

apply to minor interior alterations, such as tenant spaces in shopping centers which do not affect the intensity of use, nature of use, or exterior features of the site. Site plan requirements are contained in Section 9A-1-9.

9A-6-7: OFF-STREET PARKING AND LOADING:

The requirements of Chapter 9A-9 shall be applicable with regard to standards and requirements to off-street parking and loading. (Ord. 90-0-18, 8-9-90)

CHAPTER 7A L-1 LIGHT INDUSTRIAL DISTRICT

9A-7A-1: INTENT AND GENERAL CONDITIONS:

The L-1 Light Industrial District is intended to control the development of lands to be used by industrial firms that have high standards of performance and that can locate in close proximity to residential and business uses without creating nuisances. The District regulations are designed to permit the operations of manufacturing, wholesaling and warehousing activities with adequate protection to adjacent district uses and sufficient control of external effects to protect one industry from another and particularly where such light industrial uses adjoining uses in other than industrial zoning districts. In this District, outdoor storage must be completely screened and all industrial operations must be in an enclosed building.

A. General Conditions:

1. Minimum Contiguous District Area: The minimum contiguous area for any land zoned in accordance with the L-1 District shall be ten (10) acres.
2. Sanitary Sewer and Potable Water: All uses shall be connected to and maintain potable water supply and sanitary sewer facilities at the expense of the owner and/or developer of the property.
3. Refuse Screening Enclosures Required: All refuse shall be stored in appropriate containers and completely screened so as to not be visible to any street or public right of way. Such screening shall be solid and six feet to eight feet (6' to 8') in height.
4. Enclosure of Uses: All uses within the Light Industrial District shall be conducted wholly within enclosed buildings except otherwise permitted by this Chapter. All outdoor storage facilities for fuel, raw material and products shall be effectively screened and enclosed by a solid wall or fence at least eight feet (8') in height; provided, that if such materials are in excess of eight feet (8') in height, then landscape screening shall be provided in addition to the fence or wall, equal or exceeding the height of the fence and materials to be stored outdoors. Such outside storage must be located behind the front of any building facing a public street.

5. Lighting: All exterior lighting, building and parking lot lights and landscape lighting shall be directed away from adjacent highways, streets and properties. A lighting plan shall be prepared and be reviewed and approved by the Building Commissioner.

6. Processes and equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by reason of odor, dust, cinders, gas, noise, vibrations, particulate matter, or water carried waste.

7. No activities involving the storage, utilization or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the Village. Such materials shall include, but shall not be confined to: all primary explosives such as lead azide, lead styphnate, fulminates, and tetrocene; all high explosives such as TNT, RDX, HMX, PETN and picric acid; propellants and components thereof such as nitro-cellulose, black powder, boron dydrides, hydrazine, and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerin; unstable organic compounds such as acetylides, tetrazoles, perchloric acid, parchlorates, chlorates, hydrogen peroxide in concentration greater than thirty five percent (35%); and nuclear fuels, fissionable materials, and products and reactor elements such as Uranium 235 and Plutonium 239.

8. Any use established in the L-1 Light Industrial District shall be operated in such a manner as to comply with applicable performance standards as hereinafter set forth governing noise, smoke, particulate matter, toxic or noxious matter, odors, fire and explosive hazards, or vibration, glare or heat. No use already established on the effective date of this Title shall be so altered or modified as to conflict with such applicable performance standards. The application for a building permit for a new establishment or change of use, when requested by the Village Administrator, must be accompanied by a verification from a recognized testing laboratory that all performance standards contained herein will be reasonably met.

9. Signs: All signs shall conform to the applicable requirements set forth in Title 9A, Chapter 8 and the approved site plan.

9A-7A-2: USE, LOT AND BULK REGULATIONS:

Use, lot and bulk regulations applying specifically to the L-I Light Industrial District are set forth in the sections which follow. Section 9A-1-4, Intensity of Use of Lot; Setback Lines, does not apply to this District.

9A-7A-3: PERMITTED USES:

Uses of land or buildings, as hereinafter listed, shall be permitted in accordance with the conditions specified. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those itemized uses listed under the said category. No building or structure shall be erected, altered, enlarged or occupied in the L-1 District except for a permitted use in the L-1 District unless otherwise specifically allowed by this Chapter.

The following uses are permitted in the L-1 District:

Animal clinics and hospitals.

Assembly firms, without fabrication of parts.

Automobile sales and rental.

Bakeries, wholesale.

Beverage distributors.

