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CHAPTER 8 -- ZONING

Article I - Definitions

Sec. 8.101 General Definitions: For the purpose of this Chapter, terms and words used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The singular number includes the plural.

The word "person" includes a corporation as well as an individual.

The word "building" shall include the word structure.

The word "shall" is always mandatory and not directional.

1. Accessory Building: A building whose use is clearly incidental to that of the main building on the same lot.
2. Alley: A public or private thoroughfare which affords only a secondary means of access to the property.
3. Apartment: A room or suite of rooms in a multiple or two-family dwelling, or where more than one unit is established above non-residential uses, intended or designed for use as a residence by a single family.
4. Apartment House: See Dwelling, Multiple.
5. Basement: A story having more than one-half (1/2) of its height below grade. A basement shall not be counted as a story for the purpose of height regulation.
6. Boarding House: A building other than a hotel where, for compensation, meals, and lodging, are provided for three (3) but not more than twelve (12) persons.
7. Building: Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property.
8. Building, Front Line: The line of the portion of the building nearest the front line of the lot.
9. Building, Height of: The vertical distance from the grade to the highest point.
10. Business: To engage in the purchase, sale, or exchange of goods, or services; and the maintenance or operation of offices.
11. Coverage: That percentage of the plot or lot area covered by the building.

12. District: A section or sections of the Village for which the regulations governing the use of buildings and premises, the height of buildings, the size of yards, and density of use are uniform.

13. Dwellings: Any building or portion thereof, but not a trailer, which is designed and used exclusively for residential purposes.

14. Dwelling District: Every district specified in this Chapter, except the "B" Business & Commercial District, "I" Industrial District, and "A" Agricultural District is designated as a Dwelling District.

15. Dwelling, Single-Family: A building designed for or occupied by one family.

16. Dwelling, Two-Family: A building designed for or occupied by two families.

17. Dwelling, Multiple: A building designed for or occupied by more than two families.

18. Family: One or more persons occupying a premises and living as a single housekeeping unit, whether related to each other by birth, adoption or marriage, but no unrelated group shall consist of more than three (3) persons, as distinguished from a group occupying a boarding house or hotel, as herein defined.

19. Farm: An area which is used for the growing of farm products such as vegetables, fruit, trees, and grain, and their storage on the area, as well as for raising farm animals for the use or consumption of the person or persons operating the farm.

20. Frontage: All property on one side of a street between two intersecting streets, crossing or terminating.

21. Garage: A building designed or used to house vehicles and used for storage.

22. Gas Station/Convenience Store: Any building or premises used for the dispensing, sale, or offering for sale at retail of any automobile fuels, oils, and other convenience items.

23. Grade: An imaginary plane representing the ground elevation at a structure. Grade shall be determined by the average ground elevation of the perimeter around the structure.

24. Home Occupation: Any occupation or profession carried on by a member of the immediate family, residing on the premises, in connection with which there is a sign other than a name plate not more than one (1) square foot in area, except as provided in Articles 3 and 4, or no display that will indicate from the exterior that the building is being

utilized in whole or in part for any purpose other than that of a dwelling.

25. Hotel/Motel: A building in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contrast to a boarding house.

26. Institution: A building occupied by a non-profit corporation or organization for public use.

27. Lots: A parcel of land occupied or intended for occupancy permitted in this Chapter, the open spaces and parking spaces required by this Chapter, and having its principal frontage upon a street or private drive.

28. Lot, Corner: A lot abutting upon two (2) or more streets at their intersection.

29. Lot, Depth of: The mean distance between the front and rear lot lines.

30. Lot, Through: A lot having a frontage on two (2) non-intersecting streets.

31. Lot of Record: A lot which is a part of a subdivision, the map of which has been recorded in the office of the recorder of deeds, or a parcel of land, the deed to which was recorded in the office of the recorder of deeds.

32. Manufactured Home: A structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained. This definition shall include housing units otherwise referred to as house trailers, trailer coaches or mobile homes.

33. Manufacturing or Industry: Any use in which the major activity is the treatment, processing, rebuilding, repairing or wholesale storage of material, products or items, and where the finished product is not acquired by the ultimate user on the premises, as distinguished from a retail use where the treatment, processing, repairing or storage is secondary to the sale, exchange or repairing of materials or products on the premises.

34. Modular Dwelling: A building assembly or system of building subassemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, plumbing, heating, ventilating and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation on the building site with a permanent foundation.

35. Non-Conforming Use: Any building or land lawfully occupied by the use at the time of passage of the original Zoning Chapter or any amendment thereto, which does

not conform after the passage of the Zoning Chapter or amendment thereto with the use regulations of the district in which it is located.

36. **Parking Space:** A durable surfaced area, enclosed in the main building, in an accessory building, or unenclosed, and if the space is unenclosed comprising an area of not less than one hundred forty (140) square feet, exclusive of a durable surfaced driveway connecting the parking space with a street or alley and permitting satisfactory ingress and egress of an automobile.

37. **Service Establishments:** Shops wherein the major activities are the repair and maintenance of any property.

38. **Stable:** A building accommodating one (1) or more animals.

39. **Street:** All property dedicated or intended for public street, highway, or roadway purposes or subject to easements.

40. **Story:** That portion of a building, other than a basement included between the surface of any floor and the surface of the floor above it, or if there is no floor above it, then the space between the floor and the ceiling.

41. **Street Line:** A dividing line between a lot, tract or parcel of land and a contiguous street.

42. **Structure:** Anything constructed or erected, use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including, advertising signs, billboards and back stops.

43. **Structural Alterations:** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

44. **Tourist or Trailer Camp:** An area designed or intended to be used as temporary living facilities for two (2) or more families, and intended primarily for automobile transients or providing spaces where two (2) or more tents or auto-trailers can be parked.

