAICS 339115) (conditional use in the "PH" district).*
 - a. Shall clearly be accessory to the medical specialty use.
 - b. Shall be located in the same building as the medical specialty use.
 - c. Shall occupy less than fifty percent (50%) of the floor area of the building devoted to the medical specialty, not to exceed ten thousand (10,000) square feet.
8. *All drive-through and drive-in sales of goods or services including freestanding drive-in banking facilities (not including restaurants) (CC-442100) (conditional use in the "PC", "GC" and "CB" districts).*
[Ord. No. 5400 §1, 11-10-2014]
 - a. Shall provide space for at least three (3) cars per drive-up window or station.
 - b. Shall provide landscaping to screen the view of drive-up waiting spaces from surrounding properties.
 - c. Drive-up window access, waiting spaces and egress shall not interfere with site circulation or be hazardous to motorists entering, exiting or passing by the site.
9. *Water supply and irrigation systems — NAICS 221310 (conditional use in the "LI" district).*
 - a. Shall be located on lots of at least three (3) acres.
 - b. Elevated structures shall be set back from property lines a minimum of one (1) foot for every foot in height of the structure.
10. *Sewage treatment facilities — NAICS 221320 (conditional use in the "LI" district).*
 - a. Shall be located on lots of at least three (3) acres.
 - b. Shall be allowed only as an accessory use to an industrial use.
 - c. Shall be limited to the treatment of industrial waste prior to transmittal to the sanitary sewer system.
 - d. Shall receive all necessary permits from the Metropolitan St. Louis Sewer District, St. Louis County, the State of Missouri and the Federal Government prior to initiating operation.
11. *New car dealers — NAICS 441110 (conditional use in the "GC" and "CB" districts).*
 - a. *Site size.* Shall be located on lots of not less than one (1) acre.
 - b. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
 - c. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - d. *Motor vehicle dealers (new or new and used) (all uses NAICS 441110).* A motor vehicle dealer, whose new vehicle franchise has been terminated, may continue all other services performed by the dealer for a period of three (3) years from the later of the date of such termination or January 24, 2011, provided the dealer gives the City written notice of such termination within thirty (30) days of the effective date thereof and states in such

notice an intent to seek a replacement franchise to sell new vehicles. Upon good cause shown, the City Council may extend the time period accordingly.

12. *New car dealers, used car dealers, motorcycle dealers, and boat dealers — NAICS 441110, 441120, 441221 and 441222 (conditional use in the "LI" District).*
 - a. *Indoor operations only.* All business operations (including, but not limited to, vehicle service, cleaning and storage) will take place indoors, and at no time will any vehicle that is on the premises for sale or service be parked or displayed outdoors. This shall not be interpreted to require service bay doors to be closed except as may be required by an approved conditional use permit.
 - b. *Site size.* Shall be located on lots of not less than one (1) acre.
 - c. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored and fully screened from view of the public right-of-way.
13. *Gasoline service stations — NAICS 447110 and 447190 (conditional use in the "PC", "GC" and "CB" districts).* The following specific development standards shall be met before a conditional use permit may be issued for a gasoline service station in accordance with Section **405.1070**, so as to control the mode of development, method of operation and to ensure that the location does not adversely affect the health, safety and welfare of the community, especially from the traffic point of view.
 - a. *Site size.* Service station sites shall contain a minimum area of twenty thousand (20,000) square feet, a minimum lot frontage of one hundred (100) feet and a minimum of twenty-five hundred (2,500) square feet for each dispenser, whichever is greater. A dispenser may have more than one (1) hose.
 - b. *Setbacks.* All buildings shall be set back at least fifty (50) feet from the street right-of-way line and at least ten (10) feet from any other property line unless a greater setback is required by other provisions of this Chapter. Dispenser islands shall be set back twenty (20) feet from any property line. Canopies may be erected to within ten (10) feet of a property line or street right-of-way to protect automobiles positioned for service at pump islands.
 - c. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays are to be contained entirely within the building. Where adjacent to a residential district ("A", "B", "C", "D", "AR" or "MR"), no more than three (3) service bays shall be permitted. Service bay doors shall not face residentially zoned property.
 - d. *Parking and access.* In addition to providing parking in accordance with Section **405.820(F)**, there should be adequate space on site for automobiles to wait in line for each dispenser island and dispenser.
 - e. *Fencing.* The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
 - f. *Retail sales.* Sales shall be restricted for the service station to gasoline, oil, tires, batteries and automotive accessories and food and beverages sold from vending machines, unless permission is explicitly granted as part of the conditional use permit for the sale of other items or classes of items such as food, beverages, personal care or other convenience items or car washing services.
 - g. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - h. *Major repairs prohibited.* Major engine or transmission dismantling, body and fender work, top and upholstery work shall not be permitted on the premises of the service station.
 - i. *Trailer and equipment rental prohibited.* Trailer and equipment rentals shall not be permitted to operate on the premises of a service station.
 - j. *Gasoline deliveries.* No delivery tanker shall park on public right-of-way during gasoline delivery, nor shall any hose be permitted on the public right-of-way.

- k. *Pump island location.* Pump islands located parallel to the street should observe a twenty (20) foot setback. Pump islands located perpendicular to the street should observe a thirty (30) foot setback.
 - l. *Landscaping and buffering.* A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
 - m. *Curb cuts and corner radius.* On corner sites a twenty (20) foot curb radius shall be provided and no curb entrance shall be located within less than fifty (50) feet from the end of such curve. At intersections where a primary flow of right turn traffic is anticipated, a thirty-five (35) foot corner curb radius of curvature shall be provided, again with a fifty (50) foot curb cut setback from the end of the curve.
 - n. *Sight lines.* Landscaping provided along the street frontage in accordance with paragraph (13)(l) "Landscaping and Buffering" above should preserve sight lines for entering and exiting traffic. This does not preclude careful placement of street trees with high foliage or low growing shrubbery (below thirty (30) inches).
14. *Food services and drinking places — (NA/CS 722).* Shall be located on sites of not less than two (2) acres with the following exceptions and conditions:
[Ord. No. 5400 §2, 11-10-2014]
- a. The acreage requirement does not apply to restaurants without drive-thru services within the "GC" District;
 - b. The acreage requirement does not apply to restaurants without drive-thru services in the "CB," "PO," "PC" and "LI" Districts that are located within a retail or office building, provided that such restaurants do not collectively occupy more than forty percent (40%) of the building square footage;
 - c. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that abut residential uses are subject to the following:
 - (1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes which shall all be located on the rear or one (1) end of a multi-tenant retail building having a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides).
 - (2) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a street, unless otherwise approved, and shall be completely screened from the ground-floor level of adjacent residences with a property line wholly or partially within two hundred (200) feet of either the order facility or the service window by means of a solid barrier or topographic change. Vegetation cannot be used to meet this requirement but may be needed to address aesthetic concerns.
 - (3) The drive-thru restaurant shall have no less than two thousand four hundred (2,400) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.
 - (4) The drive-thru order facility and service window shall be no less than fifty (50) feet from any property line of any residential use.
 - (5) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars] excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.
 - (6) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.
 - (7) The designated stacking lane shall not cross between the building and principal street frontage.
 - (8) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site.

- (9) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.
 - (10) An acoustical study shall be submitted demonstrating that the order facility and service windows will not produce sounds exceeding sixty (60) dB as measured at any property line abutting a residential use, up to a height of eight (8) feet above ground at the property line and demonstrating that the order facility and service windows will not increase ambient sound levels at other property lines above the average Monday to Friday midday level.
- d. Drive-thru services on sites in the "MX," "GC," "CB," "PO," "PC," and "LI" Districts that only abut non-residential uses are subject to the following:
- (1) Drive-thru facilities shall be limited to one (1) restaurant with no more than two (2) service windows, two (2) order facilities and two (2) designated stacking lanes in a coordinated development located on one (1) or more lots totaling three (3) or more acres, with shared access and two (2) or more buildings, one (1) of which shall have a continuous structure frontage of at least two hundred (200) feet. Such frontage may include one (1) passageway or arcade (not open on the sides). All buildings shall be designed with similar use of materials and design elements such that the buildings are aesthetically complementary to each other.
 - (2) The drive-thru order facility and service window shall only be on or adjacent to a wall not facing a street, unless otherwise approved.
 - (3) The drive-thru restaurant shall have pedestrian-oriented landscape adjacent to the building equivalent in area to fifty percent (50%) of the gross floor area of the entire restaurant use (area under roof).
 - (4) If the drive-thru restaurant is freestanding, an eight-foot-wide planted landscape strip shall be adjacent to at least two (2) other sides of the building, exclusive of the pedestrian area.
 - (5) If the drive-thru restaurant is freestanding, it shall have no less than two thousand five hundred (2,500) square feet of gross floor area (area under roof) and a minimum of fifty-five (55) indoor seats for customers.
 - (6) Any service areas, including, but not limited to, trash receptacles, compactors, transformers, outdoor cooking or refrigeration equipment and utility connections, must be fully enclosed. Such enclosures shall appear as a part of the restaurant building to the maximum extent as found to be practicable by the City.
 - (7) The designated stacking lane shall be no less than one-hundred ninety (190) feet long [approximately ten (10) cars], excluding the space being served by the window, which shall be no less than nine (9) feet wide by nineteen (19) feet long. The lane shall, at a minimum, provide for vehicular escape prior to the point of the facility order board, which escape route can be shared with the general parking lot circulation.
 - (8) The entrance to the designated stacking lane shall be no less than fifty (50) feet from the nearest point on the property line across the nearest vehicular entrance.
 - (9) The designated stacking lane shall not cross between the building and principal street frontage.
 - (10) A traffic study shall be submitted by the applicant that demonstrates, to the satisfaction of the City, that the required drive-thru facilities shall not interfere with site circulation or be hazardous to motorists or pedestrians entering, exiting or passing by the site.
 - (11) The order facility shall utilize automatic volume control which adjusts outbound volume based on the outdoor ambient noise level.
 - (12) An acoustical study shall be submitted demonstrating that the order facility and service windows will not increase ambient sound levels at the property lines above the average Monday to Friday midday level.
- e. "Drive-thru" shall mean service to on-premises patrons who do not enter the restaurant/patio area, but rather receive service through a drive-up window.

15. *Hotels and motels — NAICS 721110 (conditional use in the "PC", "GC", "CB" and "LI" district).*
 - a. Shall be located on lots of not less than three (3) acres.
16. *Hotels and motels, and rooming and boarding houses — NAICS 721110 and 721310 (conditional use in the "HE" district).*
 - a. Shall be located on lots of not less than twenty (20) acres.
 - b. Shall be accessory to a permitted principal use.
17. *Cemeteries and crematories — NAICS 812220 (conditional use in the "A", "HE", and "PC" districts).*
 - a. Shall be located on sites of at least forty (40) acres.
 - b. The use of the site shall be limited to cremation and final interment of bodies or ashes in the ground, in columbariums, in mausoleums or similar facilities and the customary accessory uses to support a cemetery.
18. *Funeral homes and funeral services — NAICS 812210 (conditional use in the "A", "HE", "MX", "PC", and "GC" districts).*
 - a. Shall be located on lots of not less than one (1) acre.
19. *Passenger car rental and leasing — NAICS 53211 (conditional use in the "GC", "CB", and "LI" districts).*
 - a. Reserved.
 - b. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
20. *Tire dealers, general automotive repair, automotive transmission repair, other automotive mechanical and electrical repair and maintenance, oil change, automotive glass replacement shops, and all other automotive repair and maintenance — NAICS 441320, 811111, 811113, 811118, 811122, 811191 and 811198 (conditional uses in the "GC", "CB" and "LI" districts).*
 - a. *Site size.* Shall be located on lots of at least one (1) acre.
 - b. *Service bays.* Service bays shall be limited to one (1) per five thousand (5,000) square feet of land area. All service bays shall be contained entirely within the building. Service bay doors shall not face residentially zoned property ("A", "B", "C", "D", "AR" or "MR").
 - c. *Fencing.* The site shall be fenced with a six (6) foot brick or stone masonry wall or solid fence of wood or other material deemed appropriate by the Planning and Zoning Commission along each property line which abuts property zoned to any residential classification ("A", "B", "C", "D", "AR" or "MR").
 - d. *Trash disposal and storage.* All used tires and parts, trash and similar objects shall be stored within a solid brick or concrete enclosure in the rear half or, in the case of corner sites, the rear quarter of the site.
 - e. *Body repairs prohibited.* No body and fender work, top and upholstery work shall be permitted on the premises.
 - f. *Landscaping and buffering.* A landscaped buffer at least ten (10) feet in width should be provided along the length of all property lines including along all frontage on street rights-of-way except where broken for entranceways. Landscaping shall be provided in accordance with a landscape plan approved by the Planning and Zoning Commission.
21. *Motion picture theaters (except drive-ins) — NAICS 512131 (conditional use in the "PC", "GC" and "CB" districts).*
 - a. Shall be located on lots of not less than three (3) acres.
- 22.

Various membership organizations — NAICS 713910, 713940, 713990, 813312, 813319, 813410, 813910, and 813990) (except bars and restaurants owned and operated for members or organizations only; conditional use in the "A", "B", "C", "D" and "AR" districts).

- a. Shall be located on sites of at least three (3) acres.
 - b. Parking areas shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.
23. *Nursing care facilities, residential intellectual disability, mental health and substance abuse facilities, and community care facilities for the elderly — NAICS 623110, 623210, 623311 and 623990 (except boot camps and halfway group homes) (conditional use in the "HE", "PH", "PC", "GC" and "CB" districts).*
[Ord. No. 5431 §2, 7-27-2015]
- a. Shall be located on sites of at least three (3) acres.
 - b. The density of development (for apartment-type units) within a personal care facility shall not exceed twenty (20) dwelling units per acre. Living units with cooking facilities shall count as one (1) dwelling unit and living units without cooking facilities shall count as two-thirds (2/3) of a dwelling unit for purposes of calculating the density of development.
 - c. Personal care facilities shall be primarily residential in character; however, convalescent and nursing homes, centralized eating facilities for residents of the facility, medical facilities and similar uses associated with the long- or short-term care of patients may be included.
 - d. No building shall be located within fifty (50) feet of any property line.
24. *Outpatient mental health and substance abuse center — NAICS 62142 (conditional use in the "GC" district).*
- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
 - b. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
 - c. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.
25. *Elementary and secondary schools — NAICS 611110 (conditional use in the "A", "B", "C", "D", and "AR" districts).*
- a. Shall be located on lots of not less than three (3) acres; and
 - b. Athletic fields shall be separated from adjacent residentially zoned land by a minimum six (6) foot high opaque screen of berms, evergreen plant material, fences or a combination thereof.
 - c. Lights for major outdoor recreation and entertainment facilities shall require approval of a site development plan in accordance with Section **405.1080**.
26. *Adult day care centers (NAICS 624120) (conditional uses in the "HE" and "PO" districts).*
- a. Shall be located on lots of not less than three (3) acres.
 - b. The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
 - c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.
27. *Child day care services — NAICS 624410 (conditional use in the "A", "B", "C", "D", "AR", "HE", "PO" and "RO" districts).*
- a. Shall be located on lots of not less than three (3) acres.
 - b.

