

CHAPTER FOUR - PUBLIC HEALTH AND SAFETY

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419.1 Peddlers & Transient Merchants

400.2 **AN ORDINANCE REGULATING THE COMPOSTING OF LANDSCAPE WASTES.**

400.2-1 Definitions

The following terms for the purpose of this ordinance shall have the meanings respectively ascribed to them in this section:

400.2-1a COMPOSTING. Composting is the biological treatment process by which microorganisms decompose organic waste, producing compost.

400.2-1b COMPOST. Compost is a humus-like product of the process of composting waste, which may be used as a soil conditioner.

400.2-1c LANDSCAPE WASTE. Landscape waste means all accumulations of grass, plant or shrubbery cuttings, leaves, tree limbs and other materials accumulated as the result of the care of lawns, gardens, shrubbery, vines and trees.

400.2-2 The following rules shall apply to composting of landscape wastes:

400.2-2a All landscape waste used in composting shall be enclosed in a free-standing bin not more than 5 feet in height.

400.2-2b Each composting bin shall be constructed to provide adequate ventilation and allow penetration of moisture. Wood, brick, cement or concrete blocks, woven wire, and snow fencing are all satisfactory materials from which to construct such bins.

400.2-2c Each composting bin shall be properly maintained to prevent the attraction of rodents and the emission of odors.

400.2-2d No composting bins shall be located in front yards or side yards, and each such bin shall be no less than 3 Feet from any property line. No composting bin shall be placed in any utility or drainage easement.

400.2-2e No landscape wastes from a source away from the lot of the owner or occupant engaged in composting shall be used in such composting.

400.2-2f No human wastes, animal wastes or food wastes may be added to composting materials.

400.2-2g Commercial additives designed to speed the decomposition of landscape wastes may be added to composting materials.

400.2-2h No owner or occupant may have a composting bin or bins exceeding 100 cubic Feet in volume on any lot.

400.2-3 Any person who violates this ordinance shall be fined \$50.00 for the first offense, \$150.00 for the second offense and \$300.00 for the third and any subsequent offense thereafter, and may be ordered to take such actions as are necessary to comply with the terms of this Ordinance. (10-5-90, 8-1-02).

400.3 **AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF JEROME, ILLINOIS RELATING TO AN ORDINANCE REGULATING DISPOSAL OF GARBAGE, TRASH, AND RUBBISH; AND FOR THE REGULATION OF SIGHT OBSTRUCTIONS.**

400.3-1 Definitions.

The following words and phrases for the purpose of this ordinance shall have the meanings respectively ascribed to them in this section:

400.3-1a **GARBAGE.** Garbage is hereby defined to include all organic household or kitchen wastes, such as rejected or unused food and food residue, and paper necessarily used for wrapping.

400.3-1b **ASHES.** Ashes are hereby defined to include the residue from the combustion of fuel used for heating.

400.3-1c **RUBBISH.** Rubbish is hereby defined to include inorganic, incombustible household waste such as tin cans, metal ware, bottles, broken glass, crockery, stoneware and similar refuse resulting from the regular operation of a household, and also includes combustible material such as papers, boxes, brush and leaves and any other rubbish or waste resulting from the operation of a domestic or business establishment, such as grass cuttings, tree trimmings, debris from building construction, repair or remodeling, discarded equipment and similar waste.

400.3-2 Removal Required.

The owner, occupant or lessee of any premises in the Village shall remove from such premises or otherwise dispose of all garbage, ashes, refuse and rubbish of every description whatsoever at least once every week and shall keep such premises at all times free and clear of any accumulation of garbage, ashes, refuse and rubbish of every description whatsoever.

400.3-2.1 No person shall bring trash, rubbish, garbage, discarded appliances or equipment, general household waste or commercial waste, or construction or demolition debris into the Village for the purpose of disposal, either in conjunction with a village clean-up program or some other means of disposal.

400.3-3 Burning of Garbage.

It shall be unlawful for any person, firm or corporation- to burn set fire to, or cause to be burned, or cause to be set fire to, any garbage unless such garbage shall be burned in a furnace or incinerator that is sufficiently screened and filtered to prevent the escape of ignited particles, soot and ashes.

400.3-4 Garbage Receptacles Required.

It shall be the duty of every owner or his agent, or the occupant of any house, building, store, or apartment, where persons reside, board, lodge, or conduct business of any kind whatsoever, or where animal or vegetable food is prepared or served, to provide for such house, building, store, or apartment and at all times to maintain in good order and repair, one or more receptacles with caps or covers of a capacity sufficient to contain the accumulations of such garbage and other materials for a period of at least seven days.

400.3-5 Location of Garbage Receptacles.

All receptacles for garbage, ashes and rubbish shall be placed outside and to the rear of the residence or other main building. Such receptacles may be moved adjacent to the street on days scheduled for collection of refuse but must be removed to the rear of such residence or other main building as soon as possible after such collection is made.

400.3-6 Diffusion of Waste Material.

It shall be unlawful for any person to cast, place, sweep or deposit anywhere within the corporate limits of the Village any garbage, rubbish, refuse, landscape waste or waste material upon any street, or into any sewer, or in such a manner that it may be carried or deposited by the action of the sun, wind, rain, or snow, into or upon any street, sidewalk, alley, sewer, parkway, stream or other public place, or into any occupied premises.

400.3-7 Deposit of Offensive Matter Prohibited.

No pile or deposit of manure, garbage or waste of any kind whatsoever, nor accumulation of any offensive or nauseous substance, shall be made within the corporate limits of the Village, nor shall any person or corporation unload,

discharge or put upon or along the line of any railroad, street or highway or public place within the village, any manure, garbage or waste of any kind whatsoever, or other offensive or nauseous substance, nor shall any cars or trucks loaded with or having in or upon them any such substance or substances, be allowed to remain or stand on or along any railroad, street or highway within the corporate limits of the village.

400.3-8 Burning Combustible Material Regulated.

No person, firm or corporation shall hereafter burn or ignite any combustible material within the corporate limits of the Village.

400.3-9 Removal of Garbage Prior to Collection.

The removal, without replacement or garbage, refuse or waste material from any can, container or other receptacle in which same is placed by any resident of the Village or by a public official or employee pending or awaiting its collection and disposal is hereby forbidden and declared to be a public nuisance.

400.3-10 Tipping or Removing Garbage Receptacle Covers.

The tipping over of any can, container or receptacle provided by any resident of the Village, or by any public official or employee, for the placement or storage of garbage, refuse or waste material, or the removal of any cap or cover there from, without replacement in its original condition or position is forbidden and is hereby declared to be a public nuisance.

400.3-11 Brush and Weeds a Public Nuisance.

The presence upon land within the corporate limits of the Village of grass in excess of 6 inches in height, brush, weeds, dead and dying trees or bushes, stumps, roots, limbs, obnoxious growth, filth, garbage, trash and debris is hereby declared to be detrimental to public health, and is hereby declared to be a public nuisance.

400.3-12 Removal of Brush and Weeds Required.

The owner or tenant of land within the corporate limits of the Village is hereby required to remove or cause to be removed from such land any grass, brush, weeds, dead and dying trees or bushes, stumps, roots, limbs, obnoxious growth, filth, garbage, trash and debris within five days after receipt by such owner or tenant of written notice from the Board of Trustees.

400.3-12(a) Trees, Limbs, Shrubs, Vines, Plants, Fencing and Sight Obstructions.

All trees, limbs, shrubs, vines, plants, fencing and sight obstructions within the scope of this section, grown or maintained in the Village shall conform to the following specifications.

1. Height above streets. The presence of any tree, limb, shrub, vine, plant, fencing or sight obstruction which is grown, cultivated or maintained in such a manner so that any portion of such tree, limb, shrub, vine, plant, fencing or sight obstruction overhangs or obtrudes upon or over any dedicated alleyway, street or highway in the Village is hereby declared to be detrimental to public health and is hereby declared to be a public nuisance, unless there is a full twelve-foot clearance between the surface of all portions of such alleyway, street or highway and the overhanging tree, limb, shrub, vine, plant, fencing or sight obstruction of any description or kind.
2. Street intersection clearance in corner triangle

The presence of any tree, limb, shrub, vine, plant, fencing or sight obstruction of any kind which is not erected or maintained within the restricted area hereinafter described to a height greater than thirty (30) inches from the street gutter flow line is hereby declared to be detrimental to public health and is hereby declared to be a public nuisance. Any tree, shrub, vine or plant planted, grown or maintained in such restricted areas which have branches or foliage extending from the trunk thereof at a height lower than eight (8) feet from the street gutter flow line is hereby declared to be detrimental to public health and is hereby declared to be a public nuisance. The areas in the Village by this subsection restricted are as follows:

- a. All of that portion of land lying within a triangular-shaped area at each intersection of a public right-of-way or curb cut within the city described as follows: Beginning at the precise corner of the intersection point of the curb of the street with the curb of a driveway or curb of another public right-of-way intersection forming each corner and extending twenty (20) feet along each such curb line from said curb intersection point, the third side being determined by the drawing of a straight line from the ends of each such twenty-foot extension (whether said land be privately owned or unpaved or untraveled street right-of-way property). Where no curbs are in existence at such intersections, said twenty-foot lines shall coincide with the central flow line of the ditch paralleling such uncurbed street.

- b. "Street gutter flow line" means the street gutter flow line of the curb adjacent to and bordering upon each such restricted area. In the event that there is no such curb as aforesaid, the aforesaid height restrictions shall be based upon the actual level of the paved or used portion of the public street adjacent to and bordering upon each such restricted area

400.3-12(b) Removal of Trees, Limbs, Shrubs, Vines, Plants, Fencing and Sight Obstructions Required. The owner or tenant of land within the corporate limits of the Village is hereby required to remove or cause to be removed from such land any tree, limb, shrub, vine, plant, fencing or sight obstruction within five days after receipt by such owner or tenant of written notice from the Board of Trustees.

400.3-13 Method of Giving Notice.

The Board of Trustees shall investigate the premises on which any violation of this ordinance shall occur, and a notice to the owner or tenant to cause abatement of such violation shall be given by the Board of Trustees, and may be served upon such owner or tenant either personally or by registered or certified mail, and if by the latter method, the five-day period from which such removal shall be accomplished shall be deemed to run from the date of the return receipt of such registered or certified mail obtained by the postal authority for the delivery of such mail. Every such notice shall, in addition to requiring the removal aforesaid, warn the owner or tenant of the land to which the notice refers that failure to accomplish such removal within the time stated therein will result in removal by or under the direction of the Board of Trustees of the Village of Jerome; and the cost, not including any penalty set forth in this ordinance, of such removal by the Village shall be charged to the owner or tenant of such land, and shall be payable to the Village within thirty days after the date of submission of the charges. The Village shall not be required to provide any notice for any subsequent violation which has been the subject of notice by the Village within the previous six months.

If the violation is for uncontrolled weeds or grass on any premises or for the presence of nuisance trees or bushes, there will be a charge, in addition to any penalty set forth in this ordinance, of Seventy-Five Dollars (\$75.00) per hour, with a two hour minimum, for the cutting of such weeds or grass, the trimming of trees or bushes, or the removal of nuisance trees or bushes, and such charge shall be payable in thirty (30) days or the premises will be subject to lien for any charges.

400.3-14 Owner or Tenant to Pay Costs.

Whenever the owner or tenant of such land within the Village, receiving the notice provided for by the preceding section to remove from such land any of the substances hereinbefore mentioned, shall fail and neglect, within the time prescribed in the notice, to effect removal of such substances, such removal shall be accomplished by or under the direction of the Public Health Trustee. An accurate record of the cost to the Village of such removal shall be determined by

the Public Health Trustee, who shall certify the cost thereof, and if found correct shall cause the cost as shown thereon to be charged against the owner or tenant.

400.3-14.1 The Village shall provide for the curbside pickup of large or bulky items no less than once per year. Notice of the date of said pickups shall be published in the Village newsletter. Items eligible for pickup include, but are not limited to, furniture, appliances and mattresses. Village employees may refuse the pickup of certain items, such as hazardous materials and construction waste. Prior to the date of pickup, a fee of \$15.00 per item shall be paid to the Village. The fee for each item must be paid at the Village Hall during regular working hours. No item or items will be picked up without the total fee having been paid.

400.3-14.2 Repealed

400.3-15 Penalty.

Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of \$50.00 for the first offense. Any person, who commits a second separate offense within 60 days of conviction for the first, shall be punished by a fine of \$300.00. Any person, who commits a third or subsequent separate offense, within 60 days of any previous offense, shall be punished by a fine of \$500.00.

Any such penalty shall be in addition to the costs of removing the substances herein-before referred to from the land described in the notice given by the Board of Trustees. Each day a person refuses to comply with the notice shall constitute a separate offense.

400.3-16 Repeal or Amendment of Conflicting Ordinances.

Any ordinances or parts or ordinances in conflict with any of the provisions of this ordinance are hereby expressly repealed or amended to conform to this ordinance.

400.3-17 Partial Invalidity.

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable.

401.2 AN ORDINANCE PROVIDING FOR FIRE LIMITS, AND REGULATIONS GOVERNING THE CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES.

401.2-1 Adoption of Building Code: Permits Required.

401.2-1a There is hereby adopted by the Village of Jerome for the purpose of establishing rules and regulations for the construction, alteration, removal) demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties that certain building code known as the National Building Code recommended by the National Board of Fire Underwriters, being particularly the 2006 International Building Code, 2006 International Fire Code, 2006 International Mechanical Code, 2006 International Fuel Gas Code, National Electrical Code 2005 Edition, current edition of the Illinois Accessibility Code and the 2004 Edition of the Illinois State Plumbing Code for Business Districts for Business Districts, save and except such portions as are hereinafter deleted, modified or amended of which not less than three (3) copies have been and now are filed in the office of the village clerk and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the Village of Jerome. (5-15-08; (10-7-10)

401.2-1b Prior to any construction or alteration of any building or structure, demolition or removal of any building or structure, or relocation of any building or structure to a different lot or to a different location within a lot, a building permit must be obtained in accordance with the requirements of this Ordinance. (5-15-08)

401.2-2 Establishment of Office of Building Official.

401.2-2a The office of building official is hereby created and the Trustee in charge of the Building and Zoning Department shall be known as the building official. (8-1-02)

401.2-2b During temporary absence or disability of the building official the President shall designate an acting building official. (8-1-02)

401.2-3 Duties of Building Official.

401.2-3a The building official shall receive applications required by this code issue permits and furnish the prescribed certificates; examine premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely; enforce all provisions of the building code; when requested by another authority, or when the public interest so requires, make investigations in connection with matters

referred to in the building code and render written reports on the same; to enforce compliance with law, to remove illegal or unsafe conditions or to secure the necessary safeguards during construction or to require adequate exit facilities in buildings and structures, shall issue such notices or orders as may be necessary. (8-1-02)

401.2-3b Inspections required under the provisions of the building code shall be made by the building official, a duly appointed assistant or through a contractual or independent contractor relationship. The building official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provisions of the building code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service. (8-1-02)

401.2-3c The building official shall keep comprehensive records of applications, of permits issued, of certificates issued, of inspections made, of reports rendered, and of notices or orders issued and shall retain copies of required plans and all documents relating to building work so long as any part of the building or structure to which they relate may be in existence. (8-1-02)

401.2-3d All such records shall be open to public inspection for good and sufficient reasons at the stated office hours but shall not be removed from the office of the building official without his written consent.

401.2-3e The building official shall make written reports including statements of permits and certificates issued, and orders promulgated. (8-1-02)

401.2-3f Building Official to Assign Numbers.

It shall be the duty of the building official in pursuance of the provisions of this article, to establish and assign all building and lot numbers on the streets of the Village, allowing as far as practicable one number for each 20 feet of ground. He shall prepare the necessary maps and records of the numbers assigned by him. Such maps and records shall be evidence of the number assigned. He shall, on demand, furnish each owner or occupant of a building and lot with the necessary information as to the number belonging to each building and lot, the size and quantity of the number and the placing of the same on the house. All numbering shall be strictly in conformity with the directions and regulations of the building official. (8-6-09)

401.2-3g Duty of Owner or Occupant to Number.

All owners or occupants of buildings now erected, or which may be erected, within the Village are required to number their buildings in conformity with the

provisions of this article, and the regulations of the building official in pursuance thereof. No owner or occupant of any building now erected, or hereafter to be erected, shall fail to number such building, as required in this article, within 30 days after the same shall be built, and no one shall number any building otherwise than in conformity with the provisions hereof, and the regulations of the building official. (8-6-09)

401.2-3h Powers and Duties of Building Official.

Without limiting the powers and duties prescribed by law and ordinance, the building official shall enforce the numbering of buildings and require that approved numbers or addresses be placed on all new and existing buildings in such a position as to be at all times of the day plainly visible and legible from the street or road fronting the property and as to be in block form and not script. The building official or his authorized representative may require the address to be posted on other designated locations to assist responders in locating emergency situations. These numbers or addresses shall contrast with their background. (8-6-09)

401.2-4 Cooperation of Other Officials.

The building official may request and shall receive so far as may be necessary, in the discharge of its duties, the assistance and cooperation of other officials of the Village of Jerome. (8-1-02)

401.2-5 Right of Entry:

The building official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

401.2-6 Definitions.

401.2-6a Wherever the word "Municipality" is used in the building code, it shall be held to mean the Village of Jerome.

401.2-6b Wherever the term "Corporation Counsel" is used in the building code, it shall be held to mean the Attorney for the Village of Jerome. (8-1-02)

401.2-7 Fire Limits Established:

The fire limits of the Village of Jerome are hereby established as follows:

A strip of land 180 feet wide, north of the north boundary of Wabash Avenue and 400 feet wide south of the south boundary of Wabash Avenue and extending

along both north and south boundaries of Wabash Avenue from the east to the west corporate limits of the village of Jerome.

401.2-8 Fees, Building.

401.2-8a No permit as required by the building code shall be issued until the fee prescribed in this ordinance shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

401.2-8b For a permit for the construction or alteration of a building or structure, the fee shall be at the rate of twenty-five (\$25.00) dollars for the first thousand dollars of the estimated cost; plus five (\$5.00) dollars per thousand dollars of the estimated cost in excess of one thousand dollars or fraction thereof; provided that no fee shall be required when the estimated cost does not exceed two hundred dollars. The term "alteration" as used in this Section does not include the replacement of an existing roof, window or siding of a building or structure.
(8-1-02, 4-15-04, 5-21-09)

401.2-8c For a permit for the removal of a building or structure from one lot to another, the fee shall be at the same rate as in Code 401.2-8b above based on the estimated value of the building or structure in its completed condition after removal.

401.2-8d For a permit for the removal of a building or structure to a new location within the same lot, the fee shall be it the same rate as in Code 401.2-8b above based on the estimate cost of moving, of new foundations and of work necessary to put the building or structure in usable condition in its new location.

401.2-8e For a permit for the demolition of a building or structure the fee shall be twenty-five (\$25.00) dollars. (8-1-02)

401.2-8f The term "estimated cost" as used in this section, means the reasonable value of all services, labor, materials, and use of scaffolding and other appliances or devices entering into and necessary to the prosecution and completion of the work ready for occupancy; provided that the cost of excavation or grading, and of painting, decorating or other work that is merely for embellishment or not necessary for the safe and lawful use of the building or structure, is not deemed a part of such estimated cost.

401.2-8g All construction covered by the provisions of this ordinance shall be commenced within six months after the date of issuance of the building permit and such construction shall be completed within one (1) year after issuance of the building permit. In those cases in which construction has not been commenced in accordance with this paragraph such permit shall be void and a new permit shall be required.