45. **Yard:** An open space on the same lot with a building, occupied and unobstructed by any portion of a structure. In measuring a yard for the purpose of determining the width of a side yard, or the depth of a rear yard, the distance between the lot line and main building shall be used; including overhangs and porches or decks.

46. **Yard, Front:** A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the front line of the main building.

47. Yard, Rear: A yard extending across the rear of a lot, measured between the side lot lines, and being the distance between the rear lot line and the main building; including overhangs, porches or decks.

48. Yard, Side: A yard extending from the front lot line to the rear lot line and measured between the main building and side lot line; including overhangs, porches or decks.

Article II - Districts and Boundaries

Sec. 8.201 Classification: In order to classify, regulate and restrict the locations of trades, industries, and the location of buildings designed for specific uses, to regulate and limit the height and bulk of building hereafter erected or structurally altered, to regulate and determine the density of use of the lot areas, and to regulate and determine the areas of yards, courts and other open spaces within and surrounding such buildings. The Village is hereby divided into districts, of which there are seven (7) in number, known as:

A	Agricultural District
R - I	Residential District (one family residential)
R - II	Residential District (two family residential)
R - III	Residential District (multi-family residential)
R - IV	Recreational District
B	Business & Commercial District
I	Industrial District

Sec. 8.202 Uncertainty: Where uncertainty may exist with respect to the boundaries of the various districts as shown on the zoning map and made a part of this Ordinance, the following rules apply:

(a) The district boundaries are either streets or alleys unless otherwise shown.

(b) Where district boundaries are not otherwise indicated, and where the property has been or may be divided into blocks and lots, the district boundaries shall be construed to be the lot lines.

(c) In unsubdivided property the district boundary lines shall be determined by use of the scale appearing on the map.

(d) The zoning map and all notations, references and other information shown are a part of this ordinance and have the same force and effect as if the Zoning Map and all the notation references and other information shown were all fully set forth or described.

Sec. 8.203 Annexed Territory: (Ord. 04-10; 5/20/04)

Voluntary Annexation Process

Persons seeking to commence the process of voluntary annexation should promptly consult an attorney with experience in this field. State law requires that certain steps are

taken, the failure of which can void annexation. While the steps outlined below are based upon such law in existence as of the date of this ordinance, additional steps may later be required. Moreover, the following is not a complete description of each step. Persons seeking annexation are responsible for compliance not only with this ordinance, but the state law as well.

The party wishing to annex to the Village of Goodfield must file a petition and an annexation plat with the Planning and Zoning Committee Chairman.

1. The petition must be prepared by legal counsel or by the Village Attorney. In addition, the petition must contain the following:
 - a) It must be signed by 100% of the owners in the territory sought to be annexed.
 - b) If such territory has electors, it must be signed by 51% of such electors. An elector is anyone who is registered to vote.
 - c) It must allege that the territory sought to be annexed is contiguous with the existing boundaries of the municipality.
 - d) It must allege that the territory is not within the corporate limits of any municipality.
 - e) The petition must be under oath.
2. Annexation Plat must include:
 - a) Legal description of the property to be annexed
 - b) Show the property's proximity to the Village boundaries
 - c) Include a statement of the names of all owners of the property to be annexed
 - d) Surveyor's certificate
3. In addition to filing a petition with the Planning and Zoning Committee Chairman, the petition must be filed with the municipal clerk.
4. Property to be annexed includes every highway within the territory sought to be annexed and the boundary proposed for the new annexation must extend to the far side of any adjacent highway. The party filing the petition must determine if any highway is under the jurisdiction any township and shall so state in the petition.

Pre-Annexation Agreements

In the event the party annexing to the Village of Goodfield has certain requests or provisions associated with the property to be annexed, those requirements or provisions must be itemized in writing at the time the petition to annex and the plat are presented to the Chairman of the Planning and Zoning Committee.

1. The maximum time period for the Pre-Annexation Agreement is generally not for more than 20 years
2. The Village Board may also have provisions for the property to be annexed
3. Any proposed annexation agreement is subject to a public hearing after due notice as described below.

The Planning and Zoning Committee Chairman shall review the annexation petition and the associated plat with the Planning and Zoning Committee, and with the Village Attorney and Village Engineer as required.

1. Utility requirements, property access, zoning requirements, intended property use and other requirements shall be discussed by the committee

2. A recommendation in favor of annexation or against annexation shall be made by the Planning and Zoning Committee to the Village Board

The Planning and Zoning Committee shall hold a Public Hearing to afford persons interested an opportunity to be heard. Notice of the Public Hearing shall be published at least once, not more than 30 nor less than 15 days before hearing, in one or more newspapers published in the municipality, or, if no newspaper is published therein, then in one or more newspapers published in the county in which the municipality is located and having a general circulation within the municipality. The notice shall state:

1. the time and place of the hearing
2. the place where copies of the proposed ordinance will be accessible for examination by interested persons.

Counsel for the party wishing to annex shall be responsible for the giving of all notices required by state law within the time frame required by state law, currently ten days before Village action. Such notices shall include:

1. Notice to any Fire Protection District or Public Library District of which the land proposed to be annexed is a part.
2. Notice to any Township Commissioner of Highways and the Board of Town Trustees if any highway is under the jurisdiction of any township.

Counsel for the party wishing to annex shall also be responsible for proof of service regarding such notices and that such notices were sent by registered or certified mail. Copies of proof of service shall be supplied to the clerk of the Village. In addition, counsel shall file the required affidavits of service of notice with the recorder for the county in which the land is situated. Proof of such filing shall be delivered to the Village clerk.

Counsel for the party wishing to annex, or the Village Attorney will provide an Annexation Ordinance to the Village Board.

