TITLE 5: BUILDING REGULATIONS
CHAPTER 1: ADMINISTRATION AND ENFORCEMENT

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5-1-1: TITLE

This Title of the Village Code shall be known, cited, and referred to as The Lincolnshire Building Code.

5-1-2: PURPOSE

This Building Code is to provide the rules and regulations of the Village for all matters concerning the erection, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and to provide for the payment of fees and the inspections of said buildings and structures. (Ord. 73-305-20)

5-1-3: INTERPRETATION; RESPONSIBILITY FOR COMPLIANCE

A. Building Official: Any officer or employee of the Village authorized to administer or enforce any provision of this chapter or any provision of this Code that is administered pursuant to this chapter. The term Building Official shall include: the Village Manager; the Development Manager; the Planning Manager; the Code Enforcement Officer; the Director of Public Works; the Village Engineer the Fire Chief, or their designate. It is expressly intended that those officials

shall be and are empowered to enforce the provisions of the International Building Code and this Code including the initiating and signing of formal complaints alleging violations of such provisions.

B. Municipality: Any reference in the codes to the municipality shall mean the Village of Lincolnshire.

C. Responsible Parties: The property owner, general contractor and developer, where applicable, shall be jointly and severally liable for any violations of this Section 5 and any consequences of or penalties for such a violation. This joint and several liability shall apply irrespective of which party actually committed the violation and whether or not all of the parties were aware of the violation. (Ord. Amd. 99-1691-75, eff. 12/13/99)

5-1-4: SEPARABILITY

It is hereby declared to be the intention of the Mayor and Board of Trustees of the Village that the several provisions of this Code are separable, in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provision of this Code to be invalid, such judgment shall not affect any other provision of this Code not specifically included in said judgment.

B. If any court of competent jurisdiction shall invalidate the application of any provision of this Code to a particular property, building or other structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

5-1-5: PUBLIC UTILITIES

A. All public utility distribution lines for telephone, gas and electric service shall be placed in rear lot line easements and entirely underground. Installation of such facilities shall be made in compliance with the applicable orders, rules and regulations of the Illinois Commerce Commission now or hereafter effective and the owner and builder shall be responsible for compliance with rules and regulations, now and hereafter effective and filed with said Commission pursuant to the Illinois Public Utilities Act,[1] of any public utility whose service will be required for the building with respect to the provision of such facilities.

B. Underground telephone, electric and gas service facilities, including conduits and cables, shall be placed within easements or dedicated public ways in a manner which will not conflict with other underground services. Further, all transformer boxes shall be located so as not to be unsightly or hazardous to the public.

C. All utility lines and facilities for water and sewer service shall be placed in appropriate easements and entirely underground. (Ord. 76-436-66)

D. In all residential zoning districts, subdividers and developers shall install all required utilities underground. All existing overhead utilities in residential zoning districts are exempt from this requirement when any alterations are made to any single-family home with overhead utilities, except as to electrical services as required under the Building Code.

[1] 220 ILCS 5/1-101

E. In all nonresidential zoning districts all existing overhead utilities must be placed underground at the time of development of the property, or in the case of developed property, at the time the principal building is altered, restored or expanded and the cost of such alteration, restoration or expansion exceeds fifty percent (50%) of the original cost to construct said principal building. Provided, however, that where the size or configuration of the lot and nature and extent of the existing overhead utilities make it impractical to place existing utilities underground on a parcel-by-parcel basis, the developer will have the option of submitting a cash deposit to pay for the construction costs of placing the overhead utilities underground at a future time. The cash deposit must be in the amount of one hundred ten percent (110%) of a certified cost estimate for placing the existing overhead utilities underground. The cash deposit will be held in an escrow fund by the Village which will be used for placing utilities underground in a comprehensive manner as the properties in the area develop. The developer will be entitled to a refund of the deposit if the funds are not expended within seven (7) years of receipt. (Ord. 90-1173-57)

F. It is expressly prohibited and shall be unlawful for any contractor, builder, developer, surveyor, engineer, and/or any other party to break, sever, damage, interrupt, or otherwise interfere with, or to cause a break, severance, and/or interruption of, damage to, and/or other interference with, whether by negligence or design, any utility line located anywhere within the Village.

1. Any contractor, builder, developer, surveyor, engineer, and/or other party who breaks, severs, damages, interrupts, or otherwise interferes with, or who causes a break, severance, and/or interruption of, damage to, and/or other interference with, any utility line located anywhere within the Village shall be subject to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1 for each such break, severance, and/or on interruption of, damage to, and/or other interference with any utility line located anywhere within the Village.

