
THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 2122-VC-__

**AN ORDINANCE AMENDING TITLE FOUR OF THE VILLAGE CODE
OF THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS,
TO REGULATE OUTDOOR STORAGE OF CERTAIN MATERIALS
AND ITEMS ON PUBLIC AND PRIVATE PROPERTY**

BARRETT F. PEDERSEN, Village President
APRIL ARELLANO, Village Clerk

IRENE AVITIA
GILBERT J. HAGERSTROM
JOHN JOHNSON
WILLIAM RUHL
KAREN SPECIAL
ANDY YBARRA
Trustees

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AND ITEMS ON PUBLIC AND PRIVATE PROPERTY**

WHEREAS, the Village of Franklin Park, Cook County, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Franklin Park (the “*Corporate Authorities*”) are charged with the responsibility of protecting the health, safety, and welfare of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is reasonable and necessary and have the authority to define, prevent, and abate nuisances within the corporate boundaries of the Village; and

WHEREAS, the Corporate Authorities are authorized to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases; and

WHEREAS, the Corporate Authorities have the power to promulgate regulations to prevent crime; and

WHEREAS, the Corporate Authorities find and declare that the storage of materials and items on streets, sidewalks, alleys, parkways, public rights-of-ways, and other outdoor public property in the Village is unsightly, potentially hazardous to pedestrian and vehicular traffic,

offensive to the senses, detrimental to public health and therefore a public nuisance; and

WHEREAS, the Corporate Authorities find that the outdoor storage of dumpsters and containers increases the risk of the scattering of the contents of said containers by wind and weather and declare that the scattering of such contents is unsightly, potentially hazardous to pedestrian and vehicular traffic, offensive to the senses, detrimental to public health and therefore a public nuisance; and

WHEREAS, the Corporate Authorities find that the outdoor storage of pallets and stacked wood exposes these items to the elements for an extended period of time and increases the risk of mold and other health hazards, which are offensive to the senses, detrimental to public health and therefore a public nuisance; and

WHEREAS, the Corporate Authorities find that the outdoor storage of boats, inoperative motor vehicles, and unlicensed motor vehicles reduces the availability of adequate and accessible parking spaces in the Village and increases the risk of violations of the Village's off-street parking requirements; and

WHEREAS, the Corporate Authorities find that the unregulated outdoor storage of materials and items on properties without fences or secure areas with locking mechanisms increases the risk of theft or damage to such materials and items by providing unrestricted access to the materials and items and is therefore a public nuisance; and

WHEREAS, the Corporate Authorities find that the outdoor storage of boats, inoperative or unlicensed motor vehicles, pallets, stacked wood, and refuse containers attracts vermin and other animals and increases the risk of habitation of these animals in such items and declare that the existence of such animals is unsightly, offensive to the senses, detrimental to public health and

therefore a public nuisance; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the Village Code of Franklin Park when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is in the best interest of the health, safety, and welfare of the residents of the Village to regulate or prohibit the outdoor storage of certain materials and items on properties in the Village; and

WHEREAS, the Corporate Authorities have carefully considered the provisions of the proposed regulations and restrictions and the impact such recommendations would have on individual properties and the community as a whole and have determined that the benefits provided by these changes will outweigh any potential adverse impacts and therefore will be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Corporate Authorities find and determine that it is necessary and desirable to amend the Village Code of Franklin Park for the purpose set forth herein and that the adoption of this Ordinance is in the best interest of the health, safety, and welfare of the residents of the Village.

Section 3. Title 4 (“*Public Health and Welfare*”) of the Village Code of Franklin Park is hereby amended by adding the following underlined language to read, as follows:

Chapter 10. – OUTDOOR STORAGE

4-10-1. – Nuisance declared.

It is hereby declared a nuisance and it shall be unlawful to store any material or item outdoors on any property in the village in violation of the regulations or prohibitions herein provided.