1. The Village Board will consider the recommendation of the Planning and Zoning Committee and approve or deny the Annexation Ordinance
2. If the Annexation Ordinance is approved, the party annexing to the Village must provide copies of the approved Ordinance to the Woodford and Tazewell County Clerks and Assessors as is appropriate

Zoning of Annexed Property

1. All territory which may hereafter be annexed shall be considered as being in the R-1 District unless otherwise stipulated by Pre-Annexation Agreement.

Annexation Costs

All annexation cost incurred by the Village, including, but not limited to, Village Attorney fees, engineering fees, survey fees, court costs, recording fees, publication cost, notices and postage costs, shall be paid by the applicants or Developer, regardless of whether annexation is ultimately approved.

Sec. 8.204 Vacation of Streets: Whenever any street, alley, or other public way is vacated the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such a vacation, and all areas included in the vacation shall be subject to all appropriate regulations of the extended districts.

Sec. 8.205 Restrictions: Except as provided below:

(a) No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used except for the purpose permitted in the district in which the building or land is located.

(b) No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limit and area regulations of the district.

(c) The minimum yards and other open spaces, including lot area per family, shall be observed.

(d) Every building erected or structurally altered shall be located on one (1) lot unless otherwise provided in this ordinance.

(e) The front yard requirements on both streets of a corner lot shall be observed for all buildings and structures, including accessory buildings.

Article III - Use Regulations in Agricultural District:

Sec. 8.301 Use Regulations:

A. Uses Permitted: In the Agricultural District, buildings, structures, and land may be used for the following uses only:

1. Farms or farming; cattle, horses, sheep or poultry raising, but not including the raising of hogs nor the disposal or feeding of garbage, nor any confinement feeding operation..
2. Gardening, including truck farming, subject to the requirements of Section 8.301 B.
3. Greenhouses.
4. Nurseries, subject to the requirements of Section 8.301 B.
5. Orchards, subject to the requirements of Section 8.301 B.
6. Roadside stands for the sale of only those farm products produced on the premises on which the stand is located; provided, that a parking area for not less than six (6) customers' vehicles shall be provided on the private property, and access drives shall be surfaced with compact crushed stone or superior surfacing.
7. One-family detached dwellings.
8. Uses similar and/or accessory to the above permitted uses.

B. Special Setbacks for Certain Permitted Uses: The following setbacks shall be observed for a specified use:

1. Any crop requiring aerial spraying more than three feet (3') above the ground shall be located at least two hundred feet (200') from the side or rear lot lines and one hundred fifty feet (150') from any front lot line.

Article IV - Use Regulations in R-I - One-Family Residential Districts:

Sec. 8.401 Use Regulations: (Ord. 13-10; 10-17-13, Ord. 09-03; 5-21-09)

A. Uses Permitted: In the R-I Residential District, buildings, structures, and Land may be used for the following only:

1. One-family dwellings.
2. Publicly owned or operated parks, playgrounds, community centers and libraries.
3. Churches and Parish Houses.
4. Private and non-commercial gardens, but not the raising of livestock.
5. Any occupation or profession carried on solely by a member of the immediate family residing on the premises, no sign other than a nameplate not more than one (1) square foot in area, or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of the dwelling; and provided that no material or equipment is used which may constitute a hazard, create a nuisance, or interfere with the reception of broadcast signals; that it shall not generate undue traffic or parking congestion; that all material, equipment, merchandise or work-in-process is wholly enclosed within the dwelling, structure or an accessory building; and that the total area devoted to such use shall not exceed twenty-five percent (25%) of the area of one floor of the principal building. The providing of care and maintenance for not more than six (6) children not related to the occupant residing on the premises, whether for gain or otherwise, shall be considered a home occupation.
6. Accessory buildings and uses incidental to any of the above uses, when located on the same lot and not involving the conduct of a business, including garages when located not less than sixty (60) feet from the front lot line and not less than five (5) feet from any other street line or garage constructed as a part of the main building.

B. Required Lot Area: Each dwelling shall be located on a lot having an area of not less than seventy-five hundred (7500) square feet, a lot width of not less than one hundred (100) feet, and a minimum frontage of thirty (30) feet.

C. Floor Space Limit: Any building used as a residence shall contain on the ground floor at least nine hundred (900) square feet of livable floor space.

D. Building Height Limit: Each building may contain up to two stories, but not exceeding thirty (30) feet, exclusive of Churches.

E. Signs: No sign or bulletin board of any character shall be permitted except those pertaining to churches and their services and those pertaining to the lease or sale of the premises on which they are located shall not exceed an area of six (6) square feet.

F. No dwelling shall be permitted which was originally designed to be used as a vehicle, vehicle trailer, or mobile home.

G. Off-Street Parking. (Ord. 09-03, 5-21-09) No vehicle may be parked in the front yard, unless it's parked on a durable surfaced driveway, provided it has valid license plates and is operable. The vehicle should not extend on the sidewalk or public right of way and should not obstruct the view of street traffic. Side yard parking is permitted as long as the vehicle is parked on a durable surfaced area with driveway. However, no rear yard parking is permitted except where garage with a durable surfaced driveway is located. You cannot sleep in the vehicle while it's stored on the property.