2. With respect to Village owned utilities, the fine shall be in addition to any and all amounts necessary to repair and/or otherwise remedy the utility line breakage.

5-1-6: FIRE DISTRICT AND PROTECTION REGULATIONS

5-1-6-1: FIRE DISTRICT

The Fire District includes that portion of the village in which there are located business, industrial or commercial uses, or in which such uses are developing, and all future areas to be annexed and developed with business, industrial, multi-family or commercial uses. All areas within any industrial or Business District under the Lincolnshire Zoning Ordinance are in the Fire District.

5-1-6-2: FIRE PROTECTION REQUIREMENTS

A. The Village discourages any use of non-potable water systems for fighting fire because of the danger of water pollution. If a non-potable water system is used, the same shall be designed so that it shall be impossible to have a cross-connection between the Village's potable water system and such non-potable water system, including, but not limited to, such measures to preclude the possibility of a fire hose or solid cross-connection between the systems.

B. All commercial, industrial and multiple-family residential buildings, including condominiums and townhouses, over two (2) stories in height shall have Standpipe Systems, installed in accordance with NFPA 14.

1. Sections 905.3 through 905.3.7 of the IBC and IFC are deleted.

C. Standpipes and sprinkling areas shall have hydro pneumatic water storage facilities or other pressurized systems as approved by a Village Building Official.

5-1-6-3: SPECIAL FIRE PROTECTION AREA LIMITS AND REQUIREMENTS

A. A Special Fire Protection Area is hereby established which shall consist of portions of the Village designated by the Village and lying south of State Route 22 (Half Day Road) as realigned west of Milwaukee Avenue, north of Aptakisic Road, and east of the Soo Line Railroad tracks right of way, plus the Adlai E. Stevenson High School site and building, and such other areas as may be from time to time specifically annexed into the Special Fire Protection Area, excluding, therefrom, however, all existing industries served by the Village's water system which are incapable of currently being served by a water flow of three thousand (3,000) gallons per minute (gam) for two (2) hours at a residual pressure at the Village hydrants of not less than twenty (20) pounds per square inch (psi).

B. The Village has caused the design of a reservoir and pumping stations so that a water supply for fire purposes of three thousand (3,000) gallons per minute (gam) for two (2) hours at a residual pressure at the Village hydrants of not less than twenty (20) pounds per square inch (psi) will be available throughout the Special Fire Protection Area (except where the existing water mains are incapable of providing such flow). All new or future water mains in the Special Fire Protection Area shall be a minimum of twelve inches (12") in diameter and shall be designed so as to be capable of meeting all fire flow requirements.

C. All other fire protection and water system requirements, including those set forth in Section 5-1-6--2, shall remain applicable to buildings and structures in the Special Fire Protection Area to the extent they are not inconsistent with or in conflict with the provisions of this Section 5-1-6-3; to which extent of any such inconsistency or conflict the provision which is more restrictive shall be deemed applicable. (OD. 81-648-A)

5-1-7: RELOCATED TO TITLE 8

5-1-8: VIOLATION AND ENFORCEMENT OF REGULATIONS

5-1-8-1: PENALTIES FOR VIOLATIONS

Any person who shall (1) violate any provisions of this Code or the other technical codes which have been adopted by reference or otherwise; or (2) shall erect, construct, alter or repair a building or structure; or (3) perform any engineering, landscaping or earthwork in violation of any approved plan or direction of the Building Official or of any permit or certificate issued under the provisions of this Code shall be subject to the fine set forth in the Comprehensive Fine Schedule of the Code described in 17-1. Each day that a violation continues shall be deemed a separate offense. The property owner, general contractor and developer shall be jointly and severally liable for any penalties assessed pursuant to this Section.(Ord. Amd. 99-1691-75, eff. 12/13/99) (Ord. Amd. 10-3131-08, eff. 3/22/10)

5-1-8-2: PROCEDURE FOR ABATEMENT OF VIOLATIONS

The procedure in all cases of unauthorized deviations from, or violations of, the provisions of the Building Code found on inspection by the Building Official or his authorized representative shall be as follows: A verbal notice shall be immediately served by the inspector at the site, and on the

person or persons doing or in charge of the work being done, or responsible for or capable of correcting, or of causing to be corrected the deviation or violation observed. If a verbal notice cannot be served on the site, or if served, is disregarded, or deemed inadequate by the inspector for the purpose then a written notice, on forms prepared for the purpose and designating the deviation observed, shall be posted at the site, in as safe and conspicuous a place as practicable, and where, if unmolested, the same must certainly come to the notice of any person or persons either employed on the work, or frequenting or occupying the building, structure or premises; and a copy of the notice so posted shall be mailed to the last known address of the owner, agent or person in control of the building or structure involved.