Bottled gas dealers.

Bottled works.

Contractors' offices, shops, yards and showrooms, including cement, building, heating, ventilating, air conditioning, electrical, masonry, painting, plumbing, roofing, glazing and ornamental and structural steel and iron.

Dairy products manufacturing.

Driving schools, automobile.

Equipment rental and leasing services.

Furniture cleaning, refinishing repair and upholstering.

Garage display and sales.

Highway maintenance firms and contractors.

Landscape maintenance firms and contractors.

Lawnmower sales and services.

Linen, towel, diaper and other similar supply services.

Machine shops.

Medical and dental laboratories and research facilities.

Motor vehicle sales and service, including that of automobiles, campers and recreational vehicles, motorcycles, snowmobiles, trailers, trucks and mobile homes.

Newspaper distribution agencies.

Nurseries and greenhouses.

Packaging and crating plants.

Parcel delivery service.

Personnel training centers.

Pharmaceutical industries.

Post office substations.

Printing, photostating, blueprinting, publishing, photography or lithography establishments.

Radio, television and microwave towers.

Sewer and septic tank cleaning and rodding services.

Sign contractors.

Studios and stations for radio or television.

Swimming pool sales and service.

Taxidermists.

Tennis, racquetball or handball courts and clubs.

Tombstone and monument sales and production.

Towing services.

Trade and vocational schools.

Tree removal services.

Warehouses and storage facilities.

Water softener services.

Welding shops.

Wholesale establishments.

Window cleaning firms.

Uses lawfully established on the effective date of this Chapter will be deemed permitted.

9A-7A-4: SPECIAL USES:

Special uses, as hereinafter listed, may be allowed subject to the issuance of special use permits, in accordance with the provisions of Section [9A-1-5](#).

The following uses are special uses in the L-1 District:

Automotive services, including, but not limited to, painting, muffler shops, repair shops, service stations, storage facilities and vehicle repair.

Biological or genetic research or manufacturing facilities.

Car washes and motor vehicle laundries.

Chemical processing and packing (excluding petroleum refining).

Garages, public.

Laundry and dry cleaning plants, serving more than one retail outlet.

Planned unit developments.

Racetracks, automobile.

Radio, television and microwave antennas and towers.

Railroad "piggy back" yards, railroad switch yards; railroad maintenance facilities.

Recreation centers, such as polo fields, fishing ponds, conservation clubs, archery ranges, picnic and camping grounds, par-three (3) golf courses, golf driving ranges and miniature golf courses.

Sewage treatment plants

Stadiums, auditoriums, arenas and armories

Structures with building heights in excess of thirty five feet (35')

Water filtration plant, water pumping stations and reservoirs

Wireless Telecommunication Antenna (Ord. 2014-O-18)

Wireless Telecommunication Tower (Ord. 2014-O-18)

Woodworking and wood products productions

Utility installations, including electric and telephone substations

One permanent dwelling unit, not exceeding seven hundred fifty (750) square feet per zoning lot, justified by a need for on-site security and occupied by an employee of the business located on the property whose responsibility includes security. Under no circumstances shall more than two (2) people, or any person under the age of eighteen (18) be permitted to reside in such a residence.

9A-7A-5: ACCESSORY USES:

Accessory uses, buildings or other structures customarily incidental and commonly associated with a permitted or special use may be permitted, provided they are operated and maintained under the same ownership and on the same lot as the permitted use, do not include structures or structural features inconsistent with the permitted use, are structured to the principle use and do not involve the conduct of any separate business, profession, trade or industry.

Accessory uses may include the following:

Garages, carports or other off-street parking spaces. Truck parking shall be limited to vehicles of not over one and one-half (1 1/2) tons' capacity when located within one hundred fifty feet (150') of a residence district boundary line.

Offices, incidental to a permitted or special use.

Outdoor bulk chemical storage tanks and related plumbing.

Outlet stores, retail, personal service uses, showroom and sales areas, accessory to a manufacturing or wholesale establishment provided that such uses not occupy more than fifteen percent (15%) of the total floor area of the use.

Railroad spur tracks.

Signs, as regulated in Chapter 9A-8.

Tool houses, sheds, and other similar buildings for the storage of supplies and equipment.

Water retention and detention areas.

Water systems, individual.

9A-7A-6: PROHIBITED USE:

All uses not expressly authorized under "permitted, special or accessory uses" are expressly prohibited:

The following, and uses similar to the following, illustrate prohibited uses:

Air motor and freight terminals.

Asphalt plants.