Article V - Use Regulations in R-II, Two-Family Residential and R-III, Multiple-Unit Residential

Sec. 8.501 Use Regulations (Ord. 10-03; 5-20-10)

A. Uses Permitted: In the R-II and R-III Residential District, buildings, structures, and land may be used for the following uses only:

1. Duplexes and apartments.
2. Private or fraternal clubs, lodges, fraternities, sororities, except those whose chief activity is primarily of a business nature.
3. Public or private schools and colleges.
4. Publicly owned or operated parks, playgrounds, community centers and libraries.
5. Churches and Parish Houses.
6. Private and non-commercial gardens, but not the raising of poultry and livestock.
7. Any occupation or profession carried on solely by a member of the immediate family residing on the premises, no sign other than a nameplate not more than one (1) square foot in area, or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of the dwelling; and provided that no material or equipment is used which may constitute a hazard, create a nuisance, or interfere with the reception of broadcast signals; that it shall not generate undue traffic or

parking congestion; that all material, equipment, merchandise or work-in-process is wholly enclosed within the dwelling, structure or an accessory building; and that the total area devoted to such use shall not exceed twenty-five percent (25%) of the area of one floor of the principal building. The providing of care and maintenance for not more than six (6) children not related to the occupant residing on the premises, whether for gain or otherwise, shall be considered a home occupation.

8. Accessory buildings and uses incidental to any of the above uses, when located on the same lot and not involving the conduct of a business, including garages when located not less than sixty (60) feet from the front lot line and not less than five (5) feet from any other street line or garage constructed as a part of the main building.

B. Required Area: A two-family dwelling or multiple-unit dwelling shall be erected on a lot having an area of not less than five thousand (5000) square feet per dwelling unit, and all dwellings shall be located on a lot having an average width of not less than one hundred (100) feet and minimum frontage of thirty (30) feet.

C. Required Livable Floor Space: Any building used as a residence shall contain at least seven hundred fifty (750) square feet of livable floor space per family.

D. Building Height Limit: Each building may contain up to two stories not to exceed thirty-five (35) feet, exclusive of Churches.

E. Signs: Signs pertaining to any permitted use of a building may be placed providing any such signs are in the form of a nameplate or announcement sign, and provided further that the total area of all signs may not exceed six (15) square feet, and shall meet the additional sign requirements of Section 8.401 (E).

F. Dwelling: No dwelling shall be permitted which was originally designed to be used as a vehicle, vehicle trailer, or mobile home.

G. Off-Street Parking: Each use permitted shall provide the following off-street parking spaces for vehicles:

- 1) Two Family or Multi-Family Dwellings: Two spaces per dwelling unit, one of Which may be a garage or driveway.
- 2) No vehicle may be parked in the front yard, unless it's parked on a durable surfaced driveway, provided it has valid license plates and is operable. The vehicle should not extend on the sidewalk or public right of way and should not obstruct the view of street traffic. Side yard parking is permitted as long as the vehicle is parked on a durable surfaced area with driveway. However, no rear yard parking is permitted except where garage with a durable surfaced driveway is located. You cannot sleep in the vehicle while it's

stored on the property.

- 3) Private or Fraternal Clubs, Lodges, Fraternities, Sororities, except those whose chief activity is primarily of a business nature: One (1) space per sleeping accommodation.
- 4) Public or Private Schools and Colleges: One (1) space per employee, plus one (1) Space per three (3) students.

H. Zero Lot Line Regulations: (Ord. 09-01, 1/22/09)

1. Purpose:

The purpose of the provisions herein governing the development of Zero Lot Line Residences is:

- (1) To allow the development of single-family semi-detached housing that makes more efficient use of land and provides more usable open space on the lot, especially where lots are smaller.
- (2) To assure that the design of each housing development provides a suitable environment both for its occupants and the neighborhood.
- (3) To thereby encourage the provision of higher-density affordable housing that is attached, that tends to be owner-occupied, and that is thereby more compatible with both existing residential areas in the Village and the Village Code.

2. Applicability:

- (1) Zero lot line development of single-family attached homes may be permitted as a special use in the zoning districts specified in this Ordinance.
- (2) When permitted, zero lot line development allows the width of a side yard to be reduced to zero for the purpose of creating more usable open space on the remainder of a lot, particularly where lot areas are small.
- (3) Zero lot line development shall be permitted only as part of an overall subdivision or planned unit development and not on isolated individual building lots.

3. General Provisions:

- a) The regulations and standards applicable to Residential Districts are applicable to Zero Lot Line Developments unless specifically provided for in this section.
- b) Side Yards Only. Only one side yard may be reduced to zero. No front or rear yard may be reduced to zero.
- c) Minimum Lot Area. Each zero lot line development shall have a minimum lot area of 5000 square feet.
- d) Minimum Lot Width. Each zero lot line development shall have a minimum lot width of 50 feet.
- e) Maximum Density. No lot can have more than one side yard with zero set back.
- f) Maximum Coverage. The amount of the total lot area which may be covered by all of the principal and accessory buildings shall not exceed forty-five percent (45%).

- g) Height. No main or principal structure shall exceed thirty-five (35) feet or two and one-half (2½) stories.
- h) Yards.
 - (i) Front yard depth shall be no less than twenty-five (25) feet from the nearest right-of-way line. No accessory building shall project into the required front yard space.
 - (ii) Side yard width shall be no less than ten (10) feet. No accessory building shall project into the required side yard space.
 - (iii) Rear yard depth shall be no less than twenty-five (25) feet from the rear property line.
- i) Wall Maintenance Easement.
 - (i) A perpetual wall maintenance easement shall be provided in every yard that is adjacent to a zero side yard in an adjoining lot.
 - (ii) The easement shall be four (4) feet in width measured from that portion of the lot line that is adjacent to a building on the other lot, for a total of eight (8) feet.
 - (iii) The easement shall be shown on the plat and incorporated into each deed transferring title to the property. Proof of recording of such easements shall be submitted to the Village Clerk or Village Board prior to issuance of a Building Permit.
 - (iv) Obstructions otherwise permitted in interior side yards are allowed within the easement provided they do not impede access to the wall on the adjacent lot for painting, cleaning, maintenance and repair.
 - (v) All zero lot line developments shall require a party wall agreement relating at minimum, to the maintenance of the structure, maintenance of the open and common space, and exterior decoration, including but not limited to coordinating the replacement and repair of the exterior elements of their respective homes and a procedure for repair, maintenance and restoration for each of the residences and adjoining grounds.
- j) Wall Openings. No doors, air conditioning units, or other openings shall be permitted on the shared wall abutting a zero side yard.
- k) No zero lot line development shall be constructed with one dwelling unit arranged on the story above the other dwelling unit.
- l) The dwelling wall abutting the zero-lot-line shall be a one hour fire wall.

