

ORDINANCE 93-1

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AN ORDINANCE AMENDING ORDINANCE 90-6 IN PART, AND AUTHORIZING AN ADDITIONAL MEMBERSHIP ON THE EMERGENCY TELEPHONE SYSTEM BOARD IN JACKSON COUNTY, ILLINOIS

WHEREAS, the State of Illinois has enacted into law the Emergency Telephone System Act, Ill. Rev. Stat., Chapter 134, Paragraph 31 et seq., as amended (the "ACT"); and

WHEREAS, the ACT mandates the establishment of an Emergency Telephone System Board (ETSB) by the County Board of any County that imposes a surcharge pursuant to Section 15.3 of the Act, Ill. Rev. Stat., Chapter 134, Paragraph 45.3; and

WHEREAS, a majority of the legal voters voting on the referendum presented to them at the November 6, 1990 General Election voted in favor of the imposition of the surcharge; and

WHEREAS, the County Board of Jackson County has imposed a surcharge pursuant to law; and

WHEREAS, the County Board of Jackson County has created and established an ETSB by its duly enacted Ordinance 90-6; and

WHEREAS, the Southern Illinois University at Carbondale (hereinafter "SIU-C") wishes to utilize the services of the ETSB; and

WHEREAS the SIU-C, as a user of Public Safety Agency 9-1-1 services, ought to have a representative member of its corporate organization as a member of the ETSB; and

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WHEREAS, the County Board of Jackson County now wishes to amend the said ordinance to authorize the membership of the said representative of SIU-C, as an additional member of the ETSB Board established by Ordinance 90-6:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF JACKSON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION ONE: That the foregoing recitals are hereby incorporated by reference as if fully set forth within this Section One.

SECTION TWO: Ordinance 90-6 ordained by the Jackson County Board on November 14, 1990 be and it is hereby amended as follows:

1. SECTION THREE of Ordinance 90-6 is amended as follows: The ETSB shall consist of Fourteen (14) members to be appointed by the Chairman of the Jackson County Board, with the advice and consent of the Jackson County Board, in the manner provided herein:

(a) The term of the members of the ETSB shall be three (3) years, with the terms staggered so as to provide continuity to the performance of the ETSB.

(b) The members of the ETSB shall be representative of the Public Safety Agency 9-1-1 users and one public member shall be appointed on the basis of his/her ability or experience in the provision of emergency services to the community.

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(c) The ETSB members shall include the following:

(i) The Sheriff of Jackson County;

(ii) Two (2) individuals from the City of Carbondale, to be recommended by the Mayor of Carbondale, each having ability or experience with emergency services;

(iii) Two (2) individuals from the City of Murphysboro, to be recommended by the Mayor of Murphysboro, each having ability or experience with emergency services;

(iv) The Director of the Jackson County Ambulance Service;

(v) Five (5) individuals representative of the Public Safety Agency 9-1-1 users appointed on the basis of their ability or experience with emergency services, four (4) of whom must be representative of Public Safety Agency 9-1-1 users whose system is located outside of the corporate limits of the City of Carbondale and the City of Murphysboro.

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(vi) One (1) individual who is a public member and who is a resident of the local exchange service territory included in the 9-1-1 coverage area.

(vii) One (1) individual from SIU-C, to be recommended by the Director of Security for the University, said member having ability or experience with emergency services;

(viii) One (1) individual from who is a member of the Jackson County Board, to be recommended by the Chair of the Jackson County Board, with the advice and consent of the said Board;

2. SECTION FOUR of Ordinance 90-6 is amended as follows: The terms of the ETSB shall be staggered in the following manner:
(a) The two individuals from the City of Carbondale and the two individuals from the City of Murphysboro shall be appointed on December 12, 1990 for a one year period and then for a three year term in December of 1991;

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(b) Five (5) of six (6) individual members representative of Public Safety Agency 9-1-1 users located outside of the corporate limits of the City of Carbondale and the City of Murphysboro shall be appointed on December 12, 1990, for a two (2) year period and then for a three (3) year term in December 1992; and

(c) The Sheriff of Jackson County, the Director of the Jackson County Ambulance Service and the remaining individual member representative of the Public Safety Agency 9-1-1 users located outside of the corporate limits of the City of Carbondale and City of Murphysboro shall be appointed on December 12, 1990, for a three year period and then for a three year term in December of 1993.

(d) The member representative of SIU-C shall be appointed within ninety days from the effective date of this Ordinance for an initial term ending December 1993 and for successive three year terms thereafter.

(e) The member representative of the Jackson County Board shall be appointed within ninety days from the effective date of this Ordinance for an initial term ending December 1994 and for successive three year terms thereafter.