4-10-2. – Exemptions from provisions.

The regulations and prohibitions contained in this chapter shall not apply to the storage of materials or items by a unit of local, state, or federal government.

4-10-3. – Outdoor storage on public property.

The storage of any of the following materials or items on any street, sidewalk, alley, parkway, public right-of-way, or other outdoor public property in the village is expressly prohibited:

- (1) boats;
- (2) lumber, timber, or wood of any type including, but not limited to, pallets, wooden boxes, wooden barrels, veneers, plywoods, flexwoods, stacked wood, or firewood;
- (3) construction related materials;
- (4) cinder blocks;
- (5) refuse containers;
- (6) merchandise or other products; or
- (7) any other materials or items.

4-10-4. – Outdoor storage on private property.

The storage of any of the following materials or items outdoors on any private property in the village is expressly prohibited:

- (1) inoperative motor vehicles, unless such motor vehicles are temporarily stored at a licensed and properly zoned automobile repair shop for immediate service or repair or public storage facility;
- (2) unlicensed motor vehicles;
- (3) motor vehicles with expired license plates;
- (4) motor vehicles that are not licensed or registered to the owner or occupant of the property upon which they are stored, unless such motor vehicles are temporarily stored at a licensed and properly zoned automobile repair shop for immediate service or repair or public storage facility;
- (5) lumber, timber, or wood of any type including, but not limited to, pallets, wooden boxes, wooden barrels, veneers, plywoods, flexwoods, stacked wood, or firewood, unless such item is stored at a licensed and properly zoned lumberyard or pallet manufacture located on the property or the firewood is stored in a neat and orderly fashion on a raised platform at least six (6) inches off the ground, is covered in such manner as to keep the firewood dry, and is solely for personal use and not for commercial use;
- (6) construction related materials, unless such materials are directly associated with a valid and active building permit or a licensed and properly zoned contractors' yard;
- (7) landscape material, landscape debris, landscape waste, or other greenery including, but not limited to, grass clippings, leaves, branches, brush, or loose soil;
- (8) tires on commercial or industrial properties unless the tires are stored in racking in accordance with NFPA standards;
- (9) merchandise or other products not temporarily displayed and directly associated with the licensed business located on the property or that do not have a valid permit from the village to allow such outdoor storage; or
- (10) any other materials or items unless such materials or items are properly zoned and authorized under the village's zoning code.

4-10-5. – Penalty; conflicts.

(a) Any person, firm, corporation, or other entity who violates any provision of this chapter shall be guilty of a petty offense and shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be

punishable as such hereunder.

(b) Any material or item identified in section 4-10-3 or section 4-10-4 of this chapter stored on any property in the village in violation of the provisions of this chapter shall be removed immediately from the exterior of the property.

(c) Nothing in this chapter shall be deemed to limit the village in any way to use any or all means available to remove the nuisance, or summarily eliminate immediate hazards to the public health, safety, or welfare as granted in any ordinances of the village or the laws or Constitution of the State of Illinois.

(d) Whenever a person, firm, corporation, or other entity violates any of the provisions of this chapter, the village may cause appropriate legal actions and proceedings, in law or in equity, to be instituted and maintained to enforce compliance herewith.

(e) Every act or omission of whatsoever nature, constituting a violation of any of the provisions of this chapter by a property owner or any officer, director, manager, agent, employee, tenant, contractor, or subcontractor thereof shall be deemed and held to be the act of such property owner, and such property owner shall be punishable in the same manner as if such act or omission had been done or omitted by the property owner personally.

(f) The restrictions and regulations contained in this chapter shall be interpreted as minimum standards and shall be in addition to any other applicable village ordinances and requirements that apply to outdoor storage on property in the village. If any restriction or regulation in this chapter is found to be in conflict with any other restriction or regulation in this code, the most restrictive or highest standard shall prevail.

Section 4. The regulations or prohibitions set forth in Section 3 shall not take effect until June 1, 2022.

