

AN ORDINANCE REGULATING NEW SUBDIVISIONS

BE IT ORDAINED by the President of the Board of Trustees and the Board of Trustees of the Village of Payson, Illinois, as follows:

Section 1. No land shall hereafter be subdivided and no street or other public space shall hereafter be laid out within the Village of Payson, Illinois until the plans of such subdivision or street or other public space shall have been submitted to and approved by the Village Board of Trustees. Such approval shall be in writing or shall be placed on such plan or plans.

Section 2. Any person hereafter subdividing any piece or parcel of land, block, lot or sub-lot or any part thereof in the Village of Payson shall make a map or plat thereof, and before recording the same in the Recorder's Office of Adams County, Illinois shall submit it, with a duplicate thereof, to the Board of Trustees of the Village for approval or rejection. If approved, such approval shall be certified thereon, and signed by the President of the Board of Trustees and attested by the Clerk; and no such map or plat shall be valid or entitled to record until it shall have been approved as aforesaid. No lot, tract, or parcel of land within any subdivision shall be offered for sale nor shall any sale, contract for sale, or option be made or given, until such subdivision has been formally approved.

Section 3. For the purpose of interpreting this ordinance, certain terms are defined as follows:

Easement: A grant by the property owner of the use, for a specific purpose or purposes, of a strip of land by the general public, utility companies, or private individuals.

Building Line: The line beyond which no building or part thereof shall project.

Building Set Back Line: Measured from the lot line to the building line. (Used interchangeably with the term "set back line", "setback", and "building line".)

Lot Corner: A lot abutting upon two or more streets at their intersection.

Streets: A way for vehicular traffic, whether designated as an avenue, boulevard, road, highway, expressway, land, alley, or other way, and for the purpose of this ordinance, "Streets" are divided into the following categories:

- (1) Major streets and highways are those which are used primarily for fast or heavy through traffic.
- (2) Collector streets are those which provide for traffic movement between major streets and highways and local streets including principal entrance streets of residential developments and streets for circulation within such developments.
- (3) Local streets are those used primarily to provide direct access to individual lots and for local traffic movements.
- (4) Alleys are passageways affording generally secondary means of vehicular access to abutting properties and not intended for general traffic circulation.
- (5) Cul-de-sacs are neighborhood streets with only one outlet, sometimes called "dead-end" streets, having a vehicular turnaround at the terminated end.

Subdivision: The division of a parcel of land into two or more lots, or other divisions of land; it includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

Yard: An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard Front: A yard extending across the front of a lot and being the minimum horizontal distance between the street or place line and the main building or any pro-

jections thereof other than the projections of the usual uncovered steps, uncovered balconies, or uncovered porch. On corner lots, the front yard shall be considered as a parallel to the street upon which the lot has its least dimension.

Yard Real: A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots, the rear yard shall be the rear of the front yard.

Yard Side: A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main building or any projections thereof.

Section 4. (1) Any person or persons planning to file for record in the Village of Payson, Illinois a plat of subdivision, dedication, or vacation lying within the corporate limits of Payson, Illinois, shall first submit to the Village Clerk two prints of the proposed plat prepared in tentative form.

(2) The tentative plat shall be prepared in accordance with the provisions of this ordinance, where they apply.

(3) The Village Board shall examine the tentative plat and may require additional information to be shown thereon, or alternate layouts to be prepared for further consideration before giving approval. Or, it may mark or note on the plat changes to be made when the final plat is prepared.

(4) Each plat shall be drawn to a scale of 100 feet to one inch. Variations in scale may be made where necessary for a proper exhibit of a subdivision.

(5) All section lines, quarter section lines, and other data, pertinent to a proper subdivision, shall be shown.

(6) The tentative plat shall show width of existing roads, streets with their names, alleys, lots, building lines on pro-

perty proposed to be subdivided, full width of streets bounding subdivisions, and width and names of intersecting streets in property adjacent; also the names and locations of existing streets, roads, easements, lots, and property and building lines, including dimension for at least 100 feet beyond the limits of the proposed subdivision.

(7) Name of proposed subdivision and name of owner, owners, or trustee, or name of sponsors for the plat, shall be shown. A brief description of the property to be subdivided shall be shown as a part of the title.

(8) Names of all adjoining subdivisions shall be included, and owners of record of adjoining property not subdivided shall be shown and the property marked "not subdivided".