401.2-9 Plans and Drawings Required; Conditions

- 401.2-9a No building permits shall be issued unless the application for building permit shall be accompanied by a complete set of working drawings of the proposed construction and a plot plan of the lot and proposed construction showing front, rear, and side lot lines and the distance from any existing structures and the proposed construction to the nearest lot line.
- 401.2-9b Such working drawings and plot plan shall be submitted to the building official, and no application shall be approved unless accompanied by such drawings and plan.
- 401.2-9c The application, drawings and plan shall remain on file with the building official until construction has been completed.
- 401.2-9d Any construction, alteration, removal, relocation or demolition of any building or structure must be performed in conformity with the drawings and plans approved by the Building Official. Any alteration or amendment to such drawings or plans must be approved by the Building Official and are subject to additional fees as required by this Ordinance. Any construction, alteration, removal, relocation, or demolition that is not in compliance with approved drawings or plans constitutes a violation of this Ordinance. (5-15-08)
- 401.2-9e In furtherance of the Building Officials' duty to ensure that construction is prosecuted safely, enforce the provisions of the building code, and to remove illegal and unsafe conditions, the Building Official may impose specific conditions upon the issuance of any permit under the provisions of this Ordinance. In all cases involving the removal, relocation or demolition of any building or structure, the permit conditions shall require that any resulting hole or excavation be surrounded with protective fencing, that at least one sign warning of the presence of such hole or excavation be posted within plain view, and that such hole or excavation be filled within 5 days after the completion of the removal, relocation or demolition. Failure to comply with any conditions imposed upon the issuance of a building permit shall constitute a violation of this Ordinance. (5-15-08)
- 401.2-9f Upon notice that construction, removal or demolition has been completed, the building official shall cause an inspection to be made, to determine whether construction, removal or demolition has been completed in accordance with the application, drawings and plan, and conditions. If the construction, removal, or demolition satisfies all of the requirements of the application, drawings and plans, and permit conditions, the drawings and plan may be returned at the request of the person to whom the building permit was issued. (5-15-08)

401.2-10 Saving Clause.

Nothing in this ordinance or in the building code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

401.2-11 Validity.

The invalidity of any section or provision of this ordinance or of the building code hereby adopted shall not invalidate other sections or provisions thereof.

401.2-12 Inconsistent Ordinances Repealed.

Ordinances or parts thereof in force at the time that this ordinance shall take effect and inconsistent herewith, are hereby repealed. (8-1-02)

401.2-13 Penalties

Violation of this Ordinance shall be punishable by a fine \$50.00 dollars for the first offense and \$100.00 for each subsequent offense. Each day that violation continues shall be deemed to constitute a separate offense. (8-1-02, 5-15-08)

401.2-14 Date of Effect.

This ordinance shall be effective immediately upon publication in pamphlet form. (3-5-64, 8-1-02)

401.3 (A) All building, electrical, plumbing and mechanical and fire suppression contractors performing work in their respective trades in the village must be registered with the village, with the following exception:

- (1) Homeowners who are performing work on their own dwellings.
- (2) Licensed plumbers and irrigation contractors, consistent with 225 ILCS 320/42.

(B) Persons registering as contractors or having a registration renewed shall fill out an application form furnished by the Trustee in charge of Building and Zoning, supply proof of contractors' general liability and workers compensation insurance, supply, if applicable, proof of registration in another municipality, and pay the Village Treasurer an application fee of \$50.00. All registrations and exemptions shall expire on the last day of December of each year; renewals may be made at any time between November 1 and the last day of December in any year. (11-4-10)

(C) Any contractor may have his, her or its registration suspended or revoked by the Trustee in charge of Building and Zoning for any misrepresentation in obtaining the registration, for failure to comply with the provisions of the Building Code, or for failure to comply with Village ordinances. A notice of revocation shall be served personally or by certified mail upon the holder. The notice shall state the time and place of a hearing before the Village Board of Trustees and the reason for the contemplated suspension or revocation. The notice shall advise the holder of his, her or its rights to appear at the hearing in person, or in the case of a corporation, by its agent, and to be represented by counsel. The notice shall be served upon the holder at least 15 days prior to the hearing before the Village Board of Trustees. Upon finding of due cause, the Village Board of Trustees may suspend or revoke the registration. A person whose registration has been revoked may not reapply for a new registration within one year after the revocation. Thereafter, an application to be registered shall be processed in the same manner as an original application. The suspension or revocation of a registration shall entitle the holder to a refund of any part of the fee which has been paid. (5-21-09; 8-16-12)

402.1 **AN ORDINANCE REGULATING THE OPENING OF STREETS ALLEYS, SIDEWALKS OR OTHER PUBLIC GROUNDS IN THE VILLAGE OF JEROME.**

402.1-1 Excavations

No person shall injure, tear up, or make any excavation in, or bore under any street, alleys public sidewalks or other public ground within the Village of Jerome without a contract with the Village, or without first obtaining a written permit from the Village Clerk. (8-1-02)

402.1-2 Permits

A permit shall be issued by the Village Clerk only upon written application filed in duplicate therefore stating the nature and extent of the work sought to be done and accompanied by a plat, tracing, sketch or drawing showing the locations character and dimensions of the proposed opening for the installation of new work, or the location and character of the alterations involving changes in the location of pipes, conduits, wires or conductors.

402.1-3 Estimates

Before a permit shall granted to any person, an estimate of the Cost of restoring such street, alley, a public sidewalk or other public ground to a condition equally as good as before it shall have been so opened, with a fair additional sum as

margin for contingent damages, shall be made by the city engineer, and he shall advise the Village Clerk of the amount of such estimate.

402.1-4 Fees

Prior to issuing a permit, the Village Clerk shall collect and hold as a deposit the amount of the estimate made by the engineer, and at the time the application is filed receive a non-refundable fee from the applicant for such opening in the amount of \$250.00. (8-1-02, 4-15-04)

402.1-4-a Fees for excavations parallel to or along any streets or alley, extending diagonally into, throughout or across any street or alley shall be as provided by the Board of Trustees by resolution or ordinance. (8-1-02)

402.1-5 Restoration

The person to whom a permit is issued shall promptly restore such street, alley, public sidewalk or other public ground to a condition equally as good as before it shall have been so opened. Upon completion of such restoration, the permit holder shall notify the Village Clerk, and the Village Clerk shall immediately notify the Village engineer and within twenty-four hours the Village engineer shall inspect the work of restoration and shall report to the Village Clerk whether or not the restoration is satisfactory. (8-1-02)

402.1-6 Trench Backfill

Any person making an excavation in street, avenues alleys public sidewalk or other public ground shall replace the earth removed from the surfaced roadway and for a distance of two feet on each side of the surfaced roadway or sidewalk with trench backfill. Trench backfill shall consist of filling such excavation, within the limits prescribed with fine aggregate consisting of sand, stone sand, stone screenings or chats conforming to the following requirements:

402.1-6-a Graduation of fine aggregate shall be uniformly graded, and when tested by laboratory sieves, shall conform to the following limits:

Passing 3/8 inch sieve	100%
Passing No, 4 sieve	85-100%
Passing No, 100 sieve	0-30%
Amount of material passing through No. 200 sieve shall not exceed	10%

402.1-6-b Surplus earth removed from such excavation and replaced with trench backfill shall not be allowed to remain in the street after completion of trench backfilling.

402.1-6-c Placement and compaction of the trench backfill shall be in conformance with the "Standard Specifications for Road and Bridge Construction" adopted by the Illinois Department of Transportation, and the latest revision thereof.

402.1-7 Liability Insurance or Bond

Prior to issuance of any permits the Village Clerk shall require the applicant for a permit to file a policy of liability insurance or certificate of insurance issued by a company authorized to do business in Illinois, with limits of not less than \$200,000.00 for injury to each person and \$500,000.00 injury to all persons in each accident, and \$25,000.00 for property damage claims, and specifically naming the Village of Jerome an additional named insurance on such insurance policy or certificate. Such policy of insurance shall guarantee to defend the Village against all claims arising out of the excavation or other work done by the permittee, In lieu thereof the applicant may file a surety bond with the Village Clerk for the amounts specified above and with surety approved by the Village Clerk conditioned that the applicant will pay all damages that may be recovered against the Village by any person on account of any injuries to persons or property occasioned by, or in any manner resulting from, the excavation of the applicant or by any person in his employ, and also to save and keep the Village free from all damages and costs as may be incurred in defending such claims.

402.1-8 Emergencies

In the event of an emergency causing the breakage or malfunction of a water or gas main or pipes sewer, or electrical or communication wires or conductors which requires the immediate opening of any street, alley, sidewalk or other public ground in the Village, any utility company responsible for such service may proceed to make necessary repairs without first securing the written permit required in Section 2, but such company shall give written notice to the Village Clerk within, four days after commencement of such work and shall comply with all other provisions of this ordinance.

402.1-8a Any utility bound by franchise with the Village of Jerome to restore any street they open to its condition before opening are exempt from the provisions of this Ordinance. (12-7-78, 8-1-02)

402.1-8b If a contract is awarded by a utility bound by franchise with the Village of Jerome for work to be performed by other than utility personnel, the contractor for such work must comply with all provisions of this Ordinance. (12-7-78, 8-1-02)

402.1-8c In the event of an emergency causing the breakage or malfunction of a sewer or communications wires or conductors requiring the immediate opening of any street, alley, sidewalk or other public ground in the Village, any utility company responsible for such service may proceed to make necessary repairs without first

securing the written permit required in Section 402.1-2, but such company shall give written notice to the Village Clerk within 24 hours after commencement of such work and shall comply with all other provisions of this Ordinance. (12-7-78, 8-1-02)

402.1-9 Deposits

The deposits collected by the Village Clerk shall be kept separate from other city funds, and when the Village Clerk has been informed that the restoration has been inspected and found satisfactory by the Village Engineer, the deposit shall be refunded to the depositor. If the restoration is found to be unsatisfactory or is not completed by the applicant in three days after written notice from the Village Clerk, the entire deposit or so much thereof as may be necessary shall be used to complete the restoration, and such portion of the deposit, if any, as is unnecessary to complete the restoration shall be refunded to the depositor. (8-1-02)

402.1-10 Penalty

A violation of any provision of this Ordinance shall be punishable by a fine of \$100.00 for each offense. Each day the violation remains uncorrected shall constitute a separate offense. (8-1-02)

404.1 **AN ORDINANCE PROHIBITING FIRES AFTER NIGHTFALL IN THE VILLAGE OF JEROME**

404.1-1 All fires of any kind or nature are hereby prohibited in the Village of Jerome during the period from nightfall to dawn except as specifically provided for herein.

404.1-2 During the months of September, October, and November, certain fires are permitted subject to the following restrictions: The fires must be only of wood logs and extinguished by 11:00 p.m. on weeknights and by 11:59 p.m. on Friday and Saturday nights. An adult must be present at all times, a water hose must be near fire and ready to extinguish the fire in an emergency and a written permit must be obtained from the Trustee in charge of the Public Health Department at least one week in advance. Prior to the issuance of a written permit, the Village Clerk shall receive a fee of \$5.00 from the applicant. (8-1-02, 10-16-03, 4-15-04; 3-7-13)

404.1-3 The enforcement of this Ordinance being necessary to the safety of the residents of said Village of Jerome, anyone violating this Ordinance shall be subject to a fine of \$50.00 for the first offense, \$150.00 for the second offense, and \$300.00 for the third and any subsequent offense thereafter (4-7-43, 10-3-96, 8-1-02)

404.2

**AN ORDINANCE REGULATING FIRES IN THE VILLAGE OF
JEROME, ILLINOIS.**

404.2-1

No person shall burn trash, rubbish, papers or garbage, or general household waste or commercial waste, or construction or demolition debris within the corporate limits of the Village of Jerome. This ordinance does not prohibit or regulate the use of outdoor grills, whether fueled by charcoal, natural gas or propane. (6-2-94, 1-18-01, 7-21-05, 2-21-08)

404.2-2

Recreational fires are prohibited within the corporate limits of the Village except as provided in this section.

- a) During the months of April 1st through November 30th, recreational fires built in a fire pit or fire ring are permitted subject to the restrictions contained in this section. A fire ring shall be constructed of rocks or other similar non-combustible materials.
- b) During all times of the year, recreational fires built in a commercially manufactured or homemade wood-burning appliance or portable fireplace unit are permitted subject to the restrictions contained in this section.
- c) Every recreational fire must be only of dry, seasoned wood logs and be extinguished by 11:00 p.m. on weeknights or 11:59 p.m. on Friday and Saturday night.
- d) A person at least 18 years of age must be present at all times.
- e) A charged water hose must be placed within 15 feet of the fire and all coals and ashes must be completely extinguished before leaving the area.
- f) A written permit for fires built in a fire pit, fire ring or homemade wood-burning unit must be obtained from the Trustee for Public Health at least one week in advance of any recreational fire. The owner of the property must sign the permit. In the case of rental properties, the owner must give permission before the application can be approved.
- g) The Trustee shall inspect the area prior to the issuance of a permit. The permit is good for the period of times identified in subsections (a). For each subsequent fire after the first, the resident shall call the Village office or Public Health Trustee to report any additional dates that they will be having a fire.
- h) Fuel for all recreational fire shall consist of seasoned, dry firewood and shall be ignited with paper or kindling. No flammable or combustible liquids shall

be used to kindle or rekindle a fire. The fire must be completely extinguished prior to leaving the area unattended.

- i) No fire shall be ignited when winds are in excess of 15 miles per hour. (6-2-94, 8-1-02, 7-21-05)

404.2-3 The burning of landscape waste is prohibited within the corporate limits of the Village. "Landscape waste" is defined as all accumulations of grass or shrubbery cuttings, leaves, and tree limbs. (2-21-08)

404.2-4 The village officials shall have authority to enter unto the property of any person or firm and take such steps, as they deem necessary to extinguish any fire, which exists in violation of this ordinance. The Jerome Police Department is charged with the responsibility of monitoring and enforcing this Ordinance. The Police Department may order the extinguishment of any fire, which, in the opinion of the officer on duty, violates this Ordinance. (7-21-05)

404.2-5 In the absence of any evidence to the contrary, the owner of the property on which a fire is located in violation of this ordinance shall be presumed to be responsible for such fire.

404.2-6 Any violator of this ordinance shall be subject to fine or penalty in the sum of \$50.00 for the first violation hereof, \$150.00 for the second violation hereof, and \$300.00 for the third and any subsequent violation hereof. In addition to such fine or penalty, any person violating the provisions of this ordinance shall also be required to pay the cost of any other expenses incurred by the Village of Jerome. The Trustee for Public Health shall be authorized to issue a warning notice to a person in violation of this Ordinance if, in the discretion of the Trustee, the offense in question was a first time violation of the Ordinance, there was no injury to person, there was no damage to property, and the safety of others was not jeopardized. (1-18-01, 7-21-05)

404.2-7 This ordinance shall be in effect from and after its adoption, approval and publication according to law. (8-18-55, 8-1-02, 7-21-05)

405.1 AN ORDINANCE REGULATING THE STORAGE, GASOLINE AND HANDLING OF GASOLINE IN THE VILLAGE OF JEROME, ILLINOIS.

405.1-1 No person, firm or corporation engaged in the business of selling, storing or delivering gasoline shall maintain in fixed storage tanks above the level of the ground, but such tanks shall be buried in such a manner as to afford protection to the persons and property at or near such tanks.

405.1-2 No person, firm or corporation shall store in unfixed tanks, gasoline in an amount in excess of 100 gallons.

- 405.1-3 No buried and fixed tanks used for the storage of gasoline in the village of Jerome, Illinois, shall exceed the following sizes:
- 405.1-3a In stations selling two types of gasoline (usually referred to as "regular" and "ethyl") from two pumps, the size of tank used to store each type of gasoline shall not exceed the amount of one thousand (1000) gallon capacity.
- 405.1-3b In stations selling two types of gasoline from more than two pumps, the size of the tank used to store each type of gasoline shall not exceed the amount of one thousand five hundred (1,500) gallon capacity.
- 405.1-3c In stations selling one type of gasoline from one pump) the size of the tank used to store such gasoline shall not exceed the amount of one thousand (1,000) gallon capacity.
- 405.1-3d In stations selling one type of gasoline from two or more pumps, the size of the tank used to store such gasoline shall not exceed the amount of one thousand five hundred (1,500) gallon capacity,
- 405.1-4 In no event shall any delivery be made to any station selling gasoline, in excess of one thousand (1,000) gallons at any one time of each type of gasoline stored on the premises.
- 405.1-5 For each offense of this ordinance, the person firm, or corporation shall be fined a sum of not less than Five Dollars (\$5.00) nor more than Two Hundred Dollars (\$200.00) for such offense, and each days violation of this ordinance shall constitute a separate offense.
- 405.1-6 This ordinance shall be effective from and after its passage, approval and publication according to law. (7-7-55)

405.2 AN ORDINANCE REGULATING PRIVATE RESIDENTIAL SWIMMING POOLS

- 405.2-1 A private residential swimming pool is hereby defined as any receptacle or containment for water, or any artificial pool of water having a depth of more than 24 inches in any area of more than 25 square feet, or containing or being capable of containing more than 200 gallons of water intended for the purpose of immersion or partial immersion of persons, and including all appurtenant equipment constructed, installed and maintained in or above the ground outside of a building used for a dwelling unit.
- 405.2-2 All outdoor private residential swimming pools shall be completely enclosed by a fence and shall be secure from trespass. All fence openings or points of entry or

exit to or from the pool area enclosure shall be equipped with a gate. The fence and gate shall be 36 inches or more in height above the ground grade level. All gates shall be equipped with a secured, locking device placed at the top of the gate.

405.2-3 All private residential swimming pools extending above the ground grade level shall have means of egress in the form of one or more ladders or set of steps, which shall be removed when the pool is not in use.

405.2-4 (a) Chlorine disinfection of residential swimming pools, in the form of sodium or calcium hypochlorite or other disinfectant referenced in the regulations promulgated by the Illinois Department of Public Health, shall be applied either by hand or by a mechanical feeder as frequently as needed to maintain a definite residual throughout the pool volume while the pool contains water, except that gaseous disinfection equipment shall not be permitted.

(b) The water in private residential swimming pools shall show an alkaline reaction at all times when the swimming pool is in use. At all times when the pool contains water, the water shall be sufficiently clear to permit the entire bottom of the pool to be clearly visible from the abutting walkways. (6-21-07)

405.2-5 Private swimming pools shall be designed and installed with a filtration system sufficient to cause pool water turnover at least once every twenty-four (24) hours. (6-21-79, 7-18-85, 8-1-02, 6-21-07)

405.2-6 (a) All private residential swimming pools shall be maintained in a clean and sanitary condition, and all equipment shall be maintained in a satisfactory operating condition during periods the pool is in use.

(b) No private residential swimming pool shall be used, kept, maintained or operated in the village, if such use, keeping, maintaining or operating shall be the occasion of any nuisance or shall be dangerous to life or detrimental to the health of the public or of the users thereof.