Automotive salvage yards.

Concrete batching and recycling plants.

Creosote treatment or manufacturing.

Fertilizer manufacturing.

Incinerators.

Junk yards.

Landfills, dumps.

Manufacturing and industrial activities involving the storage, utilization or manufacture of materials or products which decompose by deterioration and/or hazardous substance or matter of any kind whatsoever. For purposes of this Title, "hazardous substance or matter" means and includes: (a) any hazardous, toxic or dangerous waste, substance or material defined as such in (or for the purposes of) the Comprehensive Environmental Response, Compensation and Liability Act, as amended, any so-called superfund or superlien law, or any other Federal, State or local statute, law, ordinance, code, rule, regulation, order or decree regulation, relating to or imposing liability or standards of conduct concerning any hazardous, toxic or dangerous waste, substance or material as now or any time hereafter in effect, and (b) any other chemical, material or substance, exposure to which is prohibited, limited or regulated by any Federal, State or local governmental authority pursuant to any environmental, health and safety or similar law, code, ordinance, rule, regulation, order or decree and which may or could pose a hazard to the health and safety of occupants or users of the property or any part thereof, any adjoining property or cause damage to the environment.

Ore reduction.

Paint factories.

Petroleum refining.

Residential uses.

Rubber manufacturing or treatment.

Salvage material yards.

Soap manufacturing.

Stockyards or slaughter houses.

Storage of uncontained bulk materials outdoors.

Tanning operations, including storage of raw hides or skins.

Truck terminals.

9A-7A-7: GENERAL BULK AND AREA STANDARDS:

Uses in the L-1 Light Industrial District shall conform to the following requirements:

- A. Minimum Lot Area: An area of not less than twenty thousand (20,000) square feet shall be designated, provided and continuously maintained for each permitted or special use.
- B. Minimum Lot Width: A minimum lot width of one hundred feet (100') shall be provided for each lot used for a permitted or special use.
- C. Required Yards: Required yards shall be provided and maintained in the L-1 Light Industrial District as described below. Special uses may require yards greater in depth than described when specified by the Village Board.
 - 1. Required Front Yard: A required front yard shall be provided and maintained with a depth of thirty five feet (35').

All structures in excess of thirty five feet (35') in height shall require front yards of thirty five feet (35') plus one foot (1') for each one foot (1') by which the building or structure exceeds thirty five feet (35') in height.

- 2. Required Side Yards: Required side yards of thirty five feet (35') shall be provided and maintained.

On a corner side yard, a required side yard shall be provided and maintained equal in depth to the required front yard.

All structures in excess of thirty five feet (35') in height shall require interior side yards of thirty five feet (35') plus one foot (1') for each one foot (1') by which the building or structure exceeds thirty five feet (35') in height.

Where a side lot line coincides with a side or rear lot line in an adjacent business, commercial or residence district, a required side yard shall be provided along such side lot line not less than fifty feet (50') in depth.

3. Required Rear Yard: A required rear yard of thirty feet (30') shall be provided and maintained.

Where a rear lot line coincides with a side lot line in an adjacent business, commercial or residence district, a yard shall be required along such rear lot line of not less than fifty feet (50') in depth.

Where a rear lot line coincides with a rear lot line in an adjacent business, commercial or residence district, a yard shall be required along such rear lot line of not less than fifty feet (50') in depth.

D. Maximum Building Height: No structure or portion thereof, excluding mechanical penthouse structure, shall exceed a height of thirty five feet (35'). However, taller structures may be permitted as special uses by the Village Board.

E. Floor Area Ratio: The maximum floor area ratio for structures in this District shall be 0.5.

F. Required Screening And Landscaped Open Space: The minimum area on each lot or zoning to be devoted to open space and landscaping shall be not less than twenty five percent (25%) of the gross area of the lot. Such landscaping shall conform to the requirements of Title 8, Chapter 10, Landscape Requirements, of this Code.

All open spaces between and about buildings, structures, off-street parking or loading areas or areas for outdoor storage and along exterior or interior streets within industrial areas shall be landscaped with trees and shrubs and seeded or sodded. All landscaping shall be properly maintained by the owner and/or tenant of the subject property.

Wherever a side or rear lot line abuts a residential district, a solid screen a minimum of six feet (6') in height, constructed of wood, stone or masonry or natural vegetation shall be provided and maintained along such lot line.