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3. SECTION FIVE of Ordinance 90-6 is amended as follows:
The powers and duties of the ETSB shall include, but are not limited to, the following:
- (a) Planning a 9-1-1 system;
 - (b) Coordinating and supervising the implementation, upgrading and maintenance of the 9-1-1 system, including the establishment of equipment specifications and coding systems;
 - (c) Receiving monies from the surcharge imposed and from any other source, for deposit into the Emergency Telephone System Fund to be maintained by the Treasurer of Jackson County, Illinois;
 - (d) Authorizing all disbursements from the Emergency Telephone System Fund in accordance with Illinois Revised Statutes, Chapter 134, Paragraph 45-4(c).
 - (e) Hiring, on a temporary basis, any staff necessary for the implementation or upgrade of the 9-1-1 system;
 - (f) Making and entering into contracts;
 - (g) Acquiring, holding, and disposing of property;
 - (h) Incurring debts, liabilities, or obligations necessary for the accomplishment of its purpose;
 - (i) Taking any and all other actions necessary and incidental to achieve its purposes;

1 (j) Obtaining any and all types of insurance to
2 protect itself from all claims, accidents, and
3 losses; and

4 (k) Adopting By-Laws, Rules, and Regulations to
5 govern its internal operations.
6

7 SECTION THREE: This ordinance amends Ordinance 90-6 only to the
8 extent that the language herein is inconsistent with the language
9 of Ordinance 90-6 and to that extent the language herein shall be
10 controlling. Any language in Ordinance 90-6 which is not
11 specifically inconsistent herewith shall remain in full force and
12 effect, without change from the effective date of Ordinance 90-6.

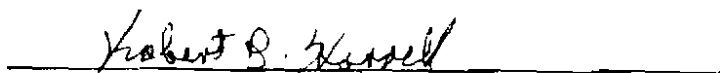
13 SECTION FOUR: This Ordinance shall be in full force and effect
14 upon approval by the County Board of Jackson County, Illinois, and
15 publication in the Office of the County Clerk.

16 APPROVED at the regular meeting of the Jackson County Board
17

18 on 10 FEB, 1993.
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24 Chairman
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26 ATTEST:
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30 
31
32 Robert B. Harrell, County Clerk
33
34

35 ETSBAMEN.ORD

ORDINANCE NO. 93-2

AN ORDINANCE TO INCREASE SHERIFF'S FEES PURSUANT TO 55 ILCS 5/4-5001.

WHEREAS, 55 ILCS 5/4-5001 (hereinafter the "statute") sets forth the maximum fees which may be charged by the Jackson county Sheriff for certain services performed by him; and

WHEREAS, The said statute authorizes the county boards of the several counties to increase the fees allowable under the statute, by ordinance: and

WHEREAS, the said statute further authorizes collection of the said fees as increased by this ordinance, upon a showing that such increase is justified by an acceptable cost study; and

WHEREAS, An acceptable cost study has been presented to the county board by the Judicial and Law Committee of the Jackson County Board which shows that the costs allowed by the statute are not sufficient to cover the costs of providing the services set forth herein; and

NOW THEREFORE, IT IS HEREBY ORDAINED by the County Board of the County of Jackson, Illinois, that the fees charged by the Sheriff pursuant to 55 ILCS 5/4-5001 be set as follows:

1. Non-traffic Reports, per copy: \$ 8.00
2. Traffic reports & reconstruction 40.00
3. Records Search 40.00/hour

This ordinance will be effective 30 days after its passage by the

1 Jackson County Board and publication by the Jackson County Clerk.
2 APPROVED AND ADOPTED at a regular meeting of the Jackson county

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4 Board this 14 JULY, 1993 A.D.

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Chairman, Jackson County Board

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ATTEST: Robert A. B. Harold

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Jackson County Clerk

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C:\WP51\COUNTY.BOR\FEES.ORD

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AN ORDINANCE REGULATING DEVELOPMENT
IN SPECIAL FLOOD HAZARD AREAS

BE IT ORDAINED by the Jackson County Board, of
Jackson County, Illinois, as follows:

Section 1. Purpose.

This Ordinance is enacted pursuant to the police powers granted to this County by 55 ILCS 5/5-1041, 55 ILCS 5/5-1113, 55 ILCS 5/5-1063 and 55 ILCS 5/5-40001 in order to accomplish the following purposes:

- a. to prevent unwise developments from increasing flood or drainage hazards to others;
- b. to protect new buildings and major improvements to buildings from flood damage;
- c. to protect human life and health from the hazards of flooding;
- d. to lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- e. to maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas; and
- f. to make federally subsidized flood insurance available for property in the unincorporated areas of the County by fulfilling the requirements of the National Flood Insurance Program.

Section 2. Definitions.