(c) All private residential swimming pools, when not in use, shall be securely covered and shall be maintained in accordance with the requirements of this Ordinance. (6-21-07)

405.2-7 If the public health trustee has reasonable cause to believe that any private residential swimming pools does not meet the sanitary and safety requirements of this division, he shall be authorized or shall authorize a qualified Village employee or official to inspect such swimming pools. If the inspection shows that the operation of the pool does not meet the sanitary and safety requirements of this Ordinance or that the health or safety of the bathers or water system is endangered, the Public Health Trustee may direct that the pool be closed until

such time as the requirements of this Ordinance are met. It shall be a violation of this division to deny access to Village personnel or agents for the purpose of inspection of any private residential pool between the hours of 9:00 a.m. an 5:00 p.m. (6-21-07)

405.2-8 It shall be unlawful to construct maintain, install or enlarge any private residential swimming pool in the village except in compliance with the provisions of this ordinances. (6-21-07)

405.2-9 Any person convicted of a violation of any provision of this Ordinance shall be punished by a fine of \$250.00 dollars for each violation. For each day violation remains uncorrected, a fine of \$100.00 shall be imposed. (6-21-07)

406.1 TRANSPORTATION, GARBAGE, RUBBISH OR REFUSE.

406.1-1 No garbage, rubbish or refuse of any kind shall be transported over any of the streets or alleys in the Village except in vehicles so constructed so as to prevent the dropping or falling of any part of the contents there from during transportation. All vehicles used in the collection of garbage, rubbish or refuse of any kind shall have a tight cover for that portion of the vehicle in which the load is contained. Such cover may be of metal or canvas or similar material and shall be so designed and constructed as to prevent odor from escaping from the garbage, and flies from entering that portion of the truck where the garbage is contained. Such cover shall be closed at all times while the vehicle is in transit anywhere within the limits of the village.

406.1-2 No vehicle used for the purpose of collection of garbage, rubbish or refuse of any kind shall be parked or operated upon any of the streets or alleys in the Village during the period from 6:00 P.M. to 6:30 A.M. (8-6-09)

406.1-3 No vehicle used for the purpose of collection of garbage, rubbish or refuse of any kind shall be parked or operated upon any of the streets or alleys in the village in such manner as to obstruct or impede vehicular or pedestrian traffic.

406.1-4 No person, firm or corporation shall operate any vehicle for the purpose of collecting or transporting garbage, rubbish or refuse of any kind upon any of the streets or alleys in the village without first obtaining an annual license from the village clerk and paying the requisite fee.

406.1-5 Any person desiring a license to operate any vehicle for the purpose of collecting garbage, rubbish, or refuse of any kind shall make written application therefore upon a form provided by the village clerk, and the application shall be accompanied by a license fee in the amount of \$250.00. All licenses shall be issued on forms provided by the village clerk and shall be effective for a period of one year from July 1 to June 30. All licenses shall be kept in the vehicle for which they are issued and shall be affixed to the windshield and shall be available for

inspection at all times when the vehicle is in use in the village. (4-14-64, 5-16-68, 3-19-98, 8-1-02, 08-06-09)

406.1-6 Any person violating or failing to comply with any of the provisions of this Ordinance shall upon conviction be punished by a fine of \$500.00. Each day that the violation remains uncorrected shall constitute a separate violation. (4-14-63, 8-1-02)

407.1 AN ORDINANCE REGULATING ANIMALS IN THE VILLAGE OF JEROME, ILLINOIS

407.1-1 Definitions

- a. Animal. All domesticated animals, including but not limited to dogs and cats.
- b. Cat. All domesticated members of the feline species, regardless of sex.
- c. Dog. All domesticated members of the canine species, regardless of sex.
- d. At Large. Any animal shall be deemed to be at large when it is off the property of its owner and not under the control of a responsible person, nor under restraint, or on the property of its owner and neither under the control of a responsible person nor under restraint.
- e. Pound. Any facility approved for use as a shelter for seized, stray, at large, homeless, abandoned, or unwanted animals, including but not limited to, the Sangamon County Animal Control Center.
- f. Excrement. Waste matter, discharged from the body of an animal, including but not limited to animal feces and excluding urination.
- g. Restraint. An animal is under restraint if it is:
 - 1. Attached to a leash held by a responsible person;
 - 2. Attached to a structure or fixture in such a manner that it is unable to reach beyond the limits of the owner's or keeper's property and is unable to reach or molest service persons or casual visitors to the owner's or keeper's property using the public entrance or persons placing mail in the mailbox or delivering newspapers at the request of the owners; or
 - 3. Enclosed in a yard with a fence, of sufficient height and security to prevent the animal from escaping without assistance from a person, or in the case of non-vicious animals, confined by an electronic or "invisible" fence.

- h. Stray Animal. An animal which does not have a collar with a license or owner's identification tag affixed thereto.
- i. Owner. Any person or persons having right of property in an animal, or who keeps or harbors an animal, or who has it in his care, or acts as its custodian, or who knowingly permits an animal to remain on or about any premises occupied by him or her. Owner shall also mean keeper and may be used interchangeably herein. Owner shall also mean the owner of the property on which the animal is housed or resides for purposes of Sections 407.1-5 and 407.1-7 along with enforcement and penalty provisions.

407.1-2 Inoculation of Dogs and Other Animals.

- a. Any dog four (4) months or more of age kept in the Village which is not solely confined to an enclosed area, shall be inoculated in accordance with the Illinois Animal Control Act, 510 ILCS 5/1 et. seq. by a veterinarian duly licensed in the State of Illinois. Further, any and all other animals, as defined herein, shall have all appropriate shots and/or vaccinations.
- b. Owners shall submit inoculation certificates to the Sangamon County Public Health Department for the issuance of a metallic or other suitable tag to be attached to the collar of such dog. The vaccination performed under the provisions of this ordinance shall be effective for the particular number of years covered by the vaccination from the date the vaccination was performed.
- c. At any reasonable time upon request of a Village of Jerome Police Officer, the Trustee in charge of the Public Health Department or Alternate Trustee, or other authorized officials of the Village of Jerome, the owner or keeper of any dog shall exhibit his or her certificate, issued under the provisions of this ordinance showing the vaccination of any dog owned or controlled by him or her.
- d. Any dog which shall have bitten or otherwise injured any person so as to cause an abrasion of the skin shall be detained and monitored in accordance with the Illinois Animal Control Act, 510 ILCS 5/1 et seq. Any dog impounded for monitoring of rabies, at the expiration of the waiting period, and when no symptoms of rabies have developed in such dog so impounded, may be redeemed by the owner upon payment of the redemption fees and charges established by the place impounding the dog, whether that fee is charged to the Village or the owner, as well as any other fees assessed by the Village. (11-2-00)
- e. Any person violating this Section shall be subject to the fines and penalties set forth herein.

407.1-3

Restraint of Animals.

- a. The owner or keeper of any animal shall keep his or her animal under restraint as defined in this chapter, at all times.
- b. The keeper of an animal shall keep the animal under control at all times and shall not permit the animal to be at large, off the premises of the property of the owner or keeper, unless the animal is completely restrained as defined in Section 407.1-1.
- c. Any animal found running at large in the Village, or upon any property in the Village shall be apprehended and ownership shall be determined of such animal at that time. If ownership of such animal can be determined, such animal shall be returned to its owner and a warning ticket issued for the first offense. If the animal is a stray or the animal cannot be returned to its owner for whatever reason, it shall be impounded at the pound. If ownership of the animal can be established, the owner or keeper of such animal shall be given notice by mail and/or other expeditious means, of such impounding. Any animal apprehended and impounded at the pound shall be held at the pound pursuant to the regulations established by Sangamon County. Any animal not redeemed by its owner shall be disposed of as provided by regulations established by the pound.
- d. Any owner desiring to redeem an impounded animal which was apprehended in the Village of Jerome shall first pay to the Village Clerk a fee of Fifty Dollars (\$50.00), in addition to any other charges assessed by the Sangamon County Department of Public Health for the cost to the Village for the collection and impoundment of the animal. The owner of the animal shall obtain a receipt from the Village Clerk for such payment, which shall be presented to the officials at the pound. The owner may then redeem the impounded animal by paying such other charges as may be imposed by the pound. (11-2-00)
- e. Any resident who finds an animal to be in violation of the Ordinance shall file a complaint with the Trustee in charge of Public Health. The Trustee shall investigate the allegation and if he or she determines that the complaint is valid, a warning ticket shall be issued, when it is a first offense.
- f. Any person violating this section shall be subject to the fines and penalties set forth herein.

407.1-4

Ownership Abuse and Neglect

- a. Each owner shall provide for each of his or her animals:
 1. sufficient quantity of good quality, wholesome food and water;
 2. adequate shelter and protection from the weather;
 3. veterinary care when needed to prevent suffering; and
 4. humane care and treatment.
- b. No person or owner may beat, cruelly treat, torment, starve, overwork or otherwise abuse any animal.
- c. No owner may abandon any animal in the Village of Jerome where it may become a public charge or may suffer injury, hunger or exposure.
- d. Aggravated cruelty. No person may intentionally commit an act that causes a companion animal to suffer serious injury or death. "Companion animal" means an animal commonly considered to be, or to be used as, a pet.
- e. Anyone found to be in violation of these provisions may be subject to prosecution as well as fines and penalties as provided under the Illinois Humane Care for Animals Act.

407.1-5

Animals; nuisances.

- a. The owner or keeper of an animal or the owner of the residence at which the animal resides, shall not permit any animal to bark, howl, cry, or make other distressing or loud or unusual noise(s) or to disturb the peace or quiet of any place, neighborhood, family, or person in the Village for a continuous period of time of fifteen (15) minutes or more, or shall destroy or in any manner injure any animal, plant, shrub or other property not on the premises of its owner or keeper. The disturbing of any neighborhood or persons, or the destruction of such property by such animal is declared to be a nuisance, and no person shall permit any such nuisance to exist, and such owner shall be subject to the fines and penalties set forth herein.
- b. In addition to the general restrictions of subsection (a), for the purpose of this section, an owner or keeper is in violation of this section if he or she permits an animal to bark, howl, cry, or make other distressing or loud or unusual noise(s) in a substantially continuous manner between the hours of 10:00 p.m. and 7:00 a.m. The owner or keeper is in violation of this section if he or she allows such animal to bark repeatedly, regardless of

duration, so as to disturb the quiet of the neighborhood or of particular neighbors. (4-21-05)

- c. In the case of an animal repeatedly disturbing the peace or quiet of any place or neighborhood or when such animal becomes a nuisance as defined in this ordinance, the Village may issue a citation, as well as fines and penalties as set forth in this ordinance.
- d. If an animal is in violation of this section, or such property at which the animal resides is found to be in violation of this section, the owner of the animal and the owner and renter of the property, if any, shall be subject to fines and penalties set forth herein.

407.1-6 Collar and Tag

In accordance with the Illinois Animal Control Act, 510 ILCS 5/1 et. seq., every owner or keeper of a dog, cat or other animal, regardless of the age of the dog, cat or other animal, shall cause said dog or cat to wear a collar or harness and shall affix thereto a metallic or other suitable tag inscribed with the name and phone number, if any, of the owner or keeper of the dog or cat. This section shall not apply to any dog or cat that is solely confined to the interior of the owner's residence.

407.1-7 Keeping animals

Any pen, stable, or place in which animals are housed or kept which is unreasonably offensive to persons residing in the vicinity of the same by its appearance, associated debris or offensive odors, or to persons passing along any street or alley near the same, or which in the discretion of the Trustee in charge of the Public Health Department constitutes a hazard to the health of persons residing nearby, or is in violation of this Section, is declared to be a nuisance and subject to the fines and penalties stated herein. Upon the issuance of a warning ticket or other citation, as provided in this Ordinance, the owner of the animal and/or owner of the property shall within ten (10) days of the receipt of such ticket or citation, correct the violation, including but not limited to, removing debris and excrement, correcting the offensive appearance of the property, or eradicating the offensive odors. If such violation is not corrected within that period of time, the owner of the animal(s) or owner of the property shall be subject to the fines and penalties set forth herein, with each day such violation is not corrected, an additional and separate fine and penalty shall be imposed. This section shall not apply to a person dependent on the assistance of an animal.

407.1-8 Excrement

- a. No person shall appear with an animal upon the public ways or within public places or upon the property of another, without such animal being restrained and without some means for the removal of excrement;
- b. A person shall remove any excrement deposited by such an animal upon public ways, public places or upon the property of another. A repetitive violation of this section on one day shall constitute a single offense for purposes of enforcement;
- c. Accumulation of excrement on the premises of a resident of the Village of Jerome which is unreasonably offensive to persons residing in the vicinity of the same, or to persons passing along any street or alley near the same, or which constitutes, in the discretion of the Trustee in charge of Public Health Department, a hazard to the health of persons residing nearby, or the community as a whole is declared to be a public nuisance, and is subject to the fines and penalties set forth herein.
- d. This section shall not apply to a person dependent on the assistance of an animal.

407.1-9

Vicious animals; Dangerous animals.

- a. No person shall keep or maintain any animal which has been found to be a vicious animal unless such animal is at all times kept inside the residence of the owner or keeper or within a locked enclosure consisting of a fence at least six (6) feet high, or other structure, designed to prevent the escape of such animal and to prevent young children from entering or contacting such animal.
- b. Any animal that when unprovoked, attacks or bites a human being or another animal, either while on private or public property, is declared to be a vicious animal, except that no dog shall be deemed vicious (a) if it attacks, bites or menaces a trespasser on the property of its owner or keeper, or (b) harms or menaces any person who has tormented or abused it. Any police dog, used by a law enforcement officer, in furtherance of lawful police functions, shall not be considered a vicious dog.
- c. All owners and/or keepers of any animal found to be vicious or dangerous, shall display in a prominent place on their premises where the vicious animal is confined a clearly visible sign with the words, "Beware of Vicious Animal", large enough to read from a distance of ten (10) feet.
- d. The owner or keeper of a vicious or dangerous dog shall not permit such dog to leave the residence of the owner or keeper or the locked enclosure, unless the dog is securely muzzled and restrained by a chain of no more

than 3 feet, having a tensile strength of 300 pounds, held by the owner or keeper, and only when:

1. If it is necessary for the owner or keeper to obtain veterinary care for the vicious or dangerous dog; or
 2. To comply with the order of a court of competent jurisdiction, provided that said vicious dog is securely muzzled and restrained with a chain having a tensile strength of 300 pounds and not exceeding three feet in length, and shall be under the direct control and supervision of the owner and/or keeper of the vicious or dangerous dog.
- e. Any animal which has been found to be a vicious or dangerous animal and which is not confined in accordance with the Ordinance shall be impounded by the law enforcement authority having jurisdiction in such area.

407.1-10 Number of animals

No person may own or keep at any residence located in the Village of Jerome, more than three (3) dogs and cats at any one time, unless such dogs or cats are primarily confined to the interior of the owner's residence. Any resident who, upon the effective date of this Ordinance, who shall be in violation of this section, shall be permitted to retain such animal, if such owner registers such animal at the Village offices during regular business hours, within 60 days from the enactment of this Ordinance, or publication of this requirement, whichever is later. Such owner may continue to own such number of dogs or cats in excess of this ordinance, as long as it is in the owner's possession, but upon the death of the animal or lack of ownership, such animal shall not be replaced.

407.1-11 Breeding and Training

No person may operate a business in which animals are raised, bred, trained, housed or maintained for income or other thing of value, including for the purpose of operating a kennel, unless such action is taken by a licensed veterinarian clinic or at a location licensed and zoned for such activity.

407.1-12 Enforcement

- a. The Trustee of Public Health or Alternate Trustee and the Village of Jerome Police shall have powers of enforcement of this Ordinance.
- b. No person shall, in any way, interfere with any person who is known to such person to be or who identifies himself to be an Officer of the Village

or Police Officer, investigating for violations of this Ordinance, enforcing the provisions of this Ordinance or engaged in catching or impounding any animal under the authority of this Ordinance.

- c. The Village of Jerome Police officers, Trustee and Alternate Trustee of the Public Health Department of the Village of Jerome, or any other Village of Jerome official, are authorized to issue citations on a reasonable belief that any person has violated any provisions of this Ordinance. Citations shall be issued on forms approved by the Village of Jerome. Citations shall be issued personally to the owner or keeper, left with a responsible family member of at least 13 years of age at the home of the owner or keeper, or mailed to the residence of the owner or keeper by certified mail, return receipt requested.
- d. Persons issuing citations shall ensure that a copy of the citation is filed with the Trustee in charge of the Public Health Department, the Chief of Police, and the Village Clerk, on the same day that the citation is issued or as soon as practicable after issuance of such citation.
- e. The Trustee in charge of the Public Health Department shall be ex-officio pound keeper of the Village. The Village Clerk shall collect all fees herein provided for and shall properly account for the same to the Village Treasurer. (8-1-02)
- f. In the case of a repeat offense of Section 407.1-9, the Village of Jerome may petition the Circuit Court for an order to destroy the animal.

407.1-13

Fines, penalties, and prosecution of violations.

- a. For violations of any section of this Ordinance, the owner of the animal, or the owner of the property where the animal resides shall pay a fine of \$50.00, with a fine of \$150.00 for a second violation, and a fine of \$300.00 imposed for a third violation and each subsequent violation thereafter. (8-4-05)
- b. In addition to the fines and penalties set forth in subparagraph (a), the owner of an animal that is collected by Sangamon County Animal Control, and impounded by them, shall pay to the Village Clerk prior to the release of the animal, the cost to the Village for the collection and impoundment of that animal which may be imposed by the Sangamon County Department of Public Health and assessed against the Village. Animals impounded shall be so impounded in accordance with the standard policies and procedures of Sangamon County Department of Public Health and/or Sangamon County Animal Control. Upon an owner requesting the opportunity to pay the fines and penalties assessed against an animal

caught within The Village and impounded, Sangamon County Animal Control shall be contacted, and the total fees shall be calculated and added to the amount of the fine assessed by the Village. (11-2-00)

- c. All fines and penalties imposed under this Ordinance or assessed by the Sangamon County Department of Public Health against the Village which is to be paid by the owner, shall be paid, within ten (10) working days of the issuance of a citation or prior to the release of any impounded animal, by making payment to the Village Clerk. (11-2-00)
- d. After ten (10) working days have elapsed from the date of the issuance of a citation authorized by this Ordinance, action may be taken by the Village attorney, upon authorization by the Board of Trustees, to file a complaint and prosecute the alleged violation in the Circuit Court. In prosecuting such violations, the Village may recover its costs and attorneys fees in the enforcement of this Ordinance. (11-2-00)
- e. Nothing herein shall prevent any individual who has suffered injuries or damages by an animal, in violation of this Ordinance from seeking or maintaining a claim for such injuries or damages against the owner or keeper of the animal or the owner of the property at which the animal(s) resides. (11-2-00)

407.1-14. Repeal and Severability

- a. All other ordinances of the Village of Jerome that are in conflict with this ordinance are hereby repealed.
- b. If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.
- c. The Illinois Animal Control Act and as hereafter amended is specifically incorporated by reference into this Ordinance, and where the provisions of this Ordinance conflict or are silent as to matters covered in that statute, the Animal Control Act shall govern. (8-6-98, 8-1-02)

408.1 AN ORDINANCE PROHIBITING THE DISCHARGE OF SANITARY SEWAGE AND INDUSTRIAL WASTE WATERS.

408.1-1 The discharge of sanitary sewage and industrial waste waters within the Village of Jerome, Illinois, be, and the same is hereby prohibited.

408.1-2 Violation of this Ordinance shall be punishable by a fine of \$500.00 and each day that such offense continues shall be a separate violation. (5-18-67, 8-1-02)

408.2

AN AMENDMENT TO THE CONTRACT BETWEEN THE
SPRINGFIELD SANITARY DISTRICT AND THE VILLAGE OF
JEROME.