- The site shall be located on a paved street with sufficient width to accommodate vehicular traffic generated by the use.
- c. Passenger loading and unloading facilities shall be provided on the site and such facilities shall be designed to preclude any back-up movements to enter or exit the site.
28. *Residential mental health and substance abuse facilities — NAICS 623220 (conditional use in the "PC" district).*
- a. Shall be licensed by the Division of Alcohol and Drug Abuse of the Department of Mental Health of the State of Missouri.
 - b. Not more than twenty (20) persons shall reside in the building at one time.
 - c. The exterior of the treatment facility shall reasonably conform to the exterior appearance of other buildings in the vicinity.
 - d. Shall not be located closer than one (1) mile to any other substance abuse treatment facility.
29. *Religious organizations — NAICS 813110 (conditional use in the "A", "B", "C", "D", "AR", "PO", "RO" and "LI" districts).*
- a. Shall be located on lots of not less than three (3) acres.
 - b. Shall provide a minimum of one (1) acre of land per one hundred (100) seats in the main auditorium.
 - c. In the "A" Single-Family Residential District: If the primary use on the site and conditional use permit is listed as a church or other place of worship and whereas such facilities are located on a lot of twenty (20) acres or more in area, the maximum site coverage on the site may be increased from twenty-five percent (25%) to thirty-five percent (35%). The buffer yard requirement shall be increased to one hundred (100) feet for all new construction or improvements on the site abutting to or across the street from residentially zoned property.
30. *Multi-family dwellings (conditional use in the "AR" district).*
- a. Shall be located on sites of at least five (5) acres.
 - b. The minimum dwelling unit size shall not be less than nine hundred (900) square feet per unit.
 - c. At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.
 - d. *Private usable open space.* Private usable open space shall be provided in accordance with the standards for all multi-family residential building or development described in Section **405.710**.
 - e. *Visual environment enhancement.* In the site development plan for any building or structure or any tract or tracts in the "AR" District, there shall be set aside a sum of money equal to not less than two percent (2%) of the proposed total construction cost, which sum shall be used for the erection, construction or installation of special or extraordinary walks, patios, fountains, pools, statuary, landscaping and other applicable objects of art or beautification upon such tract or tracts. There shall be specified on such site development plan an itemized cost estimate of such items including the manner in which the sum of money is to be used for this visual environment enhancement.
31. *Multi-family dwellings (conditional use in the "CB" district).*
- a. Shall be located on sites of at least three (3) acres.
 - b. The average dwelling unit size shall not be less than nine hundred (900) square feet per unit and no unit shall be less than seven hundred fifty (750) square feet.
 - c. At a minimum, fifty percent (50%) of the required vehicular parking shall be provided underground or within a basement garage.
32. *Building or structure exceeding a floor area ratio of one (1.0), but not exceeding one and one-fourth (1.25) (conditional use in the "CB" district).*

- a. All projects seeking a floor area ratio (FAR) exceeding one (1.0) shall be limited to a FAR of eight-tenths (0.8) for the office use portion of the building. The intent is to encourage projects that provide mixed-use developments and reduce peak hour vehicular congestion. All projects should incorporate uses that include, but not be limited to, restaurants, personal service providers and incidental retail and service establishments, that are oriented to both on- and off-site users.

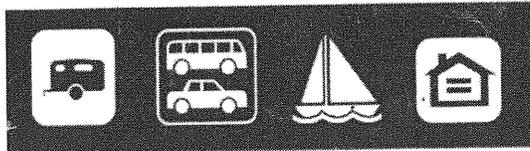
Section 405.480 Temporary Uses.

[R.O. 2008 §26-53; Ord. No. 4029 §1, 6-26-2006]

- A. *Authorization.* Temporary uses are permitted as set forth in this Section **405.480** in connection with a principal use which is permitted within the applicable zoning district, upon issuance of all required permits.
- B. *Permitted Temporary Uses And Structures.* A "permitted temporary use or structure" is any use or structure that complies with the definition of "temporary use" contained in Section **405.120** including, but not limited to, the following typical uses subject to the accompanying restrictions:
 1. Outdoor grand opening events, outdoor sales and other sales or promotions requiring outdoor activity, display and/or sale of merchandise, subject to the following conditions:
 - a. The property is located within a non-residential zoning district or is an institutional use, including only schools and places of worship, within a residential district.
 - b. The use is accessory to the primary use of the principal site or buildings upon the site.
 - c. The duration of any single event is limited to three (3) days.
 - d. The frequency is limited to two (2) events a year.
 - e. Adequate parking is provided for all uses of the site.
 2. Temporary off-street parking for special events, subject to the following conditions:
 - a. The property is located within a non-residential zoning district or is an institutional use, including only schools and places of worship, within a residential district.
 - b. The duration of any single event is limited to forty-five (45) days.
 - c. The frequency is limited to one (1) event per year.
 - d. Adequate parking is provided for all uses of the site.
 3. Seasonal or holiday events such as pumpkin patches or Christmas tree sales subject to the following conditions:
 - a. The duration of a single event is limited to forty-five (45) days.
 - b. The frequency is limited to one (1) event per year.
 - c. Adequate parking is provided for all uses of the site.
 4. Garage sales, estate sales, lawn sales, auctions or any other such sale that involves the sale of multiple goods, wares or items of tangible personal property conducted on any real property being used for residential purposes as per Section **605.310**. Issuance of a permit under Section **605.320** shall be sufficient and no additional permit under Section **405.480** shall be required unless a temporary structure is involved.
 5. Picnics, bazaars, fairs, carnivals or similar gatherings as per Section **600.150** and further defined as a gathering of more than fifty (50) people. Issuance of a permit under Section **600.150** shall be sufficient and no additional permit under Section **405.480** shall be required unless a temporary structure is involved. However, if alcoholic beverages will not be sold and no permit under Section **600.150** is required, then a permit under this Section **405.480** shall be required if a temporary structure is involved.
 - 6.

- Temporary structures including tents that are used in conjunction with any of the above uses as per Section **405.460(C)**.
7. Temporary structures or trailers that are used in conjunction with construction work only as per Section **405.650**.
 8. Temporary structures or trailers that are used as sales offices subject to the following conditions:
 - a. The temporary sales office may be permitted in any district until construction of a permanent building/dwelling is completed, as determined by issuance of occupancy permit.
 - b. The temporary sales office shall comply with all setback requirements of the zoning district in which located.
 9. Temporary structures or trailers that are used in conjunction with storage of materials, with the exception of those used during construction, subject to the following conditions:
 - a. The duration is limited to ten (10) days.
 - b. The frequency is limited to two (2) times per year.
 - c. The structure or trailer must be located on an improved surface, outside of the right-of-way.
- C. *Standards.* The Director of Planning or his/her designee shall not approve a temporary use and issue the required permit unless the permit fee set forth in Appendix B to this Title IV has been paid and he/she finds that the application and evidence presented clearly indicate that the proposed temporary use:
1. Complies with all other applicable provisions of this Chapter including environmental performance standards presented in Section **405.550**, any applicable criteria in Section **405.470** and the conditions of any applicable conditional use permit and the standards of this Chapter in regard to yard and setback, parking and loading areas, screening and buffering, refuse, storage and service areas and signs.
 2. Shall be located at least ten (10) feet from the principal building if it is detached from the principal building.
 3. Shall not be located in any required corner visibility triangle as established in Section **405.670**.
 4. Shall not cause substantial injury to the public welfare or safety of the principal use or structure or neighboring properties.
 5. Shall be compatible with the surrounding area and thus will not impose an excessive burden or have a substantial negative impact on surrounding or adjacent users or services.
 6. A site must be restored to its former condition within thirty (30) days of the activity's termination. If this condition has not been met in the past, then a new permit shall not be issued absent adequate assurance of compliance with this requirement.
 7. Prior to the issuance of a temporary permit, all requirements contained within this Chapter shall be met including, but not limited to, requirements for grading, improvements and/or site plan review that are proposed in conjunction with the request.
- D. *Expiration.* A temporary use permit shall be valid for a period not to exceed forty-five (45) days from the date of issuance or as specified in the conditions stated above.
- E. *Site Plan Approval.* Should the Director of Planning or his/her designee determine such an application does not meet the spirit, intent and conditions outlined above and cannot be administratively approved, the application, as requested by the applicant, may be reviewed and acted on by the Planning and Zoning Commission and/or City Council as a proposed site plan per the procedures in Section **405.1080**.

Section 405.490 through Section 405.530. (Reserved)



STONEWEST STORAGE
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 618-234-4782
 www.stoneweststorage.com

*Sign up for
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MONTHLY \$4.00/foot
YEARLY \$2.75/foot
WINTER \$3.25/foot

Used Today

Used To Day

	MONTHLY	WINTER	YEARLY
0 to 20'	80.00	65.00	55.00
21'	84.00	68.25	57.75
22'	88.00	71.50	60.50
23'	92.00	74.75	63.25
24'	96.00	78.00	66.00
25'	100.00	81.25	68.75
26'	104.00	84.50	71.50
27'	108.00	87.75	74.25
28'	112.00	91.00	77.00
29'	116.00	94.25	79.75
30'	120.00	97.50	82.50
31'	124.00	100.75	85.25
32'	128.00	104.00	88.00
33'	132.00	107.25	90.75
34'	136.00	110.50	93.50
35'	140.00	113.75	96.25
36'	144.00	117.00	99.00
37'	148.00	120.25	101.75
38'	152.00	123.50	104.50
39'	156.00	126.75	107.25
40'	160.00	130.00	110.00

OUTSIDE

\$50.00 = Boats/Campers/Utility Trailer

\$30.00 = Cars/Trucks/Pop-Ups

Quarterly months: February, May, August, November

"B" Building Clearance = 12'8"

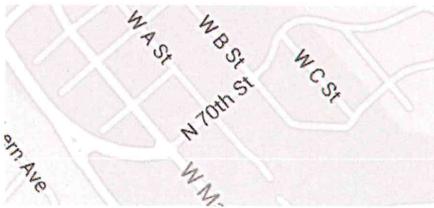
Google Maps 142 N 70th St



Image capture: May 2013 © 2015 Google

Belleville, Illinois

Street View - May 2013



Google Maps 142 N 70th St

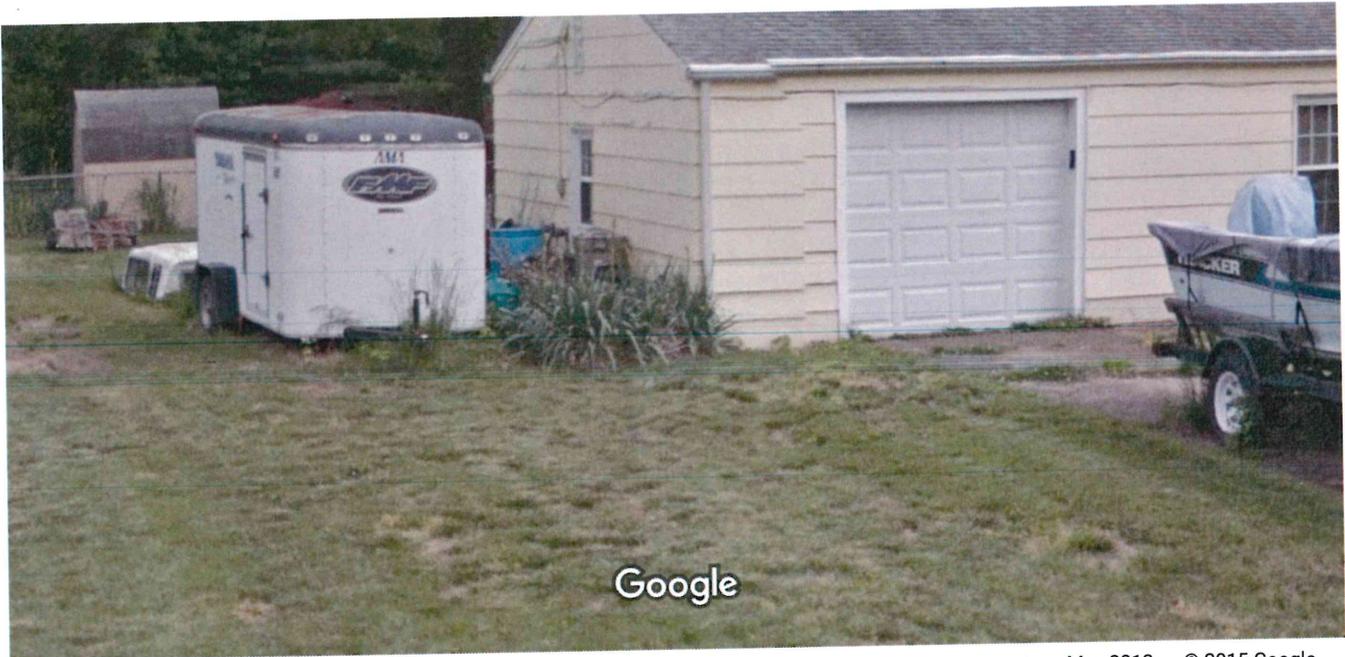
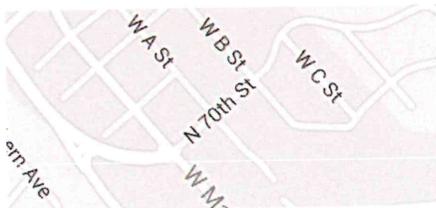


Image capture: May 2013 © 2015 Google

Belleville, Illinois
Street View - May 2013



CHAPTER 5

FIRE DEPARTMENT

ARTICLE I - ADMINISTRATION

5-1-1 **DEPARTMENT ESTABLISHED.** There is hereby established a department of the municipal government of the City that shall be known as the Fire Department and shall consist of **one (1)** Fire Chief, **one (1)** Deputy Chief, **one (1)** Assistant Fire Chief, **four (4)** Battalion Chiefs, **sixteen (16)** Captains, **sixteen (16)** Engineers, and **twenty-four (24)** Pipemen. (**Ord. No. 7362; 03-15-10**)

5-1-2 **APPOINTMENT OF FIRE CHIEF AND MEMBERS OF FIRE DEPARTMENT.** All members of the Fire Department, with the exception of the Fire Chief and the Deputy Fire Chief, are hereby declared subject to the provisions of the **Illinois Municipal Code, Section 10-2.1-1, et seq.** The Board of Fire and Police Commissioners shall appoint all members of the Fire Department in accordance with the above statute.