For the purposes of this Ordinance, the following definitions are adopted:

- a. "Flood" means: a general and temporary condition of inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

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- b. "Base Flood" means: the flood having a one-percent probability of being equalled or exceeded in any given year. The base flood is also known as the 100 year flood. The base flood elevation at any location is defined in Section 4 of this Ordinance.
 - c. "Floodplain", "SFHA" or "Special Flood Hazard Area" are synonymous and mean: those lands within the jurisdiction of the County that are subject to inundation by the base flood. The SFHAs of the unincorporated areas within the County are generally identified as such on the July 14, 1978 Flood Insurance Rate Map of the County prepared by the Federal Emergency Management Agency.
 - d. "Riverine SFHA" means: any SFHA subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel. This term does not include areas subject to flooding from lakes (except public bodies of water), ponding areas, areas of sheet flow, or other areas not subject to overbank flooding.
 - e. "Floodway" means: that portion of the SFHA required to store and convey the base flood. The floodway for the SFHAs of the Mississippi, Little Muddy and Big Muddy Rivers, Beaucoup and Kinkaid Creeks and Kinkaid Lake and shall be as delineated on the Flood Boundary and Floodway Map prepared by the Federal Emergency Management Agency and dated July 14 1978. The floodway for each of the remaining SFHAs of the County shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository.
 - f. "FPE" or "Flood Protection Elevation" means: the elevation of the base flood plus one foot at any given location in the SFHA.
 - g. "Development" means: any man-made change to real estate, including:
 - (i) construction, reconstruction, substantial improvement of an existing building or placement of a building or any addition to a building valued at more than \$1,000;
 - (ii) installing a manufactured home on a site, preparing a site for a manufactured home or installing a travel trailer on a site for more than 180 days;
 - (iii) installing utilities, construction of roads, or similar projects;

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3 (iv) construction or erection of levees, walls, fences,
4 bridges or culverts;
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6 (v) drilling, mining, filling, dredging, grading, excavating,
7 or other nonagricultural alterations of the ground
8 surface;
9
10 (vi) storage of materials; or
11
12 (vii) any other activity that might change the direction,
13 height, or velocity of flood or surface waters.
14 "Development" does not include maintenance of existing
15 buildings and facilities such as re-roofing; resurfacing
16 roads; or gardening, plowing, and similar agricultural
17 practices that do not involve filling, grading, or
18 construction of levees.
19
20 h. "Building" means: a structure that is principally
21 above ground and is enclosed by walls and a roof.
22 The term includes a gas or liquid storage tank,
23 a manufactured home, or a prefabricated building.
24 The term also includes recreational vehicles and
25 travel trailers to be installed on a site for
26 more than 180 days.
27

28 Section 3. Office of Building Official.

29
30 There is hereby created the Office of the Jackson County Building
31 Official, an administrative office of Jackson County, Illinois,
32 hereinafter the "County". The Office shall be filled by contract
33 with the Jackson County Supervisor of Assessments. The contract
34 shall be made by the County Board Chairman, subject to the approval
35 of the County Board.
36

37 Section 4. Duties of Jackson County Building Official.

38
39 The Jackson County Building Official, of the Jackson County
40 Office of the Supervisor of Assessments shall be responsible for
41 the general administration and enforcement of this ordinance,
42 including but not limited to the following duties:
43

- 44 a. Ensure that all development activities within the
45 SFHAs of the jurisdiction of the County meet the
46 requirements of this ordinance.
47
48 b. Provide information and assistance to citizens
49 upon request about permit procedures and floodplain
50 construction techniques and process permits in accordance
51 with the procedures defined herein.

- 1 c. Ensure that construction authorization has been
2 granted by the Illinois Department of Transportation,
3 Division of Water Resources for all development
4 projects subject to Section 6 of this ordinance,
5 and maintain a record of such authorization.
6
7 d. Maintain a record of the "as built" elevation
8 of the lowest floor (including basement) of
9 all buildings subject to Section 7 of this
10 ordinance.
11
12 e. Maintain a record of the engineer's certificate
13 and the "as built" floodproofed elevation of all
14 buildings subject to Section 7.c of this ordinance.
15
16 f. Inspect all development projects to ensure they comply
17 with the provisions of this ordinance.
18
19 g. Cooperate with state and federal floodplain
20 management agencies to improve base flood and
21 floodway data and to improve the administration
22 of this ordinance. Submit reports as required
23 for the National Flood Insurance Program.
24
25 h. Maintain for public inspection and furnish upon
26 request base flood data, SFHA maps, copies of
27 federal or state permit documents and "as built"
28 elevation and floodproofing data for all buildings
29 constructed subject to this ordinance.
30

31 **Section 5. Base Flood Elevation.**

32
33 This ordinance's protection standard is the base flood. The
34 best available base flood data are listed below. Whenever a party
35 disagrees with the best available data, the party may finance the
36 detailed engineering study need to replace existing data with
37 better data and submit it to the State Water Survey.
38

- 39 a. The flood elevation for the SFHAs of the Mississippi,
40 Little Muddy and Big Muddy Rivers, Beaucoup Kinkaid
41 creeks and Kinkaid Lake, shall be as delineated on the
42 100 year flood profiles in the Flood Insurance Study of
43 the County prepared by the Federal Emergency Management
44 Agency and dated July 14, 1978.
45
46 b. The base flood elevation for each SFHA delineated as an
47 "AH Zone" or "AO Zone" shall be that elevation (or depth)
48 delineated on the Flood Insurance Rate Map of the County.
49
50 c. The base blood elevation for each of the remaining SFHAs
51 delineated as an "A Zone" on the Flood Insurance Rate Map