408.2-1

The Village of Jerome hereby adopts the schedule of rates and charges for sewerage service heretofore or hereafter imposed by the Springfield Sanitary District under the rate Ordinance of the Springfield Sanitary District, and the Village of Jerome hereby agrees to collect, both in its own behalf and as agent on behalf of the Springfield Sanitary District, said rates and charges on all of the inhabitants, lots, buildings, and premises within the boundaries of the Village of Jerome, and also, from all the customers, lots, buildings, and premises purchasing water from the Village of Jerome; and the Springfield Sanitary District hereby authorizes the Village of Jerome to make said rates and charges in its behalf on all of said inhabitants, customers, lots, buildings, and premises, and further authorizes the Village of Jerome to bill and collect such rates and charges on the same terms and conditions as the Village of Jerome bills its water customers, measuring water usage in terms of gallons rather than cubic feet, and otherwise conforming to the billing practices of the Village of Jerome. (8-1-02)

408.2-2

The Village of Jerome agrees to deposit said rates and charges so collected in a separate bank account, and to pay same over to the Springfield Sanitary District, at regular intervals but not less often than quarter-annually, less the costs of collecting said rates and charges, which costs shall be 50 cents per bill per month, to be retained by the Village of Jerome. (8-16-84)

408.2-3

The Village of Jerome is hereby authorized to establish rules and regulations for the imposition and collection of said rates and charges, provided, however, that such rules and regulations shall not be in connection with any rate Ordinance heretofore or hereafter adopted by the Springfield Sanitary District, and such rules and regulations, whether adopted by Ordinance of the Springfield Sanitary District or by Ordinance of the Village of Jerome, shall be considered as being adopted by, and as being the rules and regulations of the Springfield Sanitary District and the Village of Jerome. (8-1-02)

408.2-4

The Village of Jerome is hereby authorized, either in its own behalf or as agent for the Springfield Sanitary District, to take any and all steps it may deem necessary or proper to collect such rates and charges, and to enforce collection thereof by suit, lien, foreclosure of lien, or any other method authorized by law, provided, however, that where Jerome does not desire to act, or for any reason fails to act, in the enforcement of the collection of said rates and charges, the Springfield Sanitary District is hereby authorized, either in its own behalf or on behalf of the Village of Jerome, and either in its own name or in the name of Village of Jerome to enforce the collection of said rates and charges by suit, lien, foreclosure of lien, or any other method authorized by law. (8-1-02)

408.2-5 This contract is entered into under the provisions of Section 11.a. of "An Act Authorizing Sanitary Districts Having a Population of Less Than 500,000 to Construct or Acquire, Improve or Extend, a Sewerage System," etc., as amended, being 70 ILCS 3010/11(a). This contract shall become effective as of the 5th day of June, 1980, and the collections and payments to be made by the Village of Jerome hereunder shall, during the existence of this contract, stand in lieu of the rates and charges imposed by the Springfield Sanitary District under its rate ordinances, on the inhabitants and properties within the Village of Jerome and the persons and properties against whom the Village of Jerome makes said collections under the terms hereof. (8-21-69, 6-5-80, 8-16-84, 8-1-02).

411.1 **AN ORDINANCE TO ESTABLISH MINIMUM HOUSING STANDARDS GOVERNING THE CONDITION AND MAINTENANCE OF DWELLINGS, SUPPLIED UTILITIES AND FACILITIES) AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO MAKE DWELLINGS SAFE, SANITARY AND FIT FOR HUMAN HABITATION; FIXING RESPONSIBILITY OF OWNERS AND OCCUPANTS OF DWELLINGS; AND PROVIDING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.**

411.1-1 Definitions.

The following words or phrases for the purpose of this ordinance shall have the meaning respectively ascribed to them in this section.

411.1-1a BASEMENT OR CELLAR means the portion of any building located partly or wholly below grade.

411.1-1b DWELLING means any building, which is wholly or partly used or intended to be used for living or sleeping by human occupants.

411.1-1c DWELLING UNIT means any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

411.1-1d EXTERMINATION means the control and elimination of insects, rodents or other pests by eliminating their harboring places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal elimination methods approved by the Housing Commissioner.

411.1-1e HABITABLE ROOM means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms,

water closet compartments, laundries, foyers, or communicating corridors, closets and storage spaces.

- 411.1-1f HOUSING COMMISSIONER means the Trustee in charge of the Public Health and Safety Department. (8-1-02)
- 411.1-1g INFESTATION means the presence, within or around a dwelling, of any insects, rodents or other pests.
- 411.1-1h MULTIPLE DWELLING means any dwelling containing more than two dwelling units.
- 411.1-1i OCCUPANT means any person, over one year of age, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit or rooming unit.
- 411.1-1j OPERATOR, means any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.
- 411.1-1k OWNER means and includes any person who alone or jointly or severally with others:
1. Has legal or equitable title to any dwelling or dwelling unit;
 2. Is the owner's agent for the purpose of managing, maintaining or controlling a dwelling or dwelling unit or collecting the rents therefrom;
 3. Manages, maintains or controls a dwelling or dwelling unit or any part thereof.
- 411.1-1l PERSON means and includes any individual, firm, corporation, association or partnership.
- 411.1-1m PLUMBING means and includes all of the following supplied facilities and equipment: gas pipes, gas-burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines" catch basins, drains, vents, and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.
- 411.1-1n ROOMING UNIT means any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.
- 411.1-1o ROOMING HOUSE, LODGING HOUSE, BOARDING HOUSE, HOTEL OR MOTEL means any dwelling, or part of any dwelling containing one or more rooming units, in which space is let by the owner or operator for rooming or

rooming and boarding to three or more persons, who are not of the relationship of the owner or operator as follows: husband or wife, son or daughter, mother or father, sister or brother, grandparents, grandchildren, niece or nephew, domestic employees not exceeding two in number.

- 411.1-1p SUPPLIED means paid for, furnished, or provided by or under the control of the owner or operator.
- 411.1-1q MEANING OF CERTAIN WORDS. Whenever the words "dwelling", "dwelling unit," "rooming house, it rooming unit," "premises," are used in this ordinance, they shall be construed as though they were followed by the words "or any part thereof."
- 411.1-2 Inspection and Right of Entry.
- 411.1-2a The Housing Commissioner is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within the corporate limits of the Village in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and the general public. For the purpose of making such inspections the Housing Commissioner or any other person designated by him or her, or for whom the Village has contracted to provide such service, is hereby authorized to enter, examine, and survey at all reasonable times all dwellings, dwelling units, rooming units, and premises. An order of court, warrant, writ, or other legal process shall not be necessary to make such entry. (8-1-02)
- 411.1-2a(l) The Housing Commissioner is hereby authorized to delegate the duties of inspection imposed upon him by ordinance to an inspector employed by the City of Springfield, and any inspector employed by the City of Springfield when making an inspection of any dwelling, dwelling unit, rooming house, rooming unit, and premises in the Village of Jerome shall have all of the powers granted by ordinance to the Housing Commissioner. (6-2-88).
- 411.1-2b The owner or occupant of every dwelling, dwelling unit and rooming unit, or the person in charge thereof, shall give the Housing Commissioner free access to such dwelling, dwelling unit or rooming unit and premises at all reasonable times for the purpose of inspection, examination and survey.
- 411.1-2c Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of inspection, examination, and survey of making, such repairs or alterations as are necessary to effect compliance with the provisions of this Ordinance or with any lawful rule or regulation adopted or any lawful order issued pursuant to the provisions of this Ordinance.

411.1-3 Notices and orders: hearings.

411.1-3a Whenever the Housing Commissioner determines that there are reasonable grounds to believe that there has been a violation of any provision of this Ordinance or of any rule or regulation adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefore, as hereinafter provided. Such notice shall:

1. Be in writing;
2. Include a statement of any alleged violation;
3. Allow a reasonable time, but not less than thirty (30) days, for the correction of any violation or the performance of any acts it requires, except in a case of emergency as provided in Code 411.1-3e of this section, in which case the person to whom an order is directed shall comply therewith immediately;
4. Be served upon the owner or the occupant, as the case may require: Provided that such notice shall be deemed to be properly served upon such owner, or upon such occupant, if a copy thereof: (a) is served upon him personally; (b) is sent by registered mail to his last known address; (c) is posted in a conspicuous place in or about the dwelling affected by the notice. Such notice may contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance and with rules and regulations adopted pursuant thereto.

411.1-3b Any person affected by any such notice which has been issued in connection with the enforcement of any provision of this Ordinance, or of any rule or regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Housing Commissioner: Provided that such person shall file in the office of the Village Clerk a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within 10 days after the day the notice was served. Upon receipt of such petition the Village Clerk shall notify the Housing Commissioner, and the Housing Commissioner shall set a time and place for such hearing, and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than 10 days after the day on which the petition was filed; Provided that upon such application of the petitioner the Housing Commissioner may postpone the date of the hearing for a reasonable time beyond such 10 day period, if in his judgment the petitioner has submitted a good and sufficient reason for such postponement. (8-1-02)

411.1-3c After such hearing the Housing Commissioner shall sustain, modify, or withdraw the notice, depending upon his finding as to whether the provisions of this

Ordinance and the rules and regulations adopted pursuant thereto have been complied with. If the Housing Commissioner sustains or modifies such notice it shall be deemed to be an order. Any notice served pursuant to the subsection coded 411.1-3a of this section of this Ordinance shall automatically become an order if a written petition for a hearing is not filed in the office of the Village Clerk within 10 days after such notice is served. (8-1-02)

411.1-3d The proceedings at such hearing, including the findings and decision of the Housing Commissioner shall be summarized, reduced to writing, and entered as a matter of public record in the office of the Village Clerk. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person affected by the decision of the Housing Commissioner may request a review of such decision by the Board of Trustees. Any person adversely affected by the decision of the Board of Trustees may seek judicial review of such action in accordance with the laws of the State of Illinois.
(8-1-02)

411.1-3e Whenever the Housing Commissioner, at any stage of proceedings instituted under the provisions of this Ordinance, finds a violation of this Ordinance exists which requires immediate action to abate a direct hazard, or immediate danger to the health, safety, morals, or welfare of the occupants of a building or of the public, he may, without notice or hearing, issue an order citing the violations and existence of an emergency and directing that such action be taken as he deems necessary to remove or abate the hazard or danger and meet the emergency. Notwithstanding any other provision of this Ordinance, such order shall be effective immediately upon service. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Housing Commissioner shall be afforded a hearing within ten (10) days. After such hearing, depending upon his finding as to whether the provisions of the Ordinance and the rules and regulations adopted pursuant thereto have been complied with, the Housing Commissioner shall affirm, modify or revoke such order. (8-1-02)

411.1-3f The Housing Commissioner shall have the power to vary or modify any of the provisions of this Ordinance or any rules and regulations adopted pursuant thereto upon an application to him in writing by the owner or occupant of a dwelling or dwelling unit where there are practical difficulties in the way of carrying out the strict letter of this Ordinance, so that the spirit and intent of this Ordinance shall be observed and the public safety be secured and substantial justice be done; but no such variations or modifications shall be granted or allowed unless the particulars of each application and the decision of the Housing Commissioner therein shall be entered upon the records of his office.
(8-1-02)

411.1-4 Rules and Regulations.

The Village Board of Trustees may make and adopt such written rules and regulations as may be necessary for the proper enforcement of the provisions of this Ordinance; Provided that such rules and regulations shall not be in conflict with the provisions of this Ordinance. The Board of Trustees shall file a certified copy of all rules and regulations which it may adopt with the Village Clerk. Such rules and regulations shall have the same force and effect as the provisions of this Ordinance, and the penalty for violation thereof shall be the same as the penalty for violation of the provisions of this Ordinance.

411.1-5 Minimum Standards for Basic Equipment.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit, for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

- 411.1-5a All fixtures in such dwelling or dwelling unit required by the provisions of subsections coded (b), (c), (d), and (e) of this section coded 411.1-5 shall be properly installed and connected to an approved sanitary sewer and water system.
- 411.1-5b Every dwelling unit shall contain a kitchen sink in good working condition and properly connected to an approved water and sewer system.
- 411.1-5c Every dwelling unit shall contain a room which affords privacy to a person within such room and which is equipped with a flush water closet and a lavatory basin in good working condition, and properly connected to an approved water and sewer system.
- 411.1-5d Every dwelling shall contain, within a room which affords privacy to a person within such room, a bathtub or shower in good working condition, and properly connected to an approved water and sewer system.
- 411.1-5e Every kitchen sink, lavatory basin, and bathtub or shower required under subsections coded (b), (c), and (d) of this section code 411.1-5 shall be properly connected with cold water lines. Every dwelling shall have supplied water heating facilities, which are properly installed, are maintained in safe and good working condition, and are capable of heating water to such temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than 120 degrees Fahrenheit.
- 411.1-5f Every dwelling shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the laws of this State. There shall be provided at least two means of egress leading to safe and open space at ground level, from each story containing one or more dwelling units above the first story of every dwelling containing two or more dwelling units.

- 411.1-5g Every habitable room shall have at least one window or skylight facing directly to the outdoors, which can be easily opened, or such other device as will adequately ventilate the room.
- 411.1-5h Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in subsection, coded 411.1-59 of this section except that no windows or skylight shall be required in adequately ventilated bathrooms and water closet compartments equipped with a mechanical ventilation system capable of exhausting twenty-five (25) cubic feet of air per minute, which is kept in operating condition.
- 411.1-5i Every dwelling shall be connected to an approved electrical power system; every habitable room of such dwelling shall contain at least two separate floor or wall-type electric convenience outlets, or one such convenience outlet and one supplied ceiling-type electric light fixture; and every water closet compartment, bathroom, laundry room, furnace room, public hall and stairway shall contain at least one supplied ceiling or wall type electric light fixture. Every such outlet and fixture shall be properly installed and shall be maintained in good and safe working condition.
- 411.1-5j Every dwelling shall have heating facilities which are properly installed, are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein to a temperature of at least 70 degrees Fahrenheit, at a distance of three feet above floor level, when the temperature outside is 0 degrees Fahrenheit.
- 411.1-5k From May 1 to November 1, every door opening directly from a dwelling unit to outdoor space shall have supplied screens and a self-closing device, and every window or other device with openings -to outdoor space used or intended to be used for ventilation, shall likewise be supplied with screens as a protection against insects. (8-1-02)
- 411.1-5l Every basement or cellar window used or intended to be used for ventilation and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.
- 411.1-5m Every foundation floor wall ceiling and roof shall be reasonably weather tight, watertight, and rodent-proof; shall be capable of affording privacy; and shall be kept in sound condition and good repair.

- 411.1-5n Every window, exterior door, and basement hatchway shall be reasonably weather tight, watertight, and rodent-proof; and shall be kept in sound working condition and good repair.
- 411.1-50 Every inside and outside stair, every porch, and every appurtenance thereto shall be constructed so as to be safe and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in sound condition and good repair.
- 411.1-5p Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks and obstructions.
- 411.1-5q Every water closet compartment floor surface and bathroom floor service shall be constructed and maintained so as to be reasonable impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- 411.1-5r Every supplied facility, piece of equipment, or utility which is required under this ordinance shall be so constructed or installed so that it will function safely and effectively, and shall be maintained in satisfactory working condition.
- 411.1-5s No owner, operator or occupant shall cause any service, facility, equipment, or utility which is required under this Ordinance to be removed or shut off from, or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in progress.
- 411.1-5t No owner shall occupy or let to any other occupant any vacant dwelling unless it is clean, sanitary and fit for human occupancy.
- 411.1-6 Responsibilities of Owners and Occupants
- The responsibilities and owners and occupants of a dwelling or dwelling unit are:
- 411.1-6a Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
- 411.1-6b Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.
- 411.1-6c Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish as required by Ordinance of the Village of Jerome.

411.1-6d Every occupant of a dwelling or dwelling unit shall dispose of all his garbage and other organic waste as required by Ordinance of the Village of Jerome.

411.1-6e Every occupant of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this Ordinance and of any rule or regulation adopted pursuant thereto, except where the owner has agreed to supply such service.

411.1-6f Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Notwithstanding the foregoing provisions of this subsection, whenever infestation is caused by the failure of the owner to maintain a dwelling in a rat proof or reasonably insect proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling, or in the shared or public parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

411.1-6g Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

411.1-7 Requirements for Rented Rooms

No person shall operate a rooming, boarding, or lodging house, hotel or motel, or shall occupy or let to another for occupancy any rooming unit in any rooming, boarding, or lodging house, hotel or motel, except in compliance with the provision of the Zoning Ordinance and of every section of this Ordinance except the provisions of subsection (a), (b), (c), (d), (e) and (f) of the section coded 411.1-5 and the section coded 411.1-6.
(8-1-02)

411.1-7a At least one flush water closet, lavatory basin, and bathtub or shower, properly connected to an approved water and sewer system, and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming, boarding, or lodging house, hotel or motel, including members of the operators family wherever they share the use of said facilities. All such facilities shall be so located within the dwelling so as to be reasonably accessible from a common hall or passageway to all persons sharing the facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be located in a basement.

- 411.1-7b The operator of every rooming, boarding or lodging house, hotel or motel, shall change supplied bed linen and towels therein at least once a week, and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.
- 411.1-7c Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the laws of the State of Illinois.
- 411.1-7d The operator of every rooming, boarding or lodging house, motel or hotel, shall be responsible for the sanitary maintenance of a sanitary condition in every other part of the rooming, boarding or lodging house, hotel or motel; and he shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building is leased or occupied by the operator.
- 411.1-8 Dwellings Unfit for Human Habitation
- The designation of dwellings or dwelling units as unfit for human habitation and the procedure for the determination and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following requirements:
- 411.1-8a Any dwelling or dwelling unit which shall be found to have any of the following defects shall be declared as unfit for human habitation and shall be so designated and placarded by the Housing Commissioner.
1. One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.
 2. One which lacks illumination, ventilation, or sanitation facilities adequate to protect the health or safety of the occupants or the public.
 3. One which, because of its general condition or location, is unsanitary, or otherwise dangerous, to the health or safety of the occupants or of the public.
- 411.1-8b Any dwelling or dwelling unit determined as unfit for human habitation, and so designated and placarded by the Housing Commissioner, shall be vacated within a reasonable time as ordered by the Housing Commissioner.
- 411.1-8c No dwelling or dwelling unit which has been determined and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by, the Housing Commissioner. The Housing Commissioner shall remove such placard only when the defects upon which the determination and placarding action were based have been eliminated, and after the dwelling or dwelling unit has been inspected and been found to comply in all respects with the requirements of this Ordinance.

411.1-8d No person shall deface or remove the placard from any dwelling or dwelling unit which has been determined as unfit for human habitation and placarded as such, except as provided in subsection coded 411.1-8c.

411.1-8e Any person affected by any notice or order relating to the determination and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing on the matter before the Housing Commissioner under the procedure set forth in subsection 411.1-3b of this Ordinance.

411.1-9 Penalties

Any person, firm or corporation violating or failing to comply with any of the provisions of this Ordinance shall, upon conviction, be punished by a fine of \$50.00 dollars for the first day and \$100.00 for each day thereafter. (8-1-02)

411.10 Repeal or Amendment,

Any ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby expressly repealed, or amended to conform to this ordinance.

411.1-11 Partial Invalidity

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable (10-15-70, 8-1-02)

412.1 **AN ORDINANCE PROHIBITING THE USE OF FIREARMS AND AIRGUNS AND OTHER PROJECTILES.**

412.1-1 It shall be unlawful to engage in the following acts within the corporate limits of the Village of Jerome:

- (1) To use, cock, aim or discharge any firearm, B-B Gun, pellet gun, paint ball gun, or air gun; provided, however, that this section shall not apply to police officers or the dog control officer in the actual performance of their lawful duties.
- (2) To use, draw, or discharge any archery equipment, including but not limited to bows, longbows, crossbows, arrows, darts, and bolts capable of inflicting injury to persons or damage to property within the Village limits.