5-1-8-3: CONTINUATION OF VIOLATION

In the event a written notice of a violation has been posted, and the violation or condition continues; or if the violation, of whatever nature, is not promptly corrected in a manner consistent with the provisions of the Building Code or order of the Village, the inspector shall promptly stop the work as set forth below and may close the building or structure to any further work.(Ord. Amd. 99-1691-75, eff. 12/13/99)

5-1-8-4: STOP WORK ORDERS

A. The Building Official is authorized to stop work on any building, structure, or any portion of any building or structure if it is being done: (1) in violation of any law, rule, regulation or approved plan; or (2) in a reckless, unsafe or unsanitary manner; or (3) with the use of defective or improper materials; or (4) contemplating an unlawful result as regards to location, intended use or occupancy; or (5) in any other respect contrary to the provisions of this Building Code or to the requirements of any other laws of the Village. This right to stop work shall exist and be performed irrespective of any permit that may or may not have been either required or issued for any portion of the work, building or structure.

The stop work order shall be in writing and shall be posted in a conspicuous place on the property. This order shall state the conditions, if any, under which work may be resumed. The Building Official shall give notice in writing setting forth the alleged violation(s) to the owner of the property involved, or to the owner=s agent, or to the person doing the work at least twenty four (24) hours in advance of the actual issuance of a stop work order except in the event that an emergency affecting health, safety and welfare is deemed to exist by the Building Official, in which case the stop work order shall be issued immediately.

B. The suspension of work shall be for such time as may be necessary to secure a correction of the violation or violations, or until a satisfactory arrangement for completion has been submitted by the violator and approved by the Building Official, or until a court of competent jurisdiction renders a decision stating otherwise. (Amd. Ord. 99-1691-75, eff. 12/13/99)

5-1-8-5: REVOCATION OF BUILDING PERMIT

Any person having charge of, directing, or in any way engaged in work that violates the Building Code, who shall refuse or fail to promptly desist from such work on written notice from any Building Official; or who having desisted on either verbal or written notice shall resume the work before the violation which occasioned the order is corrected or agreed to be corrected satisfactorily to the officer causing the work to be stopped and consistent with the purposes of the Building

Code; or who before having been authorized by the officer causing the same to be stopped resumes work stopped by the Building Official shall be deemed guilty of violating the Building Code, and shall be subject to the general penalty provided herein. Permits for work being done in violation of the Building Code may be canceled or revoked on order of the Building Official. A permit once revoked cannot be restored and to resume further work shall require the obtaining of a permit for the original purpose. (Ord. 73-305-20)

5-1-8-6: PORTABLE TOILETS

A. General Requirements: The location of portable toilets must be indicated on a site plan which is approved by the Department of Community Development. Portable toilets must be located completely on private property. The portable toilets must be properly installed and maintained in working order and shall be kept free from leaks and defects. All portable toilets shall be maintained in a sale, sanitary and usable condition.

B. Special Events: Portable toilets for special events shall be permitted where existing plumbing facilities may be inadequate to accommodate the demand. A no-fee building permit must be obtained from the Department of Community Development prior to installing portable toilets for special events. The portable toilets may not be put in place more than forty eight (48) hours before the scheduled event and must be completely removed from the property within twenty four (24) hours of the conclusion of the special event.

C. Subdivision Improvements and Commercial Construction Sites: Portable toilets must be provided for construction workers in accordance with OSHA standards. Portable toilets must be promptly removed after construction activity is completed and in all cases before a Certificate of Occupancy is issued.

D. Residential Construction Sites: Portable toilets in residential areas must be discretely located so they are not visible from the street.

E. When Site Construction Fencing is required by Section 5-1-13, the owner and commercial contractor shall be responsible for placing portable toilets inside site construction fencing and no closer than five feet (5') from any property line or the right-of-way. (Amd. Ord. 07-2974-02, eff. 2/26/07)

5-1-8-7: TEMPORARY TRAILERS

A. General Requirements: A specific area designated for temporary trailers, as defined in this Section, must be indicated on a Site Plan and approved by the Department of Community Development prior to the placing of trailers on the site and prior to the issuance of any Building Permit or Public Improvement Permit. Temporary trailers must be located completely on private property.

B. Construction Office Trailers: Construction office trailers must be securely affixed to the ground and meet all applicable codes and regulations of the Village for light, ventilation, egress, and space for the occupancy of a structure.