All original appointments to the Fire Department under and in accordance with the rules and regulations of the Board of Fire and Police Commissioners shall be for a probationary period of **one (1) year**. At the expiration of such probationary period, such appointment to the Fire Department shall automatically become permanent; provided, however, that the Board of Fire and Police Commissioners may, at any time during the probationary period, discharge such appointee after notice and assignment of cause of removal therefrom.

The Mayor is authorized to appoint, suspend or discharge the Fire Chief or the Deputy Fire Chief with the consent of the City Council. In the event the Mayor discharges the Fire Chief or the Deputy Fire Chief, he/she shall revert to the rank he/she held before his/her appointment to that office, if any, as the Fire Department has established under the Fire and Police Commission Act. (**Ord. No. 7362; 03-15-10**)

5-1-3 **ASSISTANT FIRE CHIEF.** The Assistant Fire Chief shall perform such duties as may be assigned to him/her by the Fire Chief, Deputy Fire Chief or the City Council.

(A) **Creation.** It is hereby created that the office of Deputy Fire Chief, which office shall have the following duties:

- (1) Deputy Fire Chief shall be second in command of the Fire Department in the City of Belleville in the absence of the Fire Chief from the City and during such other periods of the Fire Chief's absence shall assume all the duties herein and before imposed by this Chapter upon Fire Chief.
- (2) His/her hours of duty shall be fixed by the Fire Chief.
- (3) The Deputy Fire Chief shall be subject to the orders of the Fire Chief and the Mayor.

(B) **Salary.** There should be allowed and paid to the Deputy Fire Chief an annual salary as provided in the budget ordinance which shall be paid in equal bi-weekly installments.

(C) If whomever has been appointed to perform the duties of Deputy Fire Chief, shall be subsequently relieved of those duties, or the office abolished, he/she shall revert to the rank he/she held before his/her appointment to that office, if any, subject to the rules of the Fire and Police Commissioners Act. **(Ord. No. 7362; 03-15-10)**

5-1-4 **DUTIES OF FIRE CHIEF.** The Fire Chief shall perform the following duties:

(A) **Attending Fires.** Fire Chief shall attend all fires and when there, assume and take control over the officers and employees of the City managing the different apparatus, direct where the same shall be stationed, and give such orders as he/she shall deem necessary for the extinguishment of fires.

(B) **Inspections and Reports.** Fire Chief shall inspect and superintend the various fire apparatus belonging to the City, see that the same are kept in good repair, and report the condition thereof to the Police and Fire Committee at their regular monthly meetings.

(C) **Examination of Buildings.** Throughout the year, and at such times as the City Council may direct by ordinance or resolution, the Fire Chief shall examine all buildings and structures, and see that the same are not exposed to, or endangered by any combustible materials. It is the Fire Chief's duty to examine all buildings where fires are usually kept or generally used, and see that the fires, fireplaces, grates, stoves, funnels, chimneys, ovens, forges, and other places or apparatus used for burning fuel are in proper and safe condition, so as not to endanger buildings or property situated near the same.

The City Council reserves the right to amend this Section to provide for the funds received from insurance companies specified in **Chapter 43 - Taxation, Article III** to be paid to the Firemen's Pension Fund in the event it so desires at some future date.

That conflicting ordinances or pertinent portions thereof in effect at the time this ordinance takes effect are hereby repealed. **(Ord. No. 7362; 03-15-10)**

5-1-5 **OBSTRUCTING FIRE CHIEF.** No person shall resist the entrance of the Fire Chief or Chief of Police or willfully obstruct them in the discharge of their duties, or neglect or refuse to attend to all reasonable directions given by them or either of them, for altering, amending, or removing any of the dangerous apparatus or fixtures aforesaid. In case any person is convicted of such neglect, or refuses to attend to the directions of the Fire Chief or Chief of Police for altering, amending, or removing any of the aforesaid dangerous apparatus or fixtures, the court or magistrate before which conviction is had may order, as part of the judgment, the Fire Chief or Chief of Police to make such alteration, amendment or removal at the expense of the defendant in such cause.

5-1-6 **MANUALS ADOPTED.** The Manuals hereto attached shall be the rules and regulations, standard operating guidelines and current collective bargaining agreement governing the operation of the Fire Department of Belleville, Illinois. **(Ord. No. 7362; 03-15-10)**

5-1-7 **FIRE STATIONS.** The Fire Department shall consist of **four (4) stations** designated as No. 1, Carlyle Avenue Station; No. 2, West Washington Street Station; No. 3, West Main Street Station; and No. 4, South Illinois Street Station. The number of captains, drivers, pipemen to be stationed at a particular station shall be determined by the Fire Chief. **(Ord. No. 7362; 03-15-10)**

5-1-8 **DUTIES OF FIREMEN.**

(A) **General Duties.** The members of the Fire Department shall be on duty at all such hours of the day and night as may be prescribed by the rules and regulations of the Fire Department, except when otherwise ordered by the Fire Chief, and shall perform whatever duties may be prescribed for the department by the rules and regulations or by ordinance. An equal number of members shall serve in alternate shifts and all members shall be subject to call at all times. **(Ord. No. 7362; 03-15-10)**

(B) **Care of Apparatus.** It shall be the special duty of all members of the Fire Department to keep, protect and preserve the fire apparatus and to work with skill and judgment. The fire apparatus shall be kept in good order and repair and at all times in perfect readiness. Members of the Fire Department shall perform such other duties as from time to time may be required by the Fire Chief. **(1878)**

5-1-9 **FIREMEN'S PENSION FUND.** There is hereby created a firemen's pension fund and a Board of Trustees of the firemen's pension fund in accordance with the provisions of the **Illinois Compiled Statutes, Chapter 40, Section 5/4-109a, et seq. (1710)**

ARTICLE II – BUREAU OF FIRE PREVENTION

5-2-1 BUREAU OF FIRE PREVENTION.

(A) **Creation.** A Bureau of Fire Prevention in the Fire Department of the City is hereby established which shall be operated under the supervision of the Chief of the Fire Department.

(B) **Inspector.** The Chief of the Fire Department shall designate an officer or member of the Fire Department as Chief Inspector of the Bureau of Fire Prevention, who shall hold this office at the pleasure of the Chief of the Fire Department. The Chief of the Fire Department may also designate such number of Assistant Inspectors as are authorized by the City Council.

(C) **Duties.** It shall be the duty of the officers of the Bureau of Fire Prevention to enforce all laws and ordinances of the state, county and city, covering the following:

- (1) The prevention of fires.
- (2) The storage and use of explosives and flammables.
- (3) The installation and maintenance of automatic and other fire alarm systems, and fire extinguishing equipment.
- (4) The maintenance and regulation of fire escapes.
- (5) The means and adequacy of exit in case of fire, from factories, schools, hotels, lodging houses, asylums, hospitals, churches, halls, theaters, amphitheaters, and all other places in which numbers of persons work, live, or congregate from time to time for any purpose.
- (6) The investigation of the cause, origin, and circumstances of fires.

(D) **Delegation of Powers and Duties.** The Chief of the Fire Department may delegate any of his/her powers or duties set forth in **Sections 5.10** and **5.20** to the Chief Inspector. **(Ord. No. 7362; 03-15-10)**

5-2-2 INVESTIGATION AND REPORT OF FIRES.

(A) The Bureau of Fire Prevention shall investigate the cause, origin and circumstances of every fire occurring in the City by which property has been destroyed or damaged and, so far as possible, shall determine whether the fire is the result of carelessness or design. Immediately upon the occurrence of such fire the assistant in whose district the fire occurs shall begin the investigation and if it appears to the officer making the investigation that the fire is of suspicious origin the Chief of the Fire Department shall be immediately notified of the fact. The officer making the investigation shall take charge of the physical evidence, shall notify the

proper authorities designated by law to pursue the investigation of such matters, and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

(B) Every fire shall be reported in writing to the Bureau of Fire Prevention within **two (2) days** after its occurrence by the officer in whose jurisdiction the fire has occurred. The report shall be in the form prescribed by the Chief of the Fire Department and shall contain a statement of all facts relating to the cause, origin and circumstances of the fire, the extent of the damage thereof, the insurance upon the property, and such other information as may be required.

5-2-3 **RECORD OF FIRES.** The Chief of the Fire Department shall keep in the office of the Bureau of Fire Prevention a record of all fires and of all the facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, and whether such losses were covered by insurance, and if so, in what amount. Such record shall be made daily from the reports made by the inspectors under the provisions of this Chapter. All such records shall be public.

5-2-4 **INSPECTIONS.**

(A) **Hazardous Occupations.** The Chief of the Fire Department, Chief Inspector or an assistant specially designated thereto shall inspect, as often as may be necessary, but not less than **one (1) time** per year, all specially hazardous manufacturing processes, storages or installations of acetylene or other gases, chemicals, oils, explosives and flammable materials, all interior fire alarms and automatic sprinkler systems, and such other hazards or appliances as the Chief of the Fire Department shall designate, and shall make such orders as may be necessary for the enforcement of the laws and ordinances governing the same and for safeguarding of life and property from fire.

(B) **Fire Hazards in Building.** The Chief of the Fire Department shall inspect, or cause to be inspected by the Bureau of Fire Prevention, or by the Fire Department officers and members, as often as may be necessary, but not less than once a year in outlying districts and **one (1) time** per year in closely built portions of the City, all buildings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of the provisions or intent of this Code or any ordinance affecting fire hazards. **(Ord. No. 7362; 03-15-10)**

5-2-5 **ORDER TO REMOVE HAZARD.**

(A) **Order.** Whenever an inspector finds any building or other structure which, for want of repairs, lack of or insufficient fire escapes, automatic or other fire alarm apparatus or fire extinguishing equipment or by reason of age or

dilapidated condition, or from any other cause, is especially liable to fire, and which is so situated as to endanger other property or the occupants thereof, and whenever an inspector finds in any building combustible or explosive matter or flammable conditions dangerous to the safety of such building or the occupants thereof or finds dangerous accumulations of rubbish, or finds obstructions on fire escapes, stairs, passageways or windows liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, he shall order such dangerous conditions or materials to be removed or remedied and such order shall forthwith be complied with by the owner or occupant of such premises or building.

(B) **Service of Order.** The service of any such order may be made upon the occupant of the premises to whom it is directed, either by delivering the same to and leaving it with any person in charge of the premises, or in case no such person is found upon the premises by affixing a copy thereof in a conspicuous place on the door to the entrance of said premises. Whenever it may be necessary to serve the order upon the owner of the premises, it may be served either by delivering to and leaving with the person a copy of the order, or, if such owner is absent from the jurisdiction of the officer making the order, by mailing a copy to the owner's last known post office address.

(C) **Appeal.** If an order is made by the Chief Inspector or any of the Assistant Inspectors, such owner or occupant may within **twenty-four (24) hours** appeal to the Chief of the Fire Department, who shall, within **five (5) days**, review such order and file his/her decision thereon, and unless by his/her authority the order is revoked or modified it shall remain in force and be complied within the time fixed in the order or decision of the Chief of the Fire Department. **(Ord. No. 7362; 03-15-10)**

(D) **Court Review.** Any owner or occupant may, within **five (5) days** after the making or affirming of any such order by the Chief of the Fire Department, file his petition with any court having jurisdiction, praying a review of such order and it shall be the duty of such court to hear the same within not less than **five (5) days** nor more than **ten (10) days** from the time the petition is filed, or as soon thereafter as reasonably can be, and to make such order in the premises as right as justice may require, and such decision shall be final. The person appealing to the court shall file with the court within **two (2) days** a bond in an amount to be fixed by and approved by the court, conditioned to pay all the costs of such appeal in case the appellant fails to sustain his appeal or the same be dismissed for any cause.

5-2-6 **ACCESS TO PREMISES.** The Chief of the Fire Department, the Chief Inspector, or any Assistant Inspector may, at all reasonable hours, enter any building or premises within his/her jurisdiction for the purpose of making any inspection or investigation which, under the provisions of this Chapter he/she deems necessary. **(Ord. No. 7362; 03-15-10)**

5-2-7 **ASSISTANCE OF CITY ATTORNEY.** The City Attorney, upon request of the Bureau of Fire Prevention, shall assist the inspectors in the investigation of any fire which, in their opinion, is of suspicious origin.

5-2-8 **SCHOOL FIRE DRILLS.** The Chief of the Fire Department shall require teachers of public, private, and parochial schools and educational institutions to have one fire drill each year and to keep all doors and exits unlocked during school hours. **(Ord. No. 7362; 03-15-10)**

5-2-9 **LICENSES FOR FLAMMABLES, EXPLOSIVES AND FIREWORKS.**
Before licenses may be issued for the keeping, storage, use, manufacture, sale, handling, transportation or other disposition of highly inflammable materials and rubbish, crude petroleum or any of its products, gun or blasting powder, dynamite, or explosives of any kind, including fireworks, firecrackers, and signaling explosives, the Chief of the Fire Department, the Chief Inspector, or his assistants shall inspect and approve the receptacles, vehicles, building or storage places to be used for any such purposes.

5-2-10 **ANNUAL REPORTS.** The annual report of the Bureau of Fire Prevention shall be made on or before the first Monday of May and transmitted to the Mayor. It shall contain all proceedings under this Chapter with such statistics as the Chief of the Fire Department may wish to include therein. The Chief of the Fire Department shall also recommend any amendments to the Chapter which in his judgment, shall be desirable.

5-2-11 **FORMS FOR REPORTS.** The Chief of the Fire Department shall prepare instructions for the Chief Inspector and his assistants, and forms for their use in the reports required by this Chapter.

5-2-12 **USE OF FIRE HYDRANTS.** It shall be unlawful for anyone to use fire hydrants within the City of Belleville without first obtaining a written permit from the Illinois American Water Company. Upon issuing such a permit, the Water Company shall immediately notify the Fire Chief that the permit was issued.

A person obtaining a permit to use a fire hydrant must have the permit in his possession at all times while operating the hydrant. **(#3267; 12-2-74)**

(A) **Private Fire Hydrants.** All fire hydrants privately owned and within the jurisdictional boundaries of the Belleville Fire Department must provide written verification for yearly flow testing and inspection of parts and equipment. Upon yearly Fire Inspection, a copy of this test must be provided to the Fire Department for their records. **(Ord. No. 7150; 07-08-08)**

5-2-13 **WORK PERIOD.** The work period for the fire department shall be a period consisting of **twenty-eight (28)** consecutive days. **(#3278; 12-30-74)**

ARTICLE III – FIRE CODE

5-3-1 FIRE CODE ADOPTED.

(A) **Adoption of Fire Prevention Code.** There is hereby adopted by the City of Belleville for the purpose of establishing rules and regulations to safeguard life, property and public welfare from the hazards of fire, and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property and public welfare in the use or occupancy of buildings, structures, sheds, tents, lots or premises, that certain code known as the 2006 International Fire Code and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended, and the same are hereby adopted and incorporated as fully as if set out in length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the City of Belleville, Illinois.

