VILLAGE OF OAKWOOD HILLS
ORDINANCE NO.10-10-02

AN ORDINANCE AMENDING CHAPTER 6, “BUILDING AND CONSTRUCTION”
AND CHAPTER 9, “HEALTH AND SANITATION” OF THE MUNICIPAL CODE OF THE VILLAGE OF
OAKWOOD HILLS, ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF OAKWOOD HILLS,
MCHENRY COUNTY, ILLINOIS THIS 7th DAY OF October, 2010.

Published in pamphlet form by
Authority of the President and
Board of Trustees of the Village
of Oakwood Hills, McHenry
County, Illinois this 7th day
Of October, 2010.

BE IT ORDAINED by the President and Board of Trustees of the Village
of Oakwood Hills, McHenry County, Illinois as follows:

WHEREAS, the Village of Oakwood Hills is an incorporated municipality located within
McHenry County, Illinois; and

WHEREAS, the Village has the authority to adopt ordinances and promulgate rules and
regulations governing building and construction within the Village of Oakwood Hills to protect the
public, health, safety and welfare of the Village residents.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village
of Oakwood Hills, McHenry County, Illinois as follows:

SECTION ONE: That Chapter 6, “Building and Construction” of the Municipal Code of the
Village of Oakwood is hereby amended by adding a new section number, title and language as
follows:

“Section R333, “Definitions”. For purposes of this Chapter, unless provided otherwise
herein, the following terms, phrases, words, and their derivations shall have the meaning
given herein.
Section R 333 (A). **Garbage/Refuse Dumpster** – A transportable container or box like container or other portable receptacle that is either open or closed, that is designed and can be used for the disposal of garbage, refuse, or one’s personal property of any kind for the sole benefit of the property owner or resident, and which is located for such purposes outside any enclosed building.

Section R 333 (B). **Temporary Portable Storage Unit** - A transportable container, storage unit, shed, or box like container or other portable structure, that is designed and can be used for the shipment or temporary storage of personal property of any kind for the sole benefit of the property owner or resident, and which is located for such purposes outside any enclosed building.

Section R333 (C). **Tent/Canopy** – A freestanding enclosure, with or without exterior walls, which is constructed of canvas, pliable material, or collapsible lightweight material, is portable and placed over supporting poles and fastened to the ground, patio, or deck and not supported by air or the contents it protects.

**SECTION TWO:** That Chapter 6, “Building and Construction” of the Municipal Code of the Village of Oakwood is hereby amended by adding a new section number, title and language as follows:

“Section R-333.3, “Temporary Portable Storage Units”. The requirements for temporary portable storage units and garbage/refuse dumpsters shall be as follows:

(A). No more than two (2) temporary portable storage units and/or garbage/refuse dumpsters are permitted at the same time per property.

(B). A temporary portable storage unit can remain on a property for use by a private property owner or tenant of the private property for no more than thirty (30) consecutive days in a calendar year, unless said temporary portable storage unit is associated with a building permit. A garbage/refuse dumpster can remain on a property for no more than thirty (30) consecutive days, unless said garbage/refuse dumpster is associated with a building permit. A thirty (30) day extension may be granted administratively by the Building Director, if no complaints have been received and in the Building Director’s opinion, extenuating circumstances exist. Extenuating circumstances shall include, but are not limited to, damage sustained from a disaster, such as fire, flood, tornado or other catastrophic event. When temporary portable storage units or garbage/refuse dumpsters are permitted pursuant to a building permit, said units are permitted for the duration of construction, provided they are maintained in accordance with all other Village ordinances and requirements of this Chapter, and they shall be removed from the site within fourteen (14) days of the end of construction.

(C). A temporary, portable storage unit or garbage/refuse dumpster shall be no larger than ten (10) feet wide, twenty (20) feet long, and ten (10) feet high.

(D). A temporary portable storage unit or garbage/refuse dumpster shall be set back a minimum of five (5) feet from side yard property lines.

(E). A temporary storage unit or garbage/refuse dumpster shall not be placed over a septic tank or seepage field.
(F). Temporary storage units or garbage/refuse dumpsters are not permitted on public rights-of-way; or stored in a manner that will obstruct sight lines of motorists, pedestrians, or vehicles. Any damage done to the Village right-of-way shall be restored immediately by the private property owner or property’s tenant at the property owner/tenant’s sole expense.

(G). At no time shall the temporary storage unit or garbage/refuse dumpster be used for storage or disposal of illegal, toxic, or hazardous materials, live animals or human habitation.

(H). All temporary storage units and garbage/refuse dumpsters shall be maintained at all times in good condition, free from rodents and vermin, free from noxious odors or unsanitary conditions, free from rust, free from evidence of deterioration, weathering, peeling paint, discoloration, graffiti, ripping, tearing, or other holes or breaks, free from any signage or advertisements, with the exception of the unit’s vendor, and shall be enclosed at all times when not actively in use.

(I). Any temporary portable storage units and garbage/refuse dumpsters not meeting these requirements must receive Village Board approval.

(J). A temporary storage unit or garbage/refuse dumpster that is governed by restrictive covenants of a subdivision shall also abide by said restrictive covenants, and this Section shall not supersede the restrictive covenants of a subdivision in which the placement of portable storage units or garbage/refuse dumpsters is limited or prohibited.