C. Sales Office Trailers: Office trailers for the sales or marketing of real estate, which are designed for use by the general public must be securely affixed to the ground and meet all applicable codes and regulations of the Village for light, ventilation, egress, and space for the occupancy of a

structure. The design, location, landscaping, and proposed signage for any such trailers must be reviewed by the Architectural Review Board and approved by the Village Board. Such trailers may not be put in place prior to the issuance of a public improvement permit and must be removed when the last lot or unit is placed under contract or within three (3) years, whichever is sooner.

D. Construction Material Trailers: Trailers for the temporary secure storage of building material and equipment may be stored on the construction site in an approved location. Construction material trailers will be allowed on site only while the building trade owning or using the trailers is actively engaged in construction activity. Construction trailers shall not be allowed in residential areas unless a contractor is working on two (2) or more homes in the area simultaneously. (Ord. 90-1175-59)

E. Dumpsters: Construction dumpsters require a permit. The fee to locate a construction dumpster is noted in Section 1-15-5, Comprehensive Fee Schedule. Dumpsters unrelated to a building permit are permitted for a minimum of 7 days and a maximum of 28 days. However, if a dumpster is approved in conjunction with a valid Building Permit for active construction, the Building Official may permit the dumpster to remain on-site for the duration of the construction project, or until such building permit has expired. Such dumpsters are permitted only on surfaces approved by the Building Official. Construction dumpsters must be setback no greater than 10' from the principal structure, unless they are located inside an approved construction fence. Construction dumpsters are permitted only on private property. (Ord. 14-3337-64 eff. 10/27/14).

F. Portable Storage Containers: Portable storage containers and pods for short term storage are permitted without a Building Permit but must be removed within 28 days of placement. Portable storage containers are permitted only on driveways or similar hard surfaces. Placement of a storage container on an unpaved surface is prohibited. A portable storage container may not encroach upon the public right-of-way nor be located in such a way that it obstructs visibility of vehicle movements from the public right-of-way. (Ord. 14-3337-64 eff. 10/27/14).

5-1-8-8: FAILURE TO INSTALL OR CONSTRUCT ACCORDING TO PLANS

Any public or private construction, engineering, landscaping, or installation of improvements or structures, including remodeling and tenant finishes shall be performed in strict accordance with approved plans. The owner, developer and general contractor shall be jointly and severally liable for any failure to perform in strict accordance with the approved plans and shall be subject to the fines set forth in the Comprehensive Fine Schedule of the Code described in 17-1. (Amd. Ord. 10-3131-08, eff. 3/22/10).

5-1-9: CONFLICT WITH ZONING CODE

In the event that any provisions of this Code or the other technical codes adopted herein by reference are in conflict with any provision of the Lincolnshire Zoning Code or any amendment thereto, the latter shall prevail, and the conflicting provision of this Code shall be of no effect. (Ord. 73-305-20)

5-1-10: EXTERIOR MOUNTED EQUIPMENT

Regulations pertaining to the placement and installation of exterior equipment for single family residences only are exempt from the screening provisions of this Section, except as otherwise required by the Village Code. (Amd. Ord. 95-1413-43, eff. 12/11/95)

A. Village Policy: It is the stated policy of the Village, by means of its ordinances and codes, to maintain, protect, preserve and perpetuate the existing rural character and aesthetic qualities of

the Village by assuring its residents that future construction will always advance and enhance this policy. In addition, it is the intent of this Section to preserve, and protect and promote the enhancement of property and taxable values, as well as the general welfare of the residents of the Village.

One very important means by which this goal can be achieved is the installation of exterior equipment in a manner that is pleasing to the eye and in harmony with the predominantly residential character of the Village, and which will contribute to those qualities that bring lasting value to our community and raise the level of community expectations for the quality of its total environment.

The method of equipment installation recommended by the Village is the location of such equipment within the building itself or as provided for in the following pertinent subsections of this Section.

Architects and mechanical engineers are urged to work in unison toward achieving a design for buildings, proposed for construction in the Village in which the equipment is totally encompassed as an integral part of the structure and will not be visible to public view.

B. Definitions: For the purpose of this Section the following definitions are hereby adopted. These definitions shall be mandatory in complying with the provisions of this Section.