- (3) To golf or hit balls within the Village, except in designated areas when authorized in writing by the Village.
- (4) To use or discharge any device capable of discharging any projectile by any means whatsoever, including but not limited to slingshots and wrist rockets. (1-2-03; 1-20-11)

412.1-2 Any person found guilty of violating any provision of this Ordinance shall be punished by a fine of \$250.00 per offense. Each day that a violation is permitted to exist shall constitute a separate offense. (5-4-72, 8-1-02)

412.2 AN ORDINANCE PROHIBITING THE OPERATION OF BUSINESSES, FIREARMS INVOLVING FIREARMS WITHIN ANY RESIDENTIAL AREAS

412.2-1 It shall be unlawful for any person to operate or engage in any occupation, employment or enterprise wherein merchandise is exhibited or sold, or which occupies time, attention, labor and materials or where services are offered for compensation involving the manufacture, sale or repair of firearms from any property which is classified in any zoning classification which includes as permitted uses single-family and other residential uses, presently including the zoning classifications or R-1, R-2, and S-1 in the Village's Zoning Ordinance.

412.2-2 Any person who violates any provision of this ordinance shall be punished by a fine of \$100.00 for the first offense, \$250.00 for the second offense, and \$500.00 for each offense thereafter. Each day that a violation is permitted to exist shall constitute a separate offense. (2-4-99)

413.1 AN ORDINANCE REQUIRING INSTALLATION OF DRIVEWAY CULVERTS

413.1-1 On any street which does not have concrete curbs and gutters, a culvert must be installed beneath the driveway surface wherever deemed necessary by the Trustee in charge of streets or the Village superintendent of streets to allow drainage of water along the side of the road under the driveway. However, any serviceable culvert in place and in good repair need not be replaced.

413.1-2 Any person desiring to build, repair, or maintain a driveway entrance onto their property from a public street must provide for the installation of a culvert to allow drainage of water along the side of the road beneath the driveway surface.

413.1-3 No person shall build or construct a driveway from private property connecting to a public street within the Village of Jerome or construct a parking area at the side of the street without first making application for a permit to do so. (8-1-02)

413.1-4 Any culvert pipe used in the Village of Jerome shall be made of either corrugated metal pipe or reinforced concrete pipe, and the location and size of the culvert pipe shall be determined and prescribed by the Village Engineer. (8-1-02)

413.1-5 The length of the culvert pipe shall equal the width of the driveway plus eight (8) feet, and the pipe shall be installed so as to protrude for a distance of four (4) feet on each side of the driveway in order to provide a flared connection on each side of the driveway with the street surface. (8-1-02)

413.1-6 Permits for construction of driveways and installation of culverts shall be issued by the Village of Jerome after approval of the application by the Trustee in charge of streets and the fee for such permit shall be Ten Dollars (\$10.00). (8-1-02)

413.1-7 Persons desiring to install culvert pipes to the specifications and requirements of this Ordinance may do so for no further charge than the payment of the permit fee. Persons desiring to make arrangements with the Village of Jerome for installation of culvert pipes by employees of the Village of Jerome shall be required to make payment in advance of the estimated cost of the culvert pipe, additional materials required, and labor costs associated with the culvert pipe's installation. If the actual cost of installation exceeds the estimated cost, such amount will constitute a balance due and owing the Village of Jerome. (8-1-02, 7-17-03)

413.1-8 Any person desiring to construct a parking area along the side, or in the ditch area of a street adjacent to his property, must install a culvert of sufficient length as deemed necessary by the Trustee in charge of streets to provide proper drainage for such parking area and the culvert and installation must otherwise conform to the provisions of this Ordinance. (10-18-73, 7-1-99, 8-1-02)

414.1 **AN ORDINANCE PROHIBITING THE SALE AND USE OF FIREWORKS.**

414.1-1 The term "fireworks" shall mean and include any explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or audible effect of a temporary exhibitional nature by explosion, combustion, deflation or detonation, and shall include blank cartridges, toy cannons, in which explosives are used, the type of balloons which require fire underneath to propel the same, fire crackers, torpedoes, skyrockets, Roman candles, sparklers, bombs, or other fireworks of like construction and any fireworks containing any explosive compound, or any tablets or other device containing any explosive substance, or containing combustible substances

producing visual effects provided, however, that the term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices in which paper or plastic caps containing twenty-five hundredths grains or less of explosive compound are used, provided they are so constructed that the hand cannot come in contact with the cap when in place for the explosion, and toy pistol paper or plastic caps which contain less than twenty hundredths grains of explosive' mixture.

414-1-2 It shall be unlawful for any person, firm co-partnership, or corporation to offer for sale, expose for sale, sell, or use or explode any fireworks within the corporate limits of the Village of Jerome.

414.1-3 Any person, firm, co-partnership, or corporation found guilty of a violation of this Ordinance shall be punished by a fine of \$50.00 for each offense. (8-1-02)

414-1-4 This ordinance is urgently needed for the protection of the public health and safety and shall be effective immediately upon its passage and publication in pamphlet form. (5-19-77, 8-1-02)

415.1 AN ORDINANCE PROVIDING FOR INSPECTION AND LICENSING OF FOOD SERVICE ESTABLISHMENTS

Definitions.

For the purpose of this ordinance the following definitions shall apply unless the context otherwise requires.

415.1-1a APPLICANT means any person who applies for a license or certificate pursuant to the terms of this ordinance.

415.1-1b APPROVED means approved by the Board of Trustees. (8-1-02)

415.1-1c CERTIFICATE means the certificate issued under the provisions of this ordinance.

415.1-1d ESTABLISHMENT means any restaurant, whether licensed or not.

415.1-1e EXTENSIVE means any alterations or additions costing more than 25% of the replacement value of the structure.

415.1-1f HOLD ORDER means an order of the inspector or the Board of Trustees which prohibits the sale or consumption of food. (8-1-02)

415.1-1g INSPECTOR means any designated representative of the Village of Jerome making an inspection of any establishment regulated by this Ordinance. (8-1-02)

- 415.1-lh LICENSE means the license issued pursuant to the terms of this ordinance.
- 415.1-li RESPONSIBLE AUTHORITY means any federal, state, county or municipal regulatory agency.
- 415.1-lj RESTAURANT means any establishment where food is prepared, or stored and offered for sale, to be eaten or consumed on or off the premises, and shall also include kitchens operated under the same control in the jurisdiction of the village, whether on the same premises as such eating establishment, or on separate premises. The term ,restaurant" shall also include lunch rooms, delicatessens, tea rooms, soda fountains, buffets, grills, lunch counters, sandwich shops, hotels, clubs, beer parlors, taverns, cocktail lounges, drive-ins, snack bars, dining rooms, coffee shops, boarding houses, cafeterias, factory cafeterias, custard stands, school lunchrooms, chili parlors, drug store lunch departments, pizza parlors and all rooms appurtenant thereto and used in connection therewith.
- 415.1-lk RETAIL FOOD STORE means a commercial establishment where food is offered for sale to be consumed off the premises, excluding establishments, which sell only fresh fruits and vegetables.
- 415.1-ll SERIOUS VIOLATIONS means violations of this ordinance, which would constitute an immediate safety hazard or health hazard.
- 415.1-lm DIRECTOR OF PUBLIC HEALTH shall be the Trustee in charge of the Public Health Department. (8-1-02)

415.1-2 License Required

It shall be unlawful for any person to operate a restaurant or a retail food store within the Village of Jerome unless a valid license has been issued to such person by the Director of Public Health. Only a person, who is in substantial compliance with the requirements of this ordinance, and the rules and regulations adopted herein by reference, shall be entitled to receive and retain such a license.

415.1-3 Issuance of License

Any person desiring to operate a restaurant or retail food store in the Village of Jerome shall make written application for a license to operate such business on a form provided by the Director of Public Health. Upon receipt of such application and payment of the annual licensing fee, an inspection of the business premises will be made by the inspector designated by the Village President for the purpose of determining whether the applicant is in compliance with the provisions of this Ordinance. This determination shall be made promptly, and if the inspector determines that

the applicant is in compliance, then the Director of Public Health shall issue a license immediately. If the inspector determines that a license should not be issued, the Director of Public Health shall promptly notify the applicant by mail at the address stated in the application, of the reason therefor. When the applicant believes the condition has been corrected which was the reason for the denial of the license the applicant may then make a renewed application for license to the Director of Public Health. If an application for a license is finally refused, the license fee paid by the applicant to the Director of Public Health shall be refunded. (8-1-02)

415.1-4 Certification-Existing Establishments

The business establishment of any person that shall be issued a restaurant license or retail food store license pursuant to the provisions of this ordinance shall be inspected in detail by the inspector to determine the eligibility for issuance of a certificate stating that the establishment complies with the requirements of this ordinance. All such establishments meeting the requirements of this ordinance shall be issued a certificate immediately.

415.1-5 Certification-New Establishments

Any new establishment commencing business operation after the passage of this ordinance shall be inspected in detail by the inspector to determine its eligibility for a certificate stating that such establishment complies with the requirements of this ordinance.

415.1-6 Display of Certificate

The certificate issued pursuant to this ordinance shall be displayed in a conspicuous public place in the establishment of the holder to whom it is issued before such establishment can be considered to be in compliance with this ordinance.

415.1-7 Separate Certificate and License For Each Establishment

A separate certificate and license must be obtained for each establishment. A certificate or license shall not be transferred from one person or establishment to another person or establishment.

415.1-8 Issuance of Certificate and License After Voluntary Closing

If an establishment ceases operation for one month or longer for any reason, a new certificate must be obtained before the establishment may be re-licensed if ownership of the establishment changes, the new owner may not commence

business operation until a new certificate and new license are obtained pursuant to the procedures set forth in this ordinance.

415.1-9 Refusal to Issue Certificate

When the inspector refuses to issue a certificate to an establishment, then such establishment shall be deemed to have failed initially to meet the requirements of this ordinance. The Director of Public Health shall notify the applicant for the certificate immediately of the refusal. Such notice shall also state that an opportunity for a hearing shall be granted the applicant within 30 days of the refusal at a place designated by the inspector. This notice shall be delivered to the applicant in person or may be sent by certified mail.

415.1-10 Hearings

Any person affected by an order, or notice issued in connection with the enforcement of this ordinance may file a written petition with the Director of Public Health requesting a hearing by the Board of Trustees. The Board of Trustees shall hold a hearing at a time and place designated by it within 30 days of the date on which the written petition was filed. The petitioner shall be notified of the time and place of the hearing is to be held. If, as a result of the hearing, the Village Board finds that strict compliance with the order or notices would cause undue hardship on the applicant, and that the public health would be protected by varying or withdrawing the order or notice, the Village Board may modify or withdraw the order or notice and as a condition for such action may, where it is deemed necessary, make requirements which are additional to those prescribed in this ordinance for the purpose of protecting the public health. The Village Board shall render a decision in writing within 10 days after the date of the hearing and place a copy of such decision on file with the Village Clerk as a matter of public record. (8-1-02)

415.1-11 Renewal of Licenses

Licenses shall be renewed every six months following an inspection by the inspector. In the event that the inspection for the renewal of a license reveals serious or repeated violations of this ordinance, the certificate of compliance will not be issued and the Director of Public Health shall notify the license holder immediately thereof. Such notice shall state the reasons for non-issuance of the certificate and shall also state that an opportunity for a hearing, pursuant to the requirements as set forth in Section 10, shall be granted. This notice shall be delivered to the license holder in person or may be sent by certified mail.

415.1-11a Suspension of Licenses

Licenses may be suspended temporarily by the inspector for failure of the license holder to continue to comply with the requirements of this ordinance, Whenever a license holder has failed to comply with any notice issued pursuant to this ordinance, the license holder shall be notified in writing that the license is, upon service of the notice, immediately suspended and that an opportunity for a hearing will be provided pursuant to Section 10 of this ordinance. Whenever violations of this ordinance constitute an immediate hazard to the public health the inspector shall issue a written notice to the license holder citing such conditions, specifying the corrective action to be taken and specifying the time period within which such action shall be taken, and if deemed necessary, such order may state that the license is immediately suspended and all operation as a food service establishment or retail food store is to be immediately discontinued. Any person or corporation to whom such an order is issued shall comply therewith immediately, but upon written application to the inspector, shall be afforded a hearing as soon as possible, but in no event later than two working (lays after issuance of the order. The village attorney shall be notified of any suspension notice and shall enforce that ruling.

415.1-11b Reinstatement of Suspended Licenses.

Any holder whose license has been suspended may make application for reinstatement of the license. Re-inspection shall be made by the inspector on the next working day following receipt of a written request, which shall include a statement signed by the license holder that in his opinion conditions causing suspension of the license have been corrected. If upon inspection it is determined that the license holder is in compliance with the requirements of this ordinance then the license shall be reinstated.

415.1-11c Revocation of Licenses.

For serious or repeated violations of the requirements of this ordinance, or for interference with the inspector in the performance of his duties, a license may be permanently revoked after an opportunity for hearing has been provided, pursuant to the procedures set forth in Section 10 of this ordinance. Prior to such action, the license holder shall be given written notice stating the reasons for which the license is subject to revocation and advising that the license shall be permanently revoked at the end of five working days following service of such notice unless a request for a hearing is filed by the license holder within such five day period. A license may be suspended for a violation of this ordinance pending its revocation or a hearing relative thereto.

415.1-12 Inspection of Food Service Establishments and Retail Food Stores

At least once every six months the inspector shall inspect each food service establishment and retail food store located in the village and shall make as many

additional inspections and re-inspections as are necessary for the enforcement of this ordinance. The inspector, after proper identification, shall be permitted to enter any food service establishment or retail food store during business hours for the purpose of making inspections to determine compliance with this ordinance. In case of suspected or verified food-borne disease outbreaks, the inspector shall be permitted to examine the records of the establishment which contain pertinent information relative to foods and supplies purchased, received or used, and persons employed.

415.1-12a Whenever the inspector makes an inspection, he shall record his findings on an inspection report form provided for this purpose, and shall furnish a copy of such inspection report form to the license applicant or holder at the time of inspection.

415.1-12b Whenever the inspector discovers that any of the requirements of this ordinance have been violated, he shall notify the license applicant, holder or establishment manager of such violations. In such notification, the inspector shall:

- 1) Set forth the specific violation found;
- 2) Establish a specific and reasonable period of time for the correction of the violations found;
- 3) State that failure to comply with any notice issued in accordance with the provisions of this ordinance may result in denial or immediate suspension of the license;
- 4) State that an opportunity for appeal from any notice or inspection findings will be provided if a written request for a hearing is filed within the time established in the notice of correction.

415.1-12c Notices provided for under this section shall be deemed to have been properly served when the original copy of the inspection report form or other notice has been delivered personally or by certified mail addressed to the license applicant or holder or manager of the establishment. A copy of such notice shall be filed with the Director of Public Health.

415.1-13 Examination and Condemnation of Food

Food may be examined or -requested for analysis by the inspector as often as may be necessary to determine freedom from adulteration or misbranding. The inspector may, upon written notice to the owner or manager of the establishment, place a hold order on any food which he determines, or has probable cause to believe, to be unwholesome, or otherwise adulterated or misbranded. Under a hold order, food shall be permitted to remain on the premises provided that it is suitably stored and not served.

415.1-13a It shall be unlawful for any person to remove or alter a hold order notice or tag placed on food or the establishment, and neither such food nor the containers thereof shall be re-labeled, repacked, reprocessed, altered, disposed of or destroyed without permission of the inspector, except upon order by a court of competent jurisdiction. After the owner or person in charge has had a hearing as provided for in Section 10 of this ordinance, and on the basis of evidence produced at such hearing, or on the basis of an examination in the event a written request for hearing is not received within 10 days, the inspector may vacate the hold order, or may by written order direct the owner or person in charge of the food which was placed under the hold order to destroy such food or bring it into compliance with the provisions of this ordinance.

415.1-14 Food Service Establishments and Retail Stores Outside the Village.

When food from food service establishments and retail food stores outside the jurisdiction of the Village of Jerome is sold within the Village, such food service establishments and retail food stores shall conform to the provisions of this ordinance or to equivalent provisions of the laws of another jurisdiction. To determine the extent of compliance with such provisions, reports from responsible authorities in other jurisdictions where such food service establishments and retail food stores are located may be accepted.

415.1-15 License Fees

The annual license fees for restaurants and retail food stores shall be \$75.00.

415.1-15a Fees to be Paid to Director of Public Health

All license fees shall be paid to the Director of Public Health upon submission of an application for a license.

415.1-15b Pro-ration of License Fee

Licenses issued to new establishments on a date less than six months before April 1 of any new year shall require the payment of one-half of the annual fee.

Any establishment relinquishing its license more than 6 months prior to December 31 of any year, after having paid the full annual fee, shall be entitled to a monthly prorate refund of the annual fee that was paid, provided that not more than one-half the annual fee shall be refunded. (8-7-86)

415.1-15c Expiration of License

All licenses issued pursuant to this ordinance shall expire on the next April 1 after issuance thereof, unless suspended or revoked as herein provided.

415.1-15d License for Existing Establishments and Retail Food Stores

All existing food service establishments; and retail food stores shall deposit the appropriate fee with the Director of Public Health on or before April 1 of each year and obtain a license to conduct business.

415.1-15e Licensing of New Establishments and Retail Food Stores.

Establishments and stores which come into existence after the passage of this ordinance shall deposit an appropriate fee with the Director of Public Health for the purpose of obtaining a license to conduct business before the business is started.

415.1-16 Adoption of Rules and Regulations by Reference

The Food Service Sanitation Rules and Regulations of this State of Illinois, Department of Public Health, 1975, and the Retail Food Store Sanitation Rules and Regulations of the Illinois Department of Public Health, 1968, as promulgated by the Illinois Department of Public Health, and the latest amendments thereto, such as are now in force and effect or as may hereafter be revised or amended are hereby adopted by reference.

415.1-17 Food Handler Permit Required.

All employees of food service establishments who handle food in any way whatsoever as part of their duties must obtain a Food Handler Permit from the Springfield Department of Public Health and Safety and exhibit said permit to the food inspector.

415.1-18 Publication and Effective Date.

This ordinance shall be published immediately in pamphlet form and shall become effective 60 days after the date of passage. (12-2-82, 8-1-02)

416.1 AN ORDINANCE TO ADOPT PARK REGULATIONS FOR THE VILLAGE OF JEROME, ILLINOIS.

416.1-1 Definitions. The following terms shall have the meaning prescribed herein:

416.1-1a Park. A park, playground, recreation center or any other area in the Village, owner or used by the Village and devoted to active or passive recreation.

- 416.1-1b Person. Any person, firm, partnership, association, corporation, company or organization of any kind.
- 416.1-2 Regulations and Restrictions.
- 416.1-2a Hours alcoholic liquor: No person shall use a park during the period beginning after sunset until 8:00 a.m., except as otherwise approved in advance, but in no event later than 11:00 p.m. Any child under the age of eight (8) years must be accompanied and supervised by an adult.
- 416.1-2b Reservations: No person shall interfere with access to areas of a park that have been formally reserved through the Village office. Reservations may be made for a calendar year beginning on the first business day of each year on the first come first served basis. The reservation procedure may include payment of a required fee and issuance of permit by the Village.
- 416.1-2c Damage to Park Property: No person shall remove, cut, break, climb on, or in any way injure or deface any tree, shrub or plant within a park. No person shall willfully mark, deface, disfigure, injure, tamper with or displace or remove, any building, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards whether temporary or permanent, monuments, stakes, posts, barricades or other boundary markers, or other structures or equipment, facilities or park property or appurtenances whatsoever, either real or personal.
- 416.1-2d Vehicles, Park: No person, other than Village personnel performing duties for the Village, shall bring or use any vehicle upon any portion of a park where such vehicles are prohibited from being brought or used. Vehicles shall include, but not be limited to, cars, trucks, motorcycles, snowmobiles, go-carts, mopeds, or any other motorized transportation. In addition, no bicycles, skateboards, roller blades or roller skates shall be used in a park.
- 416.1-2e Animals, Park: No person shall bring any animal into a park, unless that animal is trained to assist a person with a disability.
- 416.1-2f Restricted Areas of Parks: No person shall enter upon any portion of a park where persons are prohibited from going by direction of the Board of Trustees, as indicated by sign or notice.
- 416.1-2g Obstructing Access, Park: No person shall place objects or property of any kind so as to obstruct travel in or use of any portion of a park. No person shall construct or erect any building or structure of any kind, whether permanent or temporary in character, or run or string any public service utility into, upon, or across a park without permission of the Board of Trustees.