Section 5. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 6. If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion, order, or parts thereof, the most restrictive or highest standard shall prevail.

Section 7. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

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DRAFT

ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this ____ day of _____ 2022, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this ____ day of _____ 2022.

 BARRETT F. PEDERSEN
 VILLAGE PRESIDENT

ATTEST:

 APRIL ARELLANO
 VILLAGE CLERK

THE VILLAGE OF FRANKLIN PARK
COOK COUNTY, ILLINOIS

ORDINANCE

NUMBER 2122-VC-__

**AN ORDINANCE AMENDING TITLE FOUR OF THE VILLAGE CODE OF
THE VILLAGE OF FRANKLIN PARK, COOK COUNTY, ILLINOIS TO
REGULATE DUMPSTERS AND PORTABLE STORAGE UNITS**

BARRETT F. PEDERSEN, Village President
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WHEREAS, the Village of Franklin Park, Cook County, Illinois (the “*Village*”) is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Franklin Park (the “*Corporate Authorities*”) are charged with the responsibility of protecting the health, safety, and welfare of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is reasonable and necessary and have the authority to define, prevent and abate nuisances within the corporate boundaries of the Village; and

WHEREAS, the Corporate Authorities are authorized to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases; and

WHEREAS, the Corporate Authorities have the power to prevent fire hazards and to promulgate regulations to prevent crime; and

WHEREAS, the Corporate Authorities find that failure to properly maintain dumpsters leads to the scattering of the contents of said dumpsters by wind and weather and declare that the scattering of such items is unsightly, potentially hazardous to pedestrian and vehicular traffic, offensive to the senses, detrimental to public health and therefore a public nuisance; and

WHEREAS, the Corporate Authorities find that dumpsters exposed to the elements for an extended period of time increases the risk of mosquitos, mold, and other health hazards and declare that the existence of such items are unsightly, offensive to the senses, detrimental to public health and therefore a public nuisance; and

WHEREAS, the Corporate Authorities find that individuals often store flammable, combustibile, hazardous or toxic items in portable storage units which increases the risk of fire and other hazards detrimental to the public health, safety, and welfare; and

WHEREAS, the Corporate Authorities find that the long-term use of portable storage units is unsightly, increases the risk of theft of the contents of said containers and is therefore a public nuisance; and

WHEREAS, the Corporate Authorities find that dumpsters and portable storage units are not anchored to the ground and may unintentionally move, creating a risk of injury to persons and damage to property; and

WHEREAS, the Corporate Authorities find that failure to properly place dumpsters and portable storage units obstructs access to properties for public safety purposes and reduces the availability of adequate and accessible parking spaces in the Village; and

WHEREAS, the Corporate Authorities find that dumpsters and portable storage units reduce water permeability on properties in the Village, which increases the risk of flooding and standing water that in turn leads to mosquitos, mold, and other health hazards; and

WHEREAS, the Corporate Authorities find that failure to properly maintain and the long-term use of dumpsters and portable storage units attracts vermin and other animals and declare that the existence of such animals is unsightly, offensive to the senses, detrimental to public health and

therefore a public nuisance; and

WHEREAS, the Corporate Authorities may from time to time amend the text of the Village Code of Franklin Park when it is determined to be in the best interests of the residents of the Village; and

WHEREAS, the Corporate Authorities find that it is in the best interest of the health, safety, and welfare of the residents of the Village to establish regulations and restrictions for the use and placement of dumpsters and portable storage units; and

WHEREAS, the Corporate Authorities have carefully considered the provisions of the proposed regulations and restrictions and the impact such recommendations would have on individual properties and the community as a whole and have determined that the benefits provided by these changes will outweigh any potential adverse impacts and therefore will be in the best interest of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Corporate Authorities find and determine that it is necessary and desirable to amend the Village Code of Franklin Park for the purpose set forth herein and that the adoption of this Ordinance is in the best interest of the health, safety, and welfare of the residents of the Village.