4. Site Plan:

- a) Contents. The site plan shall include:
 - (i) Lot lines and required yards.
 - (ii) Location, shape, size and height of all existing and proposed buildings, decorative walls and elements, and

- entrance features.
 - (iii) Locations of off-street parking.
 - (iv) Phases of development.
 - (v) Data including gross and net site acreage, lot dimensions and areas, building heights and number of stories.
- b) Building Inspector Review Criteria. In addition to any other criteria the Commission shall consider appropriate, the Building Inspector may consider the following in evaluating the suitability of the site plan for a zero lot line development:
- (i) Varied Height and Setback. Where possible, front yard depth, building height, and roof lines are varied to avoid monotonous appearance, which is more objectionable when homes are closer together and lots are smaller.
 - (ii) Block Length. Shorter blocks and cul-de-sac streets are also used to reduce the monotony of site design.

Article VI - Use Regulations of R-IV Recreational District

Sec. 8.601 Use Regulations

Uses Permitted: In the R-IV District, buildings, structures, and land may be put to the following uses only:

- (1) Trailer camp use according to the following classifications:
 - a) Seasonal residential use shall be from March 15 through October 31 of every year.
 - b) Non-seasonal use from November 1 through March 14 of any year shall be limited to a maximum of 30 days residence per camper.
 - c) Transient use shall be limited to 60 days per camper.
 - (d) No Travel Trailer shall be used for any use other than as a temporary dwelling for travel, recreational or vocational uses between March 15 and October 31 of each calendar year and further, only if the Travel Trailer Camp is licensed by the State to operate.
- (2) Recreational activities including, but not limited to, the following:
 - (a) Fishing
 - (b) Horseback riding and hiking
 - (c) Open air musical presentations between the hours of 9:00 a.m. and 10:00 p.m. Monday through Saturday and 2:00 p.m. through 10:00

- p.m. Sunday
- (d) Rodeo and similar performances within an area specifically designed and reserved for such activities
 - (e) Games and sports activities as follows: baseball, basketball, soccer, softball, volleyball and tennis, etc.
 - (f) Special events for which application is made not less than 30 days in advance and for which approval is granted by the Village Board.

Article VII - Use Regulations in Business District

Sec. 8.701 Use Regulations:

A. Uses Permitted: In the business district, buildings, structures, and land may be put to any use permitted in the Residential Districts and the following uses such as:

1. Bakeries
2. Banks
3. Barber shops, beauty shops and shoe repair and shining shops
4. Automotive Service Stations
5. Bus Stations
6. Funeral Homes
7. Greenhouses
8. Hotels and motels
9. Locker Plants
10. Coin-operated laundry facilities and stores for the collection and distribution of laundry and dry cleaning articles
11. Photograph and art studios
12. Printing and publishing establishments
13. Professional Offices/Clinics
14. Public building, fire stations, police stations, and post offices
15. Public garages
16. Recreation establishments
17. Restaurants
18. Shops for electrical work, plumbing, HVAC, locksmithing, painting, decorating, and upholstering
19. Stores, shops, showrooms and salerooms for retail business
20. Tailor, millinery and dress making shops
21. Telephone company
22. Theaters

B. Signs: Advertising signs and advertising structures may be maintained provided they are attached to a business building or are located where the street frontage in that particular block is more than fifty percent (50%) developed to business uses.

Article VIII - Use Regulations in Industrial Districts

Sec. 8.801 Use Regulations:

Uses Permitted: In the industrial district, buildings and land may be used for any industrial or business purposes not in conflict with any ordinance of the Village, provided, however, that no building or occupancy permit shall be issued for any industry which may be obnoxious or offensive by reasons of emission of odor, dust, smoke, gas, noise, pollution of water, or unsightliness.

Article IX - Building Lines/Area Regulations

Sec. 8.901 Residential Districts: In the Residential Districts, the minimum dimensions of yard shall be as follows:

A. Front Yard. There shall be a front yard having a depth of not less than twenty-five (25) feet to the front line of the building, including porches or paved terrace; provided however, that:

If forty (40) percent or more of the frontage in a particular block is improved with buildings that have observed a greater or less depth of front yard, no new building or portion thereof shall project beyond a straight line drawn between the point closest to the street line of the building upon either side of the proposed structure or, if there be a building upon only one side, then beyond the straight line projected from the front of the two nearest buildings, but this regulation shall not be interpreted to require a front yard of more than fifty (50) feet, nor to permit a front yard of less depth than that of the nearest building. Where the street is curved, the line shall follow the curve of the street rather than being a straight line.

B. Rear Yard. There shall be a rear yard having a depth of not less than twenty-five (25) feet, provided, however, that for lots which are less than one hundred and twenty-five (125) feet in depth in existence at the time of the passage of this ordinance, the rear yard required shall be reduced to twenty (20) percent of the total depth of such lot.

Accessory buildings may be built in a required rear yard but such accessory buildings shall not occupy more than thirty (30) percent of a required rear yard. Such accessory buildings shall not be nearer than one and one-half (1 1/2) feet to any side or rear lot line, nor nearer than five (5) feet to an alley abutting the rear of the lot where the doors open to the alley.

C. Side Yard. There shall be a side yard on each side of a building of not less than ten (10) percent of the width of the lot but need not exceed ten (10) feet.