(9) Contour lines at intervals of 5 feet or less shall be shown on the tentative plat or separate plat. United States Geological Survey Data shall be used except where U.S.G.S. data is determined by the Village Board to be grossly outdated and inaccurate and more recent data is available in which case the Board may require more recent data be used. If no recent data is available, the Village Board shall so note in its official record. Lakes, ponds, streams, courses of storm water run-off, direction of flow of each, and approximate boundaries of high-water, low-water, and shoulders of banks shall be indicated. Contour map may be waived at the discretion of the Village Board for subdivisions in which the lots have an area of one acre or more.

(10) The tentative plat, when submitted to the Village Board, shall have the proper certificates attached of the engineer.

(11) Approval, when given, shall be recorded on all prints as follows:

"TENTATIVE PLAT OF RECORD APPROVED BY VILLAGE BOARD
THIS _____ DAY OF _____, A. D. 19____ BY
_____, PRESIDENT."

One signed copy shall be returned to the subdivider, which will constitute approval for the subdivider to begin full design.

(12) The approval of a tentative plat by the Village Board shall not relieve the subdivider of the necessity compliance with Section VII of "An Act in Relation to the Regulation of the Rivers, Lakes, and Streams of State of Illinois", as adopted and amended by the General Assembly of the State of Illinois.

(13) A complete set of final plans and specifications shall be submitted and approved by the Village Board before construction may begin.

(14) The Village Board shall act within sixty (60) days after the developer submits the tentative plat. If action has not been taken, the preliminary plat shall be considered as approved and a certificate of approval shall be issued on demand. However, the applicant for approval may waive this requirement and consent to an extension of time.

Section 5. After approval of a tentative plat, there shall be submitted to the Village Board within two (2) years a final plat, together with four prints thereof, made in accordance with the approved tentative plat. The final plat for record shall be in accordance with the following requirements:

(1) All Plats for record shall be drawn to a minimum scale of 100 feet to one inch. Variations in scale may be made, where necessary, for a proper exhibit of a subdivision.

(2) The Plat shall show the date of preparation of map and the north sign, section and quarter section lines, scale of plat.

(3) Each subdivision plat shall contain a simple, complete, and explicit title which does not duplicate the name of a previously recorded plat, except in the case of additions. In the case of a re-subdivision, the title shall contain the full name of the subdivision being re-platted. Each map shall include a correct survey of property subdivided, including legal description, sections, township and range; location and widths of all roads, streets, alleys, and other lands to be dedicated to public use. All streets in the proposed subdivision shall be named, which names shall conform to those of existing streets and roads unless otherwise permitted by the Village Board, and in case of offset streets, the line of departure from one street to another shall be shown.

(4) All lot lines shall be shown and lots and blocks properly numbered. Building lines and easements shall be shown and determined by measurements.

(5) All necessary linear dimensions, radii of curves, and angles necessary to properly resurvey shall be shown. Linear dimensions shall be given in feet and decimals of a foot. Boundary dimensions sufficient to form a closed survey shall be shown.

(6) a.) The description and locations of all survey monuments placed in the subdivision shall be shown upon all plats for record.

b.) Permanent monuments shall be erected at all street corners and at all points where street lines intersect the exterior lines of the subdivision, block corners, angles in street or lot lines, points of beginning, and ends of curves, and all corners of lots shall be marked with permanent monuments.

c.) Permanent monuments shall be either of iron pipe not less than one inch (1") in diameter and twenty-four inches (24") in length; or of stone or concrete not less than four inches (4") in diameter and twenty-four inches (24") in length.

d.) Plat or certificate shall show kind of stakes used at corners.

(7) Provisions shall be made for direct connections with the principal streets in adjoining subdivisions. Where practicable, streets shall be provided on section and half-section lines. Such streets shall be extended to the boundaries of the subdivision where required by the Village Board.

(8) Each lot shall front on a road, street, or parkway.

(9) Width of roads and streets shall conform to the following, except where the existing Right-of-Way is a greater width, or where surveys have been made and a wider width is being established by the proper Highway Authorities. In such case, the wider width shall apply:

a.) All subdivisions adjoining and with the main road entering on the following roads shall provide for a Right-of-Way width of not less than 80 feet plus 25 feet setback for buildings.

(1) All highways marked as either State or U.S. Routes.

