VILLAGE OF SOUTH ELGIN

ORDINANCE NO. 2010 - 30

AN ORDINANCE AMENDING TITLE XV (LAND USAGE)
CHAPTER 154 (ZONING)
SECTIONS 154.015, 154.045, AND 154.173
(CONCERNING RECREATIONAL VEHICLE USES)

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF SOUTH ELGIN, KANE COUNTY ILLINOIS
THIS 17th DAY OF May, 2010

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD
OF TRUSTEES OF THE VILLAGE OF SOUTH ELGIN, KANE COUNTY, ILLINOIS
AS PROVIDED BY LAW THIS 17th DAY OF May, 2010

ORDINANCE NO. 2010 - 30

AN ORDINANCE AMENDING TITLE XV (LAND USAGE)
CHAPTER 154 (ZONING)
SECTIONS 154.015, 154.045, AND 154.173
(Concerning Recreational Vehicle Uses)

WHEREAS, the Village of South Elgin, County of Kane, State of Illinois has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety, and welfare of its citizens, including the power to regulate zoning within its borders; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village and the public to amend the Village Code of Ordinances concerning zoning regulations as they pertain to recreational vehicle uses; and

WHEREAS, a public hearing on the proposed amendments to the Zoning Code was duly held before the Village's Planning and Zoning Commission; and

WHEREAS, the Planning and Zoning Commission recommended approval of the proposed text amendments in substantially the same form as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SOUTH ELGIN, KANE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

SECTION TWO: The Village Code of Ordinances, Title XV, Chapter 154, is hereby amended as follows:

§ 154.015 DEFINITIONS

RECREATIONAL VEHICLE. ~~Any vehicle or boat originally designed for living quarters, recreation, or human habitation and not used as a commercial vehicle, including, but not limited to, the following:~~

~~(1) *Boats* meaning any vessel used for water travel, a boat mounted on a trailer shall be considered one vehicle;~~

~~(2) *Camping trailers* meaning a folding or collapsible vehicle without its own motive power, designed as temporary living quarters for travel, camping, recreation or vacation use;~~

~~(3) *Motor homes* meaning a temporary dwelling designed and constructed for travel, camping, recreational or vacation use as an integral part of a self-propelled vehicle;~~

~~(4) *Off-road vehicles* meaning vehicles intended primarily for recreational use off of roads where state vehicle licenses are required, e.g. dune buggy, go-cart, snow mobile;~~

~~(5) *Racing car/cycles* meaning vehicles intended to be used in racing competition, such as a race car or racing cycle, a racing car/cycle mounted on a trailer shall be considered one vehicle;~~

~~(6) *Travel trailers* meaning vehicles without its own motive power, designed to be used as a temporary dwelling for travel, camping, recreational or vacation uses;~~

~~(7) *Truck campers* meaning a structure designed primarily to be mounted on a pick-up truck or truck chassis and designed to be used as a temporary dwelling for travel, camping, recreational or vacation uses, when mounted on a truck, such structure shall be considered one vehicle;~~

~~(8) *Vans* meaning noncommercial motor vehicles licensed by the State of Illinois as a recreational vehicle; and~~

~~(9) *Vehicle trailers* meaning a vehicle without its own motive power that is designed to transport another vehicle, such as a boat, motorcycle or snowmobile for recreational or vacation use and that is eligible to be licensed or registered and insured for highway use, a vehicle trailer with a vehicle mounted on it shall be considered one vehicle.~~

Vehicles or trailers for recreational or utilitarian uses that can be driven, towed, sailed, hauled or flown. This includes, but is not limited to, those vehicles commonly referred to as RVs, such as motor homes and travel trailers, as well as any snowmobiles, pull campers, all-terrain vehicles (ATV), race cars, off-road vehicles, tent trailers, special purpose trailers, cargo trailers, utility trailers used for hauling, or other similar vehicle; water-oriented vehicles and their trailers including, but not limited to, power boats, cruisers, jet skies, fishing/hunting boats, pontoon boats, personal watercrafts (PWC), as well as, row boats, sail boats, and other non-motorized watercraft. A recreational vehicle(s) such as an ATV, PWC or boat on a trailer shall constitute one recreational

vehicle. For the purpose of this zoning ordinance recreational vehicles, trailers, boats and all other similar craft, are collectively referred to as "RVs" or "recreational vehicles".

Parking, Recreational Vehicles. The placement of recreational vehicles on a property during the dates of April 1 through October 31 in accordance with section 154.173 (F).

Storing, Recreational Vehicles. The placement of recreational vehicles on a property during the dates of November 1 through March 31 in accordance with section 154.173 (F).