(B) **Definitions.**

- (1) Wherever the word "municipality" is used in the Code hereby adopted, it shall be held to mean the City of Belleville, Illinois.
- (2) Wherever the term "fire official" is used in the Code hereby adopted, it shall be held to mean the Fire Chief of the City of Belleville, Illinois.

(Ord. No. 7212; 01-05-09)

5-3-2 ADOPTION OF APPENDIX A. Appendix A of the 2006 International Fire Code is hereby adopted and incorporated as fully as if set out in length herein. **(Ord. No. 7610; 06-04-12)**

ARTICLE IV – MUTUAL AID BOX ALARM SYSTEM

5-4-1 **MUTUAL AID BOX ALARM SYSTEM ESTABLISHED.** Pursuant to Ordinance No. 6359 the City Council does hereby establish a Mutual Aid Box Alarm System as provided in **Exhibit "A"**.

ARTICLE V - PENALTIES

5-5-1 **PENALTIES.** Any person violating any provisions of this Chapter or neglecting to comply with any order issued pursuant to this Chapter shall be fined not less than **Ten Dollars (\$10.00)** nor more than **Five Hundred Dollars (\$500.00)**. Each day a violation is permitted to exist beyond the time specified in any notice is a separate offense. **(#3309; 09-15-75)**

[Discuss at meeting regarding violations found per occurrence or fined to be assessed per day.]

ARTICLE VI - KEY LOCK BOX (KNOX BOX) INSTALLATION

5-6-1 KEY LOCK BOX SYSTEM.

(A) The following structures shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Chief:

- (1) All commercial or industrial buildings identified by the fire officials as difficult to access during emergencies.
- (2) All new commercial construction and/or new businesses after **September 1, 2010** within the City having an automatic alarm system, or equipped with an automatic fire suppression system.
- (3) Multi-family residential structures (more than two units), including senior citizen apartment/condominium complexes, that have restricted access through a common corridor for access to the living units or those identified by the fire officials as difficult to access during emergencies.
- (4) All other buildings as recommended by the Fire Chief.

(B) All new construction subject to this Section shall have the key lock box installed and operational prior to the issuance of a certificate of occupancy.

(C) All structures in existence on the effective date of this action and subject to this Section shall have **one (1) year** from the effective date of this Section to have an entry key lock box installed and operational in a location as approved by the Fire Chief.

(D) The owner of a structure and the owner of any business in a structure required to have a key lock box shall, at all times, keep a key or keys, in the lock box that will allow for complete and unobstructed access to the structure interior. These keys are to be marked and identified in a manner approved by the Fire Chief.

(Ord. No. 7425; 08-16-10)

[NOTE: This Article was renumbered from Article V to Article VI.]

ARTICLE VII

**RENTAL PROPERTY FIRE ACT
FOR THE SAFETY OF ALL THE CITIZENS OF BELLEVILLE**

5-6-1. This Act applied to all rental property.

(A) All rental housing should be inspected by the fire department every four years.

**FIRE DEPARTMENT
5-6-1**

(B) All inspections will be in quadrants for each ward annually using the following schedule and each four years thereafter.

2016	Wards 4 & 8
2017	Wards 1 & 7
2018	Wards 2 & 3
2019	Wards 5 & 6

(C) Fire Code violations found by the fire department during the inspection should be reported immediately to the housing department so that timely notification is sent to the property owner.

(D) State Fire Code violations found by the fire department will be given (90) days to make necessary repairs.

(E) State Fire Code violations not repaired when re-inspected by the fire department are subject to a minimum of \$25 per day penalty. Not to exceed \$100 per day based on the severity of the violations to be determined by the Fire Chief of the City of Belleville. If violations continue then future occupancy permits will be denied until corrected and confirmation by fire department.

[Discuss at meeting...See Article V Section 5-5-1.]

Inspector Comments:

PERFORMED INSPECTION OF PROPERTY WITH FIRE CHIEF TOM POUR, AND MAINTENANCE PERSON RAYMOND HARPER.
INSPECTION RECEIVED BY: RAYMOND HARPER

SIGNED: _____

DATE: _____

ORDER TO COMPLY: You must correct these violations upon receipt of this notice. An inspection to determine compliance will be conducted on or after 12/18/2015.

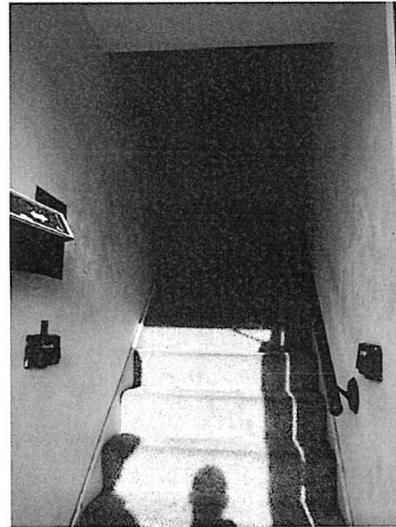
If you fail to comply with this notice, you may be liable for penalties provided by law for such violations.

Thank you for your cooperation in keeping your business and our community safe! If you have any questions, please contact the Fire Administration Office at 618-234-2236.

1.1 -
907.3.2.

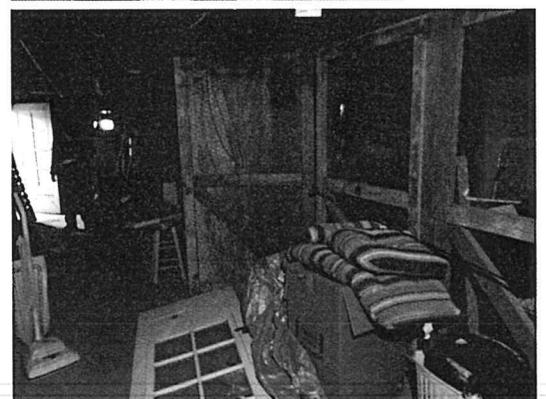


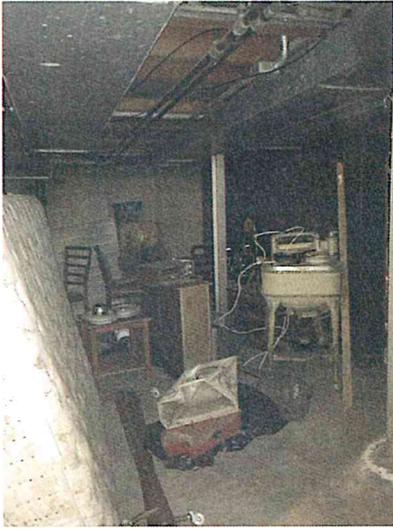
2.1 -
1006.1.



3.1 - 304.1.

3.2 - 304.1.

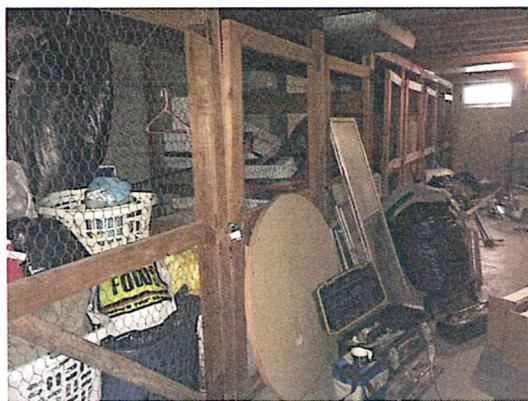




4.1 - 315.2.

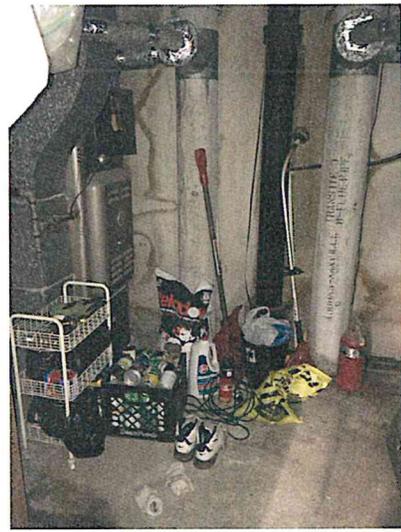


4.3 - 315.2.



6.1 - 605.5.

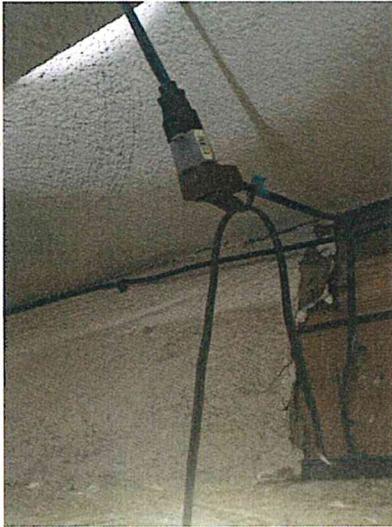
4.2 - 315.2.



5.1 - 605.1.



6.2 - 605.5.



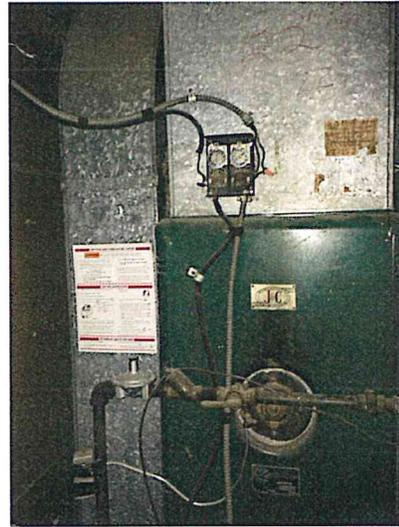
7.1 - 605.6.



7.2 - 605.6.



8.1 - 506.1.



9.1 - 3404.3.4.4.



10.1 - 31.2.2.2.2.



11.1 - 31.2.9.



12.1 -
31.3.1.2.



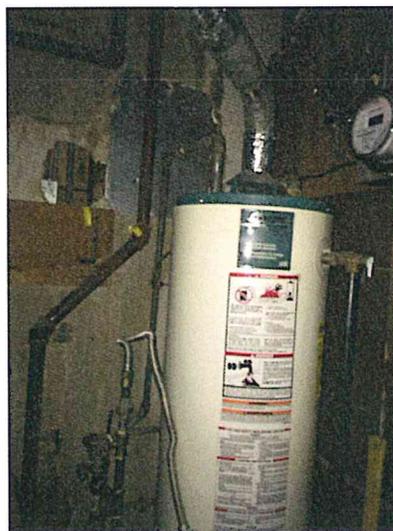
12.2 -
31.3.1.2.



13.1 -
31.3.2.1.



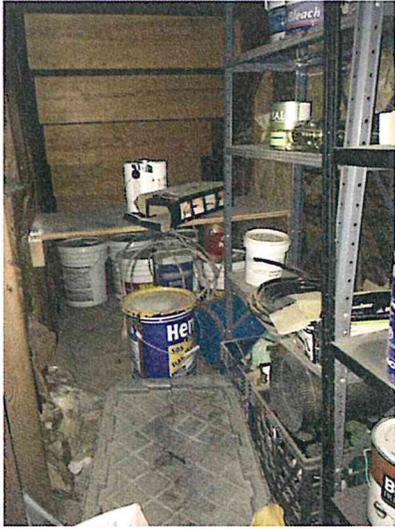
13.2 -
31.3.2.1.



13.3 -
31.3.2.1.



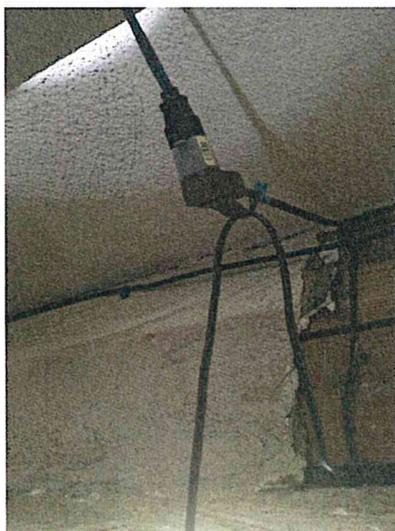
13.4 -
31.3.2.1.



14.1 -
31.3.6.1.



15.2 -
RI.10.



16.2 -
RI.20.



15.1 -
RI.10.



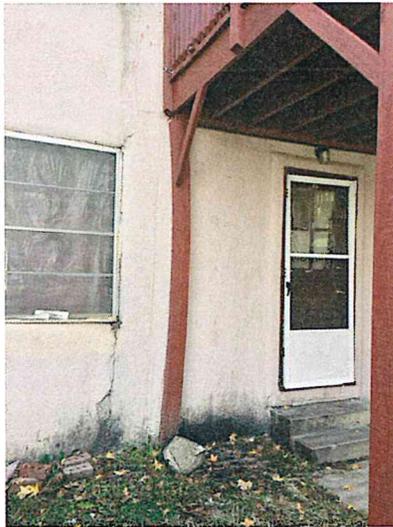
16.1 -
RI.20.



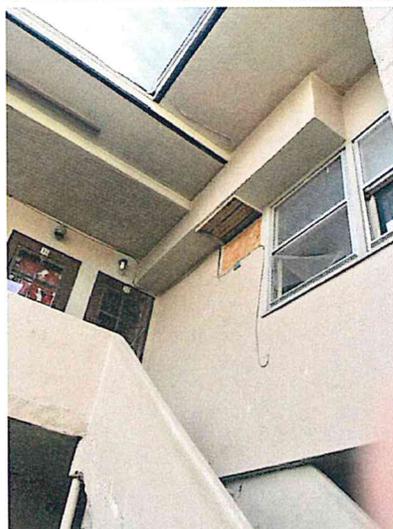
16.3 -
RI.20.



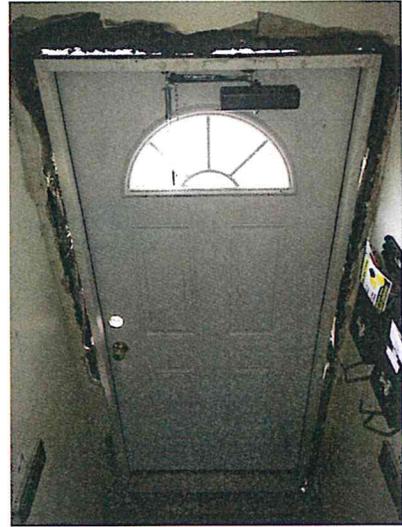
16.4 -
RI.20.



16.6 -
RI.20.