(2) All County Highway routes maintained by the Division of Highways of the State of Illinois.

b.) All subdivisions adjoining and with the main road entering on the following roads shall provide for a Right-of-way width of not less than eighty feet plus 25 feet setback for buildings.

(1) All County Highway routes maintained by the County of Adams.

(2) All major Township roads.

(3) Extensions of major arterial streets of municipalities.

c.) Streets within subdivision:

(1) All major subdivision streets in subdivisions and minor township roads shall be not less than fifty (50) feet in width plus 25 feet setback for buildings.

(2) Minor subdivision streets shall be not less than fifty (50) feet in width.

(3) Where streets have deadends, a turnaround not less than eighty (80) feet in diameter shall be provided.

(10) Private roads and streets shall be permitted only when the subdivider submits sufficient evidence to the Village Board that there can be no public interest in such private road or street, and upon furnishing a plan for the continued maintenance of said private roads, if used by more than one property owner.

(11) Where alleys are provided, they shall be not less than 10 feet in width.

(12) Where alleys are not provided, easements of not less than 7½ feet in width shall be provided on all exterior boundary lines for poles, wires, conduits, storm and sanitary sewers, gas, water, and other utilities, but they shall not be used for that purpose except as authorized under stipulated regulations of proper authorities having jurisdiction.

(13) Street intersections with main highways shall be limited to not more than one per quarter mile, unless the topography or physical conditions require shorter blocks. Street intersections with all highways under the jurisdiction of the State Highway Department shall be approved by the proper authority and evidence in the form of State Permit shall be furnished the Village Board. Street intersections on all other public roads shall be subject to the approval of the County Superintendent of Highways or Township Highway Commissioner.

(14) Whenever it is possible, the side lines of lots shall be at right angles to the street.

(15) Building set-back lines shall be established on all lots, with a minimum of 25 feet setback. Deviation of the building line at a corner lot will not be permitted, and corner lots shall be laid out wide enough to permit building space back of the building line on each street. Side yard line shall be a minimum of 5 feet.

(16) The minimum area of any lot shall be 8,000 square feet, with a minimum of 60 feet frontage at the building line if connected to the Village sewer system. If a septic system is used, the minimum area of any lot shall be in compliance with the requirements of the Adams County Sewage Disposal Ordinance.

(17) Lakes, ponds, streams, and all water sources, direction of flow, and approximate boundaries of high water shall be shown on the plat. All high water elevation shall be United States Geological Survey Data.

(18) Not less than one street of 50 feet width shall be provided to furnish the subdivision with access to an existing Public Highway. Said access street shall be improved in accordance with the provisions of Section 6 of this Ordinance.

Section 6: (1) Either ditches or storm sewers of adequate size shall be provided for surface drainage. If ditches are constructed, streets shall be graded to a width of not less than thirty (30) feet from shoulder line to shoulder line. The slope from shoulder line to ditch shall be not steeper than three to one (3:1) and the back slopes not steeper than two to one (2:1). Fill sections shall have a slope not steeper than two to one (2:1).

(2) All exposed areas within the street right-of-way shall be reseeded to prevent erosion. Seeding shall conform to the specifications for similar work on County Highways and shall be subject to the approval of the Village Board.

(3) The grades of all streets shall be not greater than seven per cent (7%), and vertical curves shall be not less than one hundred (100) feet in length. The plan and profile of streets, as required under Section 7, shall be approved by the Village Board before grading operations are started.

(4) Drainage structures shall be installed wherever required. The sizes of all drainage structures shall be computed by using "Talbot's Formula" for run-off. The design, installation, material specifications and construction of drainage structures shall comply with the specifications for similar structures of Adams County highways. All cross-road and entrance culverts shall have a diameter of not less than twelve (12) inches and sixteen (16) ^{feet} ~~inches~~ in length. The design of any culvert or bridge having a clear span of more than ten (10) feet must be approved by the Bridge Engineer of the Department of Public Works and Buildings, Division of Highways, of the State of Illinois.

(5) Not less than the center twenty (20) feet of each street shall be constructed on a base with gravel or crushed stone, which material shall comply with the specifications for Gravel and Crushed Stone Surface Course, Type B, as prepared and published by the Department of Public Works and Buildings, Division of Highways of the State of Illinois. The completed thickness shall be not less than eight (8) inches compacted in place. The gravel or crushed stone shall be placed in layers not exceeding four inches in thickness, and shall contain no material exceeding one inch in size, and

shall be either crushed gravel or crushed stone. The aggregate shall be graded from maximum to minimum size between the limits provided in said specifications. The Village Board reserves the right to reject any material that does not comply with the specifications.