Section 3. Chapter 6 (“*Lodging*”) of Title 4 (“*Public Health and Welfare*”) of the Village Code of Franklin Park is hereby amended by deleting Article D (“*Portable Storage Units*”) in its entirety.

Section 4. Title 4 (“*Public Health and Welfare*”) of the Village Code of Franklin Park is hereby amended by adding the following underlined language to read, as follows:

Chapter 9. – DUMPSTERS AND PORTABLE STORAGE UNITS

4-9-1. – Definitions.

(a) The language set forth in the text of this chapter shall be interpreted in accordance with the following rules of construction:

- (1) The singular number includes the plural number and the plural the singular.
- (2) The word “shall” is mandatory; the word “may” is permissive.
- (3) The masculine gender includes the feminine and neuter.
- (4) Words used in the present tense include the future.
- (5) Words or phrases not defined shall be given their common and ordinary meaning unless the context clearly indicates or requires a different meaning.

(b) Whenever in this chapter the following words and phrases are used, they shall, for the purposes of this chapter, have the meanings respectively ascribed to them in this section, except when the context otherwise indicates.

Dumpster: Any movable container designed to receive, transport, and dump waste. The term “dumpster” includes dump trailers and roll-off dumpsters. The term “dumpster” does not include garbage receptacles used for normal waste collection services and provided by a licensed private scavenger on regularly scheduled weekly intervals.

Portable storage unit: A movable, fully enclosed, box-like container without any foundation, footings, wheels, or axles; with or without signage on its outer surfaces; which may be affixed to a trailer and is designed and used for outdoor storage of items, materials, or personal property. Such containers are uniquely designed for ease of loading to and from a transport vehicle and are delivered and removed by such a vehicle. The term “portable storage unit” includes shipping containers not affixed to a transport vehicle. The term “portable storage unit” does not include

construction trailers associated with a valid and active building permit.

Site: A tract or plot of real estate occupied or that may be occupied.

User: The owner or occupant of real estate with a dumpster or a portable storage unit on a site located in the village.

4-9-2. – Nuisance declared.

It is hereby declared a nuisance and it shall be unlawful to place, maintain, store, or use any dumpster or portable storage unit on any property in the village in any manner not authorized by this chapter or in violation of any more restrictive regulation contained in another chapter of this code.

4-9-3. – Exemptions from provisions.

The restrictions and regulations contained in this chapter shall not apply to any dumpster or portable storage unit that is located on property owned or used by a unit of local, state, or federal government or a railroad.

4-9-4. – Dumpster restrictions.

(a) Residential sites. Only one (1) dumpster may be placed, maintained, stored, or used on a residential site at any time and shall not exceed twenty (20) yards in capacity. A dumpster may be placed, maintained, stored, or used only upon a residential driveway, public roadway directly adjacent to the residential site, or other parking area constructed of a concrete or asphalt surface, provided that the placement, maintenance, storage, or use of the dumpster does not impede the flow of vehicular or pedestrian traffic, or interfere with the normal operation of the permanent use on the site, and the proposed location is approved by the building official or such designee. A dumpster shall not be placed, maintained, stored, or used on a residential site or a public roadway directly adjacent to the residential site for more than five (5) consecutive days. A site permit shall be obtained from the village for each additional five (5) consecutive day period of use.

(b) Commercial or industrial sites. No more than two (2) dumpsters may be placed, maintained, stored, or used on a commercial or industrial site at any time and shall not exceed thirty (30) yards in capacity. Dumpsters may be placed, maintained, stored, or used only upon a parking lot constructed of a concrete or asphalt surface or upon a public roadway directly adjacent to the commercial or industrial site, provided that the placement, maintenance, storage, or use of the dumpsters do not impede the flow of vehicular or pedestrian traffic, or interfere with the normal operation of the permanent use on the site, and the proposed locations are approved by the building official or such designee. A dumpster shall not be placed, maintained, stored, or used on a commercial or industrial site or a public roadway directly adjacent to the commercial or industrial site for more than five (5) consecutive days. A site permit shall be obtained from the village for

each additional such five (5) consecutive day period of use.