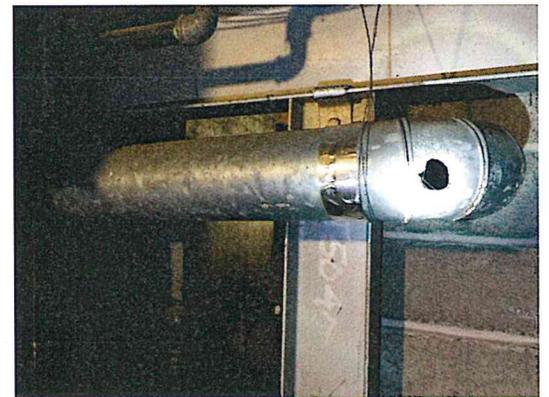
17.2 -
RI.30.



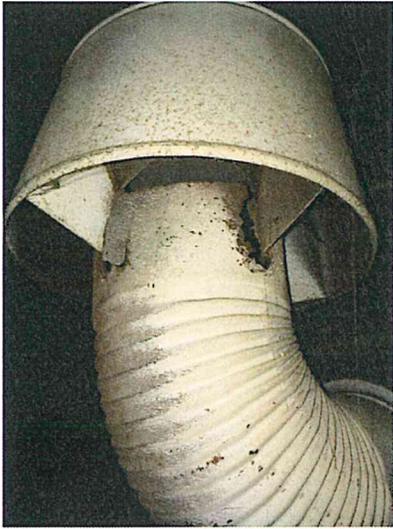
16.5 -
RI.20.



17.1 -
RI.30.



17.3 -
RI.30.



17.4 -
RI.30.





APT. 22











Jennifer Gomric Minton - St. Clair County Assessor
Charles Suarez - St. Clair County Collector

Ownership / Addresses

Parcel Number 08-07.0-409-017

Parcel Year 2014

Property Address 201 BELLEVUE PARK DR BELLEVILLE, IL
62226

Property Owner BELLEVUE ENTERPRISES LLC ,

Mailing Address 1368 YORKSHIRE LN CAROL STREAM, IL
60188

Assessment Level	Land Value	Building Value	Total Value
Market EAV	18357	154845	173202
State EAV	6119	51615	57734
Board of Review EAV	6119	51615	57734
Board of Review Prior to EAV	6207	52353	58560
Assessor Value	6207	52353	58560
Fair Market Value	18621	157059	175680

Date Sold	Sales Price	Doc Number
01-05-2007	241500.00	A02020549

Township

BELLEVILLE

Legal Description Line 1

SUB OF LOT 3 SEC 7-1N-8

Legal Description Line 2

LOT/SEC-8 PT A02026558

Legal Description Line 3**Legal Description Line 4**

Tax District	Tax Rate	Tax Amount
BELLEVILLE DIST #118	3.5678	\$1,736.34
BELLEVILLE HS #201	2.0352	\$990.47
BELLEVILLE TIF #3	0.0000	\$838.40
BELLEVILLE TWP	0.1218	\$59.28
CITY OF BELLEVILLE	1.8527	\$901.65
CITY OF BELLVLE LIB	0.3018	\$146.88
ST CLAIR CO OTHER	0.9388	\$456.89
SWIC DIST #522	0.4285	\$208.54

2014 Taxes - payable in 2015

Equalized Assessed Value	57734.00
Home Improvement Exemption Amount	0.00
Owner Occupied Exemption Amount	0.00
Senior Exemption Amount	0.00
Veteran / Fraternal Freeze Amount	0.00
Senior Assessment Freeze Amount	0.00
Fraternal Assessment Freeze Amount	0.00
Historical Assessment Freeze Amount	0.00

Disabled Persons Exemption Amount	0.00
Disabled Veterans Exemption Amount	0.00
Returning Veterans Exemption Amount	0.00
Net Taxable Value	57734.00
Tax Rate	9.246600
TCA Code	02099
Township Multiplier	0.9859
Total Tax Billed	\$5,338.44
Tax Status	TAXABLE
First Installment Paid	7/6/2015
First Payment Status	PAID
First Payment Payor	0006-BELLEVUE ENTERPRISES LLC
First Payment Tax Sale (y/n)	N
First Payment Total	\$2,669.22
Second Installment Paid Date	8/28/2015
Second Payment Status	PAID
Second Payment Payor	0004-BELLEVUE ENTERPRISES LLC
Second Payment Tax Sale (y/n)	N
Second Payment Total	\$2,669.22

Disclaimer

These materials are intended, but not promised or guaranteed to be current or accurate. The materials on this website are offered only for general

informational purposes. The documents and materials displayed or mentioned on this site are not official copies of documents. St. Clair County, its officers, agents or employees are not liable for any harm suffered as a result of reliance on information contained in this site. We reserve the right to restrict usage that may compromise the performance or security of our website. Such usage may include but it is not limited to malicious probes or attacks as well as attempts to mirror website data using automated data retrieval programs. All access is limited to system availability.

PERMIT REQUIRED

0002504-000

DEPARTMENT OF SANITATION,
HOUSING AND HEALTH,
BUILDING AND ZONING

HOUSING OFFICE
TECHNICAL ADVISOR REPORT



CITY OF BELLEVILLE

407 E. LINCOLN ST.
BELLEVILLE, ILLINOIS 62220

(618) 233-6817
Fax: (618) 233-8152



DATE OF INSPECTION: Dec. 19, 2015

BFD

REGARDING: 201 Bellevue Park Re.

FROM OFFICE OF MECHANICAL INSPECTOR

PERMIT IS IS NOT REQUIRED TO CORRECT THE FOLLOWING DEFICIENCIES WHICH WERE FOUND:

High levels of C.O. in this apartment, 70 PPM detected.

This unit has an electric furnace + electric water heater.

The gas stove was not in use. This unit has a 6" flue pipe abandoned in place from when the gas furnace + water heater

was removed. The flue pipe was not capped off. This

flue is common with the apartment above it. Cap off

flue pipe. Once the equipment in apt. # 6 is placed

back in service, check this unit for C.O.

SIGNED: Ken Bassler

DATE: Dec. 19, 2015

PERMIT REQUIRED

0002503-000

DEPARTMENT OF SANITATION,
HOUSING AND HEALTH,
BUILDING AND ZONING

HOUSING OFFICE
TECHNICAL ADVISOR REPORT



CITY OF BELLEVILLE

407 E. LINCOLN ST.
BELLEVILLE, ILLINOIS 62220

(618) 233-6817
Fax: (618) 233-8152



DATE OF INSPECTION: Dec. 19, 2015

BFD

REGARDING: 201 Bellevue Park Rd.
all apartments

FROM OFFICE OF MECHANICAL INSPECTOR

PERMIT IS IS NOT REQUIRED TO CORRECT THE FOLLOWING DEFICIENCIES WHICH WERE FOUND:

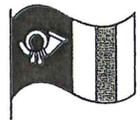
Have all furnaces inspected for proper operation.
Clean furnaces. Some furnaces have no
filters while others have filters taped in place.
All equipment must be in good working order
+ all filters installed in a workmanlike manner.
If any equipment is replaced a permit will be
required for the new equipment.

SIGNED: Ken Bassler

DATE: Dec. 19, 2015

DEPARTMENT OF SANITATION,
HOUSING AND HEALTH,
BUILDING AND ZONING

0002502-000
HOUSING OFFICE
TECHNICAL ADVISOR REPORT



CITY OF BELLEVILLE

407 E. LINCOLN ST.
BELLEVILLE, ILLINOIS 62220

(618) 233-6817
Fax: (618) 233-8152



DATE OF INSPECTION: Dec. 19, 2015

BFD

REGARDING: 201 Beauvue Park Rd.
Apt. # 2

FROM: OFFICE OF ELECTRICAL INSPECTOR

The following deficiencies were found and required to be corrected to code standards

Electric Water Heater - Covers not in place top + bottom
of heater. Top element compartment shows signs of arcing
behind cover. Check all electrical components on heater.

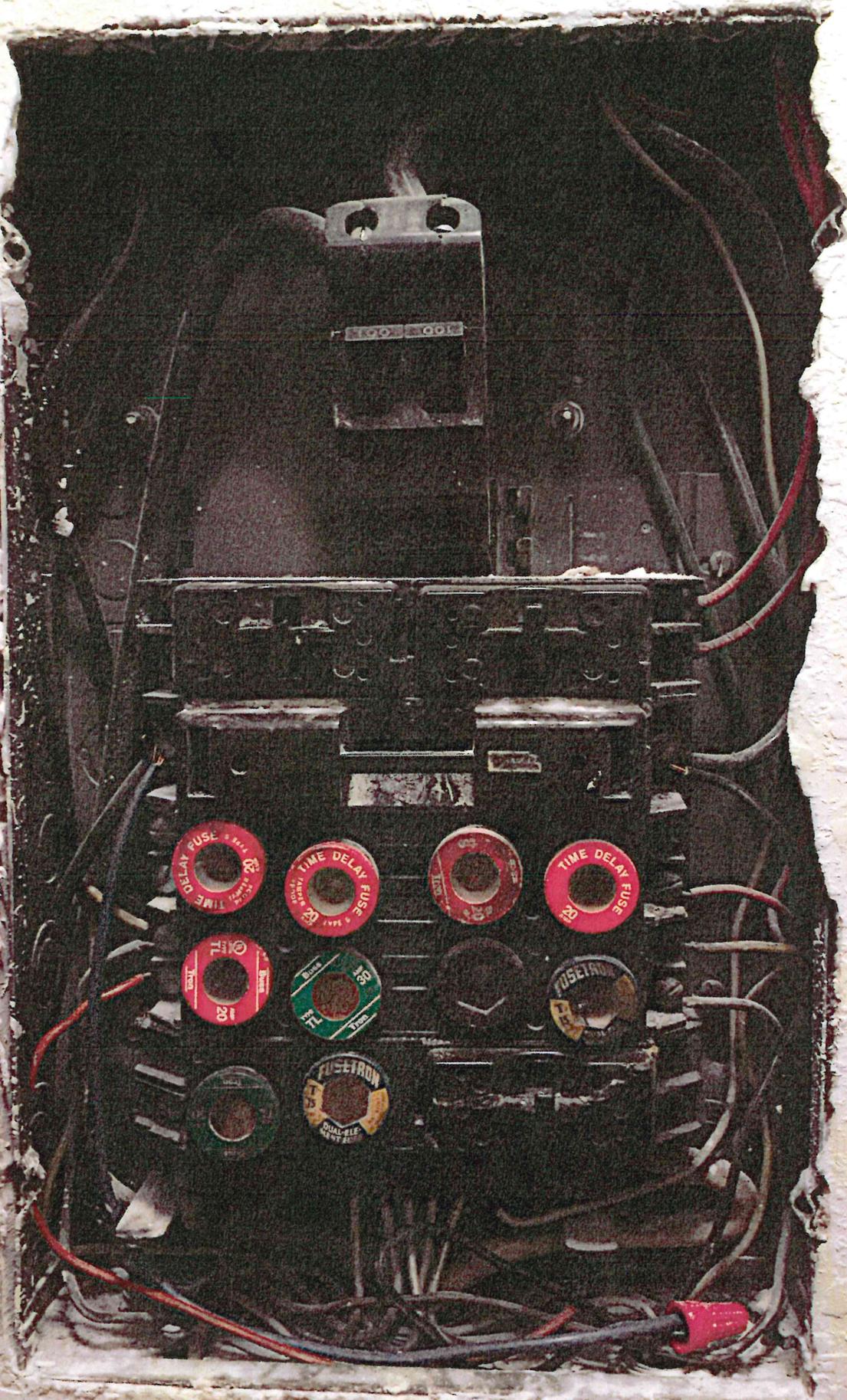
Fuse Panel - Double lugging on 2-pole fuse pullout.
Several branch circuits are overfused. Panel is in poor
condition. Replace fuse panel.

All work to be performed by a Licensed Electrical Contractor.