(6) All streets shall be improved with not less than a bituminous surfacing with a minimum of three (3) inches of Crown. The surfacing shall consist of not less than a Bituminous Surface Treatment for Gravel or Crushed Stone Surface Course Class A, Sub-Class A-3. Said bituminous surfacing shall comply with the specifications for such constructions as prepared and published by the Department of Public Works and Buildings, Division of Highways, of the State of Illinois.

(7) The regulations herein contained shall not prevent the owner or subdivider from constructing a higher type of surfacing. In the event that a paved roadway with gutter is provided, the width of the roadway shall be not less than thirty (30) feet, inclusive of gutter.

(8) In the event the owner or subdivider desires to complete the construction of the streets after the plat is placed on record, he shall be required to submit a cost estimate prepared by a Registered Professional Engineer setting forth all

items of work to be performed and the estimated cost. Said estimate shall be subject to the approval of the Village Board. Security in the form of a promissory note or in such other form approved by the Village Board of Trustees, in an amount equal to the approved estimate to insure the completion of the work, shall be filed with the Village Clerk.

(9) All construction items shall be completed within two years after the plat is placed of record, except where bituminous paving construction is required. When bituminous construction is required, it shall be completed within three years after the plat is placed of record.

(10) When security to insure completion of work is furnished, it shall be approved by the Village Board of Trustees. If the construction work and maintenance is satisfactorily completed within the time specified, the security shall be returned. When either construction work or maintenance work has not been satisfactorily performed and completed within the time specified, legal action shall be brought by the Village Board of Trustees as is necessary to insure the completion of the required work at owners expense, and where Surety Bond is furnished, the Surety Company will be required to complete all unfinished work.

Section 7. (1) The subdivider shall furnish the Village Board, at the time the tentative plat is filed, a statement and description of the water supply and sewage disposal facilities which will be provided.

(2) All proposed sanitary facilities shall comply with the requirements and recommendations of the Adams County Health Department and the State of Illinois.

Section 8. The tentative plat or final plat shall be accompanied by an Engineering Report containing the following information:

(1) Profile of each street showing existing ground line and proposed grades shall be shown with the final plat.

(2) There shall be shown on the tentative plat, or on a separate plat, the location, size and drainage areas of all drainage structures, storm sewers, sanitary sewers, tiling either in place or proposed, and the location of all water courses, and in cases of low lands and bodies of water or streams with the high and low marks. All elevations shall be United States Geological Survey data. The sizes of all drainage structures shall be computed by using "Talbot's Formula" for run-off.

(3) A typical cross-section of each type of roadway to be built.

(4) The proposed type of surfacing.

(5) A topographical map showing contours at not greater than five (5) foot intervals shall accompany tentative plat or final plat.

(6) Results of soil seepage tests, which have been conducted throughout the area in order to determine ability of the soil to dispose of sewage wastes by seepage. Where grading is to be done, such seepage tests must be conducted in the soil after finished grade has been established. A sufficient number of such tests shall be made to show all variable conditions which might exist throughout the area under construction.

(7) A description of the water supply and sewage disposal facilities which will operate in the subdivision in accordance with existing Federal Environmental Protection Agency Regulations. Such facilities shall be designed in accordance with recognized sanitary engineering standards, and must take into consideration all data in this report which have bearing on these facilities.

(8) The Engineering Report, tentative plat, and all other plats submitted with the report shall be signed by a Registered Professional Engineer of the State of Illinois, and shall bear the imprint of his seal.

Section 9. (1) Appropriate certificates in substantially the following forms shall be used on all subdivision plats:

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
) SS.
 COUNTY OF ADAMS)

This is to certify that the undersigned _____ is (are) the legal owner(s) of the land divided, and that _____ has (have) caused said land to be surveyed, subdivided, staked, and platted as shown hereon, for the purpose of having this plat recorded as provided by law.

In witness whereof _____ have hereunto _____ hand(s) and Seal (s) this _____ day of _____, A.D. _____ .