D. Corner Lots. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of the corner lot, except that the buildable width of such lot shall not be reduced to less than twenty-eight feet. No accessory building shall project beyond the front yard line on either street.

Sec. 8.901(a) Restrictions on all Dwellings: (Ord. 04-20, 10-21-04) All dwellings shall be permitted and, in addition to meeting all other requirements of the Village Code, shall meet the following requirements:

1. All dwellings shall meet or exceed the terms and provisions of the International Building Code as provided in Section 10.101 of Chapter 10.
2. All modular dwellings shall meet all requirements by the Illinois Department of Public Health and shall bear the Department seal.
3. All dwellings shall be comparable in cost to other homes within the immediate vicinity of the proposed location.
4. Each dwelling shall have a minimum roof pitch of 4/12 (4"/12") for single and two story dwellings.
5. Each dwelling shall have a minimum of a 2-car attached garage.

Sec. 8.902 Business and Industrial Districts: In the business and industrial districts as established, the minimum dimensions of yards shall be as follows:

A. Front Yard. No new building or portion thereof shall project beyond a straight line drawn between the point closet to the street line of the building upon either side of the proposed structure, or, if there be a building upon only one side, then beyond the straight line projected from the front of the two nearest buildings.

B. Rear Yard. There shall be a rear yard of not less than ten (10) percent of the depth of the lot, provided, however, such rear yard need not exceed ten (10) feet in depth.

C. Side Yard. No side yard is required, but if provided; shall be not less than three (3) feet in width.

Sec. 8.903 Agricultural Districts: In the agricultural districts as established, the minimum dimensions of yards, and minimum lot area for usage shall be as follows:

A. Main or Principal Structure.

(1) Front Yard. (a) Where the lot abuts a highway, a minimum set back line shall be one hundred fifty (150) feet from the centerline of the right-of-way, but not less than sixty (60) feet from the right-of-way line.

(b) Where the lot abuts a street as designated on the zoning map, a minimum set back line shall be one hundred (100) feet measured from the centerline of such right-of-way, but not less than sixty (60) feet from the right-of-way line.

(2) Side Yard. A minimum of thirty (30) feet, and for each additional story above the first two stories, add ten (10) feet.

(3) Rear Yard. A minimum of fifty (50) feet.

B. Detached Accessory Building.

(1) Front Yard. The minimum front yard shall be determined according to the provisions of Section 8.903 A (1) above.

(2) Side Yard. No detached accessory building shall be located less than fifteen (15) feet from any side lot line.

(3) Rear Yard. No detached accessory building shall be located less than twenty-five (25) feet from any rear lot line.

Article X - Non-Conforming Uses

Sec. 8.1001 Continued Use: The lawful use of a building existing at the time of the adoption of this Ordinance may be continued, subject to the provisions of this Ordinance, although such use does not conform with the provisions hereof. If no structural alterations are made, a non-conforming use may be changed to another non-conforming use of the same or more restricted classification. These provisions shall also apply to non-conforming uses in districts changed at a later date. When a non-conforming use of a building has been changed to a more restricted use it cannot be changed later to a less restricted use.

Sec. 8.1002 Partial Destruction: No building which has been damaged by fire, explosion or an act of God, to the extent of more than fifty percent (50%) of its value, shall be restored except in conformity with the regulations of this Ordinance.

Sec. 8.1003 Discontinued Use/Power to Order Removal: In the event that a non-conforming structure which is erected, converted or structurally altered in violation of the provisions of this Chapter such structure may be ordered removed or corrected by the proper officials at any time.

Sec. 8.1004 Special Permits and Uses:

A. The Village Board, may, by special permit after public hearing held by the Commission and advertised as provided by State statute and subject to such protective restrictions as it may deem necessary, authorize the location, extension or structural alteration of any of the following buildings or uses, or an increase in their height, in the district from which they are prohibited or limited by this Ordinance; provided that such buildings or uses will not have any serious and depreciating affect upon the value of surrounding property.

B. Any public building erected and used by any department of a municipal, county,

state, or federal government.

- C. Hospitals, clinics and institutions, except institutions for criminals and those persons who are mentally ill or have contagious diseases; provided, however, that such buildings may occupy not over fifty percent (50%) of the total area of the lot or tract and, provided further, that the buildings shall be set back from all yard lines heretofore established an additional distance of not less than two (2) feet for each foot of building height, and that adequate off-street parking space will be provided.
- D. Cemetery or mausoleum.
- E. Airport, landing field or landing strip.
- F. Riding stables.
- G. Commercial amusement or recreational development for temporary or seasonal periods.
- H. Extraction of sand, gravel or other raw materials.
- I. Parking lots on land not more than three hundred (300) feet from the boundary of any commercial, business or industrial district under such conditions as will protect the character of surrounding property.
- J. Radio or TV towers and radio broadcasting stations.
- K. Hotels where the primary purpose is to provide seasonal or year-round living facilities, but only when they are located on large tracts and would not adversely affect surrounding residential development.
- L. Any use which is generally similar to the uses permitted in the district in which such proposed use is sought to be located by special permit which conforms to the regulations for such district.

Before issuance of any special permit for any of the above buildings or uses, the Commission shall report to the Village Board regarding the public hearing and also upon the effect of such proposed building or use upon the character of the neighborhood, traffic conditions, public utility facilities, and other matters pertaining to the public health, public safety, or general welfare. No action shall be taken upon any application for the proposed building or use referred to until and unless the report of the Commission has been filed, but such report shall be made within sixty (60) days after the matter has been referred to the Commission by the Village Board. If the Commission recommends against the issuance of the special permits, it may be issued only by an affirmative two-thirds (2/3) vote of the voting members of the Village Board.