SIGNED: Ken Bassler

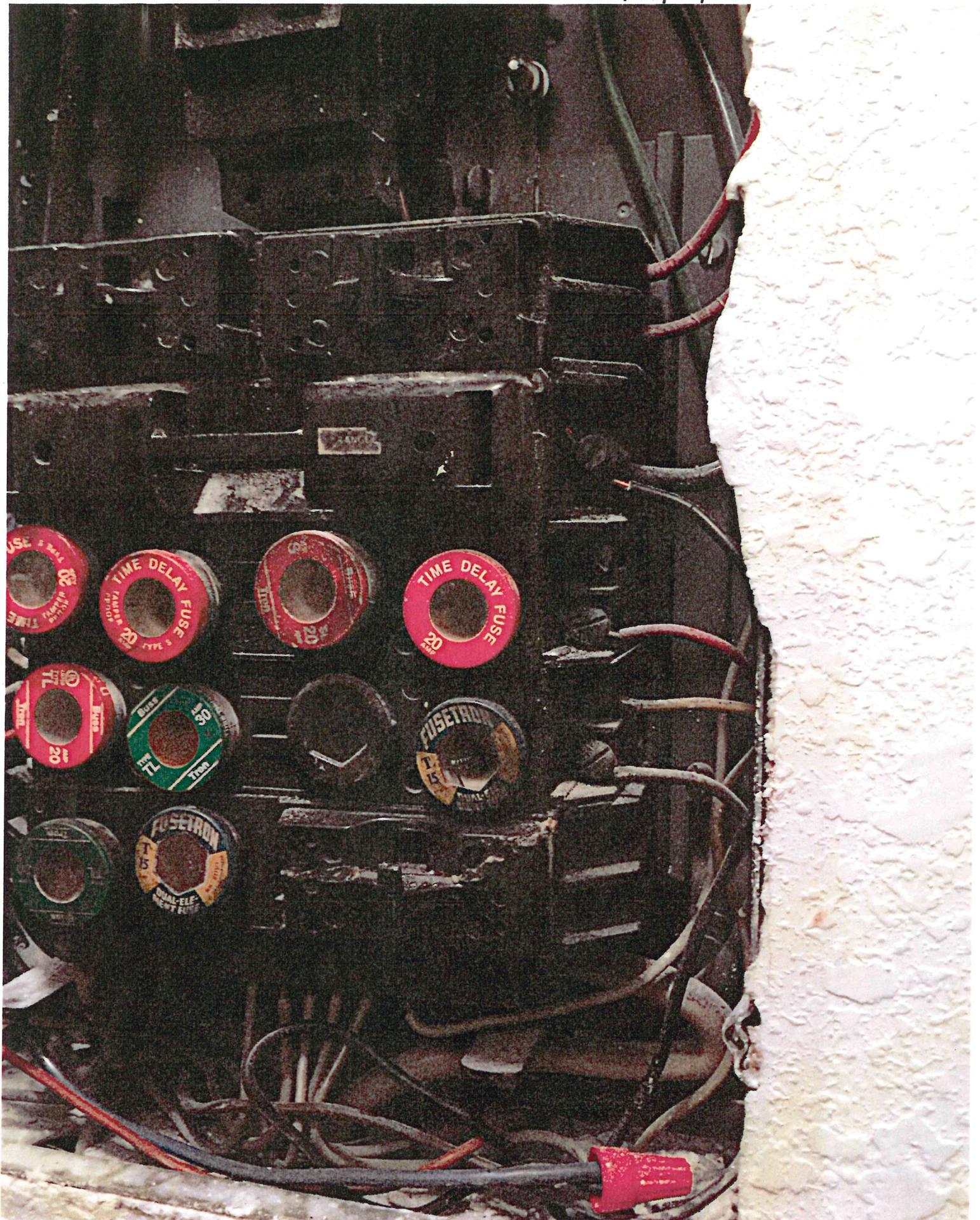
DATED: Dec. 19, 2015

of 11

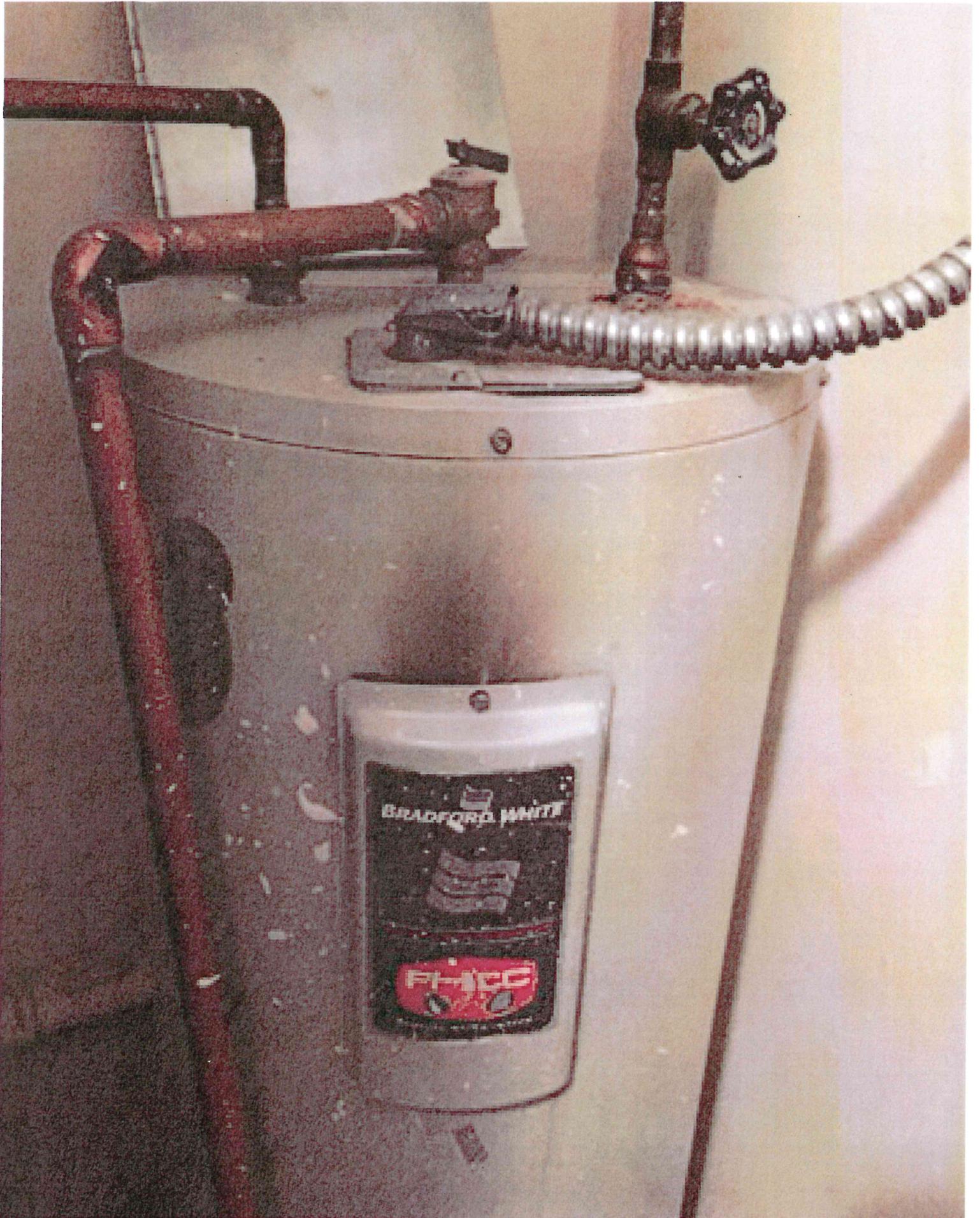


201 Bellevue Park Rd. 2

12/19/15

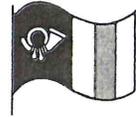


201 Bellvue Park Rd apt. 2 12-19-15



PERMIT REQUIRED

000 2501-000



DEPARTMENT OF SANITATION,
HOUSING AND HEALTH,
BUILDING AND ZONING

HOUSING OFFICE
TECHNICAL ADVISOR REPORT

CITY OF BELLEVILLE

DATE OF INSPECTION: Dec. 19, 2015

407 E. LINCOLN ST.
BELLEVILLE, ILLINOIS 62220

(618) 233-6817
Fax: (618) 233-8152

BFD

REGARDING: 201 Bellevue Park Rd.
apt. # 6



FROM OFFICE OF MECHANICAL INSPECTOR

PERMIT IS IS NOT REQUIRED TO CORRECT THE FOLLOWING
DEFICIENCIES WHICH WERE FOUND:

High level of C.O. in the apartment, 77 PPM and rising.
Furnace shut down by BFD. Apartment was ventilated + furnace
restarted. C.O. levels started climbing + furnace shut down
by the flue high limit switch, (Bellevue Switch). With only
the water heater on C.O. still present in the apartment.
Filter is not properly secured to furnace.
Have flue, furnace + water heater inspected by a HVAC
contractor bonded with the city. If any equipment is
to be replaced a permit will be required.

Gas service to this apartment has been shut off +
pinned by Ameren.

SIGNED: Ken Bassler

DATE: Dec 19, 2015

201 Bellevue Park Rd Upt 6

12/19/15

**CITY OF BELLEVILLE, ILLINOIS
PROPERTY MAINTENANCE CODE**

**CONDEMNED AS UNSAFE
FOR HUMAN
OCCUPANCY OR USE**

DO NOT ENTER

**PENALTIES PROVIDED FOR ANY OCCUPANCY OR USE
OR FOR REMOVING THIS PLACARD**

NOTICE:

Any person, firm or corporation who shall violate any provision of the Property Maintenance Ordinance shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars (\$500.00) for each day that a violation continues after due notice has been served #5517; 03/04/96)

DATE:

Dec. 19, 2015

PROPERTY MAINTENANCE CODE ADMINISTRATOR

If you have any questions, please call 233-6817, ext. 216

201 Park Ave Bellevue Park Rd

TO OUR LAW ENFORCEMENT AGENCY

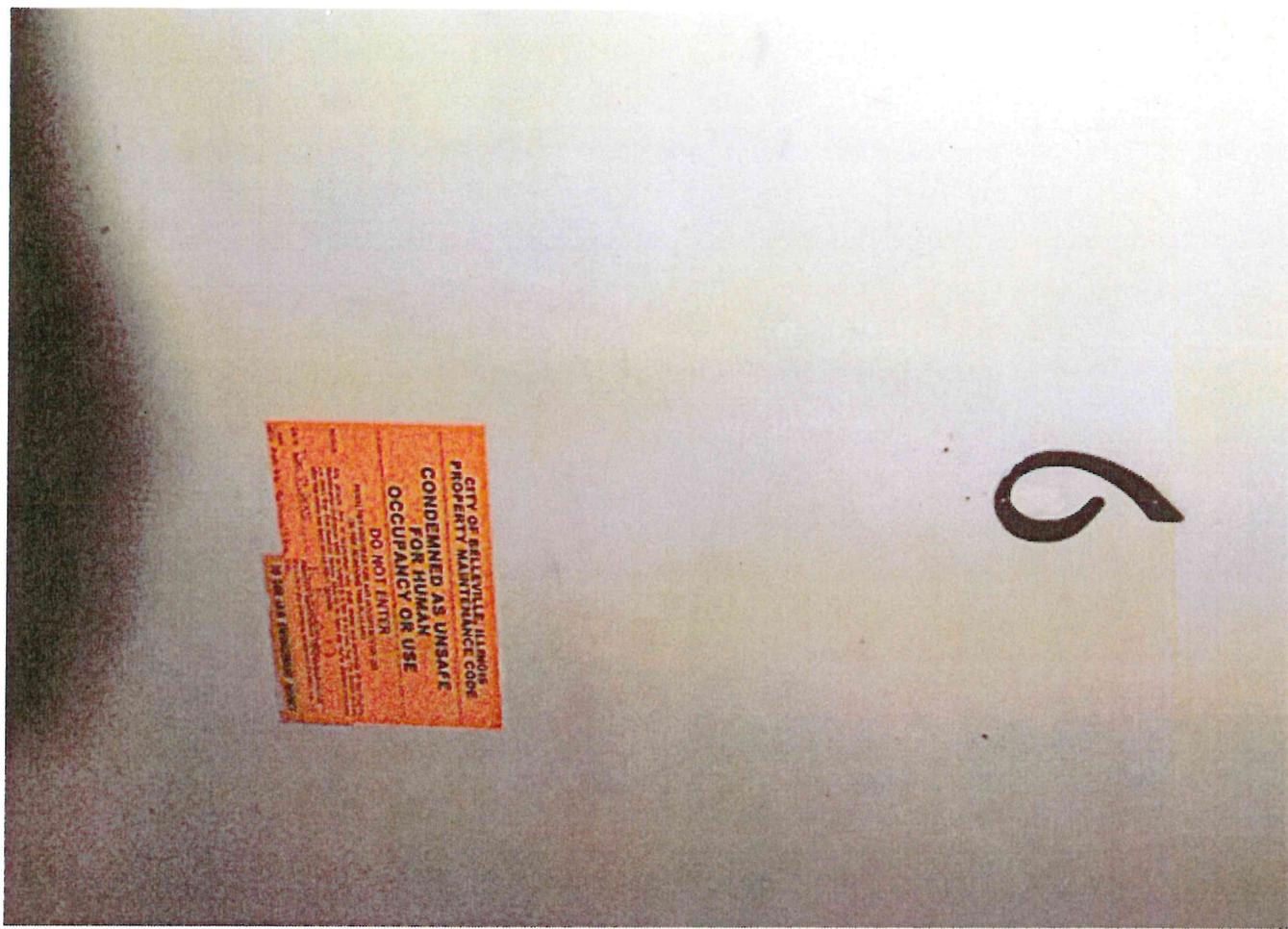
201

Reveries Park 142 Apt. # 6

12/19/15

6

CITY OF BILLEVILLE, MISSOURI
PROPERTY MAINTENANCE CODE
**CONDEMNED AS UNSAFE
FOR HUMAN
OCCUPANCY OR USE**
DO NOT ENTER



201 Debbie Park Rd Cape G 12/19/75



STEWART-WARNER CORPORATION

HEATING & AIR CONDITIONING DIVISION
LEBANON, INDIANA



MODEL	MBV 2400N	SERIES B
INPUT B.T.U./HR.	80,000	SERIAL NO. 6218
BONNET CAP. B.T.U./HR.	64,000	TYPE GAS NAT

115 V. - 60 CY. A. C. - OVERALL RATING 12 AMPS. OR LESS
APPROVED AS FORCED AIR FURNACE AT .12 STATIC PRESSURE AND 70° - 105° AIR TEMPERATURE RISE.
U.S. PATENT NO. 2923287 - CANADIAN PATENT NO. 624610

TO LIGHT THE FURNACE
Natural, Mixed or Liquefied Petroleum Gas:

1. **Caution:** Before lighting pilot, make sure that both the manual shutoff valve and the pilot cock have been closed for at least 5 minutes to purge any gas from the heating plant. Having electricity to burner turned off or thermostat adjusted to lowest setting is an additional safety precaution.
2. Turn shutoff valve to pilot position. Put lighted match in lighter rod and insert through opening around burner to pilot burner located on left hand side of burner head. Depress knob and hold it depressed until pilot stays lighted.
3. Open shutoff valve to "on" position. If electricity is on and thermostat is set above room temperature, the main burner should light.

TO TURN OFF FURNACE
Close manual shutoff valve or valves for both natural and L.P. gases on combination burners and pilot if separate from main manual valve and switch off electricity.

UPFLOW INSTALLATION INSTRUCTIONS
Approved for installation at reduced clearances on combustible flooring with the following clearances from combustible construction:

	ALCOVE	CLOSET
TOP	1	1
SIDES & REAR	0	1
FLUE	6	1*
FRONT	ALCOVE	6

* When an upflow furnace is installed in a closet a type "B" vent must be used.
Closet installations must have two ventilating openings, 7 x 14 in., one 6 in. from the ceiling and one 6 in. from the floor.

201 Bellevue Park Rd

12-19-15



Belleville Police Department

101 South Illinois St.

Belleville, IL 62220

Dispatch 618-234-1212 Fax 618-234-7133

Please have this number available when inquiring.

Call Card # 15-09026

NRN ROF Officer Lowell #183

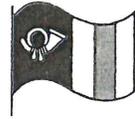
PERMIT REQUIRED

000 2500-000

HOUSING OFFICE

TECHNICAL ADVISOR REPORT

DEPARTMENT OF SANITATION,
HOUSING AND HEALTH,
BUILDING AND ZONING



CITY OF BELLEVILLE

407 E. LINCOLN ST.
BELLEVILLE, ILLINOIS 62220

(618) 233-6817
Fax: (618) 233-8152



DATE OF INSPECTION: Dec. 19, 2015

REGARDING: 201 Bellevue Park Pce
Apt. #7

FROM OFFICE OF MECHANICAL INSPECTOR

BFD

PERMIT IS IS NOT REQUIRED TO CORRECT THE FOLLOWING DEFICIENCIES WHICH WERE FOUND:

High level of C.O. in the apartment 27 PPM detected.

A reading of 1.4 LEL also was detected. Checks for gas leaks.

Have flues, furnace + water heater inspected by a HVAC

contractor bonded with the city. If any equipment is

to be replaced a permit will be required.

Gas service to this apartment has been shut off +
pinned by Ameren.

