

projects and other construction activities in order to control and minimize increases in storm water runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with storm water runoff is in the public interest and will prevent threats to public health and safety.

2. *Purpose.* The purpose of this Section is to establish minimum storm water management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing in watersheds within this jurisdiction. This Section seeks to meet that purpose through the following objectives:

A. Minimize increases in storm water runoff from any development in order to reduce flooding, siltation, increases in stream temperature, and streambank erosion and maintain the integrity of stream channels.

B. Minimize pollution caused by storm water runoff from development that would otherwise degrade local water quality.

C. Minimize the total annual volume of surface water runoff that flows from any specific site during and following development to not exceed the pre-development hydrologic regime to the maximum extent practicable.

D. Reduce storm water runoff rates and volumes, soil erosion and pollution, wherever possible, through storm water management controls and to ensure that these management controls are properly maintained and pose no threat to public safety.

3. *Applicability.* This Section shall apply to all sites, as defined herein provided that the following may be exempted by the City:

A. Additions or modifications to existing single family structures.

B. Repairs to any storm water treatment practice deemed necessary by the City.

Decisions on permitting shall be made by the Building Commissioner and on-site storm water requirements shall be made by the City Engineer. This determination shall be dependent upon the amount of impervious area created by the redevelopment and its impact on water quality. Final authorization of all redevelopment projects will be determined after a review by the City.

4. *Compatibility with Other Permit and Section Requirements.* This Section is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this Section should be considered minimum requirements, and where any provision of this Section imposes restrictions different from those imposed by any other Section, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

(b) **Definitions.**

"*Applicant*" means a property owner or agent of a property owner who has filed an application for a storm water management permit.

"*Channel*" means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

"*Detention*" means the temporary storage of storm runoff in a storm water management practice with the goals of controlling peak discharge rates and providing gravity settling of pollutants.

"*Detention facility*" means a detention basin or alternative structure designed for the purpose of temporary storage of stream flow or surface runoff and gradual release of stored water at controlled rates.

"*Illinois Urban Manual*" means the *Illinois Urban Manual* developed by the USDA Natural Resources Conservation Service and the Illinois Environmental Protection Agency, current edition.

"*Infiltration*" means the process of percolating storm water into the subsoil.

"*Land disturbance activity*" means any activity that changes the volume or peak flow discharge rate of rainfall runoff from the land surface. This may include the grading, digging, cutting, scraping, or excavating of soil, placement of fill materials, paving, construction, substantial removal of vegetation, or any activity which bares soil or rock or involves the diversion or piping of any natural or man-made watercourse.

"*MWRDGC*" means the Metropolitan Water Reclamation District of Greater Chicago.

"*Off-site facility*" means a storm water management measure located outside the subject property boundary described in the permit application for land development activity.

"*On-site facility*" means a storm water management measure located within the subject property boundary described in the permit application for land development activity.

"*Redevelopment*" means any construction, alteration or improvement exceeding 1.0 acre in areas where existing land use is high density commercial, industrial, institutional or multi-family residential.

"*Site*" means a parcel of land or a combination of contiguous parcels containing not less than 1.0 acre where any land disturbance activity occurs as part of a common plan of development.

"*Storm water management*" means the use of structural or non-structural practices that are designed to reduce storm water runoff pollutant loads, discharge volumes, peak flow discharge rates and detrimental changes in stream temperature that affect water quality and habitat.

"*Storm water runoff*" means flow on the surface of the ground, resulting from precipitation.

"*Watercourse*" means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

(c) **Permit Procedures and Requirements.**

1. *Permit Required.* No person shall conduct or permit any land disturbance activity on any site without a storm water management permit issued by the City.

2. *Application Requirements.* A permit application shall bear the name and address of the owner or developer of the site, and of any consulting firm retained by the applicant and shall be accompanied by a filing fee and a storm water management concept plan and a maintenance agreement. The filing fee shall be \$250 per acre, or part thereof, of the site, plus any review fees incurred by the City to independent contractors.

(d) **Waivers to Storm water Management Requirements.**

1. *Waiver Eligibility Criteria.* Every applicant shall provide for storm water management as required by this Section, unless this requirement is waived by the City. The minimum requirements for storm water management may be waived in whole or in part upon request of the applicant, provided that at least one of the following conditions applies:

A. It can be demonstrated that the proposed development is not likely to impair attainment of the objectives of this Section.

B. Alternative minimum requirements for on-site management of storm water discharges have been established in a storm water management plan that has been approved by the City and the implementation of the plan is required by local Section.

C. Provisions are made to manage storm water by an off-site facility. The off-site facility is required to be in place, to be designed and adequately sized to provide a level of storm water control that is equal to or greater than that which would be afforded by on-site practices and there is a legally obligated entity responsible for long-term operation and maintenance of the storm water practice.