1 of the County shall be according to the best data
2 available to the Illinois State Water Survey Floodplain
3 Information Repository. When no base flood elevation
4 exists, the base flood elevation shall be the 100 year
5 flood depth calculated according to the formulas
6 presented in *Depth & Frequency of Floods in Illinois*
7 published by the U.S. Geological Survey, 1976.
8

9 **Section 6. Development Permit.**

10
11 No person, firm, corporation, or governmental body not
12 exempted by state law shall commence any development in the SFHA
13 without first obtaining a development permit from the Jackson
14 County Building Official. The Jackson County Building Official
15 shall not issue a development permit if the proposed development
16 does not meet the requirements of this ordinance.
17

18 a. The application for a development permit shall be
19 accompanied by drawings of the site, drawn to
20 scale showing property line dimensions; existing
21 grade elevations and all changes in grade resulting
22 from excavation or filling; the location and
23 dimensions of all buildings and additions to
24 buildings; and the elevation of the lowest floor
25 (including basement) of all proposed buildings
26 subject to the requirements of Section 7 of this
27 ordinance.
28

29 b. Upon receipt of an application for a development
30 permit, the Building Official shall compare the
31 elevation of the site to the base flood elevation.
32 Any development located on land that can be shown
33 to have been higher than the base flood elevation
34 as of the date of the site's first Flood Insurance
35 Rate Map identification is not located in the SFHA
36 and therefore not subject to the requirements of
37 this ordinance. The Building Official shall
38 maintain documentation of the existing ground
39 elevation at the development site and certification
40 that this ground elevation existed prior to the
41 date of the site's first Flood Insurance Rate Map
42 identification.
43

44 c. The Jackson County Building Official shall inform the
45 applicant of other local permits that may be required for
46 this type of development activity. The Jackson County
47 Building Official shall not issue the development permit
48 unless all required federal and state permits have been
49 obtained.
50
51

1 Section 7. Use Permits.

2
3 It shall be unlawful to use or occupy any buildings or any
4 development site or any part thereof hereafter constructed in the
5 SFHA without first making application for obtaining a use permit
6 from the Building Official. Request for a use permit shall be
7 submitted to the Building Official upon completion of the
8 work authorized in the development permit issued for the
9 project in question. If, upon final inspection of a
10 building or development site, the Building Official finds
11 that the work has been performed in accordance with the
12 approved application and plans of the development permit,
13 a use permit shall be issued. If final inspection reveals
14 otherwise, a use permit may not be issued until all
15 deficiencies are corrected.

16
17 Section 8. Permit Review.

18
19 The Building Official shall examine each application for a permit
20 within three days' time after filing. If, after examination, it
21 appears that the proposed development or use of the site will be in
22 compliance with this ordinance and such other ordinances and
23 resolutions passed by the County Board applicable thereto, the
24 Building Official shall approve such application and issue the
25 appropriate permit as soon as practicable. If the examination
26 reveals otherwise, the application shall be rejected and the
27 Building Official's findings shall be noted in a written report to
28 be attached to the application. A copy of the report shall be
29 provided to the applicant upon request.
30

31 Section 9. Development Permit Requirements.

- 32
33 A. All work performed under a development permit shall conform
34 to the approved application and plans, and approved
35 amendments thereto.
36
37 B. A copy of the development permit shall be posted in a
38 conspicuous place on the premises, in plain view from a
39 public road, during the execution of the work and until
40 completion of the same.
41
42 C. A development permit under which no work is commenced
43 within six (6) months after issuance shall expire by
44 limitation and a new development permit shall be secured
45 before work is started.
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1 Section 10. Consent for Inspections.

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3 All work for which a permit is required shall be subject to
4 inspection by the Building Official or a duly authorized
5 representative. It shall be unlawful to refuse to permit the
6 Building Official or the representative to enter such premises or
7 structure at any reasonable time to make an inspection. It shall
8 be unlawful to interfere with or hinder the Building Official or
9 the representative when in the performance of their duties.

10
11 Section 11. Revocation of a Permit.

12
13 The Building Official may revoke a permit in case there has been
14 any false statement or misrepresentation as to a material fact in
15 the application or plans on which the permit was based. The
16 Building Official may revoke a permit when work is performed
17 contrary to the provisions of the application or plans on which the
18 permit is based. When a permit is revoked, the Building Official
19 shall inform the permittee in writing of the specific steps the
20 permittee must take in order to have the permit reissued. It shall
21 be unlawful to continue any work authorized by a permit after
22 revocation of that permit and until the permit is reissued or until
23 a new permit is issued.

24
25 Section 12. Completion of Work Heretofore Authorized.

26
27 Nothing in this ordinance shall require changes in the plans,
28 construction or designated use of a building or other development
29 project or portion thereof which has been otherwise lawfully
30 authorized, or the construction of which shall have been actually
31 begun and which entire building or development project shall be
32 completed within one year of the effective date of this ordinance.

33
34 Section 13. Fees.