- 416.1-2h Fires, Park: No person shall light or make use of any fire in a park, except such portions thereof as may be constructed for such purpose and then only under such regulation; as are prescribed.
- 416.1-2i Firearms, Fireworks and Dangerous Missiles, Park: No person shall carry or discharge firearms in a park, or discharge or set off fireworks or things containing any substance of any explosive nature in a park. No person shall cast any stones or other missiles within a park so as to create a hazard to people or property.
- 416.1-2j No Smoking: No person shall use any tobacco product, including cigars, cigarettes or smokeless tobacco products in the area of a park unless there is a specific area designated for use of tobacco products by the Board of Trustees.
- 416.1-2k Use of Water: No person will waste water purposely by allowing spigots to run, by flushing toilets needlessly or by any other wasteful means.
- 416.1-2l Swimming: No person shall swim, bathe, or wade in a park.
- 416.1-2m Washing Clothes: No person in a park shall wash any clothes, bedding, utensil or thing in any fountain located in any park.
- 416.1-2n Littering: The discarding of any trash or refuse in any park other than in designated receptacles is prohibited.
- 416.1-2o Dumping Articles: No person shall deposit, dump, throw or place any yard waste, bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, garbage or other refuse in any part of a park, except in receptacles provided for that purpose. Such discarded material can only be a by-product of recreational activity.
- 416.1-2p Plants, Shrubs or Trees: No person shall bring into a park any tree, shrub, plant or portion of such plants, or injure the bark, or pick the flowers or seeds, of any tree or plant, without permission of the Board of Trustees. No person shall dig, disturb or remove any soil, rock, stones, grass areas, trees, shrubs or plants, or make any excavation by tool, equipment, blasting or other means or agency, or in any other way injure or impair the natural beauty or usefulness of any area without the permission of the Board of Trustees.
- 416.1-2q Games and Gambling: No person shall engage at games of chance or use gambling devices in a park.
- 416.1-2r Offering Articles for Sale or Services for Hire: No person shall offer or exchange for sale any article or offer services for hire, or do any soliciting for sale of articles or services in a park, except where authorized to do so by permit.

- 416.1-2s Soliciting to Buy: No person shall buy or offer to buy an article or services for hire in a park, or solicit for such articles or services, except where authorized to do so by the Board of Trustees.
- 416.1-2t Soliciting for Contributions: No person shall take up any collection for charity, beg or solicit alms or handouts or accept contributions of money or anything of value in a park, except where authorized to do so by the Board of Trustees.
- 416.1-2u Advertisement, Park: No person shall display any advertisement of any kind, nor shall any person distribute such advertisement or notice in a park except where authorized to do so by the Board of Trustees. No person shall post, stencil or otherwise affix an advertisement or other papers upon any structure or thing in any park except where it is specifically allowed by appropriate sign or notice. (8-1-02)
- 416.1-2v Breach of Peace:
- (1) Unlawful Assembly: No person shall collect with other persons, in bodies or in crowds, for unlawful purposes or for any purpose to the annoyance or obstruction or disturbance of other persons.
 - (2) Substance Abuse: No intoxicated person shall enter, be or remain in a park, nor shall any person bring within a park intoxicating or alcoholic beverages, or other controlled substances.
 - (3) Restrictions on Behavior: No person shall sleep or protractedly lounge on the seats, benches, or other areas of a park, or engage in loud, boisterous, threatening, abusive, insulting or indecent language, including loud and boisterous music, or engage in any disorderly conduct or behavior tending to a breach of the public peace.
- 416.1-2w Resisting or Interfering With a Village Official: No person in a park shall interfere with any police officer, employee or elected official of the Village in the discharge of his or her duty, or fail or refuse to obey any lawful command or directive of any such police officer, employee or elected official.
- 416.1-2x Impersonating a Village Official: No person shall falsely represent himself or herself as a Village official.
- 416.1-2y Hindering Employees or Contractors: No person shall interfere with any employee or contractor of the Village while they are engaged in constructing, repairing or caring for park property as authorized by the Board of Trustees.

416.1-2z Other Rules and Regulations. The Trustee for Public Property shall have the power to establish general rules and regulations in accordance with this Ordinance in giving full force and effect to the carrying out of the provisions of this Ordinance, and may amend and repeal any such rules and regulations.

416.1-3 Penalty for Violation of Ordinance: Any person who shall violate any provision of this Ordinance, for which another penalty is not already provided, shall be fined \$50.00 for the first offense, \$150.00 for the second offense, and \$300.00 for the third and any subsequent offense thereafter, plus the costs of any repair or replacement of any damaged property in the park, per each occurrence. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (8-1-02)

417.1 AN ORDINANCE RESTRICTING SOUND OR NOISE

417.1-1 That the presence of the following within the Village shall be deemed detrimental to the public health, safety and welfare and constitutes a nuisance and a violation of this Ordinance:

- a. Sound or noise, which interferes with the peace or comfort or disturbs the quiet enjoyment of any person in the Village.
- b. The use, playing or operating within the Village of any radio, tape recorder, cassette player or other device receiving broadcast sound or reproducing recorded sound if the sound generated by the device is clearly audible to a person with normal hearing at a distance greater than 75 feet.

417.1-2 Unless any person is participating in an event for which authorization has been obtained from the Village or is operating an authorized emergency vehicle, a person causing a nuisance or violating the provisions of this Ordinance shall be in violation of this Ordinance. (11-3-11)

417.1-3 Any person who violates this Section shall be subject to a fine of not less than Two Hundred Fifty (\$250.00) Dollars for a first offense. For a second violation of this Section within a 24-month period, the mandatory minimum fine shall be Five Hundred (\$500.00) Dollars. For a third or subsequent violation of this Section, the mandatory minimum fine shall be Seven Hundred Fifty (\$750.00) Dollars Each day during which a violation continues shall constitute a separate punishable offense.

417.1-4 The provisions of this Ordinance are effective as of the date of passage and approval of this Ordinance.

418.1 AN ORDINANCE REGARDING POLITICAL SIGNS

418.1-1 Temporary signs announcing political candidates seeking public office, political parties, and/or political and public issues contained on a ballot shall be subject to the following:

1. Political signs may be erected no earlier than sixty (60) days before the date of the election for which the sign is designated. All political signs shall be removed within seven (7) days after the election has been held to which the signs refer.
2. Political signs shall not exceed eight (8) square feet aggregate total for all lots.
3. Any signs not conforming to the regulations herein stated may be removed after twenty-four (24) hours notice to the owner of the sign.
4. Political signs may be destroyed if not claimed by the owners within seven (7) days after the election to which the sign relates.
5. Political signs shall not be located in, project into or overhang any public right-of-way or be attached to any utility pole.
6. Political signs shall be constructed of durable materials and erected in a manner to avoid collapse from inadvertent contact, wind or weather.
7. Political signs shall be placed to not pose a danger to the public health, safety or general welfare. This includes, but is not limited to, a prohibition against the posting of a political sign such that the sign obstructs the view of vehicular or pedestrian traffic areas, thereby creating a risk of harm to the public. (2-7-02)

419.1 AN ORDINANCE REGARDING PEDDLERS AND TRANSIENT MERCHANTS

419.1-1 Definitions.

419.1-1(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

419.1-1(b) *Peddler* means any person who goes from house to house, from place to place or from street to street conveying or transporting for sale goods, wares or merchandise, offering or exposing the goods, wares or merchandise for sale, or

making sales and delivering articles to purchasers; or any person who, for himself or another, hires, leases, uses or occupies any vehicle or other place or facility within the Village for the purpose of selling or offering for sale any goods, wares or merchandise.

419.1-1(c) *Transient merchant* means any person engaging temporarily in retail or wholesale sale of goods, wares or merchandise in any place in the Village, and who, for the purpose of conducting such business, occupies any lot, building, room or structure of any kind; or any person engaging temporarily in business in the Village as a photographer or the operator of a photographic studio or gallery.

419.1-2 Penalty for violation of article. Any person violating any provision of this article shall be subject to a fine in an amount up to \$250.00 for each offense. Each day in which a violation continues shall be deemed to be a separate offense. In determining the amount of the fine to be imposed, the court shall consider the nature of the violation, whether the violation occurred on an isolated or ongoing basis, whether the health, safety or welfare of the public was endangered by the violation and any prior violations.

419.1-3 Peddler's license:

419.1-3(a) *Required.* Except as provided in this section, no person shall peddle any goods, wares, merchandise or other article or thing whatsoever, or otherwise act as a peddler, within the corporate limits of the Village, without first having obtained a license to do so as provided in this section.

419.1-3(b) *Peddling of certain items prohibited.* No license shall be issued to peddle any game, drugs or medicines, and the peddling of such articles within the Village is hereby prohibited and made unlawful for the protection of the public health and welfare, and no license shall be issued to peddle any meats, fish or poultry to any person who does not possess the necessary licenses or permits therefore from all regulatory agencies having jurisdiction over the handling and sale of such items, and the peddling of such articles within the Village without the necessary licenses or permits is hereby prohibited and made unlawful for the protection of the public health and welfare.

419.1-3(c) *Application fee.* Application for a peddler's license shall be made in writing to the Village Clerk at least seven days prior to the next regular Village Board of Trustees meeting, at which time the application will be considered. The application shall set forth:

(1) The names and addresses of all persons who will engage in peddling pursuant to the license to be granted.

(2) A description of the goods, merchandise or services to be peddled.

(3)The dates and times during which such peddling will occur pursuant to the license applied for.

(4)The applicant's state business registration number issued by the state department of revenue, and other satisfactory evidence that sales made within the Village will be reported as taxable sales within the Village by the applicant.

In addition the application shall be accompanied by a fee of \$25.00 per person peddling, per day or part thereof on which peddling pursuant to the license applied for will be conducted, with such fee to be returned in the event of the denial of the peddler's license for any reason.

419.1-3(d) *Issuance; term.* All peddler's licenses shall be issued by the Village Board of Trustees, upon application made as provided in this section, for the term stated in the license and to the persons named in the application.

419.1-3(e) *License privileges; hours of operation.* The holder of a peddler's license shall be entitled to engage in peddling in accordance with the license so issued, provided that no peddling activity shall be conducted prior to 10:00 a.m. or after 8:00 p.m. on any day, or at any time on Sunday.

419.1-3(f) *Identification card.* The Village will issue to all licensed peddlers a visible identification card which shall be worn by each person authorized to peddle pursuant to the license issued, which shall be worn visibly by all licensed peddlers at all times while peddling.

419.1-3(g) *Exceptions.* No peddler's license pursuant to this section shall be required for any peddler who solicits only at businesses within the Village, who solicits at residences within the Village only upon the express invitation of the occupant thereof or who is engaged in peddling for the purpose of fundraising for a governmental entity or for a church, charitable institution or other not-for-profit organization, provided that any such entity or organization relying upon this exemption shall notify the chief of police at least one week prior to any scheduled peddling activities of its reliance upon this exception and shall provide such information and substantiation thereof as he shall request.

419.1-3(h) *Compliance with state law.* The regulations of this section shall be in addition to all laws and regulations applicable to peddlers under the laws of the state, and any application for a license to be issued pursuant to this section must contain evidence of full compliance with all the laws of the state relating to such licensing and regulation.

419.1-4 Transient merchant's license.

419.1-4(a) Required. Except as provided in this section, no person shall engage in business as a transient merchant in the Village without first having obtained a license in the manner provided in this section.

419.1-4(b) Application fee. Application for a transient merchant's license shall be made in writing to the Village Clerk at least seven days prior to the next regular Village Board of Trustees meeting, at which time the application will be considered. The application shall set forth:

- (1) The name and address of the applicant and all persons who will be employed by him or his business during the period of the license applied for.
- (2) A description of the goods, merchandise or services to be offered for sale.
- (3) The location in the Village from which the business will be conducted during the license period.
- (4) The applicant's state business registration number issued by the state department of revenue, and other satisfactory evidence that sales made within the Village will be reported as taxable sales within the Village by the applicant.

The application shall be accompanied by a fee of \$25.00 per day of proposed operation, per location specified, with such fee being returned in the event of the denial of the transient merchant's license for any reason. In addition, the application shall identify the owner of the location from which the transient merchant business will be conducted, and the application shall be executed by such owner of the location as evidence of the applicant's authorization to utilize the property, or, in lieu thereof, the applicant may submit a written lease or other written evidence of his authorization to conduct business upon the property.

419.1-4(c) Issuance; term. All transient merchant's licenses shall be issued by the Village Board of Trustees upon application made as provided in this section, for the term stated in the license.

419.1-4(d) License privileges; location of sales. The holder of a transient merchant's license shall be entitled to sell the goods, merchandise or services identified in the license from the location for which the license is issued. In no event shall a transient merchant be authorized or licensed to conduct his business on any public right-of-way in the Village.

419.1-4(e) Display. The transient merchant's license issued under this section shall be prominently and visibly displayed at the location for which the license is issued.

419.1-4(f) Exceptions. Transient merchants participating in a special event approved by the Village Board of Trustees shall not be required to have a transient merchant's license.

- 419.1-4(g) Compliance with state law. The regulations of this section shall be in addition to all laws and regulations applicable to transient merchants under the laws of the state, and any application for a license to be issued pursuant to this section must contain evidence of full compliance with all the laws of the state relating to such licensing and regulation.
- 419.1-5 Fraud generally. Any licensee under this article who shall be guilty of any fraud, cheating or misrepresentation, whether by himself or through any employee, or who shall hawk or peddle any goods, wares, merchandise or articles other than those specified in his application for a license, shall be fined as provided in this article, and the Village President may revoke his license for such offense.
- 419.1-6 Conduct of peddlers. Whoever, as a peddler, shall enter any private dwelling without being admitted into the dwelling, shall insist upon the showing or sale of his goods or wares to any person after being requested not to do so, shall annoy any person by invitations to purchase, or shall obstruct any sidewalk or street by the opening of his goods or wares, drugs or other things shall be subject to a penalty as provided.
- 419.1-7 Effective date. This Ordinance shall be effective upon the date of its passage, approval and publication by the President and Board of Trustees of the Village of Jerome, Illinois.
- 419.1-8 This Ordinance shall be effective upon the date of its passage, approval and publication by the President and Board of Trustees of the Village of Jerome, Illinois. (1-16-03)

420.1 AN ORDINANCE REGULATING THE ABATEMENT OF NUISANCES IN THE VILLAGE OF JEROME.

420.1-1 Nuisances defined.

The presence of the following within the Village is declared to be detrimental to the public health, safety and welfare and constitutes a nuisance:

- (a) Anything which is made, permitted, used, kept, maintained; operated, or any building or lot, or any animal that is kept in a manner which is offensive, nauseous, dangerous to life, limb, or property, or detrimental to the health and/or safety of the persons residing in or traveling through that area; and
- (b) Any object, conduct or activity otherwise identified as a nuisance within the provisions of the Village Code of Ordinances.

420.1-2 Nuisances to be removed.

Any person causing a nuisance as defined in this Code or recognized by the common law, and the owner, occupant or lessee of land on which any nuisance exists or occurs, are required to correct the nuisance. The correction shall be made within 5 days after receipt of notice of violation from the Village, unless a longer time period is enumerated in such notice. In all cases, it shall be the ultimate responsibility of the owner of the premises on which a nuisance exists to correct the nuisance. Failure to correct any nuisance within the time period enumerated shall constitute a violation of this ordinance.

420.1-3

Penalty: lien.

- (a) Any person who shall violate any provision of this chapter shall be punished by a fine not to exceed \$750 for each violation. Each day during which a violation continues shall constitute a separate punishable offense.
- (b) If the Village corrects the violation itself or causes the violation to be corrected on its behalf, a lien for the amount of time, labor and expense involved in correcting the violation shall be imposed against the land where the violation occurred. A minimum charge of \$100 for each hour, or part of an hour, shall be imposed for any work done by the Village, or on behalf of the Village, in correcting a violation. This lien shall be recorded with the county recorder of deeds within 60 days after the work is done by the Village or on behalf of the Village.
- (c) Where the Village itself corrects the violation or causes the violation to be corrected on its behalf, the violator shall be subject to both subsections (a) and (b) of this section. (5-15-08)

Section 2

Section 401.2-1 of the Code of Ordinances of the Village of Jerome, pertaining to AN ORDINANCE PROVIDING FOR FIRE LIMITS, AND REGULATIONS GOVERNING THE CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES is hereby amended as follows, wherein the bold underlined language shall be inserted:

401. 2-1

Adoption of Building Code; Permits required.

401.2-1a

There is hereby adopted by the Village of Jerome for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as

the National Building Code recommended by the National Board of Fire Underwriters, being particularly the 1955 edition thereof and all subsequent amendments and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended of which not less than three (3) copies have been and now are filed in the office of the village clerk and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the Village of Jerome.

- 401.2-1b Prior to any construction or alteration of any building or structure, demolition or removal of any building or structure, or relocation of any building or structure to a different lot or to a different location within a lot, a building permit must be obtained in accordance with the requirements of this Ordinance. (05-15-08)

Section 3

Section 401.2-9 of the Code of Ordinances of the Village of Jerome, pertaining to AN ORDINANCE PROVIDING FOR FIRE LIMITS, AND REGULATIONS GOVERNING THE CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, and LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES is hereby amended as follows, wherein the bold underlined language shall be inserted and the stricken language shall be deleted:

- 401.2-9 Plans and Drawings Required; Conditions.
- 401.2-9a No building permits shall be issued unless the application for building permit shall be accompanied by a complete set of working drawings of the proposed construction and a plot plan of the lot and proposed construction showing front, rear, and side lot lines and the distance from any existing structures and the proposed construction to the nearest lot line.
- 401.2-9b Such working drawings and plot plan shall be submitted to the building official, and no application shall be approved unless accompanied by such drawings and plan.
- 401.2-9c The application, drawings and plan shall remain on file with the building official until construction has been completed.
- 401.2-9d Any construction, alteration, removal, relocation or demolition of any building or structure must be performed in conformity with the drawings and plans approved by the Building Official. Any alteration or amendment to such drawings or plans must be approved by the Building Official and are subject to additional fees as required by this Ordinance. Any construction, alteration, removal, relocation or

demolition that is not in compliance with approved drawings or plans constitutes a violation of this Ordinance.

401.2-9e In furtherance of the Building Officials' duty to ensure that construction is prosecuted safely, enforce the provisions of the building code, and to remove illegal and unsafe conditions, the Building Official may impose specific conditions upon the issuance of any permit under the provisions of this Ordinance. In all cases involving the removal, relocation or demolition of any building or structure, the permit conditions shall require that any resulting hole or excavation be surrounded with protective fencing, that at least one sign warning of the presence of such hole or excavation be posted within plain view, and that such hole or excavation be filled within 5 days after the completion of the removal, relocation or demolition. Failure to comply with any conditions imposed upon the issuance of a building permit shall constitute a violation of this Ordinance.