A landscaped buffer at least twenty feet (20') in depth shall be required along the front yard of all L-1 Light Industrial District properties. (Ord. 90-0-3, 2-26-1990)

9A-7A-8: SITE PLAN REVIEW:

An approved site plan shall be required prior to the issuance of a building permit or prior to the granting of any special use permit within the L-1 Light Industrial District. These provisions, however, do not apply to minor interior modifications, such as tenant spaces in shopping centers which do not affect the intensity of use, nature of use, or significant features of the site. Site plan requirements are contained in Section 9A-1-9 of this Title. (Ord. 96-0-8, 6-13-1996)

9A-7A 9: PERFORMANCE STANDARDS:

All permitted or special uses in this District shall comply with the performance standards set forth hereinafter:

- A. Noise: Sound levels shall be measured with a sound level meter and associated octave band filter manufactured according to standards prescribed by the American Standards Association. Measurements shall be made using the flat network of the sound level meter. Impulsive type noises shall be subject to the performance standards hereinafter prescribed; provided, that such noises shall be capable of being accurately measured with such equipment. Noises capable of being so measured, for the purpose of this Title, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two (2) decibels. Noise incapable of being so measured, such as those of an irregular and intermittent nature, shall be controlled so as not to become a nuisance to adjacent uses. At no point on a lot line shall the sound intensity level of any individual operation or plant (other than the operation of motor vehicles or other transportation facilities) exceed the decibel levels in the designated octave bands shown in the following table:

Maximum Permitted Sound Level (Decibel)

Octave Band

(Frequency Cycles Per Second)	Along Residence District Boundaries	Along Other Lot Lines
0 to 75	72	75
75 to 150	67	70
150 to 300	59	63
300 to 600	52	57
600 to 1,200	46	52
1,200 to 2,400	40	45
2,400 to 4,800	34	40
Above 4,800	32	38

- B. Smoke and Particulate Matter: The emission of smoke or particulate matter in such manner quantity as to endanger or to be detrimental to the public health, comfort or welfare is hereby declared to be a public nuisance and shall be unlawful. For the purpose of grading the density of smoke, the Ringelmann Chart, published and used by the United States Bureau of Mines, shall be employed. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringelmann Chart is prohibited at all times, except as otherwise provided hereinafter. The emission from a source within any lot area of particulate matter containing more than ten percent (10%) by weight of particles, having a particle diameter larger than forty four (44) microns is prohibited. Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads and the like within lot boundaries, shall be kept at a minimum by appropriate landscaping, paving, oiling, fencing or other acceptable means. Emission of particulate matter from such sources in excess of the weight limitation hereinafter specified is prohibited. The emission of more than eight (8) smoke units per hour

per stack is prohibited, including smoke of a density in excess of No. 2 on the Ringelmann Chart. During one one-hour period in each twenty four (24) hour day, however, each stack may emit up to sixteen (16) smoke units when blowing soot or cleaning fires. Only during fire cleaning periods, however, shall smoke of Ringelmann Chart No. 3 be permitted, and then for not more than three (3) minutes.

- C. Toxic or Noxious Matter: No use shall, for any period of time, discharge across the boundaries of the lot wherein it is located toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare, or cause injury or damage to property or business.
- D. Odors: The emission of odorous matter in such quantity as to be readily detectable at any point along a lot line or as to produce a public nuisance or hazard beyond a lot line is prohibited.
- E. Fire and Explosion Hazard: The storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted, provided the following condition is met: said materials or products shall be stored, utilized or manufactured within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic re-extinguishing system.

The storage, utilization or manufacture of flammable liquids, or materials which produce flammable or explosive vapors or gasses, shall be permitted in accordance with the following table, exclusive of storage of finished products in original sealed containers, which shall be unrestricted:

Total Capacity of Flammable Materials Permitted

(In Gallons)

Industries Engaged in Storage Only	Above Ground	Under Ground
Materials having a closed cup flash point over 187° Fahrenheit	Prohibited	100,000
From and including 105° Fahrenheit to and including 187° Fahrenheit	Prohibited	100,000
Materials having a closed cup flash point of less than 105° Fahrenheit	Prohibited	100,000
<u>Industries Engaged in Utilization and</u>		
<u>Manufacture of Flammable Materials</u>		
Materials having a closed cup flash		

point over 187° Fahrenheit	50,000	100,000
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From and including 105° Fahrenheit and including 187° Fahrenheit	20,000	100,000
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Materials having a closed cup flash point of less than 105° Fahrenheit	5,000	100,000
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* When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed three hundred (300) times the quantities as listed above.

