

ORDINANCE 2016-17

AN ORDINANCE ESTABLISHING A MORATORIUM  
ON APPROVALS OF GARAGE AND ACCESSORY BUILDING IN SIDE YARDS  
FOR THE CITY OF STREATOR, LA SALLE AND LIVINGSTON COUNTIES, ILLINOIS

WHEREAS, no application for a Special Permit or other zoning approval relating to the construction of a garage or accessory building in a side yard is currently pending before the Planning Commission or the Board of Zoning Appeals of the City of Streator.

WHEREAS, no application for a building permit for a garage or accessory building in a side yard is currently pending before the City of Streator's Building Inspector.

WHEREAS, concerns have arisen with respect to whether the setback, height and other requirements applicable to the construction of garages and accessory buildings in a side yard as set forth in Sections 17.40.010(E and F) of the Streator Municipal Code should be amended for the purpose of promoting the safety and welfare of the citizens of the City of Streator.

WHEREAS, the City Council of the City of Streator finds it to be in the interest of public safety and welfare to establish a time period to assess and evaluate the zoning and setback and height requirements applicable to the construction of garages and accessory buildings in side yards as set forth in Sections 17.40.010(E and F) of the Streator Municipal Code, including the evaluation of proposed amendments to the City's Zoning Title relating to the regulation of garages and accessory buildings, during which time City staff shall not process, nor the City Council act upon, any application for a building permit or application for a Special Permit or other zoning approval relating to the construction of a garage or accessory building in a side yard.

NOW, THEREFORE, be it ordained by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois, as follows:

Section 1: Recitals. The City Council hereby finds the recitals contained in the preambles are true and correct and incorporate them into this Ordinance by this reference.

Section 2: Moratorium Imposed. Beginning on the effective date of this Ordinance, there is hereby established a ninety (90) day moratorium on action on all applications for a building permit or applications for a Special Permit or other zoning approval relating to the construction of garages or accessory buildings in a side yard which would be subject to Sections 17.40.010(E) or (F) of the Streator Municipal Code.

Section 3: Work Plan During Moratorium. During the ninety (90) day moratorium, the City Council hereby requests and directs that the City Manager, City Engineer, Planning Commission and the Board of Zoning Appeals undertake a review of appropriate zoning and construction regulations concerning the construction of garages or accessory buildings in a side yard and City staff is hereby directed to prepare draft amendments to the City's Zoning Title and any building or construction regulations and work to conduct any necessary public hearings as part of the amendment process.

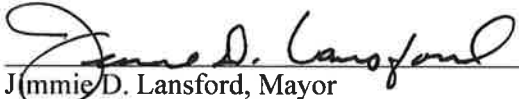
Section 4: No Construction During Moratorium. During the existence of this moratorium, or any extension thereof, it shall be unlawful for any person, firm, corporation or other entity to construct any garage or accessory building in a side yard which would be subject to Sections 17.40.010(E) or (F) of the Streator Municipal Code.

Section 5: Severability. Each section, paragraph, sentence, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than that part affected by such decision.

Section 6: Effective Date. This Ordinance shall be in full force and effect from and after its passage, publication and approval as required by law.

Passed by the Mayor and City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a special meeting thereof held on 13<sup>th</sup> day of **September, 2016** and approved by me as Mayor on the same day.

APPROVED:

  
\_\_\_\_\_  
Jimmie D. Lansford, Mayor

ATTEST:

  
\_\_\_\_\_  
Linda Underwood, City Clerk

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford	√			
Councilwoman Tara Bedei	√			
Councilman Ed Brozak	√			
Councilman Brian Crouch	√			
Councilman William Phelan	√			