401.2-9f Upon notice that construction, removal or demolition has been completed, the building official shall cause an inspection to be made, to determine whether construction, removal or demolition has been completed in accordance with the application, drawings and plan, and conditions. If the construction, removal or demolition satisfies all of the requirements of the application, drawings and plans, and permit conditions, the drawings and plan may be returned at the request of the person to whom the building permit was issued. (05-15-08)

Section 4

Section 401.2-13 of the Code of Ordinances of the Village of Jerome, pertaining to AN ORDINANCE PROVIDING FOR FIRE LIMITS, AND REGULATIONS GOVERNING THE CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES is hereby amended as follows, wherein the bold underlined language shall be inserted and the stricken language shall be deleted:

401.2-13 Penalties

Violation of this Ordinance shall be punishable by a fine \$50.00 dollars for the first offense and \$100.00 for each subsequent offense each day that violation continues shall be deemed to constitute a separate offense. (05-15-08)

CHAPTER EIGHT

Subject Codes 800 to 803--Traffic

Topic Code 800--Speed Restrictions

800.1 Providing for Speed Restriction of Motor Vehicles and Enforcement

Topic Code 801--Stop Sign Ordinances

801.1 Providing for the Designation of Certain Intersections Where Traffic Stop Signs Shall be Erected and Providing a Penalty for Failure to Comply

801.2 An Amendment to the Above

801.3 An Amendment to the Above

801.4 An Amendment to the Above

801.5 An Amendment to the Above

801.6 An Amendment to the Above

Topic Code 802--Vehicle Regulation

802.1 Regulating Traffic on the Streets

Topic Code 803--Parking

803.1 Prohibiting Parking of Motor Vehicles on Wabash Avenue

803.2 Regulating Parking of Motor Vehicles

803.3 An Ordinance Regulating the Keeping of Commercial Vehicles, Motorhomes, Trailers, Boats and Other Recreational or Utility Vehicles.

Topic Code 804--Removal, Abandoned Motor Vehicles

804.1 An Ordinance Providing for the Removal of Abandoned Motor Vehicles or Inoperable Motor Vehicles

Topic Code 805 – Weight Restrictions of Motor Vehicles

805.1 An Ordinance Providing for Weight Restrictions of Motor Vehicles and for the Enforcement

800.1 **AN ORDINANCE PROVIDING FOR SPEED RESTRICTION OF MOTOR VEHICLES IN THE VILLAGE OF JEROME, ILLINOIS AND FOR THE ENFORCEMENT THEREOF.**

800.1-1 Whenever the term "motor vehicle" is used in this ordinance it shall be construed to mean and include all motor driven vehicles of every kind by which any person or property is or may be transported or drawn upon a highway or road.

800.1-2a No person shall drive any motor vehicle upon any street or public highway at a speed greater than is reasonable and proper having regard to the traffic and the use of the way or so as to endanger the life or limb or injure the property of any person. If the rate of speed of any motor vehicle upon any public highway or road in the village exceeds the rate of 25 miles per hour such rate of speed shall be prima facie evidence that the person operating such motor vehicle is running at a rate of speed greater than is reasonable and proper having regard to the traffic and use of the way or so as to endanger life or limb or injure the property of any person.

800.1-2b The fact that the speed of a motor vehicle is lower than the foregoing prima facie limits shall not relieve the driver from the duty to decrease speed when approaching and crossing an intersection, when approaching and going around a curve, when approaching a hill crest, when traveling upon a narrow or winding roadway, or when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions, and speed shall be decreased as may be necessary to avoid colliding with any person or motor vehicle, or on entering the highway in compliance with legal requirements and the duty of all persons to use due care.

800.1-3 Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for each offense; and a separate offense shall be deemed committed on each and every day during or on which a violation occurs or continues. (3-6-47)

801.1 **AN ORDINANCE PROVIDING FOR THE DESIGNATION OF CERTAIN INTERSECTIONS WHERE TRAFFIC STOP SIGNS SHALL BE ERECTED AND PROVIDING A PENALTY FOR FAILURE TO COMPLY.**

801.1-1 Traffic stop signs shall be erected at the following intersections and places within the Village of Jerome:

801.1-la At the southwest and northeast corners of Leonard Street and Jerome Avenue so that east and west traffic on Jerome Avenue shall stop before entering Leonard Street

- 801.1-1b At the southwest and northeast corners of Leonard Street and Vernon Avenue so that east and west traffic on Vernon Avenue shall stop before entering Leonard Street
- 801.1-1c At the southwest and northeast corners of Leonard Street and Homewood Avenue so that east and west traffic on Homewood Avenue shall stop before entering Leonard Street
- 801.1-1d At the southwest and northeast corners of Leonard Street and Glenn Avenue so that east and west traffic on Glenn Avenue shall stop before entering Leonard Street
- 801.1-1e Traffic stop signs shall be erected at all four corners of the intersection of Leonard Street and Reed Avenue so that it becomes a four-way stop intersection.
- 801.1-1f Traffic stop signs shall be erected at all four corners of the intersection of Reed Avenue Reed Court and Fillmore Street so that it becomes a four-way stop intersection
- 801.1-1g Traffic stop signs shall be erected on the east side of Fillmore Street at each location where West Grand Court, Barbara Court and Homewood Court connects with said Fillmore Street so that all motor vehicle traffic entering Fillmore Street from all of said courts must stop before entering said Fillmore Street
- 801.1-2 It shall be unlawful for any person driving a motor vehicle to enter any street where a stop sign has been erected requiring a stop without bringing such motor vehicle to a full and complete stop before entering said street.
- 801.1-3 For the purpose of this ordinance the term "Motor Vehicle" shall mean and include every self-propelled device, in, upon, or by which any person or property is or may be transported or drawn upon a public highway.

801.2 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE DESIGNATION OF CERTAIN INTERSECTIONS WHERE TRAFFIC STOP SIGNS SHALL BE ERECTED AND PROVIDING A PENALTY FOR FAILURE TO COMPLY."

801.2-1 Code 801.1-1 of "An ordinance providing for the designation of certain intersections where traffic stop signs shall be erected and providing a penalty for failure 'to comply,'" is hereby amended by adding the following subsections:

801.1-1h At the southwest and northeast corners of Corbin Street and Jerome Avenue so that east and west traffic on Jerome Avenue shall stop before entering Corbin Street.

801.1-1i At the southwest and northeast corners of Vernon Avenue and Corbin Street so that east and west traffic on Vernon Avenue shall stop before entering Corbin Street.

801.1-1j At the southeast corner of Reed Avenue and Corbin Street so that northbound traffic on Corbin Street shall stop before entering Reed Avenue.

801.1-1k At the southeast corner of Iles Avenue and Fillmore Street so that northbound traffic on Fillmore Street shall stop before entering Iles Avenue.

801.1-1l At the northeast and southwest corners of Iles Avenue and Leonard Street so that east and west traffic on Iles Avenue shall stop before entering Leonard Street.

801.2-2 All ordinances or parts of ordinances in conflict herewith are hereby repealed. (4-1-54)

801.3 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE DESIGNATION OF CERTAIN INTERSECTIONS WHERE TRAFFIC STOP SIGNS SHALL BE ERECTED AND PROVIDING A PENALTY FOR FAILURE TO COMPLY."

801.3-1 Code 801.1-1 of "An ordinance providing for the designation of certain intersections where traffic stop signs shall be erected and providing a penalty for failure to comply," is hereby amended by adding the following subsections:

801.1-1m At the southwest and northeast corners of Glenn Avenue and Fillmore Avenue so that east and west traffic on Glenn Avenue shall stop before entering Fillmore Avenue.

801.1-1n At the northwest and southeast corners of Glenn Avenue and Fillmore Avenue so that north and south traffic on Fillmore Avenue shall stop before entering Glenn Avenue.

801.3-2 All ordinances or parts of ordinances in conflict herewith are hereby repealed. (12-5-57)

801.4 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE DESIGNATION OF CERTAIN INTERSECTIONS WHERE TRAFFIC STOP SIGNS SHALL BE ERECTED AND PROVIDING A PENALTY FOR FAILURE TO COMPLY."

801.4-1 Code 801.1-1 of "An ordinance providing for the designation of certain intersections where traffic stop signs shall be erected and providing a penalty for failure to comply," is hereby amended by adding the following subsections:

801.1-10 At the northeast corner of the intersection of Fillmore Avenue and the first drive south of Calland Avenue so that westbound traffic on said drive shall stop before entering Fillmore Avenue.

801.4-2 All ordinances or parts of ordinances in conflict herewith are hereby repealed. (4-7-61)

801.5 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE DESIGNATION OF CERTAIN INTERSECTIONS WHERE, TRAFFIC STOP SIGNS SHALL BE ERECTED AND PROVIDING A PENALTY FOR FAILURE TO COMPLY."

801.5-1 Code 801.1-1 of "An ordinance providing for the designation of certain intersections where traffic stop signs shall be erected and providing a penalty for failure to comply," is hereby amended by adding the following subsections:

801.1-1p At the Southwest corner of the intersection of Calland Avenue and Park Avenue so that traffic proceeding East on Calland Avenue shall stop before entering Park Avenue.

801.1-1q At the Northeast corner of the intersection of Calland Avenue and Fillmore Street so that traffic proceeding West on Calland Avenue shall stop before entering Fillmore Avenue.

801.1-1r At the Northeast corner of the intersection of Jerome Avenue and Old Chatham Road so that traffic proceeding West on Jerome Avenue shall stop before entering Old Chatham Road.

801.1-1s At the Northeast corner of the intersection of Vernon Avenue and Old Chatham Road so that traffic proceeding West on Vernon Avenue shall stop before entering Old Chatham Road.

801.1-1r At the Northeast corner of the intersection of Reed Avenue and Old Chatham Road so that traffic proceeding West on Reed Avenue shall stop before entering Old Chatham Road.

801.5-2 All ordinances or parts of ordinances in conflict herewith are hereby repealed. (5-18-61)

801.6 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE DESIGNATION OF CERTAIN

INTERSECTIONS WHERE TRAFFIC STOP SIGNS SHALL BE ERECTED AND PROVIDING A PENALTY FOR FAILURE TO COMPLY."

801.6-1 Code 801.1-1 of "An ordinance providing for the designation of certain intersections where traffic stop signs shall be erected and providing a penalty for failure to comply," is hereby amended by adding the following subsections:

801.1-1u At the Northeast corner of Reed Avenue and Corbin Avenue so that traffic proceeding West on Reed Avenue shall stop before entering the intersection of Reed Avenue and Corbin Avenue.

801.1-1v At the Southwest corner of Reed Avenue and Corbin Avenue so that traffic proceeding East on Reed Avenue shall stop before entering the intersection of Reed Avenue and Corbin Avenue.

801.6-2 All ordinances or parts of ordinances in conflict herewith are hereby repealed. (7-20-61)

801.7 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING FOR THE DESIGNATION OF CERTAIN INTERSECTIONS WHERE TRAFFIC STOP SIGNS SHALL BE ERECTED AND PROVIDING A PENALTY FOR FAILURE TO COMPLY."

801.7-1 Section 801.1-1 of An Ordinance Providing for the Designation of Certain Intersections where Traffic Stop Signs shall be Erected and Providing for Failure to Comply is hereby amended by adding the following subsections:

801.1-1w At the northwest corner of the intersections of Jerome Avenue and Fillmore so that traffic proceeding south on Fillmore Avenue shall stop before entering said intersection.

801.1-1x At all corners of the intersection of Maple Avenue and Park Avenue so that traffic proceeding in all directions shall stop before entering said intersection.

801.1-1y At all corners of the intersection of Iles Avenue and Park Avenue so that traffic proceeding in all directions shall stop before entering said intersection.

801.7-2 All ordinances or parts of ordinances in conflict herewith are hereby repealed.

801.7-3 The provisions of this Ordinance are effective as of the date of its passage, approval and publication. (11-15-98)

802.1 **AN ORDINANCE REGULATING TRAFFIC ON THE STREETS OF THE VILLAGE OF JEROME, ILLINOIS.**

802.1-1DEFINITIONS

For the purpose of this ordinance, the following words shall have the meanings ascribed to them as following:

“Drag racing” means the act of two or more individuals competing or racing on any street or highway in this city in a situation in which one of the motor vehicles is beside or to the rear of a motor vehicle operated by a competing driver and the one driver attempts to prevent the competing driver from passing or overtaking him, either by acceleration or maneuver, or one or more individuals competing in a race against time on any highway in this Village.

“Highway” means any street, alley, or public way within the village.

“Neighborhood vehicle” means a self-propelled, electric-powered, four-wheeled motor vehicle (or a self-propelled, gasoline-powered, four-wheeled motor vehicle with an engine displacement under 1,200 cubic centimeters) that is capable of attaining in one mile a speed of more than 20 miles per hour, but not more than 25 miles per hour, and which conforms to federal regulations under Title 49 C.F.R. Part 571.500. (9-17-09)

802.1-2 No vehicle or equipment mounted on steel crawler tracks shall be operated on the highway of the Village of Jerome, Illinois. (9-17-09)

802.1-3 In unloading or loading vehicles or equipment mounted on steel crawler tracks from trucks or trailers used to carry such vehicle or equipment to the place of operation, such vehicle or equipment may travel from such truck or trailer to the place of operation on the highways of the Village of Jerome, Illinois, but in no event shall the distance traveled over the village highways exceed seventy-five feet.(9-17-09)

802.1-4 **PROHIBITED VEHICLES.** All motorized vehicles operated on the Village highways shall be registered and titled with the State of Illinois, in compliance with the Illinois Vehicle Code. Therefore, all vehicles that are not registered and titled are prohibited from operating on Village highways, including but not limited to: golf carts, go-karts, four wheelers, all-terrain vehicles, off-road bikes, snow-mobiles, off-road vehicles, neighborhood vehicles, etc. All vehicles shall at all times of operation be capable of performing in accordance with the standards fixed by the Motor Vehicle Laws of the State of Illinois and by ordinances of the Village. This prohibition excludes lawnmowers, bicycles, motorized wheelchairs, roller skates, skateboards, sleds, other human powered devices, motorcycles,

motor-driven cycles, motorized pedal cycles, emergency vehicles, and vehicles and equipment used for the purpose of construction, lawn, highway, or property maintenance. (9-17-09)

802.1-5 DRAG RACING. Any person who, as an operator of a motor vehicle is convicted of being a participant in drag racing shall be fined not less than \$250 nor more than \$1,000 and the driver's license of that person shall be revoked in the manner provided by the Illinois Vehicle Code. (9-17-09)

802.1-6 VEHICLES NOT TO BE DRIVEN ON SIDEWALKS OR SAFETY ZONES. No driver of a vehicle shall drive within any sidewalk area except at a permanent or temporary driveway, not at any time into or upon any portion of highway marked as a safety zone. (9-17-09)

802.1-7 DROPPING GLASS OR OTHER MATERIALS ON HIGHWAYS.

(a) No person shall throw or deposit upon any highway any glass bottle, glass, nails, tacks, wire, cans, mud, dirt, or any other substance likely to injure any person, animal or vehicle upon such highway.

(b) Any person who drops or permits to be dropped or thrown, upon any highway any destructive, dangerous, hazardous, or injurious material shall immediately remove the material or cause it to be removed.

(c) Any person removing a wrecked or damaged vehicle from a highway shall remove any glass or other injurious substance deposited upon the highway by or from the vehicle.

(d) No vehicle shall be so loaded that any part of its load spills, drips, or drops on any highway in the Village.

(e) Any person who drops, throws, or leaves or permits to be dropped, thrown, or left any material upon a highway and who fails to remove the material promptly shall reimburse the Village for all costs incurred in the removal by the Village. (9-17-09)

802.1-8 RIDING ON RUNNING BOARDS. No person shall ride or a driver permit any person to ride upon the fenders, running board, step, or other outside part of any vehicle, unless that part has a seat or other similar equipment specifically provided for riding thereupon or is an authorized emergency vehicle or is a vehicle used in a permitted parade, motorcade or other lawful assembly. (9-17-09)

802.1-9 CLINGING TO VEHICLES.

(a) No person riding upon any bicycle, roller skates, skateboard, sled or other human powered device or motorcycle, motor driven cycle, or motorized

pedal cycle, or any other toy vehicle shall attach the same or himself to any vehicle operating upon highways within the Village.

- (b) The driver of any vehicle to which a person has attached himself or is clinging to is required to stop at the first possible opportunity without endangering the person clinging or attached or other vehicles or property. (9-17-09)

802.1-10 PUSHING OF VEHICLES. No driver shall use a vehicle to push any other vehicle upon a Village highway, except in an emergency, and then the vehicle shall not be pushed farther than is reasonably necessary to remove it from the traveled portion of the highway or from the immediate hazard that exists. (9-17-09)

802.1-11 PENALTY FOR VIOLATIONS. Any person who violates this ordinance shall be punished by a fine of no less than \$150.00 and no more than \$500.00 for each violation, unless otherwise state in this Ordinance. Each day upon which a violation occurs or continues shall be viewed as a separate violation. (9-17-09)

802.2 ADMINISTRATIVE TOWING FEE

The owner of record of a motor vehicle impounded by the Village of Jerome Police Department pursuant to any state or federal law shall be liable to the Village of Jerome for such administrative tow fees as provided herein.

Any motor vehicle seized by the Village of Jerome Police Department pursuant to any State or Federal law shall not be released to the owner of record, or the owner's authorized agent, without an administrative towing fee of \$250.00 being paid to the Village of Jerome. Said administrative fee is in addition to all applicable towing and storage fees.

If an individual tried for a violation of a state or federal law resulting in a motor vehicle's impoundment receives a judgment of "not guilty" in a court of competent jurisdiction, said administrative fee shall be refunded to the owner of record. A disposition of court supervision is not a judgment of "not guilty." (2-16-12)

803.1 AN ORDINANCE PROHIBITING PARKING OF MOTOR VEHICLES ON CERTAIN VILLAGE STREETS.

803.1-1 That the parking of motor vehicles upon and along Wabash Avenue be, and the same is hereby prohibited.

803.1-2 That the parking of motor vehicles upon and along Homewood Court, Barbara Court, Reed Court, Scott Court and West Grand Court be, and the same is hereby prohibited during any period where snow has accumulated on the roadway or

where the President of the Village of Jerome has declared an emergency necessitating the temporary prohibition of parking on said Courts. (5-1-03)

803.2 AN ORDINANCE REGULATING PARKING OF MOTOR VEHICLES.

- 803.2-1 It shall be unlawful to permit any motor vehicle to park or stand at any time in any of the following places, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a policeman or traffic control device: (7-20-06)
- 803.2-1a In any intersection.
- 803.2-1b In a crosswalk.
- 803.2-1c Within thirty feet of a traffic signal or sign on the approaching side.
- 803.2-1d Within twenty feet of any intersection or crosswalk.
- 803.2-1e Within fifteen of a fire hydrant.
- 803.2-1f At any place where the vehicle would block the use of the driveway.
- 803.2-1g On any sidewalk or parkway.
- 803.2-1h At any place where official signs prohibit parking.
- 803.2-1i At any place where the vehicle would block a lane of traffic in a manner that impedes the free flow of traffic on the roadway. (7-20-06)
- 803.2-2 Either or both sides, or any portion of either side of any street may be designated as a restricted parking district, and any such restrictions shall be effective for such time as may be designated by appropriate signs designating the effective time of day of such parking restriction, as well as the duration of time that parking is allowed. Such designation shall be evidenced by signs or legends or notices on or near the parking of the streets or portions thereof where restriction is to be effective.
- 803.2-3 No vehicle shall be parked for any period of time in excess of the time posted on the officially erected sign or legend or notice effective for the parking space for which it is erected during the effective time thereof.
- 803.2-4 The police department is hereby authorized to remove and tow away or have removed and towed away by commercial towing service, any motor vehicle illegally parked in any place where such parked vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, obstructs the movement of any

emergency vehicle or which has been parked in violation of any provisions of this ordinance.

803.2-5 The driver of a motor vehicle shall not park such vehicle in a roadway other than parallel with the street or curb and headed in the direction of traffic, with the curbside wheels of the vehicle within six inches of the edge of the roadway; provided, that upon streets which have been marked for diagonal or angle parking, vehicles shall be parked at the angle indicated by such marks or signs.