D. The City finds that meeting the minimum on-site management requirements is not feasible due to the natural or existing physical characteristics of a site.

E. Non-structural practices will be used on the sites that reduce: (i) the generation of storm water from the site, (ii) the size and cost of storm water storage and (iii) the pollutants generated at the site. These non-structural practices are explained in detail in the *Illinois Urban Manual*.

2. *Assurances Required for Waiver.* In instances where one of the conditions above applies, the City may grant a waiver from strict compliance with these storm water management provisions, as long as acceptable mitigation measures are provided. However, to be eligible for a variance, the applicant must demonstrate to the satisfaction of the City that the variance will not result in the following impacts to downstream waterway.

A. Deterioration of existing culverts, bridges, dams, and other structures.

B. Degradation of biological functions or habitat.

C. Accelerated streambank or streambed erosion or siltation.

D. Increased threat of flood damage to public health, life, and property.

(e) **General Performance Criteria for Storm water Management.** Unless judged by the City to be exempt or granted a waiver, the following performance criteria shall be addressed for storm water management at all sites:

1. All site designs shall, to the maximum extent possible, establish storm water management practices to control the peak flow rates of storm water discharge associated with specified design storms and reduce the generation of storm water runoff. These practices should seek to utilize pervious areas for storm water treatment and to infiltrate storm water runoff from driveways, sidewalks, rooftops, parking lots, and landscaped areas to the maximum extent practical.

2. To protect stream channels from degradation, a specific channel protection criterion shall be provided as prescribed in the *Illinois Urban Manual*.

3. Certain industrial sites are required to prepare and implement a storm water pollution prevention plan, and shall file a notice of intent (NOI) under the provisions of the National Pollutant Discharge Elimination System (NPDES) general permit. The storm water pollution prevention plan requirement applies to both existing and new industrial sites.

4. Prior to design, applicants are required to consult with the City to determine if they are subject to additional storm water design requirements.

5. The calculations for determining peak flows as required by the MWRDGC shall be used for sizing all storm water management practices where applicable.

(f) Basic Storm Water Management Design Criteria.

1. Detention basins shall incorporate design features to capture stormwater runoff pollutants. In particular, designers shall give preference to wet bottom and wetland designs in locations adjacent to or near existing wetlands or in other areas where they are suitable and acceptable to the City and all flows from the development shall be routed through the basin.

2. Dry basins with low flow bypasses may be preferred in certain developments to enhance multiple uses where suitable and acceptable to the City. Retention and infiltration of stormwater shall be promoted throughout the property's drainage system to reduce the volume of stormwater runoff and to reduce the quantity of runoff pollutants.

3. The drainage system should incorporate multiple uses where practicable. Uses considered compatible with stormwater management include open space, aesthetics, aquatic habitat, recreation, wetlands and water quality mitigation. The applicant should try to avoid using portions of the property exclusively for stormwater management.

(g) Post Construction Management.

1. The requirements of Section IV (D)(2)(b) of NPDES permit No.ILR10 including management practices, controls and other provisions at least as protective as the requirements contained in the Illinois Urban Manual.

2. The long term operation and maintenance of all BMP's shall be provided for.

24.34 EROSION AND SEDIMENT CONTROL

(a) **Scope.** These regulations apply to all developments which disturb areas of not less than 1.0 acre, either alone or as part of a larger common plan of development.

(b) Definitions.

"City" means the City of Hickory Hills.

"Clearing" means any activity that removes the vegetative surface cover.

"Drainage way" means any channel that conveys surface runoff.

"Erosion control" means a measure that prevents erosion.

"Erosion and sediment control plan" means a plan prepared by or under the direction of a licensed professional engineer indicating the specific measures and sequencing to be used to control sediment and erosion during and after construction.

"Grading" means excavation or fill of material, including the resulting conditions thereof, whether or not materials are brought onto or taken off of site.

"IEPA" means Illinois Environmental Protection Agency.

"Illinois Urban Manual" means the *Illinois Urban Manual* developed by the USDA Natural Resources Conservation Service and the Illinois Environmental Protection Agency, current edition.

"Perimeter control" means a barrier that prevents sediment from leaving a site by filtering sediment-laden runoff or diverting it to a sediment trap or basin.

"Phasing" means clearing an area in distinct phases, with the stabilization of each phase completed before the clearing of the next.

"Sediment control" means measures that prevent eroded sediment from leaving a site.

"Site" means a parcel of land or a combination of contiguous parcels containing not less than 1.0 acre where grading work is performed as part of a common plan of development.

"Site development permit" means a permit issued by the City for the construction or alteration of ground improvements and structures for the control of erosion, runoff, and grading.

"Stabilization" means the use of practices that prevent exposed soil from eroding.