35
36 Fees for permits shall be as follows:

- 37
38 a. For a use permit: No Fee.
39
40 b. For a development permit for clearing debris,
41 demolishing buildings, or removing buildings out of
42 the SFHA: No Fee.
43
44 c. For construction of a building valued at more than
45 \$100,000.00: \$100.00.
46
47 d. For construction or reconstruction of a building
48 valued at less than \$100,000 and for any other
49 development project that requires three site
50 inspections by the Building Official: \$75.00.
51

- 1 e. For improvements made to an existing building, for
2 installing a manufactured home on a permanent site,
3 and for any other development project: \$50.00.
4

5 **Section 14. Preventing Increased Damages.**
6

7 No development, except as provided in this Section 14 shall be
8 allowed in the SFHA which will cause any damaging or potentially
9 damaging increase in flood heights or velocity or threat to public
10 health and safety. The following specific development activities
11 shall be considered to meet this requirement: all those such
12 activities meeting the requirements and conditions of IDOT/DWR
13 Statewide permits numbers 3 through 11 inclusive or any development
14 determined by IDOT/DWR to be located entirely in a flood fringe
15 area
16

- 17 a. Within the floodway identified on the Flood Boundary
18 Floodway Map, the following standards shall apply:
19

20 (i) except as provided in Section 14.a(ii), no
21 development shall be allowed which acting
22 in combination with existing or future similar
23 works, will cause any increase in the base
24 flood elevation. The specific development
25 activities identified in Section 14.b(ii)
26 shall be considered as meeting this requirement.
27

- 28 (ii) No increase in the base flood elevation may be
29 permitted unless:
30

31 (a) the total cumulative effect of the proposed
32 development, when combined with all other
33 existing and anticipated development, will
34 not increase the base flood elevation more
35 than 1.0 foot for the affected hydraulic
36 reach of the stream and will not increase
37 flood damages or potential flood damages;
38

39 (b) a permit has been issued by the Illinois
40 Department of Transportation, Division
41 of Water Resource as required in Section
42 14.b.(i); and
43

44 (c) for all projects involving channel
45 modifications or fill (including
46 levees), the County shall submit
47 sufficient data to the Federal
48 Emergency Management Agency to
49 revise the regulatory flood data.
50
51

1
2 b. Within all other riverine SFHAs, the following standards
3 shall apply:

4
5 (i) In addition to the other requirements of this
6 ordinance, a development permit for a site
7 located in a floodway (or in a riverine SFHA
8 where no floodway has been identified) shall
9 not be issued unless the applicant first obtains
10 a permit or written documentation that a permit
11 is not required from the Illinois Department
12 of Transportation, Division of Water Resources,
13 issued pursuant to Illinois Revised Statutes,
14 Chapter 19, Sections 52 et. seq.

15
16 (ii) The following activities may be constructed
17 without the individual permit required in
18 subsection 6.b(i) in accordance with
19 Statewide Permits issued by the Illinois
20 Department of Transportation, Division of
21 Water Resources provided the activities
22 do not involve placement of fill, change of
23 grade, or construction in the normal channel.
24 Such activities must still meet the other
25 requirements of this ordinance:

26
27 (a) The construction of wells, septic tanks,
28 and underground utility lines not crossing
29 a lake or stream;

30
31 (b) The construction of light poles, sign posts
32 and similar structures;

33
34 (c) The construction of sidewalks, driveways,
35 athletic fields (excluding fences), patios
36 and similar surfaces which are built at
37 grade;

38
39 (d) The construction of properly anchored,
40 unwalled, open structures such as playground
41 equipment, pavilions and carports;

42
43 (e) The placement of properly anchored buildings
44 not exceeding seventy (70) square feet in
45 size, nor ten (10) feet in any dimension
46 (e.g. animal shelters and tool sheds); and

47
48 (f) The construction of additions to existing
49 buildings which do not increase the first
50 floor area by more than twenty (20) percent,
51 which are located on the upstream or downstream
52 side of the existing building, and which do not

1 exceed beyond the sides of the existing building
2 that are parallel to the flow of flood waters.

- 3
4 (iii) The total cumulative effect of the proposed
5 development, when combined with all other existing
6 and anticipated development, will not increase the
7 base flood elevation more than 1.0 foot for the
8 affected hydraulic reach of the stream and will not
9 increase flood damages or potential flood damages;

10
11 c. Public health standards in all SFHAs.

- 12
13 (i) No development in the SFHA shall include
14 locating or storing chemicals, explosives,
15 buoyant materials, flammable liquids,
16 pollutants, or other hazardous or toxic
17 materials below the FPE unless such
18 materials are stored in a storage tank
19 or floodproofed building constructed
20 according to the requirements of subsection
21 7.d of this ordinance.

- 22
23 (ii) New and replacement sanitary sewer lines and
24 on-site waste disposal systems may be permitted
25 providing all manholes or other above ground
26 openings located below the FPE are watertight.