 (SEAL)

 (SEAL)

NOTARY CERTIFICATE

STATE OF ILLINOIS)
) SS.
 COUNTY OF ADAMS)

I, _____, a Notary Public in and for said County and State aforesaid, do hereby certify that _____, personally known to me to be the same person(s) whose name(s) _____ subscribed to the foregoing instrument as such owner(s) appeared before me this day in person and acknowledged that _____ signed and delivered the annexed plat as _____ own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this _____ day of _____, A. D. 19____, at _____, Illinois.

 Notary Public

VILLAGE BOARD

STATE OF ILLINOIS)
) SS.
COUNTY OF ADAMS)

Approved this _____ day of _____, A. D.
19__.

President of Board

William Stett

Village Clerk

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
) SS.
COUNTY OF ADAMS)

This is to certify that I, _____,
a Registered Illinois Land Surveyor, No. _____, have sur-
veyed and subdivided the property as described and as shown by
the annexed plat, which is a correct representation of said sur-
vey and subdivision. All distances are shown in feet and decimals
thereof.

Given under my hand and seal at _____, Illinois,
this _____ day of _____, A. D. 19__.

(SEAL)

Registered Illinois Land Surveyor

CERTIFICATE OF PROFESSIONAL ENGINEER
(For Tentative Plat Only)

STATE OF ILLINOIS)
) SS.
COUNTY OF ADAMS)

I, _____, a Registered Professional Engineer (No. _____), of the State of Illinois, hereby certify that the Plans hereon drawn and the Engineering Data shown hereon were made under my direction.

Given under my hand and seal at _____, Illinois, this _____ day of _____, A.D. 19____.

Registered Professional Engineer

Section 10. (1) These rules and procedure shall not be interpreted to prohibit the filing for record of plats of survey which do not materially alter existing property lines, and which are intended to correct or clarify existing errors, conflicts, or indefinites in legal descriptions existing previously to the adoption of this ordinance.

(2) These rules and procedures do not apply to plats of dedication prepared by or for the State Division of Highways, County Highway Department, and the Township Highway Commissioners in connection with the improvement or vacation of any highway or road.

(a) The division or subdivision of land into parcels or tracts of one acre or more which does or do not involve any new streets or easements:

(b) The sale or exchange of parcels of land between owners of adjoining or contiguous land where no parcel is caused to be less than 8,000 square feet in area or less than 60 feet in width at its yard front.

(3) The Village Board shall have power to make such changes

as conditions may require when there is presented to the Board of Trustees for approval a proposed subdivision or resubdivision of land, if the Board after consideration thereof, is of the opinion that the intent and purpose of this ordinance is not violated by such proposal it may waive the applicable provisions of this ordinance and approve such proposal.

(4) The Village Board shall designate a time and place at which action shall be taken upon the plats and the subdividers or their agents may have a hearing. If such final plat is approved, it shall be signed by the President and Village Clerk in the place provided on the certificate. Action must be taken within ninety (90) days after the date of submittal of the plats, or it shall be deemed approved.

(5) A final plat may be submitted of a re-subdivision of blocks in any plat previously approved and recorded, without the formality of submitting a tentative plat, where other requirements herein provided have been observed.

(6) After the approval of the final plat by the Village Board, said plat shall be filed with the County Recorder within 30 days from date of such approval, Sundays and legal holidays excepted, and if not so filed, said plat shall have no validity and shall not be recorded without recertifications by the County Clerk and the Village Board.

Section 11. Penalty.

Any person, firm or corporation violating any section of this ordinance shall be subject to a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each offense.

Section 12. All rules and regulations governing plat of subdivisions, dedications, and vacations adopted heretofore or ordinance in conflict herewith are hereby repealed.

Section 13. Should any section, clause, or provision of this ordinance be declared by a Court of Competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 14. This ordinance may be published in pamphlet form.

Passed this _____ day of _____, 19__.

Approved: _____, 19__

Richard W. Stottle
acting _____
President of Board

ATTEST:

Wingon Stath

Clerk

Published: _____

30rd / 971

ORDINANCE 1994-1

AN ORDINANCE ESTABLISHING MINIMUM HOUSING STANDARDS

BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF PAYSON, ILLINOIS:

SECTION 1. For purposes of construing this Ordinance, the following definitions shall apply:

Centerline: A line halfway between the street lines.

Frontage: The distance along a street line.