(c) *General location restrictions.* Dumpsters, or any portion thereof, shall not be placed, maintained, stored, or used on or within any non-paved surfaces, unimproved yards, alleys, parkways, other publicly-owned rights-of-way, sidewalks, easements for ingress and egress, access lanes or aisles, fire access lanes, public utility easements, locations that obstruct traffic visibility, locations that interfere with public safety access, or other locations not specifically identified as acceptable within the provisions of this chapter. A dumpster shall not be placed, maintained, stored, or used less than twenty-five (25) feet from any intersection. A dumpster shall not be placed, maintained, stored, or used in a manner that will or may interfere with village operations including, but not limited to, snow removal, street cleaning, or capital improvements or in such a manner as to create a risk of injury to persons or damage to property.

(d) *Exemptions.* Dumpsters required with a valid and active building permit located on privately owned sites are exempt from the time restriction regulations set forth in this section unless work associated with the permit has been completed or ceased for a period of fourteen (14) days.

4-9-5. – Dumpster regulations.

(a) Boards shall be placed under a dumpster to protect the surface such dumpster is located on. The dumpster user and permit holder shall be jointly and severally liable for any damage to the public right-of-way. In the event of damage to the public right-of-way, the utilities commissioner, or such designee, shall estimate, or cause an estimate to be made of, the cost to repair the damage, and the user and permit holder will be notified of the cost of repair. The dumpster user and permit holder shall be jointly and severally liable for the cost to repair the damage. Failure of the user or permit holder to pay the cost to repair the damage within thirty (30) days of receipt of the estimate of the cost of repair shall be punishable by a fine in the amount as determined by section 4-9-9.

(b) Dumpsters must contain all garbage, rubbish, and other materials in such a manner so that said items do not become windblown or overflow. Dumpsters must be securely covered when not in immediate use.

(c) Dumpsters shall be painted and in good condition and appearance, with no structural damage, holes in the receptacle that would allow leaks, visible rust, visible weathering, discoloration, or other forms of visible deterioration; capable of being moved intact; free of vermin or other pests; and free of graffiti, advertising, or signage other than the name, address, and telephone number of the person or entity engaged in the business of renting or otherwise placing the dumpster, and the signage must be permanently adhered to, or painted on, the dumpster.

(d) Safety reflective barricades shall be placed by the dumpster user or permit holder around any dumpsters placed, maintained, stored, or used on the public roadway in the manner and in the locations approved by the building official or such designee.

4-9-6. – Portable storage unit restrictions.

(a) *Residential sites.* Only one (1) portable storage unit may be placed, maintained, stored, or used on a residential site at any time and shall not exceed ten (10) feet in height and one hundred thirty (130) square feet in size. A portable storage unit may be placed, maintained, stored, or used only upon a residential driveway, public roadway directly adjacent to the residential site, or other parking area constructed of a concrete or asphalt surface, provided that the placement, maintenance, storage, or use of the portable storage unit does not impede the flow of vehicular or pedestrian traffic, or interfere with the normal operation of the permanent use on the site, and the proposed location is approved by the building official or such designee. A portable storage unit shall not be placed, maintained, stored, or used on a residential site or a public roadway directly adjacent to the residential site for more than five (5) consecutive days. No person, firm, corporation, or other entity shall place, maintain, store, or use a portable storage unit upon a residential site or a public roadway directly adjacent to the residential site for more than four (4) such five (5) consecutive day periods per calendar year.