27
28 **Section 15. Protecting Buildings.**

29
30 In addition to the damage prevention requirements of Section 14,
31 all buildings to be located in the SFHA shall be protected from
32 flood damage below the FPE. This building protection requirement
33 applies to the following situations:

- 34
35 (i) construction or placement of a new building valued at
36 more than \$1,000; and/or substantial improvements made to
37 an existing building;
38
39 (ii) structural alterations made to an existing building
40 that increase the floor area by more than 20%, or the
41 market value of the building by more than 50%;
42
43 (iii) reconstruction or repairs made to a damaged building
44 that are valued at or more than 50% of the market
45 value of the building before the damage occurred;
46
47 (iv) installing a manufactured home on a new site or a
48 new manufactured home on an existing site. This
49 ordinance does not apply to returning a manufactured
50 home to the same site it lawfully occupied before
51 it was removed to avoid flood damage; and

1 (v) installing a travel trailer on a site for more than
2 180 days.
3

4 This building protection requirement may be met by one of the
5 following methods. The Building Official shall maintain a record
6 of compliance with these building protection standards as required
7 in Section 4 of this ordinance.
8

9 a. A residential or non residential building may be
10 constructed on permanent land fill in accordance
11 with the following:
12

13 (i) The fill shall be placed in layers no greater
14 than 1 foot deep before compaction.
15

16 (ii) The lowest floor (including basement) shall
17 be at or above the FPE. The fill should extend
18 at least ten feet beyond the foundation of the
19 building before sloping below the FPE.
20

21 (iii) The fill shall be protected against erosion
22 and scour during flooding by vegetative cover,
23 riprap, or bulkheading. If vegetative cover
24 is used, the slopes shall be no steeper than
25 3 horizontal to 1 vertical.
26

27 (iv) The fill shall not adversely affect the flow
28 of surface drainage from or onto neighboring
29 properties.
30

31 (v) The fill shall be composed of rock or soil and
32 not incorporate debris or refuse materials.
33

34 b. A residential or non residential building may be elevated
35 in accordance with the following:
36

37 (1) The building or improvements shall be elevated on
38 crawl space, walls, stilts, piles, or other
39 foundation provided:
40

41 (a) The walls have permanent openings no more than one foot
42 above grade; and
43

44 (b) The walls and floor are not subject to damage by
45 hydrostatic pressures associated with the base flood.
46

47 (2) The foundation and supporting members shall be anchored
48 and aligned in relation to flood flows and adjoining
49 structures so as to minimize exposure to known
50 hydrodynamic forces such as current, waves,
51 ice, and floating debris.
52

1 (3) All areas below the FPE shall be constructed of materials
2 resistant to flood damage. The lowest floor (including
3 basement) and all electrical, heating, ventilating,
4 plumbing, and air conditioning equipment and utility
5 meters shall be located at or above the FPE. Water and
6 sewer pipes, electrical and telephone lines, submersible
7 pumps, and other waterproofed service facilities may be
8 located below the FPE.
9

10 (4) All structural components below the FPE shall be
11 constructed of materials resistant to flood damage.
12

13 c. Manufactured homes and travel trailers to be installed on
14 a site for more than 180 days shall be:

15 (i) elevation at or above the FPE, and
16

17 (ii) anchored to resist flotation, collapse, or lateral
18 movement by being tied down in accordance with the
19 Rules and Regulations for the Illinois Mobile Home
20 Tie-Down Act issued pursuant to 77 Ill Adm Code 870.
21

22 d. Non-residential buildings may be structurally
23 floodproofed (in lieu of elevation) in accordance with
24 the following:
25

26 (i) A Registered Professional Engineer shall certify
27 that the building has been designed so that below
28 the FPE, the structure and attendant utility
29 facilities are watertight and capable of
30 resisting the affects of the base flood.
31

32 (ii) The building design shall take into account flood
33 velocities, duration, rate of rise, hydrostatic
34 and hydrodynamic forces, the effects of buoyancy,
35 and impacts from debris or ice.
36

37 (iii) Floodproofing measures shall be operable without
38 human intervention and without an outside source
39 of electricity.
40
41

42 Section 16. Other Development Requirements.

43

44 The County Board shall take into account flood hazards, to the
45 extent that they are known, in all official actions related to land
46 management, use and development.
47

48 a. New subdivisions, manufactured home parks, annexation
49 agreements, planned unit developments (PUD's) and
50 additions to manufactured home parks and subdivisions
51 shall meet the requirements of Sections 14 and 15 of this

1 ordinance. Plats or plans for new subdivisions,
2 manufactured home parks, and planned unit developments
3 (PUD's) shall include a signed statement by a Registered
4 Professional Engineer that the plat or plan accounts
5 for changes in the drainage of surface waters in
6 accordance with the Plat Act. 765 ILCS 205/2.
7

8 b. Proposals for new subdivisions, manufactured home parks,
9 planned unit developments (PUD's) and additions to
10 manufactured home parks and subdivisions shall include
11 base flood elevation data. Where the base flood
12 elevation is not available from an existing study filed
13 with the Illinois State Water Survey, the applicant shall
14 be responsible for calculating the base flood elevation
15 and submitting it to the State Water Survey for review
16 and approval as best available elevation data.
17

