

**VILLAGE OF ORANGEVILLE**

**ORDINANCE No 9-7-10B**

**AN ORDINANCE CHANGING** Sections 22 and 24 of the Orangeville Book of Municipal Codes

**WHEREAS** the Code concerning swimming pools, hot tubs, bathing structures, and ponds is insufficient, and

**WHEREAS** the Code concerning fencing around the above structures is insufficient, and

**WHEREAS** permit fees concerning the above structures is not addressed,

**BE IT ORDAINED** By the Trustees of the Village of Orangeville, Stephenson County, Illinois that

Sec. 22-2 GENERAL - TERMS AND DEFINITIONS, definition of "Accessory Building" is changed to:

ACCESSORY BUILDING. The term "Accessory Building," when used in conjunction with zoning issues, shall mean any of the following:

- (A) A building that is subordinate to and serves a principal building or principal use;
- (B) A building that is subordinate in area, extent or purpose to the principal building or principal use served;
- (C) A building that contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; or
- (D) A building that is located on the same zoning lot as the principal building or principal use served.
- (E) Examples of accessory buildings are detached garages, playhouses, greenhouses, and for the purposes of this code, swimming pools and ponds.

**And that**

Sec. 22-45 and 22-46 is changed to:

Sec. 22-45 FRD - ACCESSORY BUILDINGS AND USES.

Accessory buildings and their uses are permitted in Family Resident Districts. The types of buildings shall include, but are not limited to:

- (A) Home occupations, as defined in Section 22-2;
- (B) Detached private garages, provided that garages accessory to single-family dwellings shall be limited in width to three (3) parking stalls, and garages accessory to two (2) family dwellings shall be limited in width to four (4) parking stalls. Garage dimensions shall not exceed thirty-feet (30') square;

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(C) Swimming pools, hot tubs, other bathing structures, and ponds provided that they are located only in the buildable portion of the lot or in a required rear yard and are not closer than ten-feet (10') to any lot line and meet other applicable Village Codes. A permit must be obtained from the Village for any of these structures with a water depth of eighteen-inches (18") or more and/or a diameter of twelve-feet (12') or more. All of these structures must be fenced in accordance with Section 24-25E.

(D) Private playhouses and greenhouses; and

(E) Sheds and utility buildings.

Sec. 22-46. FRD - ACCESSORY BUILDING LOCATIONS AND REQUIREMENTS.

No accessory building may be located in a required front or side yard. Accessory buildings may be located in a required rear yard, provided: (A) They do not exceed twenty-feet (20') in height; (B) They do not occupy more than thirty-percent (30%) of the rear yard area; (C) They are not located closer than six-feet (6') to side or rear lot line, nor shall the eaves of any accessory building be located closer than four-feet (4') to a lot line; and (D) Because they are detached, they are no closer than five-feet (5') to the principal building. (E) More stringent rules apply to swimming pools, hot tubs, other bathing structures, and ponds per Sec. 22-45.

**And that**

Sec 24-15 BC - BUILDING PERMIT FEES, subsection C is changed to.

C. The fees to be charged by the Village for building permits shall be based on the following schedule:

New House	Ninety to three-hundred-dollars (\$90.00-\$300.00)
New Commercial	One-hundred, fifty to five-hundred-dollars (\$150.00-\$500.00)
Garages	Thirty to fifty-dollars (\$30.00-\$50.00)
Utility sheds	Ten-dollars (\$10.00)
House addition	Thirty-dollars (\$30.00)
Commercial addition	One-hundred-fifty to two-hundred-fifty (\$150.00-\$250.00)
Demolish	Ten-dollars (\$10.00)
Decks, patio, porch, signs	Ten-dollars (\$10.00)
Driveways, retaining walls	Ten-dollars (\$10.00)

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Driveway pillar	Ten-dollars (\$10.00)
Fence	Ten-dollars (\$10.00)
Swimming Pool	Ten-dollars (\$10.00)
Pond	Ten-dollars (\$10.00)

**And that**

Sec 24-25 BC - CONSTRUCTION CODE REQUIREMENTS subsection E is changed to:

E. Swimming pools, hot tubs, bathing structures and ponds with a water depth of eighteen inches (18”) or more. Permit applications for the installation of all above ground and in-ground pools and ponds shall include a plan which includes a survey plat of the lot that depicts pool in-placement and its dimensions. The pool or pond plan must include:

a. Placement as being no less than ten-feet (10') from house and the side and rear lot lines.

b. Depiction of utility line locations to assure that the pools and ponds shall not be placed under existing service-drop conductors or any other open overhead wiring, nor shall such wiring be installed above the pool and the area extending ten feet (10') horizontally from the inside of the walls, diving structure, or observation stand, tower, or platform. Location of existing gas lines and any lines to pool heaters shall be depicted.

c. Assurance in the plan that shows all pools are grounded and all electrical devices will be protected with ground fault interrupters, and that the underground wiring will be in accordance with the latest edition of the National Electric Code.

d. Depiction of fences with assurances they are sufficiently strong to prevent access other than through a gate or door. All pools and ponds shall have a fence-surround with locking gate that provides six-feet (6') of protection. Pool fences may encompass the entire backyard as long as they are six-feet (6') high and have self-closing and self-latching gates into the yard, or in the case of above-ground pools, have a fence with self-closing and self-latching gates that is in-placed on top of the pool's walk-around. The latches shall be placed at least four feet (4') above the ground elevation or otherwise made inaccessible to small children.

Prior to any pool being used or placed into service, it shall be inspected to ensure correct structural installation, electrical installation is in accordance with the latest edition of the National Electric Code, that the fence is sufficiently strong, and that the gate(s) functions as required.

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**Adopted this 7th day of September 2010, pursuant to a roll call vote by the Board of Trustees of the Village of Orangeville, Stephenson County, Illinois**