(b) *Commercial or industrial sites.* Only one (1) portable storage unit may be located on a commercial or industrial site at any time and shall not exceed ten (10) feet in height and two hundred (200) square feet in size. A portable storage unit may be placed, maintained, stored, or used only upon a parking lot constructed of a concrete or asphalt surface or upon a public roadway directly adjacent to the commercial or industrial site, provided that the placement, maintenance, storage, or use of such portable storage unit does not impede the flow of vehicular or pedestrian traffic, or interfere with the normal operation of the permanent use on the site, and the proposed location is approved by the building official or such designee. A portable storage unit shall not be placed, maintained, stored, or used on a commercial or industrial site or a public roadway directly adjacent to the commercial or industrial site for more than five (5) consecutive days. No person, firm, corporation, or other entity shall place, maintain, store, or use a portable storage unit upon a commercial or industrial site or a public roadway directly adjacent to the commercial or industrial site for more than four (4) such five (5) consecutive day periods per calendar year.

(c) *General location restrictions.* A portable storage unit, or any portion thereof, shall not be placed, maintained, stored, or used on or within any non-paved surface, unimproved yard, alley, parkway, other publicly-owned right-of-way, sidewalk, easement for ingress and egress, access lane or aisle, fire access lane, public utility easement, location that obstructs traffic visibility, location that interferes with public safety access, or other location not specifically identified as acceptable within the provisions of this chapter. A portable storage unit shall not be placed, maintained, stored, or used less than twenty-five (25) feet from any intersection. A portable storage unit shall not be placed, maintained, stored, or used in a manner that will or may interfere with village operations including, but not limited to, snow removal, street cleaning, or capital improvements or in such a manner as to create a risk of injury to persons or damage to property.

4-9-7. – Portable storage unit regulations.

(a) Portable storage units shall be utilized only for the storage, loading, and unloading of items, materials, or personal property. A portable storage unit shall not be utilized for the purpose of conducting business, selling merchandise or property, dwelling, living, habitation, camping, cooking, or recreation. A portable storage unit shall not be supplied with or connected to water, sewer, gas, or electric service. It is the intent of this chapter to limit, except as provided herein, the placement and use of any portable storage unit as an accessory building or storage building on any site in the village.

(b) Boards shall be placed under a portable storage unit to protect the surface such container is located on. The portable storage unit user and permit holder shall be jointly and severally liable for any damage to the public right-of-way. In the event of damage to the public right-of-way, the utilities commissioner, or such designee, shall estimate, or cause an estimate to be made of, the cost to repair the damage, and the user and permit holder will be notified of the cost of repair. The portable storage unit user and permit holder shall be jointly and severally liable for the cost to repair the damage. Failure of the user or permit holder to pay the cost to repair the damage within thirty (30) days of receipt of the estimate of the cost of repair shall be punishable by a fine in the amount as determined by section 4-9-9.

(c) The stacking or placement of any item on top of or around any portable storage unit shall be strictly prohibited.

(d) A portable storage unit shall be painted and in good condition and appearance, with no structural damage, holes in the container that would allow leaks, visible rust, visible weathering, discoloration, or other forms of visible deterioration; capable of being moved intact; free of vermin or other pests; and free of graffiti, advertising, or signage other than the name, address, and telephone number of the person or entity engaged in the business of renting or otherwise placing the portable storage unit, and the signage must be permanently adhered to, or painted on, the portable storage unit. The exterior of the portable storage unit shall be constructed of weatherproof material.

(e) A portable storage unit shall not be used to store solid waste, construction debris, demolition debris, recyclable materials, illegal materials, or personal or business property of a toxic, flammable, combustible, hazardous, or offensive nature. Upon reasonable notice to the user and upon reasonable cause to believe the portable storage unit is being used in violation of the provisions of this chapter, the village may inspect the contents of any portable storage unit at any reasonable time.

(f) A portable storage unit shall be kept locked and secured against unauthorized entry when not being loaded or unloaded.

(g) Safety reflective barricades shall be placed by the portable storage unit user or

permit holder around any portable storage unit placed, maintained, stored, or used on the public roadway in the manner and in the locations approved by the building official or such designee.