SIGNED: Ken Bassler

DATE: Dec 19, 2015

7

World Wide Wireless
Cell Phones & Accessories

**NO CONVENIENCE FEE
15% OFF ANY PURCHASE
WE PAY PHONES BILLS**



Authorized Dealer

boost **metro PCS** **NET10**

SIMPLE **familymobile**

6 Lebanon Ave. Belleville, IL 62221
618-418-1102
Wirelessworldwide@gmail.com

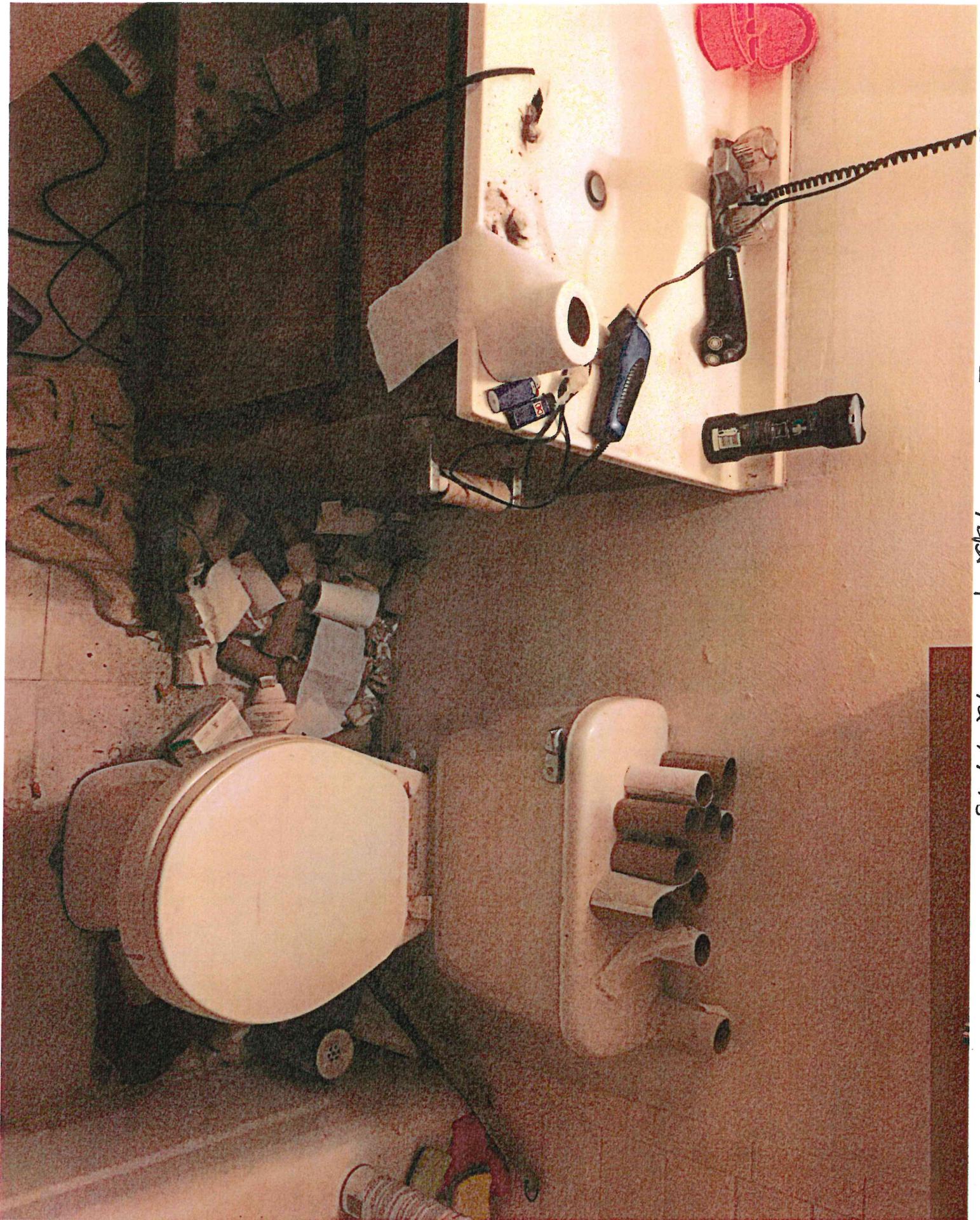
**CITY OF BELLEVILLE, ILLINOIS
PROPERTY MAINTENANCE CODE**

**CONDEMNED AS UNSAFE
FOR HUMAN
OCCUPANCY OR USE**

DO NOT ENTER

PROPERTY MAINTENANCE CODE FOR ALL BELLEVILLE CITY OWNERS
NOTICE: ANY PERSON, FIRM OR CORPORATION, WHO HAS BEEN ORDERED TO STOP WORK ON A PROPERTY
MAINTENANCE CODE VIOLATION SHALL BE SUBJECT TO THE PENALTY OF A FINE OF \$500 PER DAY
UNLESS SUCH PERSON, FIRM OR CORPORATION, SHALL COMPLY WITH THE ORDER OF STOP WORK
WITHIN THE TIME FRAME SPECIFIED IN THE ORDER.

201
Belleville
1002
100
4pt 1,
12/19/15

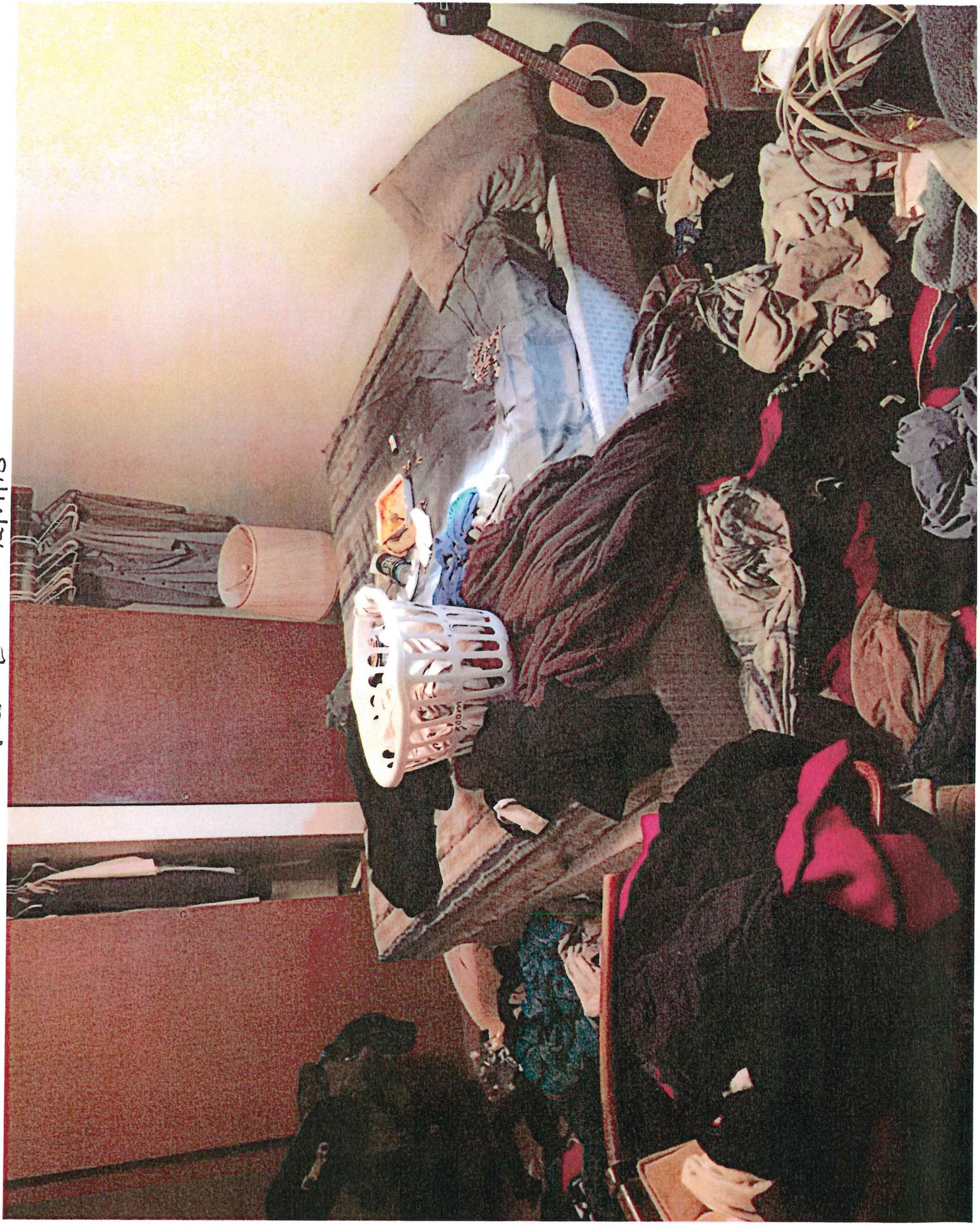


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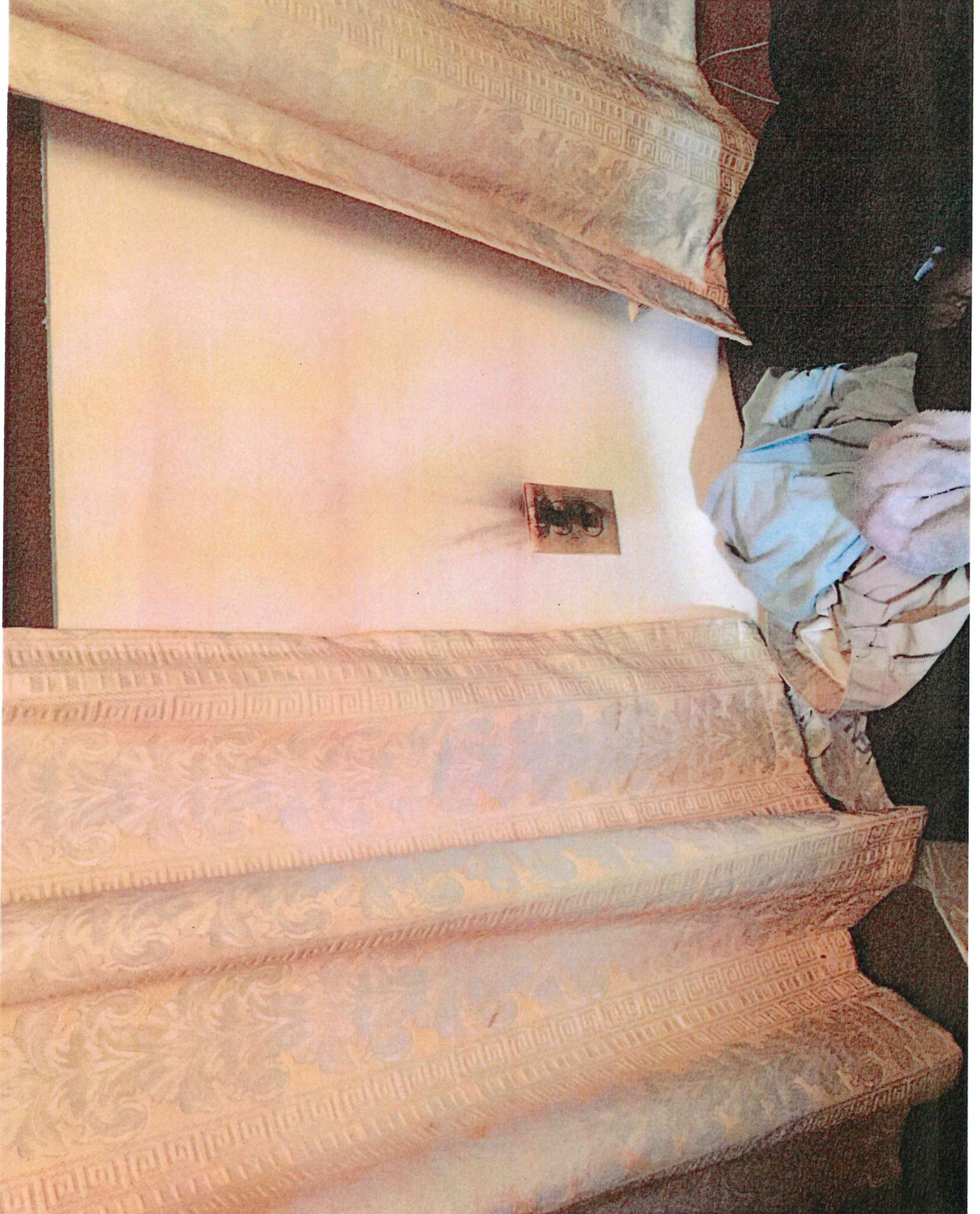
1/2 - 1/2 - 1/2

1/2 - 1/2 - 1/2

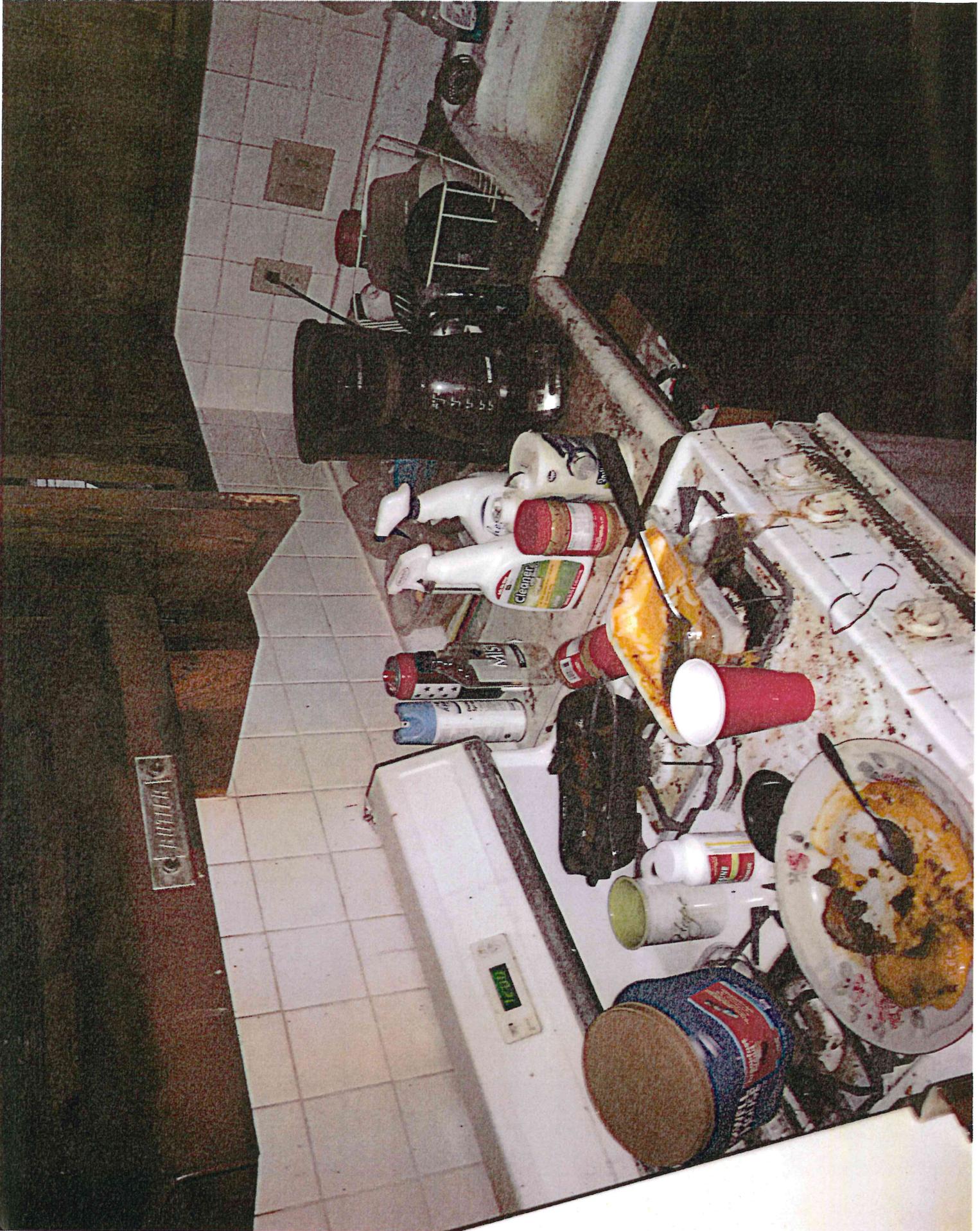
201 Bessemer Park 100 Apt. 7 12/19/15



201 D. Serrano Parks Res Apt 7 12/19/15



201 Delevone Paula Rd April 7 12-19-15



201 Debraue Park 122 Apt '1' 12-19-15



201 Bellevue Park Rd Apt. '1 12-19-15





201 Beeswax Park Rd 12-19-15

Belleville Police Department

101 South Illinois St.

Belleville, IL 62220

Dispatch 618-234-1212 Fax 618-234-7133

Please have this number available when inquiring.