Article XI - Exceptions and Variances of the Height and Area Regulations

Sec. 8.1101 Variances: The district regulations set forth in this Article qualify or supplement, as the case may be, the District regulations appearing elsewhere in this Chapter.

Public, semi-public or public service buildings, hospitals, institutions, or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the limit otherwise provided in the district in which the building is located.

Single-family and two-family dwellings may be increased in height by not more than ten (10) feet when the side and rear yards are increased over the yard requirements of the district in which they are located by not less than ten (10) feet, but they shall not exceed three (3) stories in height.

Chimneys, cooling towers, elevators, tanks, water towers, church steeples, radio towers, or necessary mechanical appurtenances, may be erected to a height in accordance with existing or adopted ordinances of the Village.

Accessory buildings may be built in a required rear yard but such accessory buildings shall not occupy more than thirty percent (30%) of the required rear yard.

Article XII - Manufactured Homes, and Modular Dwellings

Sec. 8.1201 Restrictions on Location of Manufactured Homes: It shall be unlawful for any person or persons to live in, or cause to be constructed or maintained, a manufactured home which is parked, placed anywhere, constructed or brought into the Village of Goodfield, except where such manufactured homes are permitted within the zoning districts of this Chapter.

Article XIII - Swimming Pools

Sec. 8.1301 Definition: A swimming or wading pool is a body of water in an artificial or semi-artificial receptacle or other container, intended to be used for public, semi-public, or private swimming by adults or children, and also portable or temporary types of pools of plastic, rubberized cloth, or similar materials installed either above or below grade, over twenty-four (24) inches in depth or with a surface area exceeding two hundred fifty (250) square feet and with a capacity of three thousand (3,000) gallons or more, and as used in this Chapter shall mean and include dressing and locker rooms, toilets, showers, areas and enclosures that are intended for the use of persons using the pool. A private pool is a swimming or wading pool used or intended to be used solely by the owner, operator, or lessee and his family, and by friends invited to use it without payment of any fee.

A public swimming pool is used or intended to be used for public or semi-public swimming, shall include dressing rooms, locker rooms, toilets, showers, and other areas and enclosures that are intended for the use of persons using the pool.

Sec. 8.1302 Construction and Operation: Public swimming pools, their equipment and operation, shall comply with the Minimum Sanitary Requirements for Swimming Pools of the Illinois

Department of Public Health. Pools and equipment shall not extend into the required front and side yards provided for in this Chapter and shall be subject to the provisions provided. No family pool shall be located, designed, operated, or maintained as to interfere with the owners of property adjoining the family pool or located in the neighborhood. No person or organization shall proceed to construct a swimming pool or make alterations to an existing pool without first having obtained a permit, issued and signed by the Building Inspector upon approval of the application. No permit is required for erection of a portable pool if the capacity of such pool is three thousand (3,000) gallons or less. A permit shall be valid for the life of the swimming pool. Application for a permit shall contain such information and drawings as required by the Building Inspector. No swimming pool or alterations shall be built without the written approval of the County Health Department, if applicable, and a copy of approval shall accompany the application for a Building Permit. The water supply, drainage, recirculation system, and water disinfection system of private pools shall conform to the standards, of the County Health Department. No private or public pool shall be erected or altered so as to place any portion nearer to a street lot line than the building line setback provided by this Chapter. On a corner lot, no swimming pool shall be erected or altered so as to bring any portion of the fence of the pool as is required in this Chapter nearer to the front street lot line than provided by this Chapter. No swimming pool shall be erected or altered on any lot so as to permit its location in any side yard or rear yard nearer than ten (10) feet from any dwelling located on an adjoining lot and not less than three (3) feet from any side or rear lot line. A fence or wall shall be installed and maintained to completely surround a pool, except in the case of a portable above ground installation; however, if the premises are enclosed by a fence or wall, then this fence or wall shall not be required. The fence or wall shall be an effective barrier to small children and be at least forty-eight (48) inches high. Gates shall be equipped with self-closing and self-latching devices and shall be provided with a key-operated device. A pool shall be kept locked except when in use. All portable, above ground pools shall provide an area thirty-two (32) square feet in size of impervious material that shall be constructed around the point where swimmers climb into the pool. Lights used to illuminate any family pool shall be so arranged and shaded as to reflect light away from adjoining premises. It shall be unlawful for any person to make, continue, or cause to be made or continued at any family pool any loud, unnecessary, or unusual noise or any noise which annoys, disturbs, or is dangerous to the comfort, health, peace, or safety of others. In the operation of a family pool, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing of the persons who are in the family pool premises shall be unlawful. Every person using an outdoor family pool shall wear a bathing suit or other suitable garment to protect his person from indecent exposure.

Sec. 8.1303 Pool Fill Adjustments(Ord. 15-08, 8-20-15)

At least 48 hours prior to filling a swimming pool, an owner shall, in writing, notify the Public Works Administrator of the intended date of filling the pool. Upon such notice, a temporary meter will be attached to an outside faucet for a maximum of five days for the purpose of filling the swimming pool. The Village shall receive a service charge of twenty-five dollars (\$25.00) for providing and installing the temporary meter. After the pool has been filled and the conditions above have been complied with, the Village will adjust the sewer portion of the owners water bill. A sewer adjustment for filling of a swimming pool may only be made once every twelve (12) months and for one (1) refilling within the twelve-month period. Failure to obtain a

temporary meter from the Village prior to filling swimming pool will waive any sewer bill adjustment.

Article XIV - Satellite Dish Antennas

Sec. 8.1401 Definition: A satellite antenna dish is a device used for the reception of communications or other signals.