§ 154.045 B (2)

AMEND THE TABLE AS FOLLOWS:

Table of Permitted Yard Obstructions

	Front Yard	Corner Side Yard	Interior Corner Side	Rear Yard	Side Yard
Parking Recreational Vehicles in accordance with §§ 154.170 through 154.177	P			P	P
Storing Recreational Vehicles in accordance with §§ 154.170 through 154.177				P	P
Parking and/or Storing Recreational Vehicles on properties contiguous to the Fox River in accordance with §§ 154.170 through 154.177	P			P	P

§ 154.173 ADDITIONAL OFF-STREET PARKING STANDARDS AND REQUIREMENTS.

AMEND AS FOLLOWS:

(F) *Parking and/or storing of recreational vehicles in a residential district.*

(1) Standards.

~~(a) At no time shall a parked or stored recreational vehicle be used for living, sleeping, or housekeeping purposes.~~

~~(b) Recreational vehicles shall not be used as accessory structures in any district.~~

~~(c) Recreational vehicles shall not have their wheels removed or be abed to the ground so as to prevent ready removal of the vehicle.~~

~~(d) Recreational vehicles shall not be parked or stored in such a way as to create a dangerous or unsafe condition.~~

~~(e) No recreational vehicle including attachments and appurtenances shall be parked within one foot of a public sidewalk.~~

~~(f) The ground under and surrounding where any such recreational vehicle is parked or stored must be kept free of noxious weeds, overgrowth, or debris.~~

~~(g) No recreational vehicle shall be used for storage of goods, materials, or equipment other than those items considered to be part of the unit or essential to its immediate use.~~

~~(h) No recreational vehicle shall be connected to gas, water, or sanitary sewer service, except for temporary service connection for battery charging.~~

~~(i) No recreational vehicle may be temporarily occupied for more than 14 days in any six month period to accommodate visitors. Use of internal cooking and sanitary facilities shall not be permitted.~~

~~(j) Recreational vehicles may be stored in side or rear yards on a temporary surface, including, but not limited to gravel, patio blocks, or similar material.~~

~~(2) Parking and storage restrictions.~~

~~(a) Not more than two recreational vehicles conforming to the size restrictions stated in subdivision (2)(d) may be parked or stored in the open on a lot in a residential district, except as set forth in this section. Recreational vehicles exceeding the size restrictions below shall not be stored or parked in only residential district.~~

~~(b) Recreational vehicles may be parked or stored in the side yard and rear yard, subject to the standards set forth in this section but no more than one of the side yards of any residential lot may be used for parking or storage of recreational vehicles.~~

~~(c) No recreational vehicle, such as, but not limited to, camping trailers, boat trailers, boats, snowmobiles, snow mobile trailer, all-terrain vehicles, camping buses, camping trucks, house trailers shall be stored in a driveway in any front yard or corner side yard in any residential district.~~

~~(d) No trucks, or buses which exceed nine feet in height, or 20 feet in length, or 8,000 pounds in gross weight shall be parked or stored on a lot in any residential district.~~

~~(e) For the purpose of this section, storage shall mean a vehicle parked on the zoning lot for more than 48 hours in any 72 hour period.~~

(a) Recreational vehicles shall not be used for living, sleeping or housekeeping purposes in the Village.

(b) Recreational vehicles shall not be connected to sewer, water, or other utility for any period of time, except for temporary service connection for battery charging.

(c) Recreational vehicles shall not be used as accessory structures.

(d) Recreational vehicles may be kept within an enclosed structure provided the structure is allowed per the underlying zoning requirements of the district.

(e) Recreational vehicles shall not be permanently affixed to the ground in a manner that would prevent ready removal.

(f) Recreational vehicles shall be in a secure, safe, orderly, and well-maintained condition that at a minimum prohibits weed growth and stagnant water.

(g) Recreational vehicles shall be operable at all times.

(h) Recreational vehicles shall be owned, leased or rented by the occupant of the property on which the recreational vehicles are parked and/or stored.

(i) Recreational vehicles shall not be permitted on a lot without a principal structure.

(2) Parking and/or storing restrictions.

(a) No more than two (2) recreational vehicles may be parked and/or stored outside, except one (1) additional recreational vehicle may be parked and/or stored outside on properties adjacent to the Fox River.

(b) Recreational vehicles that are considered non-motorized personal watercraft (i.e. canoe, kayak) that are attached to a legally permitted structure and are off the ground, shall not be counted toward the total number of recreational vehicles allowed to be parked and/or stored on a property.

(c) Recreational vehicles including attachments and appurtenances shall not be parked and/or stored over a public sidewalk.

(d) Recreational vehicles including attachments and appurtenances shall not be parked and/or stored beyond the front property line.

(e) Recreational vehicles including attachments and appurtenances shall not be parked and/or stored in the sight triangle, as defined herein.