Concealed	Any point of utility service entrance connection to a building structure FITTING which is not readily accessible by an individual for means of installation, maintenance, service or repair.
Exterior	Equipment, devices, machinery and accessories, including but not EQUIPMENT limited to heating, ventilation, lighting, skylights, storage, refuse, recycling, surveillance, and communication installations; drainage, water, sewer, telephone, gas, electric, cable television and other utility services; and other similar purposes. All equipment mounted to a roof, wall, pole, ground or other surface shall be subject to the regulations of this Section.
Ground	A structure of permanent construction material as defined herein, or a MOUNTED berm, or plantings, shrubbery, etc., that affords complete screening of SCREEN the equipment from public view.
Parapet wall	That part of any wall that extends above or through the roof line.
Parapet wall and wall height	Parapet wall height shall be the vertical distance measured from surface of the finished roof to the top of the wall at the point where the roof line and exterior wall meet.
Penthouse	An enclosed structure on the roof of a building which houses rooftop equipment as defined herein.
Public Utility	Any exterior equipment installed by a public utility company for the purpose of servicing more than one business, company, association, EQUIPMENT user, entity, non-residential structure or residential unit.
Rooftop	An enclosure constructed on the roof of a building to screen equipment.
Screen	To screen from public view. This shall include a parapet wall, or a separate screen used in conjunction with a parapet wall, or a

	penthouse used in conjunction with a parapet wall.
Shall	The word "shall" is always mandatory and not permissive or discretionary.
Tenses	Words in the present tense shall include the future.
Village	The Village of Lincolnshire.

C. **GENERAL REGULATIONS:**

1. Appearance: All exterior equipment shall be screened entirely from view as provided for in the Village Code. Design of exterior equipment screens constructed of building materials shall be consistent with the general architecture of the principal structure. Design of exterior equipment screens constructed of natural materials shall be approved by the Village Forester.

2. Installation: The construction and installation of all exterior equipment shall comply with all codes adopted by the Village, shall be structurally sound and shall follow the manufacturer's recommendations. All installations must satisfy construction requirements for live, dead and wind loads, frost depth, and soil constraints, as applicable.

   Structural Engineer Design Criteria Drawings and Calculations stamped by an Illinois Licensed Structural Engineer must be submitted if required by the Department of Community Development.

   Installation of public utilities on private property shall be in appropriate easements benefitting the utility company. Installation of public utilities on public property shall be in such easements or the public right-of-way.

3. Material

   a. Permitted Materials: All exterior equipment screens constructed of the same building material used in the walls of the building, shall be continuous, and shall be the same basic design as the building. The use of glass or wood shall be permitted as a screening material on buildings having exterior walls constructed entirely of glass or wood. Opaque glass block or opaque glass panes shall be considered dependent upon color, thickness, size and incorporation into building design. Screens using exterior insulation finish systems (EIFS) shall only be permitted when the primary building wall material is EIFS and provided the screens are constructed as a continuous wall, not panels.

      All exterior equipment screens constructed of natural materials shall be approved by the Village Forester.

   b. Prohibited Materials: Materials used in trim, moldings, jambs, window or door frames, or decorative features of a building shall not be permitted for equipment screens unless used as a primary material in the building facade. Composition, plastic or fiberglass shingles or panels, and EIFS panels shall not be permitted.

   c. Alternative Materials: The Architectural Review Board may recommend an alternative material or color be allowed when the standards for review in the Village Code are advanced and provided the proposed materials are equal to, or

better than the primary material proposed for use in the building.

4. Height: The height of all required screening (including walls, parapets, and penthouses), shall exceed the highest point of all exterior equipment by a minimum of 6".

5. Approval: The Architectural Review Board shall make a recommendation and the Village Board shall have final approval on the design, material, height, color, and location of all exterior equipment screens based on quality and durability.

   Board Submission Requirements: In order to facilitate the administration of this Section, each petitioner at the time of filing building plans for review by the Architectural Review Board shall submit the following documents:

   a. A plan which indicates the location of all exterior equipment to be mounted on any and all walls, roof, or ground area adjacent to a building including, but not limited to provisions for gas, electric, telephone, cable, communications, water, sewer, refuse, and recycling.

   b. A section/elevation drawing which indicates the height of all exterior equipment in relation to the proposed screening. A note must be included on the drawing that indicates all exterior equipment will be a minimum of six inches (6") below the highest point of the associated screen structure, or two inches (2”) below the plant material at the time it is installed.

   c. An equipment schedule which is keyed to both the plan and section drawings. The schedule shall include the letter or number identifying the proposed type of equipment, the height of the equipment, and the distance between the highest point of the equipment and the associated screen.

6. Special Consideration: Combination Flat/Peak Roof and Unique Roof Designs Buildings which have a combination of a flat roof and peak or sloping roof, or a roof of any other unique design shall be required to screen the equipment on the flat portion of the roof in accordance with the regulations of this Section.