"Start of construction" means the first land-disturbing activity associated with a development, including land preparation such as clearing, grading, and filling; installation of streets and walkways; excavation for basements, footings, piers, or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

"Watercourse" means any body of water, including, but not limited to lakes, ponds, rivers, streams, and bodies of water delineated by the Illinois Department of Natural Resources Office of Water Resources (IDNR/OWR), the United States Geologic Survey (USGS), the United States Army Corps of Engineers or the City.

"Waterway" means a channel that directs surface runoff to a watercourse or to the public storm drain.

(c) **Site Development Permit Required.**

1. No person shall clear, grade or disturb any site without a site development permit issued by the City or without an NPDES permit issued by the IEPA.
2. No site development permit is required for the following activities:
 - A. Any emergency activity that is immediately necessary for the protection of life, property, or natural resources
 - B. Existing nursery and agricultural operations conducted as a permitted or accessory use.
3. Each application shall bear the name and address of the owner or developer of the site, and of any consulting firm retained by the applicant together with the name of the applicant's principal contact at such firm and shall be accompanied by a filing fee, erosion and sediment control plan, and such other information as required by the City. The filing fee shall be \$250 per acre, or part thereof, of the site, plus any review fees incurred by the City to independent contractors.
4. The applicant may be required to file with the City a faithful performance bond, letter of credit, or other improvement security in an amount deemed sufficient by the City to cover all costs of improvements, landscaping, maintenance of improvements for such period as specified by the City, and engineering and inspection costs to cover the cost of failure or repair of improvements installed on the site.

(d) **Erosion and Sediment Control Plan.**

1. The erosion and sediment control plan shall include the following:

A. A sequence of construction of the site, including stripping and clearing; rough grading; construction of utilities, infrastructure, and buildings; and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary erosion and sediment control measures, and establishment of permanent vegetation.

B. All erosion and sediment control measures necessary to meet the objectives throughout all phases of construction and after completion of development of the site. Depending upon the complexity of the project, the drafting of intermediate plans may be required at the close of each season.

C. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures.

D. Provisions for maintenance of control facilities, including easements and estimates of the cost of maintenance.

2. Modifications to the plan may be authorized by the City by written authorization to the permittee, and shall include:

A. Major amendments of the erosion and sediment control plan submitted to the City.

B. Field modifications of a minor nature.

(e) **Design Requirements.**

1. Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of the *Illinois Urban Manual*, and shall be adequate to prevent transportation of sediment from the site to the satisfaction of the City. Cut and fill slopes shall be no greater than 2:1, except as approved by the City to meet other community or environmental objectives.

2. Clearing and grading of natural resources, such as forests and wetlands, shall not be permitted, except when in compliance with all other chapters of this Code. Clearing techniques that retain natural vegetation and drainage patterns, as described in the *Illinois Urban Manual*, shall be used to the satisfaction of the City.

3. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.

4. Phasing shall be required on all sites disturbing greater than 30 acres, with the size of each phase to be established at plan review and as approved by the City.

5. Erosion control requirements shall include the following:

A. Soil stabilization shall be completed within 14 days of clearing or inactivity in construction.

B. If seeding or another vegetative erosion control method is used, it shall become established within 14 days or the City may require the site to be reseeded or a nonvegetative option employed.

C. Special techniques that meet the design criteria outlined in the *Illinois Urban Manual* on steep slopes or in drainage ways shall be used to ensure stabilization.

D. Soil stockpiles must be stabilized or covered at the end of each workday.

E. The entire site must be stabilized, using a heavy mulch layer or another method that does not require germination to control erosion, at the close of the construction season.

F. Techniques shall be employed to prevent the blowing of dust or sediment from the site.

G. Techniques that divert upland runoff past disturbed slopes shall be employed.

6. Sediment control requirements shall include:

A. Settling basins, sediment traps, or tanks and perimeter controls.

B. Settling basins that are designed in a manner that allows adaptation to provide long-term stormwater management, if required by the City.

C. Protection for adjacent properties by the use of a vegetated buffer strip in combination with perimeter controls.

7. Construction site access requirements shall include:

A. A temporary access road provided at all sites.

B. Other measures required by the City in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains.

(f) **Inspection.**

1. The Building Commissioner shall make inspections as hereinafter required and either shall approve that portion of the work completed or shall notify the permittee wherein the work fails to comply with the erosion and sediment control plan as approved. Plans for grading, stripping, excavating, and filling work bearing the stamp of approval of the City shall be maintained at the site during the progress of the work. To obtain inspections, the permittee shall notify the City at least 2 working days prior to:

A. Start of construction,

B. Installation of sediment and erosion measures,

C. Completion of final landscaping.

2. The permittee or agent shall make regular inspections of all control measures in accordance with the inspection schedule outlined on the approved erosion and sediment control plan. The purpose of such inspections will be to determine the overall effectiveness of the control plan and the need for additional control measures. All inspections shall be documented in written form and submitted to the City at the time interval specified in the approved permit.

