

ORDINANCE NO. 2010-01

AN ORDINANCE AMENDING SECTION 7.02 OF APPENDIX A TO THE MUNICIPAL CODE, VILLAGE OF STICKNEY, KNOWN AS THE VILLAGE OF STICKNEY ZONING ORIDNANCE -- 1980.

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, A HOME RULE UNIT OF GOVERNMENT AS FOLLOWS:

WHEREAS, the Village of Stickney (the "Village") is a home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village's zoning ordinance permits the operation of certain home occupations within the Village; and

WHEREAS, the Village wishes to clarify the requirements and duties of residents who run businesses out of their residences within the Village; and

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

Section 1. Recitals. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Adoption. Section 7.02, entitled "Permitted Home Occupations" of Appendix A of the Municipal Code, Village of Stickney, Illinois is hereby amended as follows:

Section 7.02. Permitted home occupations.

Home occupations shall be permitted in the single-family district subject to the following restrictions:

(1) Home occupations which involve teaching or other types of instruction shall be limited to four pupils at a time except for occasional group meetings.

(2) Aside from the holder of the business license for the home occupation, no person other than the licensee's family members residing on the premises shall be engaged in such home occupation.

(3) No home occupation shall be conducted in any building that is an accessory to or ancillary to the residence

(4) No home occupation shall allow or provide for any ingress or egress of any business invitees to the residence

(5) The use of the dwelling as a home occupation must be incidental and secondary to the principal residential use of the dwelling unit and must not change the residential character of the dwelling unit or adversely affect the character of the surrounding neighborhood.

(6) No more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

(7) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. There shall be no storage of hazardous or toxic materials. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, including radio water meters or sensors, or causes fluctuations in line voltage off the premises.

(8) The dwelling must comply with all other provisions of this Zoning Ordinance and the Village Code.

(29) Activities which are not permitted as a home occupation as defined in this ordinance shall be considered a business use and are prohibited in any residential district.

(310) The following home occupations are prohibited:

- (a) Wholesale jobbing or retail business which is not conducted entirely by mail and/or telephone, or a sale jobbing or retail business which involves the receipt, sale, shipment, delivery or storage of merchandise on or from premises located in a residential district;**
- (b) Any activity permitted or allowed as a special use solely in an industrial district pursuant to this ordinance;**
- (c) Manufacturing businesses;**
- (d) Repair shops;**
- (e) Clinics or hospitals;**
- (f) Barbershops or beauty parlors;**
- (g) A stable, kennel or animal hospital;**
- (h) Restaurants;**

- (i) An activity which produces noxious matter, or employs or produces flammable matter;
- (j) An activity which employs one or more persons not residing on the premises;
- (k) An activity which involves the use of mechanical equipment other than what is usual or purely domestic, or for hobby purposes;
- (l) Churches or places of religious worship.

(11) Signs for home occupations shall be governed by Section 7.06 of this Zoning Ordinance, with the following exceptions:

(a) A nameplate on a residence wherein a home occupation is based may include the name or names of the business operating therein;

(b) Nameplates with business names must be affixed flat against the wall or door of the residence.

(12) In order to operate a home occupation within the Village, a resident must complete and file an application for a home occupation license with the Village Clerk. Such application shall be granted if the applicant satisfies all requirements under the Village Code for running a home occupation, and if the applicant certifies that the home occupation will be conducted pursuant to all state and local laws and requirements. Application forms shall be available with the Village Clerk.

(13) There shall be no additional fee to operate a home occupation within the Village; however, all fees, obligations, and permit and licensure requirements contained in the Village Code that apply to the operation of a business within the Village shall be applicable to all home occupations within the Village.

(14) No person may operate a home occupation that violates any provision of the Village Code, including Village's Zoning Ordinance, or any State or federal law. Any violation of this Chapter 7 by any home occupation may result in the revocation of any and all licenses granted by the Village to the business operating as the home occupation.

Section 3. Home Rule. This ordinance is enacted under the Home Rule powers of the Village as set forth in the Constitution and laws of the State of Illinois.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication in the manner provided by law.

Section 5. Conflicts. This Ordinance supersedes all ordinances or parts of ordinances directly conflicting with the terms and provisions contained herein, but only to the extent of such conflict.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 7. Certification and Publication. The Village Clerk of the Village of Stickney shall certify to the adoption of this Ordinance and cause the same to be published in pamphlet form.

PASSED AND APPROVED at a regular meeting of the President and the Board of Trustees of the Village of Stickney, Illinois, this 5th day of January 2010.

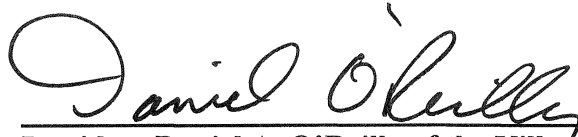
AYES: Trustees Lazansky, Mares, Morelli, Walik, and Zeedyk

NAYS: _____

ABSENT: Schimel


ABSTAIN: _____

APPROVED by me this 6th day of January, 2010.



President Daniel A. O'Reilly of the Village
of Stickney, Cook County, Illinois

ATTESTED, Filed in my office,
and published in pamphlet form
this 6th day of January, 2010.



Audrey McAdams,
Clerk of the Village of Stickney, Cook County, Illinois