4-9-8. – Site permit required.

It shall be unlawful for any person, firm, corporation, or other entity to use, have, or cause a dumpster or a portable storage unit to be delivered to any site within the village without having first applied for and obtained a site permit from the village therefor in accordance with the requirements of this section. A new site permit shall be obtained from the village for each period of use.

(1) The site permit application shall contain the name, address, phone number, and emergency contact person of the entity providing the dumpster or portable storage unit; the name and address of the applicant to whom the dumpster or portable storage unit is supplied; whether the person owns, rents, occupies, or controls the property; the address at which the dumpster or portable storage unit will be placed; the delivery date; the removal date; the active building permit number, if applicable; a sketch depicting the proposed location and the placement of the dumpster or the portable storage unit; and any other information required by the building official.

(2) No site permit shall be issued for any multi-family location or townhouse or condominium site unless the property owner or association board of directors' consents in writing to the placement of the dumpster or the portable storage unit on the site.

(3) A site permit fee of twenty-five dollars (\$25.00) shall be submitted with the completed application, which permit fee covers the period the dumpster or portable storage unit is authorized to be on site. An additional fee of five dollars (\$5.00) per day shall be submitted with the completed application for any dumpster or portable storage unit placed, maintained, stored, or used on the public roadway.

(4) The village is authorized to adopt, promulgate, and enforce any additional rules and regulations pertaining to the interpretation, administration, and enforcement of this chapter.

4-9-9. – Penalty; conflicts.

(a) Any person, firm, corporation, or other entity who violates any provision of this chapter shall be guilty of a petty offense and shall be subject to a fine of not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00) for each offense. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

(b) Any dumpster or portable storage unit in violation of the requirements of this chapter shall be removed immediately from the site said container is located on at the user's expense.

(c) Nothing in this chapter shall be deemed to limit the village in any way to use any or all means available to remove the nuisance, or summarily eliminate immediate hazards to the public health, safety or welfare as granted in any ordinances of the village or the laws or Constitution of the State of Illinois.

(d) Whenever a person, firm, corporation, or other entity violates any of the provisions of this chapter, the village may cause appropriate legal actions and proceedings, in law or in equity, to be instituted and maintained to enforce compliance herewith.

(e) Every act or omission of whatsoever nature, constituting a violation of any of the provisions of this chapter by a property owner or any officer, director, manager, agent, employee, patron, tenant, contractor, or subcontractor thereof shall be deemed and held to be the act of such property owner, and such property owner shall be punishable in the same manner as if such act or omission had been done or omitted by the property owner personally.

(f) The restrictions and regulations contained in this chapter shall be interpreted as minimum standards and shall be in addition to any other applicable village ordinances and requirements that apply to dumpsters or portable storage units or the sites on which they are located. If any restriction or regulation in this chapter is found to be in conflict with any other restriction or regulation in this code, the most restrictive or highest standard shall prevail.

Section 5. The regulations and restrictions set forth in Section 3 and Section 4 shall not take effect until November 1, 2022 for portable storage units that are licensed on property in the Village on the date of passage of this Ordinance.

Section 6. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 7. If any part of this Ordinance is found to be in conflict with any other ordinance, resolution, motion or order or parts thereof, the most restrictive or highest standard shall prevail.

Section 8. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED by the President and Board of Trustees of the Village of Franklin Park, Cook County, Illinois this ____ day of _____ 2022, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
AVITIA					
HAGERSTROM					
JOHNSON					
RUHL					
SPECIAL					
YBARRA					
PRESIDENT PEDERSEN					
TOTAL					

APPROVED by the President of the Village of Franklin Park, Cook County, Illinois on this ____ day of _____ 2022.

 BARRETT F. PEDERSEN
 VILLAGE PRESIDENT

ATTEST:

 APRIL ARELLANO
 VILLAGE CLERK