Call Card # 15-09026

NRN ROF Officer Lowell #183

60-7-5 HOME OCCUPATIONS.

(A) **Intent and Purpose.** The conduct of certain types of business activity in residential units may be permitted under provisions of this Section. It is therefore, the intent of this Section to:

- (1) Ensure the compatibility of home occupations with other uses permitted in the residential districts;
- (2) Maintain and preserve the character of residential neighborhoods; and
- (3) Promote the efficient use of public services and facilities by assuring these services are provided to the residential population for which they were planned and constructed, rather than commercial uses.

(B) **Definition.** A "home occupation" means an accessory use of a dwelling unit for gainful employment which is:

- (1) clearly incidental and subordinate to the use of the dwelling unit as a residence;
- (2) carried on solely within the main dwelling and does not alter or change the exterior character or appearances of the dwelling;
- (3) located in a residential zoned district;
- (4) is conducted clearly as a secondary use of the premises with no exterior evidence of a business being conducted from the premises; and
- (5) is conducted solely by the occupants of the dwelling unit.

(C) **Permitted Home Occupations.** The following uses shall generally be considered as allowable home occupations provided the requirements as set forth are in compliance:

- (1) Dressmakers, seamstresses, tailors.
- (2) Teachers/tutoring provided that instructions shall be limited to **five (5) students** at a time.
- (3) Artists, sculptors, authors and composers.
- (4) Home crafts for sale off premises.
- (5) Office facilities for architects, engineers, lawyers, realtors, insurance agents, brokers and members of similar professions.
- (6) Office facility for a salesman, sales representative, or manufacturer's representative provided that no transactions are made in person on the premises.
- (7) Telephone solicitation and answering service.
- (8) Computer programming, typing and word processing services.
- (9) Radio, television, phonograph and small appliance repair.
- (10) Day care for up to **three (3)** children.

- a. Does the applicant reside at the residence?
- b. DCFS approval for business to operate at location.
- c. Site Plan to include parking and fencing lay outs.
- d. State licensing showing total number of children allowed per DCFS requirements.

- e. Residents of property; criminal background checks completed.
- f. Employees of business; criminal background checks completed.
- g. Hours of operation.
- h. Prior experience with references.
- i. Does applicant have a teaching degree in early childhood?
- j. Provide the City with a liability certificate of insurance showing proof of 1,000,000 limits. In addition, a professional liability endorsement showing proof of child abuse and child molestation coverage must be included.
- k. Burglar alarm coverage maintained and name of carrier.

- (11) Mail order business provided no merchandise shall be displayed on the premises.

(D) **Prohibited Home Occupations.** The following uses shall be generally prohibited as home occupations.

- (1) Barber shops and beauty parlors.
- (2) Animal hospitals and veterinary uses (including care, grooming, or boarding).
- (3) Funeral homes and mortuaries.
- (4) Restaurants and cafes.
- (5) Stables or kennels.
- (6) Vehicle repair or maintenance for other than the personal convenience of and any vehicles owned or leased by the occupants.
- (7) Antique stores and furniture sales.
- (8) General contracting, carpentry, masonry, plumbing, painting or other related work.
- (9) Medical or dental office and laboratory.
- (10) Retail sales of any type directly from the premises.

Those uses that are generally considered as prohibited as Home Occupations may be permitted only as a variance authorized in accordance with provisions of **Section 60-3-7** of this Code.

(E) **General Provisions/Performance Criteria.** Any business use within a dwelling unit in a residential zoned district shall be permitted by right provided the following criteria are fully complied with:

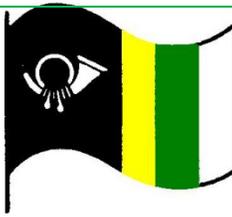
- (1) The use shall be conducted entirely within a dwelling and shall be clearly incidental to the use of the structure as a dwelling.
- (2) The home occupation is to be conducted only by members of the immediate family residing in the dwelling unit, and no others may be employed.
- (3) There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling or accessory building on the premises.

- (4) There shall be no display of products visible in any manner from outside of the dwelling unit.
- (5) There shall be no change in the outside appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation.
- (6) The total area used for a home occupation shall not exceed **twenty-five percent (25%)** of the gross floor area of the dwelling or **three hundred (300) square feet** whichever is less.
- (7) A home occupation shall not create greater vehicle or pedestrian traffic than normal for the district in which it is located.
- (8) A home occupation shall have adequate parking spaces available to compensate for additional parking needs generated.
- (9) No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, or odor detectable to the normal senses off the property.
- (10) There shall be no advertising, display, or other indications of a home occupation on the premises besides one flush-mounted sign, not over **two (2) square feet** in area. The sign may only show the name of occupant and type of occupation. The sign shall not be illuminated.
- (11) There shall not be conducted on the premises the business of selling stocks of merchandise, supplied, or products, provided that orders previously made by telephone or at a sales party may be filled on the premises. That is, direct sales of products off display shelves or racks is not allowed, but a person may pick up an order placed earlier as described above.

(F) **Application Requirements.** An application for a home occupation permit shall be made to the Building and Zoning Office on forms provided by the department which shall be completed and accompanied by appropriate fee as established by resolution of the City Council. The department will render a decision and notify the applicant in writing within **fifteen (15)** calendar days of the date the application was received. In cases where the department considers the application not within the scope of the home occupation criteria, the application shall be denied.

(G) **Appeals.** The decision of the department concerning approval or revocation shall be final unless a written appeal is filed with the Zoning Board of Appeals in accordance with provisions of Division II of the Zoning Code.

(H) **Inspections.** Home occupation applicants shall permit a reasonable inspection of the premises by the department to determine compliance with this Chapter. Any home occupation that is found to be in non-compliance with provisions of this Code shall be advised and permit be revoked. **(Ord. No. 5326; 10-03-94)**



ECONOMIC DEVELOPMENT, PLANNING AND ZONING DEPARTMENT MEMORANDUM

Date: December 4, 2015
To: Ordinance Review Committee
From: Annissa McCaskill, Economic Development, Planning and Zoning
Director
Subject: Certificate of Business Occupancy Process

In 2008, the City of Belleville adopted Ordinance 7127 which amended Chapter 7 (Business Licenses) to require Certificates of Business Occupancy. The Economic Development, Planning and Zoning Department is responsible for issuance of these certificates, following inspections by the Housing and Building Department and the Fire Department. Article XXV of Chapter 7 requires, among other things:

- There can be no occupancy or permission to occupy or use any property for the "purpose of operating a business on said premises until a Permit for Occupancy for business has been issued..."
- Payment of a \$100 fee for each request for a Certificate of Occupancy
- Satisfaction by the City that the premises and its occupancy are in compliance with all applicable laws and ordinances.

There are several businesses within the City of Belleville for which Certificates of Occupancy have not been issued. Staff has found that in several instances, tenants had not been advised by their landlords of the requirement. In others, there have been changes in ownership where outstanding issues barring permanent Certificates of Occupancy had not been shared with new ownership. Therefore the Housing and Building, Fire and Economic Development Departments have reviewed our processes and created these new materials to better educate and expedite the Occupancy Process.

The following items are attached for the Committee's discussion:

1. A new Certificate of Occupancy Application, which highlights occupancy requirements and includes an expiration for application if not satisfied within sixty (60) days.
2. A new brochure to better educate commercial property owners and prospective business owners.
3. A letter to be sent to business that are open without a Certificate of Occupancy.
4. The updated Compliance Agreement to be used should a business need additional time for completion of the process.

This box for Staff Use Only

Building Address: _____ Suite #: _____ Permit #: _____

CERTIFICATE OF COMMERCIAL OCCUPANCY APPLICATION

~ PAGE 2 ~

SITE INFORMATION

Building owner name:

Phone #:

Mailing address:

City, State, Zip:

Email:

Will you be making structural interior or exterior changes to the site? Yes No If so, list the changes: _____

Additional plumbing fixtures added? Yes No If so, list the changes: _____

Have you applied for building permits? Yes No If so, when: _____

Square footage of space to be occupied by applicant: _____ SQ Number of parking spaces available to applicant _____

A Site Plan is required when submitting an application of Commercial Occupancy. Reference the attached example.

As APPLICANT for a Certificate of Commercial Occupancy and/or Business License, I certify under penalty of perjury that this form has been completed to the best of my knowledge. I understand that completion of this form does not exempt me from the City Codes in any way and that I must comply with all codes, ordinances, and regulations of the City of Belleville, Illinois.

I, _____, (Printed name of applicant) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

Applicant signature

Date:

As BUILDING OWNER of the subject property, I certify that this form has been completed to the best of my knowledge. I understand that completion of this form does not exempt me from the City Codes in any way and that I must comply with all codes, ordinances, and regulations of the City of Belleville, Illinois.

I, _____, (Printed name of building owner) certify under penalty of perjury that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate. I am authorized to and do consent to entry onto the premises by City of Belleville employees for inspections of the premises.

Building owner signature

Date:

This application is NOT a permit and the premises shall not be occupied until all required inspections are made and all discrepancies (if any) are corrected. Application fee is non refundable. This application will expire in 60 days from date of submittal.

This box for Staff Use Only

Building Address: _____ Suite #: _____ Permit #:

This page MUST be submitted with pages 1 and 2 of the Commercial Occupancy application.

CERTIFICATE OF COMMERCIAL OCCUPANCY APPLICATION

~ PAGE 3 ~

ECONOMIC DEVELOPMENT, PLANNING & ZONING DEPARTMENT:

_____ Approved _____ Denied If denied, the reason: _____

Zoning District: _____ Ward: _____ Area of Special Control: Yes No

Historical District: Yes No TIF District: _____ Enterprise Zone: Yes No

Notes: _____

Staff approved: _____ Date: _____

WASTE WATER DEPARTMENT:

_____ Approved _____ Denied If denied, the reason: _____

Additional Tap Fee \$ _____

Staff approved: _____ Date: _____

FIRE DEPARTMENT:

_____ Approved _____ Denied If denied, the reason: _____

Notes: _____

Staff approved: _____ Date: _____

BUILDING DEPARTMENT: (Electrical, Plumbing, Mechanical)

_____ Approved _____ Denied If denied, the reason: _____

Notes: _____

Staff approved: _____ Date: _____

TREASURER'S DEPARTMENT:

_____ Approved _____ Denied If denied, the reason: _____

Notes: _____

Staff approved: _____ Date: _____

MAYOR'S OFFICE:

_____ Approved _____ Denied If denied, the reason: _____

Notes: _____

Staff approved: _____ Date: _____

ALL DEPARTMENTS LISTED MUST SUBMIT APPROVAL/DENIAL TO THE ECONOMIC DEVELOPMENT, PLANNING & ZONING OFFICE.

Contact Kari Tutza – Email: ktutza@belleville.net

Fax: 618-355-4209

Phone: 618-233-6810 Ext. 1250



City of Belleville
 Economic Development,
 Planning & Zoning Department
 101 South Illinois Street
 Belleville, Illinois 62220
 (618) 233-6810 Ext. 1250 Fax: (618) 355-4209
 Email: edpz@belleville.net
 Website: www.belleville.net

CERTIFIED MAIL & REGULAR MAIL

<INSERT DATE>

Case #: <INSERT NUMBER>

<TENANT NAME>	<PROPERTY OWNER>
<TENANT COMPANY>	<OWNER COMPANY>
<TENANT ADDRESS>	<OWNER ADDRESS>
<TCITY>,<TSTATE> <TZIPCODE>	<OCITY>,<OSTATE> <OZIPCODE>

RE: Commercial Occupancy Permit – **NOTICE OF VIOLATION <INSERT ADDRESS>**

Dear <TENANT NAME> and <PROPERTY OWNER>:

The City of Belleville requires each and every business to obtain a Commercial Occupancy Permit before opening, including instances of change of ownership for existing businesses, expansion of business or relocation within City Limits. Section 7-25-1 of the City of Belleville Code, as shown below, describes this requirement.

7-25-1 OCCUPANCY PERMIT REQUIRED. It shall be unlawful for any person, owner or agent thereof to occupy or use, or to permit the occupancy or use of any property for the purpose of operating a business on said premises until a Permit of Occupancy for a business has been issued by the Economic Development, Planning and Zoning Department. The certificate so issued shall state the occupancy complies with all of the ordinances and regulations which may be in force at time of issuing occupancy or which may be passed or made while the occupancy is in force.

Our records show that to date, no Commercial Occupancy Permit has been issued for the above-referenced address. I have enclosed a Commercial Occupancy application and along with other applications that may assist you in the process of obtaining the required permit. The documents should be completed and returned, with any required fees, to the Economic Development, Planning and Zoning Department. Failure to complete the Commercial Occupancy Permit process, including inspections, within thirty (30) days may result in closure of your business, daily fines and other penalties

Thank you for your cooperation and for choosing to locate your business in Belleville! Our businesses are an integral part of what makes this City great and we look forward to a continued partnership. If you have any questions about the process, please contact our office at (618) 233-6810 x1250.

Sincerely,
 Annessa G. McCaskill, Director
 Economic Development, Planning & Zoning Department

