

ORDINANCE NO. 2021- 15

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE XIX OF THE MUNICIPAL CODE, VILLAGE OF STICKNEY, ILLINOIS REGARDING REGULATING OUTDOOR STORAGE AREAS.

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of Village residents; and

WHEREAS, the Corporate Authorities have determined that Chapter 22, Article XIX of the Municipal Code, Village of Stickney (the "Village Code") regarding outdoor storage needs to be amended to allow for certain reasonable storage and storage standards and to balance the needs and concerns of the residents in the area; and

WHEREAS, the Corporate Authorities desire to exercise their home rule authority in implementing the regulations contemplated herein; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the Village and its residents to amend Chapter 22, Article XIX of the Village Code regarding regulating outdoor storage areas, as set forth below;

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

**ARTICLE I.
IN GENERAL**

SECTION 1. INCORPORATION CLAUSE.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

SECTION 2. PURPOSE.

The purpose of this Ordinance is to amend Chapter 22, Article XIX of the Village Code related to outdoor storage areas and to authorize the President or his designee to take all action necessary to carry out the intent of this Ordinance.

ARTICLE II.
AMENDMENT OF CHAPTER 22, ARTICLE XIX OF THE MUNICIPAL CODE, VILLAGE OF
STICKNEY, ILLINOIS

SECTION 3.0. AMENDMENT OF CHAPTER 22, ARTICLE XIX.

That the Village Code is hereby amended, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, by amending Chapter 22, Article XIX as follows:

ARTICLE XIX. OUTDOOR STORAGE AREAS

Sec. 22-701. License required.

It shall be unlawful for any person to operate, conduct or maintain an outdoor storage area in the village without having first obtained a license therefor. The term "outdoor storage area" shall mean and be construed to mean an area of open land on which may be stored materials, such as but not limited to, goods, equipment, vehicles, trailers, containers and other items.

Sec. 22-702. Applications.

Applications for such licenses shall describe the types and quantities of all items expected to be accommodated in the outdoor storage area. Applications shall be in writing and shall be referred to the president and board of trustees.

Sec. 22-703. Height and location limitations.

No materials, as described above, shall be located in an outdoor storage area which exceed the height of 50 feet. In addition, no such materials shall exceed the height of 12 feet in any area that is located within 600 feet of a residential zoning district and further, no such materials shall exceed a height of 8 feet in any area that is located within 300 feet of a residential zoning district. If there is any other applicable village, state or federal height limitation more restrictive than those set forth in this section, the more restrictive limitation shall apply.

Sec. 22-704. Fire safety standards.

Every outdoor storage area shall be equipped with adequate fire extinguishing facilities and shall comply with all other ordinances of the village relative thereto.

Sec. 22-705. Premises.

Premises used as an outdoor storage area shall be kept in a clean and sanitary condition. Any premises over 1,000 square feet shall be required to maintain a permanent structure on-site constructed in compliance with the Village Code and all adopted building code or other related codes. The permanent structure, or building, shall include any permanently anchored structure built for the shelter or enclosure of persons, animals, property, or substance of any kind, excluding fences. The permanent

structure shall also have at least one accessible bathroom as defined by the Americans with Disabilities Act and any other applicable federal or state laws.

All materials or equipment weighing over 1 ton, or 2,000 pounds shall be kept on ground or lots made of a constructed surface, including paved, asphalt, concrete surfaces, and other hard impermeable surfaces, and shall not include any soft ground, including compressed gravel or road grindings or as otherwise required by applicable building codes or other village ordinances.

If any improvements are done on the property that may impact water run-off, drainage or flooding, including but not limited to the installation of any constructed surface or the erection of any permanent structure, the owner or operator of the outdoor storage area shall secure a permit from the Metropolitan Water Reclamation District of Greater Chicago.

Sec. 22-706. Fees.

The annual fee for such license shall be \$500.00 per year, plus \$0.04 for each square foot of land licensed for outdoor storage in excess of 10,000 square feet. The total annual license fee, however, shall not exceed \$20,000 ~~\$10,500.00~~.

Sec. 22-707. Penalty.

Any person who violates any provision of this article shall be subject to punishment as provided in section 1-9 of this Code. In addition to assessing such penalties, a court of competent jurisdiction shall have the authority to enjoin the party to cease violations under this article and to take such actions as are necessary to correct any violation of this article of which he is guilty and to remedy the effects of any such violation.

Sec. 22-708. Variances.

Any party wanting to operate an outdoor storage area may seek a variance upon denial of their permit request from the Village's Zoning Board of Appeals.

Sec. 22-709. Municipal Exemption.

The requirements of this article shall not apply to municipal buildings, equipment, or municipal park structures.

Secs. 22-708~~10~~—22-740. Reserved.

SECTION 3.1. OTHER ACTIONS AUTHORIZED.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance, and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms or notices to be utilized in connection with the intent of this Ordinance.

**ARTICLE III.
HEADINGS, SAVINGS CLAUSES, PUBLICATION,
EFFECTIVE DATE**

SECTION 4. HEADINGS.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER.

All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall be effective ten (10) days after its passage.

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PASSED this 6th day of July, 2021.

AYES: Trustees Hrejsa, Kapolnek, Savopoulos & White

NAYS: None

ABSENT: Trustees Milenkovic and Torres

ABSTENTION: None

APPROVED by me this 6th day of July, 2021.

Jeff Walik, President

ATTESTED AND FILED in my
office this 7th day of July, 2021.

Audrey McAdams, Village Clerk