Yard: An open space, on the same lot with a building or structure, unoccupied and unobstructed from its lowest level to the sky. Except as otherwise provided herein, "yard" extends along a lot line into a depth or width specified in the minimum yard requirements contained in this Ordinance.

Front Yard: A yard extending along the full length of the front lot line between the side lot lines (and not side yard lines).

Rear Yard: A yard extending along the full length of the rear lot line between the side lot lines (and not the side yard lines).

Side Yard: A yard extending along the side lot line from the front yard to the rear yard.

Corner Side Yard: A side yard which faces a public street.

Dwelling: Any building or portion thereof which is designed and used exclusively for residential purposes.

SECTION 2. All yards shall comply with the following minimum yard requirements:

A front yard shall have a frontage of at least eighty (80) feet; A front yard shall be at least ten (10) feet in depth, as measured perpendicularly from the lot boundary line to the any building; a side yard shall be at least three (3) feet in width, as measured perpendicularly from the lot boundary line to any building; a rear yard shall be at least ten (ten) feet in depth, as measured perpendicularly from the lot boundary line to any building. On corner lots, the corner side yard shall have the same minimum yard requirement as a front yard, and shall have a frontage of eighty (80) feet.

SECTION 3. All buildings shall be set back at least thirty-five (35) feet from the centerline of the street.

SECTION 4. No fence erected within the Village shall exceed the maximum height of eight (8) feet above ground level. Fences where there is a demonstrated need for safety or security purposes may exceed said maximum height restriction, provided, however, that approval shall be obtained from the Village Board prior to erecting such fence. The Village Board of Trustees shall determine whether or not such safety or security need exists, and shall grant or deny its approval accordingly.

SECTION 5. The following structures shall not be used as a dwelling:

- a. Travel trailer
- b. Mobile home of less than fourteen (14) feet in width and less than seventy (70) feet in length.
- c. Basement
- d. Tent
- e. Barn
- f. Motor vehicle

- g. Modular homes, unless the same be permanently situated on a concrete pad or concrete block foundation.
- h. Any other structure not specifically designed to be used as a dwelling.

SECTION 6. All mobile homes situated within the Village shall be provided with skirting on all sides thereof within three (3) months subsequent to becoming so situated.

SECTION 7. No water or sewer service line shall be installed by any person, firm or entity without first notifying the Village Maintenance Manager. After installation, but prior to replacing the dirt in the trench where such installation is made, approval of such installation shall be obtained from the Village Maintenance Manager. Such installation shall comply with all applicable codes and ordinances.

SECTION 8. No permanent structure of any kind shall be erected upon any easement of record for utilities and/or drainage facilities, unless approval be first obtained from the Village Board of Trustees, for good cause shown.

SECTION 9. No lot within the Village shall have an area of less than ten thousand (10,000) square feet, and the same shall comply with the provisions of Village Ordinance No. 1970-6.

SECTION 10. No business establishment shall be opened or constructed within the Village by any person, firm or entity without first advising the Village Planning Commission of the details of such construction. All such business establishments shall comply with all applicable codes and ordinances.

SECTION 11. The provisions of this Ordinance shall apply prospectively only, and all existing lots and structures not in conformity with the provisions of this Ordinance are excepted therefrom. Further, the Briarwood, McNutt and Humphrey Subdivisions are excepted from the provisions of this Ordinance, but only to the extent that the existing protective covenants, if any, pertaining to said subdivisions, are in conflict with the provisions of this Ordinance.

SECTION 12. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance shall be and the same are, to the extent of such conflict, hereby repealed.

SECTION 13. The Village attorney is hereby directed to file a certified copy of this Ordinance in the Recorder's Office, Adams County, Illinois.

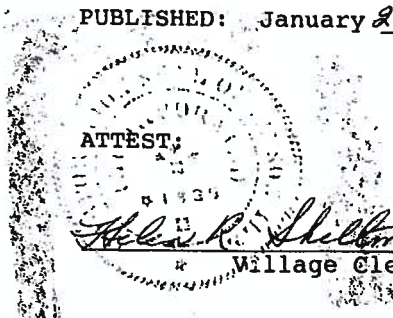
SECTION 14. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ADOPTED: January 11, 1994

APPROVED: January 11, 1994

PUBLISHED: January 26th, 1994

ATTEST:


Helen R. Shelton
Village Clerk

Charles W. McCarter
President of the Board of Trustees

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STATE OF ILLINOIS)
) SS. CERTIFICATE
COUNTY OF ADAMS)

I, Helen R. Shelton, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Payson, in Adams County, Illinois, and the lawful custodian of the records and files of said Village.