803.2-6 It shall be unlawful to park any motor vehicle upon any street for the purpose of displaying it for sale, or to park any vehicle upon any street from which vehicle merchandise is peddled.

803.2-7 The parking of motor vehicles may be prohibited at all times, or between certain hours, on any street or portion of street when such parking may impede the free flow of traffic on such street or create a hazardous condition. Appropriate signs shall be erected and maintained giving notice of such parking prohibition. No person shall park a vehicle during the time prohibited at places so indicated by official.

803.3 AN ORDINANCE REGULATING THE KEEPING OF COMMERCIAL VEHICLES, MOTORHOMES, TRAILERS, BOATS AND OTHER RECREATIONAL OR UTILITY VEHICLES.

803.3-1 Definitions

For purposes of this ordinance, the following definitions shall apply:

803.3-1a Aircraft: Any contrivance now known, or hereafter invented, used or designed for navigation of or flight in the air.

803.3-1b Boat: Any watercraft, capable of being used as a means of human transportation on water, but not including intertubes, air mattresses or similar devices.

803.3-1c Camping Trailer: A trailer, not used commercially, constructed with partial side walls which fold for towing and unfold to provide temporary living quarters for recreational camping or travel use and of a size or weight not requiring an overdimension permit when towed upon an Illinois highway.

803.3-1d Commercial Vehicle: Any vehicle, trailer, or other unit defined in this ordinance, which is used for hire, or with the motive or intent to generate profit or income, or which actually generates profit or income. Any vehicle, trailer or other unit defined in this ordinance, which bears any advertisement or lettering which is more than the make or model name of such unit, or the name and location of the dealer, shall be presumed to be a commercial vehicle. Semi-trailer cabs and semi trailers shall also be presumed to be commercial vehicles. (5-16-02)

- 803.3-1e House Trailer: A trailer or semi trailer, not used commercially, equipped and used for living quarters or for human habitation temporarily or permanently rather than for the transportation of freight, goods, wares and merchandise.
- 803.3-1f Motor Home: A self-contained motor vehicle, not used commercially, designed or permanently converted to provide living quarters for recreational, camping or travel use, with direct walk through access to the living quarters from the driver's seat. Such vehicles must include at least four of the following:
- a) a cooking facility with an on-board fuel source.
 - b) a gas or electric refrigerator,
 - c) a toilet with exterior evacuation,
 - d) a heating or air conditioning system with an on-board power or fuel source separate from the vehicle engine,
 - e) a potable water supply system that includes at least a sink, a faucet, and a water tank with an exterior service supply connection,
 - f) a 110-125 volt electric power supply.
- The term "motor home" shall also include mini motor homes and van campers. (5-16-02)
- 803.3-1g Motor Vehicle: Motor vehicle as defined in Section 1-146 of the Illinois Vehicle Code (625 ILCS 5/1-146). (5-16-02)
- 803.3-1h Non-Commercial Vehicle: Any vehicle, trailer, or other unit defined in this Ordinance not meeting the definition provided for in Section 803.3-1d, "Commercial Vehicle".(5-16-02, 3-20-03)
- 803.3-1i Recreational Vehicle: Every camping trailer, motor home, mini motor home, travel trailer, truck camper or van camper used primarily for recreational purposes and not used commercially. (5-16-02)
- 803.3-1j Semi Trailer: A vehicle without motive power not used commercially designed to be drawn by a vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle. (5-16-02)
- 803.3-1k Semi Trailer Cab: A vehicle not used commercially designed and used for drawing a semi-trailer. (5-16-02)
- 803.3-1l Trailer: Every vehicle without motive power in operation, not used commercially designed for carrying boats, motorcycles, animals, fowl, freight, goods, wares or other personal property. The term "trailer" shall also include boat trailers, horse trailers, and utility trailers. (5-16-02)

- 803.3-1m Travel Trailer: A trailer, not used commercially, designed to provide living quarters for recreational, camping or travel use, and of a size or weight not requiring an over dimension permit when towed an Illinois highway.
- 803.3-1n Truck Camper: A truck, not used commercially, when equipped with a portable unit designed to be loaded onto the bed which is designed or permanently converted to provide temporary living quarters for recreational, travel or camping use, or such portable unit alone.
- 803.3-1o Vehicle: Any unit defined in this ordinance.
- 803.3-1p Yard Tractor: A vehicle not used commercially designed primarily to provide motive power for yard and landscaping work. (5-16-02)
- 803.3-2 Parking of Commercial Vehicles: No person shall keep, store or park a commercial vehicle within those parts of the village not zoned for commercial use, unless such commercial vehicle is temporarily removed from the village on at least four days out of every consecutive seven days. No person shall keep, store or park a semi trailer cab or semi trailer within those parts of the village not zoned for commercial use.
- 803.3-3 Reserved. (5-1-03)
- 803.3-4 Parking Vehicles In Front, Side or Rear Yards: Except for the temporary purpose of loading, unloading, testing or servicing a vehicle in conformity with Section 803.3-7 and within those parts of the village zoned for residential use, no person shall keep, store or park any vehicle, trailer or other unit on any front, side or rear yard other than on a driveway. No vehicle, trailer or other unit shall be kept, stored or parked in such a manner as to extend over a public sidewalk or public right-of-way. No person shall keep, store or park any aircraft, boat, camping trailer, motor home, recreational vehicle, travel trailer, truck camper, or yard tractor in the area between the front load-bearing wall of a residence and the front lot line of the property. No person shall keep, store or park any aircraft, boat, camping trailer, motor home, recreational vehicle, travel trailer, truck camper, or yard tractor any closer than 3 feet from a side or rear lot line.
(5-1-03, 1-5-04)
- 803.3-5 Inside Storage: Notwithstanding the requirements of Sections Two, Three and Four of this ordinance, a person may keep, store or park any commercial vehicle or non-commercial vehicle inside a fully enclosed building or structure, so long as that building or structure otherwise complies with the zoning requirements for the zoning district in which it stands.

- 803.3-6 Limitations On Use: No person shall use any commercial vehicle or non-commercial vehicle as sleeping or living quarters, even on a temporary basis, except with a permit issued by the village police department. Before issuing a permit, the village police department shall receive an application, showing the name(s) of the persons the permanent address(es) of such person(s), the side or location of the intended use, and the duration of the use, which shall not exceed 72 hours. Also before issuing a permit, the village police department shall investigate the site to determine whether the intended use will interfere with access by Fire trucks, ambulances or other emergency vehicles. No more than 9 permits may be issued for the same site during any 12-month period.
- 803.3-7 Loading And Unloading: A person may keep, store or park a non-commercial vehicle upon village right-of-way in front of a residence, or in the front yard of a residence, for a period of no more than 48 consecutive hours at any one time, for the purpose of loading, unloading, testing, or servicing such unit.
- 803.3-8 Existing Non-Conformity: The keeping, storage or parking of a commercial or non-commercial vehicle, except a semi-trailer, existing at the time of the passage of this Ordinance, although not conforming with the provisions hereof, may be continued, subject to the provisions of this ordinance. Keeping, storage or parking in a different non-conforming position may not be substituted for keeping, storage or parking in an existing non-conforming position.
- Whenever an existing non-conformity under this ordinance has been brought into conformity, such shall not be changed back to non-conformity. In the event that a non-conformity is discontinued for a period of nine months or more. the use shall thereafter conform to the requirements of this ordinance. Any non-conformity existing at the time of the passage of this ordinance may not be transferred to a new owner. All non-conformities must be registered with the village clerk within 3 months of passage of this ordinance. This section shall not allow any person to keep, store or park a vehicle over or upon a public sidewalk or village right-of-way.
- 803.3-9 Reserved. (5-16-02, 8-1-02, 5-1-03)
- 803.3-10 Penalty For Violations: Any person who violates this ordinance shall be punished by a fine of no less than \$150.00 and no more than \$500.00 for each violation, and may be ordered to take such actions as are necessary to comply with the terms of this ordinance. Each day upon which a violation occurs or continues shall be viewed as a separate violation.
- 803.3-11 Repeal: Any prior ordinance or part thereof in conflict with this ordinance is hereby repealed.
- 803.3-12 Publication and Effect: This Ordinance shall be published in pamphlet form, and shall be effective from and after publication. (4-4-91, 5-16-02)

804.1 **AN ORDINANCE PROVIDING FOR THE REMOVAL OF ABANDONED MOTOR VEHICLES OR INOPERABLE MOTOR VEHICLES.**

804.1-1 **DEFINTIONS**

For the purpose of this ordinance, the following words shall have the meanings ascribed to them as following:

“Highway” means any street, alley, or public way within the village.

"Abandoned Vehicle" means all motor vehicles or other vehicles in a state of disrepair rendering the vehicle incapable of being driven in its condition; or any motor vehicle or other vehicle that has not been moved or used for seven (7) consecutive days or more and is apparently deserted.

"Antique Vehicle" means any motor vehicle twenty-five (25) years of age or older.

"Inoperable Motor Vehicle" means any motor vehicle from which, for a period of at least 7 days the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power, but shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

"Historic Vehicle" means any motor vehicle over twenty-five (25) years of age or older. (2-3-05)

804.1-2 **INOPERABLE MOTOR VEHICLES:**

All inoperable motor vehicles, whether on public property or private property in view of the general public are hereby declared to be a nuisance, and any person having control of such inoperable motor vehicle must dispose of such vehicle within seven (7) days after written notice has been given by the village as hereinafter provided

However, nothing in this section shall apply to any inoperable motor vehicle that is kept within an enclosed building when not in use, or to operable historic vehicles, or to operable antique vehicles.”

The notice provided for in this section may be sent by certified mail to the registered owner of such vehicle or other person known by the police department or towing service to be legally entitled to the possession of the vehicle. Notice may also be given by the police department by posting a

copy of such notice on the inoperable motor vehicle, and at one or more entryways or doorways to any dwelling house on the premises on which the inoperable motor vehicle is located.

Any person owning or having control of any inoperable motor vehicle who fails to remove and dispose of such inoperable motor vehicle under his or her control after notice has been given as herein provided shall be, upon conviction thereof, fined as provided by Section 804.1-14.

If the owner or person having control of any inoperable motor vehicle fails to remove or dispose of any such vehicle under his or her control within the time specified by the notice provided for herein, then the police department of the Village of Jerome, after seven (7) days from the issuance of the notice provided for herein, may remove such motor vehicle or parts thereof. Any costs incurred by the Village to correct the violation shall become a debt due and owing to the Village as provided by the Illinois Municipal Code. All costs so incurred by the Village may be collected in any manner authorized by the Illinois Municipal Code (2-3-05)

Reserved. (2-3-05)

804.1-4a **ABANDONED MOTOR VEHICLES:**

The abandonment of a motor vehicle or other vehicle or any part thereof on any highway in this municipality is unlawful and subject to penalties as set forth herein.

When a motor vehicle or other vehicle is abandoned on a highway in this municipality for ten (10) hours or more, its removal by a towing service may be authorized by order of the police department of this municipality.

The abandonment of a motor vehicle or other vehicle or any part thereof on private or public property, other than a highway, in view of the general public, anywhere in this municipality is unlawful except on property of the owner or bailee of such abandoned vehicle. A motor vehicle or other vehicle or any part thereof so abandoned on private property may be authorized for removal by or upon the order of the police department of the municipality, after a waiting period of seven (7) days or more has expired. (2-3-05)

804.1-4b When an abandoned, unattended, wrecked, burned or partially dismantled motor vehicle or other vehicle is creating a traffic hazard because of its position in relation to the highway or because its physical appearance is causing the impediment of traffic its immediate removal from the highway by a towing service may be authorized by order of the police department of this municipality.

804.1-4c When a vehicle removal from either public or private property is authorized by order of the police department of this municipality, the owner of the vehicle will be responsible for all towing costs.

804.1-5 **RECORD KEEPING:**

When a motor vehicle or other vehicle is authorized to be towed away, the police department shall keep and maintain a record of the vehicle towed, listing the color, year of manufacture, manufacturer's trade name, manufacturer's series name, body style, vehicle identification number, and license plate year and number displayed on the vehicle. The record shall also include the date and hour of tow location towed from, location towed to, reason for towing and the name of the officer authorizing the tow. (2-3-05)

804.1-6 **IDENTITY OF OWNER:**

When the police department does not know the identity of the registered owner or other legally entitled person, it will cause the motor vehicle registration records of the State of Illinois to be searched by a directed communication to the Secretary of State for the purpose of obtaining the required ownership information.

The police department will cause the stolen motor vehicle files of the Illinois State Police to be searched by a directed communication to the Illinois State Police for stolen or wanted information on the vehicle. When the Illinois State Police files are searched with negative results, the information contained in the National Crime Information Center (NCIC) files will be searched by the Illinois State Police. The information determined from these record searches will be used by the police department in sending a notification by certified mail to the owner or legally entitled person, advising where the vehicle is held, requesting a disposition be made and setting forth public sale information. (2-3-05)

804.1-7 **NOTIFICATION OF ILLINOIS STATE POLICE:**

When the registered owner or other person legally entitled to the possession of a motor vehicle or other vehicle cannot be identified from the registration files of this state or from the registration files of a foreign state, if applicable, the police department shall notify the Illinois State Police for the purpose of identifying the vehicle's owner or other person legally entitled to the possession of the vehicle. The information obtained by the Illinois State Police will be immediately forwarded to the law enforcement agency having custody of the vehicle for notification of the owner. (2-3-05)

804.1-8 **RECLAMATION BY OWNER:**

Any time before a motor vehicle or other vehicle is sold at public sale or disposed of as provided herein, the owner of the vehicle or other person legally entitled to its possession may reclaim the vehicle by presenting to the police department proof of ownership or proof of the right to possession of the vehicle. No vehicle shall be released to the owner or other person legally entitled to possession under this section until all towing and storage charges have been paid. (2-3-05)

804.1-9 **PUBLIC SALE:**

Whenever an abandoned, lost, stolen or unclaimed motor vehicle or other vehicle seven (7) years of age or newer remains unclaimed by the registered owner or other person legally entitled to its possession for a period of 30 days after notice has been given as provided herein, the police department having possession of the vehicle shall cause it to be sold at public sale to the highest bidder. Notice of time and place of the sale shall be posted in a conspicuous place for at least ten (10) days prior to the sale on the premises where the vehicle has been impounded. At least ten (10) days prior to the sale, the police department shall cause a notice of the time and place of the sale to be sent by certified mail to the registered owner or other person known by the police department or towing service to be legally entitled to the possession of the vehicle. Such notice shall contain a complete description of the vehicle to be sold and what steps must be taken by any legally entitled person to reclaim the vehicle.

In those instances where the certified notification specified herein has been returned by the postal authorities to the police department due to the addressee having moved, or being unknown at the address obtained from the registration records of this state, it will not be necessary to mail a second certified notice. (2-3-05)

804.1-10 **UNIDENTIFIED OWNER:**

When the identity of the registered owner or other person legally entitled to the possession of an abandoned, lost or unclaimed vehicle of seven (7) years of age or newer cannot be determined by any means provided for in this ordinance, the vehicle may be sold as provided herein or disposed of in the manner authorized by the ordinance without notice to the registered owner or other person legally entitled to the possession of the vehicle.

When an abandoned vehicle of more than seven (7) years of age is impounded as specified by this ordinance, it will be kept in custody for a minimum of ten (10) days for the purpose of determining ownership, contacting the registered owner by U.S. Mail, public service or in person for a determination of disposition; and, an examination of the Illinois State Police stolen motor vehicle files for theft and wanted information. At the expiration of the ten (10) day period, without the benefit of disposition information being received from the registered owner, the police department will authorize the disposal of the vehicle as junk.

A motor vehicle or other vehicle classified as an antique vehicle or historic vehicle is excluded from this section. (2-3-05)

804.1-11 **RECORDS OF DISPOSAL:**

When a motor vehicle or other vehicle in the custody of the police department is reclaimed by the registered owner or other legally entitled person, or when the vehicle is sold at public sale or otherwise disposed of as provided in this ordinance, a report of the transaction will be maintained by the police department for a period of one year from the date of the sale or disposal. (2-3-05)

804.1-12 **PROCEEDS:**

When a vehicle located within the corporate limits of this municipality is authorized to be towed away by the police department and disposed of as set forth in this ordinance, the proceeds of the public sale or disposition after the deduction of towing, storage and processing charges, shall be deposited in the municipal treasury. (2-3-05)

804.1-13 **INDEMINITY:**

Any police officer, towing service owner, operator or employee shall not be held liable for damages in any action brought by the registered owner, former registered owner, legal representative or any other person legally entitled to the possession of a motor vehicle or any other vehicle when the vehicle was processed, sold or disposed of as provided by this ordinance. (2-3-05)

804.1-14 **PENALTY:**

Any person violating any provision of this ordinance shall, upon conviction thereof, be fined not exceeding \$500.00. Each day such violation is committed or permitted to continue shall constitute a separate offense. (2-21-74, 2-4-88, 2-3-05)

805.1 AN ORDINANCE PROVIDING FOR WEIGHT RESTRICTIONS OF MOTOR VEHICLES IN THE VILLAGE OF JEROME, ILLINOIS AND FOR THE ENFORCEMENT THEREOF

805.1 WHEREAS, Section 11-1-1 of the Illinois Municipal Code grants to municipalities the authority to pass and enforce all necessary police ordinances; and

WHEREAS, Section 11-80-2 of the Illinois Municipal Code grants municipalities the authority to regulate the use of the streets; and

WHEREAS, Section 15 of the Illinois Vehicle Code grants municipalities the authority to prohibit trucks or other commercial vehicles on designated streets.
(6-5-08)

805.2 **VEHICLES PROHIBITED ON CERTAIN STREETS**

- (A) As provided under the authority of ILCS Ch. 625, Act 5, § 15-111 & 15-316, it shall be unlawful to operate any vehicle upon any street where the operation of that vehicle is prohibited by ordinance and where signs of such prohibition are posted.
- (B) As provided under the authority of ILCS Ch. 625, Act 5, § 15-316(c), the Village hereby designates all streets and/or highways within the jurisdiction of the Village of Jerome as having a Maximum Gross Weight in pounds limitation of 20,000 lbs, except as otherwise provided by this ordinance.
- (C) As provided under the authority of ILCS Ch. 625, Act 5, § 15-316 (c), it shall be unlawful to operate trucks or other commercial vehicles on all streets and/or highways in the jurisdiction of the Village of Jerome for the purpose of solely traveling through the Village. It is the intent of this subsection to prohibit thru-truck traffic on all streets and/or highways within the jurisdiction of the Village.
- (D) The Trustee for Public Works is authorized and directed to post or cause to be posted, streets designated with such weight limitations.
- (E) The following portions of streets and/or highways are exempt from the weight limitation of above Paragraph (B) established by this Ordinance:
 - (1) That portion of Jerome Avenue extending from Chatham Road 480 feet to the East.
 - (2) Any portion of any street or highway not under the exclusive control and jurisdiction of the Village of Jerome.
- (F) The weight limitation and the trucks or other commercial vehicle traffic prohibition hereby imposed shall not apply to or prohibit local travel upon Village streets and/or highways by emergency vehicles, waste collection vehicles, buses, municipal other governmental vehicles or trucks or commercial vehicles making delivery to locations within the Village; provided that such local delivery vehicles are required to avoid travel on designated weight restricted Village streets as far as possible. (10-18-07, 6-5-08, 1-8-09; 7-21-11)

805.3 **PENALTY**

Any person, firm or corporation who or which violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this Ordinance shall be

fined not less than fifty (\$50.00) nor more than seven hundred fifty dollars (\$750.00) for each offense in accordance with the provisions of section 15-316(e) of the Illinois Vehicle Code. (1-6-05 10-18-07 6-5-08)