Sec. 8.1402 Conditions of Use: Use of a satellite antenna dish shall be permitted in all districts, subject to the following conditions:

1. Dishes mounted on the rooftop or chimney of a structure shall not be greater than two feet (2') in diameter.
2. The dish shall not contain any lettering other than that identifying the manufacturer.
3. Ground-mounted dishes are subject to a ten-foot (10') setback on the rear yard property line and a ten-foot (10') setback on the side yard lot line. If an easement requires a greater setback than the foregoing, then the easement setback shall apply.
4. The cable running to the satellite antenna dish must be buried.
5. The electrical power cable, if any, leading to the antenna dish must be equipped with a ground fault interrupter.

Article XV - Off-Premise Signs

Sec. 8.1501 Definition: An off-premise sign is a sign advertising an establishment, merchandise, goods, service or entertainment, which is not sold, produced, manufactured or furnished at the property on which said sign is located, including billboards and general outdoor advertising.

Sec. 8.1502 Location: Off-premise signs shall only be permitted in the business, recreational, industrial, or agricultural zoning districts.

Sec. 8.1503 Permit Required: No off-premise sign shall be erected in the Village without permit. The off-premise sign permit shall be granted only after approval by the Commission.

Sec. 8.1504 Application for Permit: Application for permit for the erection, alteration or relocation of an off-premise sign shall be made to the Building Inspector upon a form provided by the clerk, and shall include the following information:

1. Name and address of the owner of the sign.
2. Name and address of the owner or the person in possession of the premises.
3. Address of the proposed site.
4. A site plan showing the proposed location of the sign along with the locations and square footage area of all existing signs on the same premise.

5. Specifications and scale drawings showing the materials, design, dimensions, structural supports, and electrical components of the proposed sign.
6. Verification and/or certification that applicant represents the owner of lot or person in possession of the premises.

Sec. 8.1505 Permit Fee: All applications for permits filed with the Building Inspector shall be accompanied by the payment of a permit fee of Fifty Dollars (\$50.00). The clerk shall forward the application to the Commission, which shall hold a public hearing at a scheduled meeting, provided a request for a hearing is made no less than fourteen (14) days before the scheduled meeting.

Sec. 8.1506 Standards for Off-Premise Signs: In addition to the applicable construction standards as required by the Village Code, (International Building Code and National Electrical Code), off-premise signs shall meet the following conditions:

1. All off-premise signs shall be free standing.
2. All free standing sign structures erected or poles shall be self-supporting sign structures erected on or permanently attached to concrete foundations.
3. No portion of any off-premise sign shall be closer than ten (10) feet to any property line.
4. No off-premise sign shall be constructed which shall exceed a height of forty-five (45) feet and shall not exceed three hundred (300) square feet per face and shall not be located closer than two hundred (200) feet to another off-premise sign.

Sec. 8.1507 Inspection: An off-premise sign shall be inspected prior to the erection of the sign by the Building Inspector. Any person installing, altering or relocating an off-premise sign for which a permit has been issued shall notify the Commission upon completion of the work.

Sec. 8.1508 Bond and Certificate of Insurance: No permit for an off-premise sign being installed by a sign company shall be issued to any person for the purpose of erecting an authorized sign unless the company has on file with the Village a bond in the amount of Ten Thousand Dollars (\$10,000.00). The bond is conditioned upon the proper installation of the sign and payment of all fees and/or penalties as implemented by this Article. A company that is engaged in the business of signs shall provide the Village a certificate of insurance for liability in the amount of One Million Dollars (\$1,000,000.00).

Sec. 8.1509 Interpretation: Whenever the requirements of this Article fail to apply to a unique situation or a situation arises which is not covered by this Article, the Commission shall have the authority to interpret this Article as it sees fit, provided no sign shall be permitted which does not meet the intent and purpose of this Article.

Sec. 8.1510 Penalties: Violation or failure to comply with any of the provisions of this Article is declared to be a misdemeanor. Any person violating any provisions of this Section shall, upon conviction, be fined not less than Fifteen Dollars (\$15.00) nor more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation continues shall be deemed a separate offense.

Article XVI - Enforcement and Interpretation

Sec. 8.1601 Enforcement: This ordinance shall be enforced by the Building Inspector. No building permit or certificate of occupancy shall be issued by him except where the provisions of this ordinance shall have been complied with.

Sec. 8.1602 Interpretation and Conflicts: In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of public health, safety, morals, comfort, and general welfare. It is not intended by this Chapter to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided that wherever this Chapter imposes greater restrictions upon the use of buildings, structures, or land or requires more restrictive building lines, then the provisions of this Chapter shall control.

Article XVII - Violations and Penalties

Sec. 8.1701 Fines: Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Chapter shall be fined no less than Twenty-five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Sec. 8.1702 Other Remedies: In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure or land is used in violation of this Ordinance, the proper authorities of the Village of Goodfield, in addition to other remedies, may institute any appropriate action or proceeding to prevent such unlawful erection, maintenance or use or to restrain, correct or abate such violations; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

Article XVIII – Application Procedures (Ord. 04-18, 8-19-04)

Sec. 8.1801 Filing: Any application for a variance, change in or amendment to zoning ordinance or special use permit or communication in regard thereto, which is filed by or on behalf of the owner or owners of the property affected, shall be filed in the Office of the Village Clerk.

Sec. 8.1802 Form of Application: Any application for variance, change in or amendment to zoning ordinance or special use permit or other zoning relief shall be executed by the owner or owners of the property affected and shall be in such form and contain such information as the Village Board may, by resolution, from time to time, deem appropriate.

Sec. 8.1803 Fees: Any application for a variance, change in or amendment to zoning ordinance or special use permit or other zoning relief, which is filed by or on the behalf or the owner or owners of the property affected shall be accompanied by the payment of a \$25 fee, (to partially reimburse the Village its costs, including publication, etc.) the amount of which shall be established from time to time by either a resolution or ordinance adopted by the Village Board.