18 c. Public health standards must be met for all floodplain
19 development. In addition to the requirement of Sections
20 14 and 15 herein, the following standards shall apply:
21

22 (i) No development on the floodplain shall include
23 locating or storing chemicals, explosives, buoyant
24 materials, flammable liquids, pollutants or toxic
25 materials below the FPE unless such materials are stored
26 in a storage tank or floodproofed building constructed in
27 accordance to the requirements of Section 15 herein.
28

29 (ii) New and replacement sanitary sewer lines and on-site
30 waste disposal systems may be permitted providing all
31 manholes or other above ground openings located below the
32 FPE are watertight.
33

34 d. All other activities defined as developments shall be
35 designed so as not to alter flood flows or increase
36 potential flood damages.
37

38 Section 17. Variances.

39
40 Whenever the standards of this ordinance place undue hardship
41 on a specific development proposal, the applicant may apply to the
42 Jackson County Building Official for a variance. The said Official
43 shall review the applicant's request for a variance and shall
44 submit its recommendation to the County Board. The County Board
45 may attach such conditions to granting of a variance as it deems
46 necessary to further the intent of this ordinance.
47

48 a. No variance shall be granted unless the applicant
49 demonstrates that:

50 (i) The development activity cannot be located outside
51

1 the SFHA;

2
3 (ii) an exceptional hardship would result if the variance
4 were not granted;

5
6 (iii) the relief requested is the minimum necessary;

7
8 (iv) there will be no additional threat to public
9 health or safety or creation of a nuisance;

10
11 (v) there will be no additional public expense for
12 flood protection, rescue or relief operations,
13 policing, or repairs to roads, utilities, or
14 other public facilities; and

15
16 (vi) the provisions of subsection 6.c of this ordinance
17 are met.

18
19 b. The Jackson County Building Official shall notify an
20 applicant in writing that a variance from the
21 requirements of Section 15 that would lessen the degree
22 of protection to a building will:

23
24 (i) result in increased premium rates for flood insurance
25 up to amounts that may be as high as \$25 for \$100 of
26 insurance coverage;

27
28 (ii) increase the risks to life and property; and

29
30 (iii) require that the applicant proceed with knowledge
31 of these risks and that the applicant acknowledge in
32 writing the assumption of the risk and liability.

33
34 c. Variances to the building protection requirements of
35 Section 15 of this ordinance requested in connection with
36 the reconstruction, repair or alteration of a site or
37 building included on the National Register of Historic
38 Places or the Illinois Register of Historic Places may be
39 granted using criteria more permissive than the
40 requirements of Subsection 17.a(1)-(v).

41
42 **Section 18. Disclaimer of Liability.**

43
44 The degree of flood protection required by this ordinance is
45 considered reasonable for regulatory purposes and is based on
46 available information derived from engineering and scientific
47 methods of study. Larger floods may occur or flood heights may be
48 increased by man-made or natural causes. This ordinance does not
49 imply that development either inside or outside of the SFHA will be
50 free from flooding or damage. This ordinance does not create
51 liability on the part of the County or any officer thereof for any

1 flood damage that results from reliance on this ordinance or any
2 administrative decision made lawfully thereunder.

3
4 **Section 19. Penalty.**

5
6 Failure to obtain a permit for development in the SFHA or
7 failure to comply with the requirements of a permit or conditions
8 of a variance resolution shall be deemed to be a violation of this
9 ordinance. Upon due investigation the Jackson County Building
10 Official may determine that a violation of the minimum standards of
11 this ordinance exist. The Building Official shall notify the owner
12 in writing of such violation.

13
14 a. If such owner fails after ten days notice to correct
15 the violation

16
17 (i) The County may make application to the circuit court
18 for an injunction requiring conformance with this
19 ordinance or make such other order as the court deems
20 necessary to secure compliance with the ordinance.

21
22 (ii) Any person who violates this ordinance shall upon
23 conviction thereof be fined not less than twenty-five
24 dollars (\$25.00) nor more than two-hundred dollars
25 (\$200.00)

26
27 (iii) A separate offense shall be deemed committed upon each
28 day during or on which a violation occurs or continues.

29
30 b. The Jackson County Building Official shall inform the
31 owner that any such violation is considered a willful act
32 to increase flood damages and therefore may cause
33 coverage by a Standard Flood Insurance Policy to be
34 suspended.

35
36 c. Nothing herein shall prevent the County from taking
37 such other lawful action to prevent or remedy any
38 violations. All costs connected therewith shall
39 accrue to the person or persons responsible.

40
41 **Section 20. Greater Restrictions.**

42
43 Where this ordinance and other ordinance easements, covenants, or
44 deed restrictions conflict or overlap, whichever imposes the more
45 stringent restrictions shall prevail.