(f) Recreational vehicles including attachments and appurtenances shall not be parked and/or stored within seven and one-half (7.5) feet of the rear lot line.

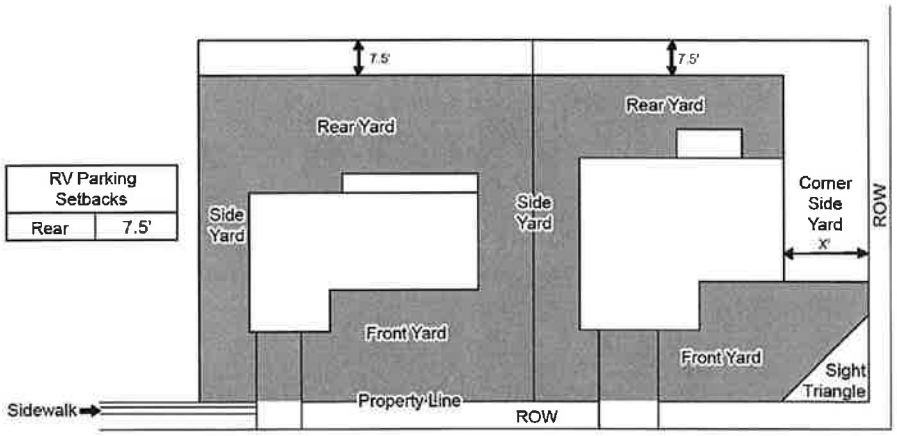
(g) Recreational vehicles shall not be stored in front yards, except for those residential lots that are contiguous to the Fox River.

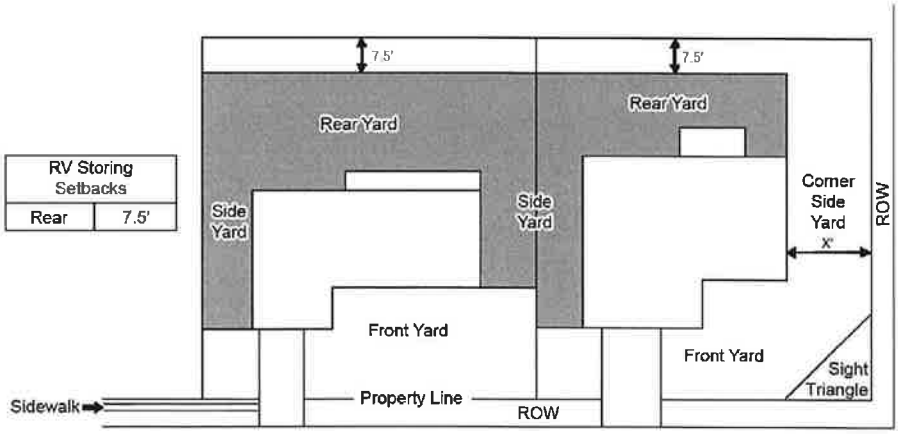
(h) Recreational vehicles must be parked and/or stored on a legally permitted hard, dust free surface (concrete, bituminous, brick pavers; not gravel) at least equal in length and width to the recreational vehicles being parked and/or stored on it. All surface areas will be subject to lot coverage and impervious surface site restrictions.

(i) Recreational vehicles may be parked and/or stored on legal gravel driveways existing at the time this ordinance is approved.

(j) Parking and/or storing of all recreational vehicles in a flood hazard area must follow the Kane County Stormwater Ordinance, in addition to the rules and regulations of the South Elgin Code of Ordinances.

The following illustrations depict sections 154.173 F (2) (c) through (f). All other standards and restrictions must be met.





SECTION THREE: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION FOUR: All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

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

APPROVED AND ADOPTED by the Board of Trustees of the Village of South Elgin this 17th day of May, 2010, pursuant to roll call vote as follows:

AYES: Trustees D'Fulvio, Guess, Kolodziej, Ward, Richmond + Sweet (6)

NAYS: (0)

ABSENT: (0)

ABSTAIN: (0)

APPROVED this 17th day of May, 2010

James W. Hansen II, Village President

ATTEST:

Margaret M. Gray, Municipal Clerk

VILLAGE OF SOUTH ELGIN
INCORPORATED
APRIL 20 1897
STATE OF ILLINOIS

CERTIFICATION

I, the undersigned, do hereby certify that I am the Village Clerk of the Village of South Elgin, Kane County, Illinois, and that the foregoing is a true and exact copy of Ordinance 2010 - 30 enacted on May 17th, 2010, and approved on May 17th, 2010 as the same appears from the official records of the Village of South Elgin.

Margaret M. Gray

Village Clerk, Margaret M. Gray

VILLAGE OF SOUTH ELGIN INCORPORATED APRIL 20 1897 STATE OF ILLINOIS