

ORDINANCE NUMBER: 2540

**AN ORDINANCE OF THE CITY OF SOUTH BELOIT, ILLINOIS AMENDING
CHAPTER 42 – FLOODS, OF THE CITY OF SOUTH BELOIT CODE OF
ORDINANCES**

WHEREAS, the City of South Beloit, Illinois (“City”) has adopted a City Code of Ordinances (“Code”); and

WHEREAS, Chapter 42 of the Code governs Floods; and

WHEREAS, the City now desires to amend various provisions of Chapter 42 as set forth herein; and

WHEREAS, the City has determined it is in the best interest of the City and its citizens to enact such amendments.

NOW THEREFORE, be it ordained by the Mayor and City Council of the City of South Beloit, Illinois as follows:

1. The above recitals are incorporated herein and made a part hereof.
2. That Article II (entitled “Flood Hazard Area Regulations) of Chapter 42 of the City Code of Ordinances is hereby deleted in its entirety and retitled to read as follows:

“ARTICLE II. – RESERVED.”

3. That Section 42.107(f) of the Code of Ordinances is hereby amended to read as follows (additions shown as bolded and underlined and deletions as strikethroughs):

(f) Garages, sheds or other minor accessory structures constructed ancillary to an existing residential use may be permitted provided the following conditions are met:

- (1) The garage of shed must be nonhabitable;
- (2) The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use;
- (3) The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits;
- (4) The garage or shed must be on a single-family lot and be accessory to an existing principle structure on the same lot;
- (5) Below the base flood elevation, the garage or shed must be built of materials not susceptible to flood damage;
- (6) All utilities, plumbing, heating, air conditioning and electrical must be elevated above the flood protection elevation;

(7) The garage or shed must have at least one permanent opening on each wall not more than one foot above grade with one square inch of opening for every one square foot of floor area;

(8) The garage or shed must be less than \$15,000.00 in market value or replacement cost whichever is greater or less than 576 square feet (24 feet×24 feet);

(9) The structure shall be anchored to resist floatation and overturning;

(10) All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the flood protection elevation; and

(11) The lowest floor elevation should be documented and the owner advised of the flood insurance implications.

(12) Notwithstanding anything contained in this Article III to the contrary, single-family residential homes located within the floodplain shall be permitted to have privacy fences, provided that gates shall be installed to allow water to pass through. The sides of the fence on which gates must be placed shall be determined by the City. In the event of flooding, the gates shall be opened to allow water to flow and drain through the property. Such privacy fences are encouraged to be of a nature and design to allow water to readily flow through the fence so as to not alter flood flows or increase potential flood damages. Such fences, and the installation thereof, shall conform to any and all other applicable provisions of the City Code of Ordinances, including, but not limited to applying for and obtaining a fence permit.

4. If any provision of this Ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Ordinance is severable.
5. All other ordinances of the City shall remain in effect as previously enacted except that those ordinances, or parts thereof, in conflict are hereby repealed to the extent of such conflict.
6. This Ordinance shall be in full force and effect from after its passage, approval, and publication in pamphlet form as provided by law.

PASSED UPON MOTION BY Fitzgerald

SECONDED BY Hedrington

BY ROLL CALL VOTE THIS 20th DAY OF July, 2020

AS FOLLOWS:

VOTING "AYE": Adleman, Fitzgerald, Hedrington,

Morse, Rehl

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED July 20, 2020

ATTEST:

Mary L. Patrick
CLERK

[Signature]
MAYOR