   If rooftop equipment is to be installed on a roof or any portion of a roof which is not flat, the Architectural Review Board will give special consideration to the type, design, construction, height and color of the screen and equipment to be installed and *may* consider unscreened equipment which is designed to meet the provisions and advance the objectives of this Village Code Section.

7. Maintenance: All exterior equipment, required screens, and premises adjacent thereto shall be kept in good repair and maintained in a state of preservation and appearance as originally approved. Plants used for natural material screens shall be maintained in a live, thriving condition at all times.

D. **SPECIFIC REGULATIONS**

1. Rooftop Mounted Exterior Equipment: Regulations pertaining to rooftop equipment are applicable to all buildings, whether residential, commercial, industrial, or public within the Village except for single-family residences.

a. Parapet Wall

i. Appearance: All portions of every flat roof building shall be contained by a continuous parapet wall. The parapet wall shall be of solid construction and shall be a continuous vertical extension of each wall of the building. (See Figures 1, 2, and 3)

ii. Materials: Parapet walls designed as a fascia or modified to create an overhang or vertical extension shall be constructed of the same materials used in the building walls, or of aggregate pre-cast panels of a compatible or harmonious color.

iii. Parapet walls designed as a mansard roof or roof of similar style shall be clad with tile, slate, concrete shingles, copper or pre-finished metal panels in a thickness not less than recommended by the Sheet Metal and Air Conditioning Contractors National Association (SMACNA).

iv. Height: Parapet walls shall be a minimum 30" above the exterior horizontal roof surface *and* no less than 6" above the highest point of all equipment to be screened.

b. Screen Wall

i. Appearance: Screen walls shall be of a solid, continuous construction, completely surrounding the rooftop equipment to be screened. Entry into the screened area shall be provided by means of a hatch or blind entrance. A concealed, flush door finished to match the screen wall shall also be permitted provided the door reverse handed (swings out from equipment area). (See Figure 1)

ii. Screen walls shall be constructed of the same materials used in the building walls or a material that visually appears to be similar and compatible as recommended by the Architectural Review Board.

iii. An opening for required ventilation at the bottom of the screen shall be permitted provided the required parapet wall is of sufficient height to completely screen the opening between the flat surface of the roof and the bottom of the screen. The bottom of the screen shall be a minimum of 6" below the top of the parapet wall. (See Figure 2)

iv. Quantity: One or more separate screen walls in conjunction with a parapet wall may be utilized provided construction is in compliance with the provisions of this Section. (See Figure 4A)

v. Location: The minimum distance between individual screens shall be 100' if multiple screen walls are to be used on the same building. No portion of a screen wall shall be closer than its height to a parapet wall. (See Figure 4B)

c. Penthouse

i. Appearance: A penthouse in conjunction with a parapet wall may be utilized. The penthouse shall have the same number of walls and be of the same basic design as the building itself and have a roof over the entire structure except that the roof or a portion thereof may be omitted if an opening is required for ventilation. (See Figure 5)

Louvers, windows and doors shall be permitted in the penthouse provided the finish is a compatible or harmonious color with the penthouse walls.

No rooftop equipment shall be installed on the roof of the penthouse or extend above the roof line.

ii. Quantity: One or more separate penthouse in conjunction with a parapet wall may be utilized provided construction is in compliance with the provisions of this Section.

iii. Location: The minimum distance between individual penthouse screens shall be 100' if multiple penthouses are to be used on the same building. No portion of a screen wall shall be closer than its height to a parapet wall.

2. Ground and Wall Mounted Exterior Equipment

a. Public Utility Equipment in a Public Right-of-Way: All equipment shall be screened in accordance with the Landscape Regulations of the Village Code pertaining to public rights-of-way.

b. Exterior Equipment on Private Property: Single Family Detached Residential

i. New Construction

1. Equipment: All electric, water, gas, cable, data, communication and any other meter, line, and miscellaneous equipment shall be installed on that side facade of a structure which most closely parallels an interior side yard setback. In no instance shall equipment be installed in a required yard setback or on a front or rear facade of a structure. (See Figure 6)

2. Service Lines: To the extent that it is practical, all utility service lines shall be placed parallel to each other and at a distance as close to one another as safe practice will permit. Above ground service lines shall not be permitted.

3. Service Connections: Connections between outside meter fittings and inside service devices shall be installed without the use of concealed fittings.