3. The Building Commissioner may enter the property of the applicant as deemed necessary to make regular inspections.

(g) **Stop-Work Order; Revocation of Permit.** In the event that any person violates the terms of a site development permit, clears or grades a site in violation of this Section, implements site development in such a manner as to adversely affect the health, welfare, or safety of persons or property, the City may suspend or revoke the site development permit without notice or hearing and may stop all construction work, including clearing and grading, on the site.

24.35 STORAGE CONTAINERS

(a) It shall be unlawful for any person to place or maintain a storage container (including truck trailer or PODS container) on the public right-of-way.

(b) It shall be unlawful for any person to place or maintain a storage container (including truck trailer or PODS containers) on private property except pursuant to a permit issued by the City. A permit application shall be submitted to the Building Department and shall be accompanied by a \$50.00 deposit which shall be refunded if the storage container is removed within 30 days. A permit shall be issued only when the storage container is less than 10 feet in height and being used in conjunction with the reconstruction of the residence or moving to or from the residence and shall be limited to a period of 30 consecutive days in any one calendar year. The Building Commissioner, with notice to the Aldermen of the Ward, is authorized to extend the maximum 30-day period in writing for circumstances beyond the control of the property owner which were not anticipated and foreseen when the permit was originally issued.

24.36 ELEVATOR STANDARDS

(a) **Codes Adopted.** The following are hereby adopted:

1. American Society of Mechanical Engineers (ASME):

A. Safety Code for Elevators and Escalators (ASME A17.1-2005), A17.1(a)-2005, and A17.1(s)-2005;

B. Guide for Inspection of Elevators, Escalators and Moving Walks (ASME 17.2-2004);

C. Safety Code for Existing Elevators and Escalators (ASME 17.3-2005);

D. Safety Standard for Platform Lifts and Stairway Chairlifts (ASME A18.1-2005);
and

E. Standard for the Qualification of Elevator Inspectors (ASME QEI-1-2004).

2. American National Standards:

A. Safety Requirements for Personal Hoists and Employee Elevators (ANSI A10.4-2004).

3. American Society of Civil Engineers (ASCE):

A. Automated People Mover Standards (ASCE 21-2000).

(b) **Amendment.** Should the City amend any of the standards set forth above, the City shall submit to the Office of the State Fire Marshall a copy of the amendment and its reason for the change.

(c) **Upgrades:** Upgrades required by ASME A17.3-2005, Safety Code for Existing Elevators shall be completed no later than January 1, 2009, except that upgrades to the hydraulic cylinder system and firefighter control system shall be completed by January 1, 2011.

24.37 DEMOLITION OF BUILDINGS

(a) **Demolition permits.**

1. No demolition of any structure shall be allowed without a demolition permit issued by the City of Hickory Hills and Cook County; and unless a proper Notification of Demolition and Renovation is filed with the Illinois Environmental Protection Agency, if required due to the presence of asbestos containing material.

2. All applicants for a demolition permit shall complete a rat baiting program on the property at least 10 days prior to the start of demolition and maintain the same through the completion of demolition. The rat baiting program shall be consistent with the guidelines of the City. The Building Commissioner may, in the event that a demolition is unlikely to disturb a rat harborage, exempt a demolition from the provisions of this paragraph.

(b) **Cash bond for demolition permit.**

1. In addition to any permit fees, a cash bond in the amount of \$5,000 shall be deposited with the City for any demolition where all structures on a lot will be demolished, except where a building permit has been issued for a new structure to be constructed thereon.

2. The cash bond shall be refunded upon the completion of the restoration of the demolition site and the adjoining public right-of-way as required in (c) below. In the event that the restoration is not timely completed, then the full amount of the cash bond shall be forfeited to the City to be used for such restoration and no refund shall be made. In the event that the amount of the cash bond is insufficient for such restoration, the additional cost shall be a lien on the property and no building or occupancy permits shall issue until such amount is paid in full.

(c) **Restoration of demolition site.**

1. All foundation walls, footings, concrete floors and other below grade construction must be completely removed from the site. No materials or demolition debris shall be buried below grade. All such materials shall be removed from site no more than 3 days after demolition.

2. Unless a building permit has already issued for the construction of a new structure on the demolition site, within 7 days after demolition, the site shall be graded for proper drainage consistent with adjoining properties. Organic material, dirt or top soil shall be placed in the areas of demolition and shall be planted with grass. The grass and greenery shall be maintained consistent with the requirements of the Hickory Hills Municipal Code.