F. Glare and Heat: In the L-1 Light Industrial District any operation producing intense glare or heat shall be performed within a completely enclosed building in such manner as not to create a public nuisance or hazard along lot lines. Exposed sources of light shall be shielded so as not to illuminate other property.

G. Vibration: No industrial operation or activity shall cause at any time ground transmitted vibrations in excess of limits set forth below. Vibration (the periodic displacement, measured in inches, of earth) shall be measured at any point along a lot line with a three (3) component measuring instrument and shall be expressed in inches as follows:

Frequency (cycles per second)	Maximum Permitted Displacement Along Lot Lines (in inches)
0 to 10	.0008
10 to 20	.0005
20 to 30	.0002
30 to 40	.0002
40 and above	.0001

H. Radiation Hazards; Release Outside Property Lines: The release of radioactive materials or emission of ionizing radiation outside of property lines shall be in accordance with the rules and regulations of the State of Illinois. (Ord. 90-0-3, 2-26-90)

9A-7A-10: OFF-STREET PARKING AND LOADING:

The requirements of Chapter 9A-9 shall be applicable with regard to standards and requirements for off-street parking and loading. (Ord. 90-0-18, 8-9-90)

9A-7A-11: OFF-STREET LOADING:

The provisions of this Section shall apply and govern the L-1 District. Off-street loading space shall be required and maintained according to these standards set forth in this Section.

A. General Requirements:

1. The duty to provide the off-street loading space herein required shall be the joint and/or separate responsibility of the operator and owner of the structure or structures for which off-street loading space is required to be provided.
2. An absence or deficiency of required loading facilities for any use that is otherwise in conformance with this Chapter at the effective date of its adoption shall not be construed to render that use a nonconforming use; provided:
 - a. The use was in conformance with the loading requirement in effect at the time of the establishment of the use.
 - b. If the use is abandoned or is destroyed or damaged by any means out of the control of the owner to the extent that the cost of restoration to the condition in which it was before the occurrence shall exceed fifty percent (50%) of the cost of restoration of the entire structure, it shall not be restored unless said structure and the use thereof shall conform to all the regulations of this Title.

If such land, structures or uses are enlarged, expanded or changed, there shall be provided and maintained, for the increment of expansion only, at least the amount of off-street loading space that would be required hereunder, if the increment were a separate land, structure or use established or placed into operation after the effective date of this Title.

3. For all uses established or placed into operation after the effective date of this Section, there shall be constructed, provided, preserved and maintained the amount of off-street parking space hereinafter required.
4. All off-street loading space, whether provided in accordance with the provisions of this Section or in accordance with the provisions of any former ordinance, shall be maintained as hereinafter required.
5. Loading spaces for all types of uses may be provided either in garages or open parking areas conforming with the provisions of this Title.

B. Location:

1. Off-street loading space shall be located on the same lot as the structure for which it is provided.

2. Off-street loading space may be located in any required yard, other than the front yard or corner side yard, provided it conforms with all applicable requirements for screening and setbacks.

3. Setbacks: All loading areas shall conform to the applicable requirements for setbacks from lot lines.

4. No permitted or required loading berth shall be located within thirty five feet (35') of the nearest point of intersection of any two (2) streets.

5. Trucks: The parking of trucks as an accessory use, when used in the conduct of a permitted use shall be limited to vehicles of not over one and one-half (1 1/2) tons capacity when located within one hundred fifty feet (150') of a residence district boundary line.

C. Design, Improvement And Maintenance: Every parcel of land hereafter used for off-street loading space shall be designed, developed and maintained in accordance with the following requirements.

1. No loading area shall be used for the repair, dismantling or servicing of any vehicles, equipment, materials or supplies.

2. Each loading area shall be graded for proper drainage and provided with an impervious surfacing material capable of bearing a line load of two hundred (200) pounds per square foot and shall be maintained at all times in such a manner as to prevent the release of dust and to be free of dust, trash and debris.

3. Off-street loading spaces that adjoin or are across the street from property zoned for any residential use shall be screened so as not to be visible from such residential property.

4. Each loading space shall be provided with entrances and exits not less than twelve feet (12') in width and so designed and located as to minimize traffic congestion.

5. Each loading berth shall be so located that no portion of a vehicle shall project into a street or alley while being loaded or unloaded.

6. Unless otherwise specified, a required off-street loading berth shall be at least twelve feet (12') in width by at least thirty feet (30') in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fourteen feet (14').

7. Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

8. Uses for which off-street loading facilities are required herein, but which are located in buildings of less floor area than the minimum prescribed for such required facilities, shall be provided with adequate receiving facilities, accessible by motor vehicle, from any adjacent alley, service drive or open space on the same zoning lot.

D. Spaces Required: At least the following amounts of off-set loading space shall be provided, plus an area or means adequate for maneuvering, ingress and egress.

1. Auditoriums; Banks; Business And Professional Offices; Public Administration Buildings; Bowling Alleys; Hospitals, Schools, Colleges, Sanitariums, And Other Similar Institutional Uses; Hotels, Or Private Clubs And Lodges: For such a building containing ten thousand (10,000) to one hundred thousand (100,000) square feet of floor area or fraction thereof in such a building, one loading space. For each additional one hundred thousand (100,000) square feet of floor area or fraction thereof in such a building, one additional loading space.

2. Manufacturing; Production Or Processing; Warehousing; Storing; Cleaning; Servicing; Testing; And Repairing Establishments: For such a building containing five thousand (5,000) to forty thousand (40,000) square feet of floor area, one loading space. For such a building containing forty thousand (40,000) to one hundred thousand (100,000) square feet of floor area, two (2) loading spaces plus one additional loading space for each additional one hundred thousand (100,000) square feet of floor area or fraction thereof.

3. Establishments Engaged In Retail Or Wholesale Trade And Establishments Handling The Sale And Consumption Of Food On The Premises: Loading spaces in accordance with the following schedule:

Square Feet Of Floor Area	Minimum Number
5,000 to 10,000	1
10,000 to 25,000	2
25,000 to 40,000	3
40,000 to 100,000	4

For each additional one hundred thousand (100,000) square feet of floor area or fraction thereof in such a building, one additional loading berth.

E. Other Uses: Off-street loading spaces shall be provided in accordance with requirements determined by the Board of Trustees based upon requirements heretofore set forth for the most similar cases. (Ord. 90-0-3, 2-26-1990)

9A-7A-12: ENFORCEMENT; PENALTY:

A. Penalty: Any person, firm or corporation who violates, disobeys, omits, neglects, refuses to comply with, or who resists enforcement of any of the provisions of this Title shall upon conviction be fined not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00), or the maximum allowable under state law for each offense. Each day a violation is permitted to exist shall constitute a separate offense.

B. Enforcement: In the event any building or structure erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in

violation of this Title, the Building Commissioner or Director of Code Enforcement or any owner or tenant of real property in the same contiguous zoning district as the building, structure or land in question, in addition to other remedies, may institute any appropriate action or proceeding: 1) to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; 2) to prevent the occupancy of the building, structure or land; 3) to prevent any illegal act, conduct, business or use in or about the premises; or 4) to restrain, correct, or abate the violation. (Ord. 96-0-8, 6-13-1996, Ord. 2014-O-18)

CHAPTER 7B HEAVY INDUSTRIAL DISTRICT

9A-7B-1: INTENT AND GENERAL CONDITIONS

The I Heavy Industrial District is intended to control the development of lands to be used by industrial firms that have high standards of performance and that cannot locate in proximity to residential and business uses without creating nuisances. The District regulations are designed to permit the operations of manufacturing, wholesaling and warehousing activities with adequate protection to adjacent district uses and sufficient control of external effects to protect one industry from another and particularly where such heavy industrial uses adjoining uses in other than industrial zoning districts. In this District, outdoor storage must be completely screened and all industrial operations must be in an enclosed building.

A. General Conditions:

1. Minimum Contiguous District Area: The minimum contiguous area for any land zoned in accordance with the I Heavy Industrial District shall be ten (10) acres.
2. Sanitary Sewer and Potable Water: All uses shall be connected to and maintain potable water supply and sanitary sewer facilities at the expense of the owner and/or developer of the property.
3. Refuse Screening Enclosures Required: All refuse shall be stored in appropriate containers and completely screened so as to not be visible to any street or public right of way. Such screening shall be solid and six feet to eight feet (6' to 8') in height.
4. Enclosure of Uses: All uses within the Heavy Industrial District shall be conducted wholly within enclosed buildings except otherwise permitted by this Chapter. All outdoor storage facilities for fuel, raw material and products shall be effectively screened and enclosed by a solid wall or fence at least eight feet (8') in height; provided, that if such materials are in excess of eight feet (8') in height, then landscape screening shall be provided in addition to the fence or wall, equal or exceeding the height of the fence and materials to be stored outdoors. Such outside storage must be located behind the front of any building facing a public street.