4. Existing Residences: Any new service lines or connections, upgrades to existing lines or connections, or placement of existing

lines underground must be in full compliance with the regulations for new construction.

c. Exterior Equipment on Private Property: All Other Uses

All methods of screening shall be reviewed by the Architectural Review Board and applicable utility companies and approved by the Corporate Authorities prior to the time a building permit is issued for installation of said equipment.

i. New Construction

1. Equipment: Equipment which is intended primarily for use by one business, company, association, user, or entity shall be located on the least prominent side of a building and completely underground, or within one recessed area per structure which is designed to be indistinguishable from the building facade, or within the limits of a screen wall attached to, and integrated into the principal structure on the lot, or screened in full compliance with the Landscape Regulations.

Each piece of exterior equipment shall be screened in the same manner and in the closest possible proximity to all other pieces of equipment without causing safety concerns.

All electric, water, gas, cable, data, communication and any other meter, line, and miscellaneous equipment shall be installed on that side facade of a structure which most closely parallels an interior side yard setback. In no instance shall equipment be installed in a required yard setback.

Service Lines: To the extent that it is practical, all utility service lines shall be placed parallel to each other and at a distance as close to one another as safe practice will permit. Above ground service lines shall not be permitted.

Service Connections: Connections between outside meter fittings and inside service devices shall be installed without the use of concealed fittings.

2. Existing Structures: Installation of exterior equipment on existing structures shall be in conformance with all of the regulations for new construction and shall be mounted at a height which does not exceed the first floor of the structure to which it is attached.

3. Pole Mounted Exterior Equipment: Equipment mounted to poles shall not be permitted except by Special Use in accordance with the provisions of the Zoning Regulations, and only in the event extenuating circumstances exist and are substantiated by the owner and are approved by the Corporate Authorities. The location of such pole(s) shall be restricted to that area beyond the principal

plane of the rear or interior side building facade and shall not be located in any required yard setback. Provisions for screening shall be in accordance with the recommendations of the Department of Community Development and shall be reviewed as a part of the Special Use process.

E. **EXISTING NON-CONFORMING EQUIPMENT**

Buildings presently without any screening or with screening of exterior equipment which are not in full compliance with the requirements of Section 5-1-10 of this Code, shall be subject to the requirements of this subsection.

For the purpose of interpreting the provisions of this subsection, any repair, maintenance, modification, alteration, replacement or addition to a structure within a 36 month time period shall be used to determine if the improvements exceed 50% of the assessed value of the structure.

1. Lawfully Existing Exterior Equipment and Structures

Exterior Equipment which was installed in accordance with a legally issued permit on file in the Village, or the property owner can produce written approval that the building and related equipment were legally permitted and erected prior to the introduction of screening regulations in 1987 shall not be required to install screens or parapet walls except as outlined below.

Repair, maintenance, modification, alteration, replacement, and additions related to existing equipment or structures shall however, be only in accordance with the provisions below.

a. Repair and Maintenance: Repairs to, and maintenance of existing equipment and screens shall be permitted.

b. Modification and Alteration to Equipment

i. To Equipment: Any modification or alteration to existing equipment shall only be permitted when the change makes the equipment more conforming with the regulations of this Section.

ii. To Screen: Any modification or alteration to an existing screen wall, parapet wall, or penthouse shall be constructed with the same materials and in the same manner as the original screen.

iii. To Building: Existing buildings which are proposed to be modified or altered greater than, or equal to 50% of the assessed value of the building shall be required to conform to all of the regulations of this Section.

c. Replacement of Equipment: Replacement of existing equipment shall be permitted provided the size, height and location of the new equipment is the same as that previously approved and installed. Proposed replacement equipment which is larger in size shall be permitted provided it is screened in full compliance with the provisions of this Section.

d. Addition

i. Of Equipment: Installation of additional equipment to an existing structure or a previously developed site shall be screened in the most applicable practical manner described by this Code. The addition of new equipment shall be located in close proximity to existing equipment, and all proposed screens shall enclose the greatest amount of equipment feasible.

ii. Of Floor Area to the Building: Installation of a new parapet around the perimeter of an existing flat roof building and other screening shall be required at the time proposed modifications or alterations to a building are greater than or equal to 50% of the assessed value of the building.

2. Elimination of non-conforming equipment and screens
A building presently without any screening or with screening which is not in full compliance with the requirements of this Section of the Village Code shall be made to fully comply with the requirements at the time proposed modifications or alterations to the building are greater than or equal to 50% of the assessed value of the building.

Buildings constructed with a 24" parapet wall (prior to the 1995 Amendment), shall not be required to increase the height of the parapet wall to 30". All existing and proposed equipment, however, shall be required to be 6" below the top of the parapet wall.