SECTION THREE: That Chapter 6, “Building and Construction” of the Municipal Code of the Village of Oakwood is hereby amended by adding a new section number, title and language as follows:

“Section R-333.4, “Tents and Canopies.” A tent or canopy is not permitted, except for use in conjunction with a single-family residence and must comply with any and all Village ordinances and requirements. The requirements for tents and canopies in conjunction with a single-family residence shall be as follows:

(A). Tents and canopies shall be used solely for private use by the owner or tenants residing on the premises.

(B). Tents and canopies are used for private use events such as camping, personal, social gatherings, or recreational use.

(C). Tents and canopies shall not be used for the parking, storage, maintenance, or repair of vehicles, boats, motorcycles, recreational vehicles, campers, trailers, snowmobiles, ATV’s, and such other similar motor or recreational vehicles.

(D). No fee shall be charged by the property owner, tenant, or such other person for any private use event utilizing a tent or canopy.
(E). Tents and canopies shall not be used for the storage of personal property, items, goods, except for the time during a garage or yard sale, and provided all Village garage and yard sale requirements are met.

(F). No tent or canopy shall be located in the front yard, corner side yard, or any side yard within five (5) feet of the side property lines, except for the time during a garage or yard sale, and provided all Village garage and yard sale requirements are met.

(G). A tent or canopy shall not be used for permanent living quarters.

(H). No sales of goods or merchandise shall be conducted under a tent or canopy, except for the time during a garage or yard sale, and provided all Village garage and yard sale requirements are met.

(I). Tents and canopies at all times shall be fastened or secured to the ground, patio, deck, or by some other safe and secure means to prevent damage by wind or such other damage.

(J). No tent or canopy shall be located in the Village right-of-way.

SECTION FOUR: That Chapter 6, “Building and Construction”, Section R105.2 titled “Work Exempt From Permit” of the Municipal Code of the Village of Oakwood is hereby amended by adding the new language shown in bold as follows:

Section R105.2. Work Exempt From Permit. Permits shall not be required for the following. Exemption from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or Ordinances of this jurisdiction.

Building:

1. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
2. Prefabricated swimming pools that are less than 24 inches (610mm) deep.
3. Swings and other playground equipment accessory to a one-or two-family dwelling.
4. Window awnings supported by an exterior wall.
5. Non-permanent seasonal fences. A seasonal fence shall not remain erected for more than six months.
6. Retaining walls that are not over 3 feet (914mm) in height measured from the bottom of the footing to the top of the wall, unless supporting as surcharge.
7. Walkways not more than 30 inches (762mm) above adjacent grade and not over any basement or story below.
8. Replacement windows that fit into the existing opening.
9. Non-permanent patios and walkways, not made of cast in place concrete (see R335).
10. Commercially kitted plastic sheds of a size 6-foot x 6-foot maximum (183mm x 183mm) length and width. All such kitted structures shall be completed per manufacturer’s direction.
11. Application of vinyl or metal cladding to existing window areas, soffit or fascia.
12. Temporary portable storage units.
13. Tents and canopies.
SECTION FIVE: That Chapter 9, “Health and Sanitation”, Section 9-100 titled “Definitions.” of the Municipal Code of the Village of Oakwood is hereby amended by adding the following definition and renumbering the current definitions as shown in bold as follows:

Section 9-100 (b) Garbage/Refuse Dumpster. A transportable container or box like container or other portable receptacle that is either open or closed, that is designed and can be used for the disposal of garbage, refuse, or one’s personal property of any kind for the sole benefit of the property owner or resident, and which is located for such purposes outside any enclosed building.

Renumber:

Section 9-100 (b) Landscape Waste to 9-100(c) Landscape Waste; and
Section 9-100 (c) Litter to Section 9-100 (d) Litter

SECTION SIX: That Chapter 9, “Health and Sanitation”, Section 9-104 titled “Accumulation of Landscape Waste, Garbage, and Litter.” of the Municipal Code of the Village of Oakwood is hereby amended by adding the following language shown in bold as follows:

The accumulation and storage of landscape waste, garbage and litter on any premises for more than a period of two (2) weeks is hereby declared to be a public nuisance and is prohibited, “with the exception of temporary portable storage units and garbage/refuse dumpsters that are in compliance as outlined in Chapter Six “Building and Construction” of the Municipal Code.”

SECTION SEVEN: That Chapter 9, “Health and Sanitation”, of the Municipal Code of the Village of Oakwood is hereby amended by adding the following new section number, title, and language shown in bold as follows:

Section 9-104. Regulations Regarding Garbage/Refuse Dumpsters. The regulations for the general use of garbage/refuse dumpsters shall be as outlined in Chapter Six “Building and Construction” of the Municipal Code.”

SECTION EIGHT: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION NINE: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION TEN: This ordinance is hereby published in pamphlet form by and under the authority of the Corporate Authorities of the Village of Oakwood Hills, Illinois.

SECTION ELEVEN: This Ordinance shall become effective after its passage, approval, and publication as provided by law.
PASSED this 7th day of October, 2010.

AYES:__________________________________________________________

NAYS:__________________________________________________________

ABSENT:________________________________________________________

ABSTAIN:________________________________________________________

APPROVED this 7th day of October, 2010.

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John Theiss, Village President

ATTEST

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Judith A. Sutliff, Village Clerk

PUBLISHED October 7, 2010