I further certify that the foregoing is a full, true and correct copy of Ordinance No. 1994-1 of said Village being entitled, "AN ORDINANCE ESTABLISHING MINIMUM HOUSING STANDARDS", duly adopted by the Board of Trustees of said Village and approved by the Village President at a regular meeting thereof, held on the 11th day of January, 1994, and that the original Ordinance is filed in my office as a part of the records and files of said Village of Payson, and that said Ordinance remains in full force and effect, the same never having been modified, repealed or vacated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Payson, in Adams County, Illinois, this 26th day of January, 1994.



Helen R. Shelton
Village Clerk

40rd/46

ORDINANCE NO. 1995-1

ORDINANCE AMENDING ORDINANCE 1994-1, "AN ORDINANCE ESTABLISHING MINIMUM HOUSING STANDARDS"

BE IT ORDAINED BY THE PRESIDENT AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF PAYSON, ADAMS COUNTY, ILLINOIS:

SECTION 1. That Ordinance No. 1994-1, entitled "An Ordinance Establishing Minimum Housing Standards," be and the same is hereby amended as follows:

a. By striking Section 2 thereof, and by inserting in lieu thereof, the following:

SECTION 2. A front yard shall have a frontage of at least eighty (80) feet; A front yard shall be at least ten (10) feet in depth, as measured perpendicularly from the lot boundary line to the any building; a side yard shall be at least three (3) feet in width, as measured perpendicularly from the lot boundary line to any building; a rear yard shall be at least ten (10) feet in depth, as measured perpendicularly from the lot boundary line to any building. On corner lots, the corner side yard shall have a frontage of eighty (80) feet.

b. By striking Section Five thereof, and by inserting in lieu thereof, the following:

SECTION 5. Except as otherwise provided herein, the following structures shall not be used as a dwelling:

- a. Travel trailer,
- b. Mobile home of less than twelve (12) feet in width and less than sixty (60) feet in length,
- c. Basement,
- d. Tent,
- e. Barn,
- f. Motor vehicle,
- g. Modular homes, unless the same be permanently situated on a concrete pad or concrete block foundation,
- h. Any other structure not specifically designed to be used as a dwelling;

provided, however, that if such non-complying structure is grandfathered as provided in Section 11 of this Ordinance, and if such structure is destroyed by windstorm, tornado, earthquake or other Act of God, or by accidental fire, then in such event, it shall be permissible to replace such structure with a like structure or, in the case of a non-conforming mobile home, the same

may be replaced with another mobile home of the same size or larger.

SECTION 2. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance shall be and the same are, to the extent of such conflict, hereby repealed.

SECTION 3. The Village attorney is hereby directed to file a certified copy of this Ordinance in the Recorder's Office, Adams County, Illinois.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

ADOPTED: June 13, 1995
APPROVED: June 13, 1995
PUBLISHED: June 21, 1995

Charles W. McCarroll

President of the Board of Trustees

ATTEST:

[Signature]

Village Clerk

31949

JUN 22 1995

12-40 P 17

STATE OF ILLINOIS	No. <u>31949</u>
Adams County	
Clerk of Court June 22nd 1995 12:40 P.M. 46 Ord.	
<i>[Signature]</i> Deputy	

INGHRAM & INGHRAM

STATE OF ILLINOIS)
COUNTY OF ADAMS)

SS

CERTIFICATE

I, Helen R. Shelton, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Payson, in Adams County, Illinois, and the lawful custodian of the records and files of said Village.

I further certify that the foregoing is a full, true and correct copy of ordinance No. 1995-1 as said Village being entitled, "ORDINANCE/ESTABLISHING MINIMUM HOUSING STANDARDS", AMENDING ORDINANCE 1994-1 "AN ORDINANCE" duly adopted by the Board of Trustees of said Village and approved by the Village President at a regular meeting thereof, held on the 13th day of June, 1995, and that the original Ordinance is filed in my office as a part of the records and files of said Village of Payson, and that said Ordinance remains in full force and effect, the same never having been modified, repealed or vacated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Payson, in Adams County, Illinois, this 22nd day of June, 1995.

Helen R. Shelton
Village Clerk