

AN ORDINANCE REGULATING HOURS OF PERFORMANCE WITH
RESPECT TO CERTAIN CONSTRUCTION AND DEVELOPMENT
ACTIVITIES WITHIN THE VILLAGE OF HOMER GLEN

WHEREAS, certain construction and development activities such as clearing and grubbing; excavation; the loading and unloading of construction materials, equipment and supplies; and the construction, repair and demolition of buildings create traffic, noise and other related impacts within the Village and upon residents of the Village; and

WHEREAS, it is in the best interest of the Village to regulate the hours for performance of certain construction and development activities in order to protect the health, safety and welfare of residents of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF HOMER GLEN, WILL COUNTY, ILLINOIS, THAT:

Section 1: Recitals- The foregoing recitals are hereby incorporated into this Ordinance as if fully set forth herein.

Section 2: Construction and Development Activities Subject to Regulation – Except as otherwise provided herein, this Ordinance shall apply to all construction and development activities including clearing and grubbing of land, excavation and earthmoving, construction, repair, maintenance and demolition of any building or other structure, including but not limited to public improvements, or the loading or unloading of construction materials, equipment and supplies.

Section 3: Hours Regulation – Construction and development activities shall be permitted only during the following hours:

Work Days	7:00 a.m. to 7:00 p.m.
Saturdays	7:00 a.m. to 7:00 p.m.
Legal Holidays	8:30 a.m. to 5:00 p.m.

Section 4: Exceptions – The regulations set forth in Section 3 shall not apply to the following:

- a. Activities confined within a wholly enclosed building or structure;
- b. Activities conducted pursuant to and within the terms of a permit issued by the Village Manager where he finds that the public health and safety will be enhanced by the work or will be harmed by failure to perform the work at the times indicated therein;
- c. Activities necessary to prevent injury to persons or property;
- d. Activities conducted by or for any government unit or agency;
- e. Activities conducted in conjunction with the operation of an agricultural business in accordance with current agricultural practices;
- f. Activities conducted on residential or agricultural property by the owner of the property; or
- g. Activities conducted on a project owned or sponsored by a governmental agency.

Section 5: Penalty – Any person who violates, disobeys, omits, neglects or refuses to comply with any of the provisions of this Ordinance shall be subject to fine in accordance with the general penalty provisions of the Village Ordinance. Nothing in this Ordinance shall be construed as limiting any additional or further remedies that the Village may have for enforcement of this Ordinance, including but not limited to the right to injunctive relief.

Section 6: Severability - The various portions of this Ordinance are hereby expressly declared to be severable, and the invalidity of any such portion of this Ordinance shall not affect the validity of any other portions of this Ordinance, which shall be enforced to the fullest extent possible.

Section 7: Repealer - All ordinances or portions of ordinances previously passed or adopted by the Village of Homer Glen that conflict with or are inconsistent with the provisions of this Ordinance are hereby repealed.

Section 8: Effective Date - This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 15th day of November, 2005 with 6 members voting aye, 0 members voting nay, the President not voting and with 0 members abstaining or passing and said vote being:

Mary Niemiec	<u> Aye </u>	Dale Vogelsanger	<u> Aye </u>
Margaret Sabo	<u> Aye </u>	Brian Andrews	<u> Aye </u>
Marcia DeVivo	<u> Aye </u>	Christopher Locacius	<u> Aye </u>

Approved this 15th day of November, 2005

Russ Petrizzo, Village President

Attest: _____
Gale Skrobuton, Village Clerk