5-1-11: COMMERCIAL CONTRACTORS

A. For the purposes of this Chapter, the following words and phrases shall be defined as follows:

Commercial contractor: Any person, firm or corporation who engages in, for profit, the business of providing labor and/or labor and materials for any construction, repair or remodeling work within the Village, including, but not limited to the construction, repair or remodeling of any building, structure, fence, driveway or sidewalk; and Any person, firm or corporation who engages in, for profit, the business of caring for or maintaining landscaping and ornamental plantings including, but not limited to, the care and maintenance of grass, trees and bushes.

Commercial contractors/wastehaulers: Any person, firm or corporation collecting and/or disposing of waste or debris except the following:

1. Any landscaper who only hauls landscape waste generated from his daily landscape services; or

2. Any plumber or contractor whose daily operations only generate minor amounts of clean construction or demolition waste/debris which can and are hauled away on a daily basis in a pick-up truck or similar sized vehicle.

B. No Commercial Contractor or Commercial Contractors Wastehaulers, as such terms are defined in Section 5-1-11 of this Code, shall perform any work, provide any service or deliver any materials to any construction site on any Sunday or federally-recognized holiday on which the Village administrative offices are closed, or before 7:00 a.m. or after 7:00 p.m., Monday to Friday, and before 8:00 a.m. or after 6:00 p.m. on Saturday.

5-1-12: STAGING; PARKING

A. No more than two (2) Second Division motor vehicles, as such are defined by Section 1-146 of the Illinois Vehicle Code, will be permitted on Village streets (defined as streets within the Village boundaries) at any one time while such vehicles are temporarily parked and/or staging awaiting access to any construction site. Additional Second Division motor vehicles must park and/or stage outside of the Village boundaries. The foregoing limitation shall not apply to Second Division motor vehicles performing work on and within the subject construction site and which are located within the site construction fencing, if applicable. When the two (2) Second Division motor vehicles permitted on Village streets are parked or staging opposite from the permitted side of the street, as described in paragraph C below, a traffic flagger must be provided to manage traffic control. Second Division motor vehicles designed for carrying passengers and First Division motor vehicles may not be stored on a construction site for greater than twenty-four (24) hours.

B. Construction vehicles and passenger vehicles belonging to commercial contractors, their employees and subcontractors are prohibited from staging or parking in the bulb of any cul-de-sac. A variance from this prohibition may be granted on a case-by-case basis following certification from the Police Department that a safe means of ingress and egress can be maintained for the benefit of public vehicles.

C. Commercial Contractors, their employees and subcontractors may only park on Village streets during the course of construction under a valid building permit. Such parking is permitted only on the even-numbered side of the street on even-numbered days and on the odd-numbered side of the street on odd-numbered days.

D. Commercial contractors shall use their best efforts to avoid parking or staging immediately opposite from any driveway and in conflict with mailboxes erected adjacent to the right-of-way.

5-1-13: SITE CONSTRUCTION FENCING

Site construction fencing meeting The following criteria shall be installed and affixed to the ground prior to the commencement of any construction activity whenever (I) a building permit is issued for the construction of any principal structure on a parcel, or the remodeling or renovation of more than 25% of an existing principal structure as measured by floor area, and such parcel is located within two hundred and fifty feet (250') of existing improvements on separate parcels, or (ii) the Community Development Department finds extraordinary secondary impacts will arise from the specific construction activity proposed.

A. Whenever construction materials, vehicles or equipment are stored on-site in a location viewable from the right of way, site construction fencing must have an opaque wind screen, in forest green, black, or other opaque color that complements the existing conditions on the site.

B. When applicable, the wind screen must be securely fastened to and completely obscure the site construction fencing.

C. Site construction fencing shall completely enclose the work area described in the approved construction documents and be contained within the permitted building area on such parcel; provided that where construction is permitted in a required yard such fencing shall be erected as far away from the nearest boundary as possible. Site construction fencing must not be erected in a manner which obstructs the visibility of vehicular traffic at an intersection.

D. The erection of site construction fencing shall not relieve the Owner or Commercial Contractor from complying with Title 13 of the Village Code or from erecting storm water management control measures when applicable.(Amd. Ord. 07-2974-02, eff. 2/26/07) (Ord. Amd. 07-3000-28, eff. 8/13/07)

5-1-14: MURALS

A. Murals shall be subject to the review and approval of the Architectural Review Board pursuant to the design standards described in Section 2-3-4 of Title 2, Boards & Commissions. A mural is a painting or other work of art installed directly on the exterior of a building for artistic purposes. Murals containing letters, products, logos, and similar elements which relate to the nature of the business located on the property, shall be considered Signs, and regulated by Title 12, Sign Control.