46
47 **Section 21. Separability.**

48
49 The provisions and sections of this ordinance shall be deemed
50 separable and the invalidity of any portion of this ordinance shall
51 not affect the validity of the remainder.

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Section 22. Effective Date.

This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law.

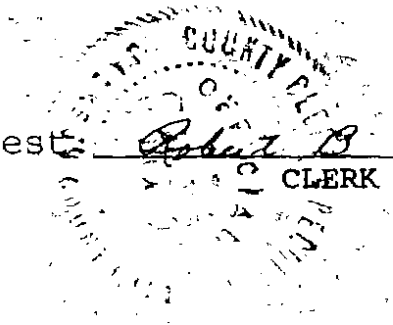
Done by the Jackson County Board, this August 2, 1993.

David L. Conrad

Chairman, County Board

Attest:

Robert B. Hassell
CLERK



FILED

AUG 02 1993

Robert B. Hassell
COUNTY CLERK
JACKSON COUNTY CLERK'S OFFICE

FLOODIN1.ORD

1 ATTACHMENT TO ORDINANCE 93-3

2
3 This attachment is appended to Ordinance 93-3, is approved
4 contemporaneously therewith and is a part thereof in all respects
5 as if it was fully set forth therein:
6

7 WHEREAS, certain areas of Jackson County are subject to periodic
8 flooding, mudslides (i.e., mudflows), or flood-related erosion,
9 causing serious damages to properties within these areas; and
10

11 WHEREAS, relief is available in the form of Federally subsidized
12 flood insurance as authorized by the National Flood Insurance Act
13 of 1968; and
14

15 WHEREAS, it is the intent of this County Board, to require the
16 recognition and evaluation of flood, mudslide (i.e., mudflows), or
17 flood-related erosion hazards in all official actions relating to
18 land use in areas having these hazards; and
19

20 WHEREAS, this body has the legal authority to adopt land use and
21 control measures to reduce future flood losses pursuant to 55 ILCS
22 5/5-1041, 55 ILCS 5/5-1113, 55 ILCS 5/5-1063 and 55 ILCS 5/5-40001,
23

24 NOW, THEREFORE, BE IT RESOLVED, that the Jackson County Board
25 hereby:
26

27 1. Assures the Federal Insurance Administration that it will enact
28 as necessary, and maintain in force in those areas having flood,
29 mudslide (i.e., mudflow), or flood-related erosion hazards,
30 adequate land use and control measures with effective enforcement
31 provisions consistent with the Criteria set forth in Section 59 et.
32 seq., of the National Flood Insurance Program Regulations; and
33

34 2. Vests the Office of the Supervisor of Assessments of Jackson
35 County with the responsibility, authority, and means to:
36

37 (a) Assist the Administrator, at his/her request, in
38 the delineation of the limits of the area having special
39 flood, mudslide, or flood-related erosion hazards.
40

41 (b) Provide information the Administrator may request
42 concerning present uses and occupancy of the flood
43 plain, mudslide or flood-related erosion areas.
44

45 (c) Cooperate with Federal, State, and local agencies
46 and private firms which undertake to study, survey, map
47 and identify floodplain, mudflow, or flood-related
48 erosion areas, and cooperate with neighboring
49 communities with respect to management of adjoining
50 flood plain, mudslide and/or flood-related erosion
51 areas in order to prevent aggravation of existing
52 hazards.

1 (d) Submit, on forms provided by the Administrator,
2 an annual report on the progress made during the
3 past year within the community in the development
4 and implementation of flood plain management measures.
5

6 (e) Upon occurrence, notify the Administrator in
7 writing whenever the boundaries of the community
8 have been modified by annexation or the community
9 has otherwise assumed or no longer has authority
10 to adopt and enforce floodplain management
11 regulations for a particular area. Include an
12 accurate corporate limit map suitable for
13 reproduction, clearly delineating the new
14 corporate limits or new area for which the
15 community has assumed or relinquished flood
16 plain management regulatory authority. The
17 community will use the Flood Insurance Rate
18 Map or Flood Hazard Boundary Map published
19 for the community from which land areas were
20 annexed or from that political entity that
21 previously had regulatory authority until
22 the Administrator provides a map using the
23 new corporate limits.
24

25 3. Appoints the said Office of the Supervisor of Assessments of
26 Jackson County to maintain for public inspection and to furnish
27 upon request (for determining flood insurance premium rates), the
28 following information on all new and substantially improved
29 structures constructed within the identified special flood hazard
30 area:

- 31 a. the actual (as-built) lowest floor (including
32 basement) elevation in relation to mean sea level;
33 b. any certificates of flood-proofing;
34 c. whether or not a building has a basement;
35 d. for all floodproofed structures, the elevation to
36 which the structure has been floodproofed.
37

38 4. Agrees to take such other official action as may be reasonable
39 necessary to carry out the objectives of the program.
40

41 Done this August 2, 1993
42
43
44
45
46
47
48
49
50

David E. Jones

Chairman

51 Attest: *Robert B. Maxwell*
52 Deputy Clerk *hmk*

FILED

AUG 03 1993

Robert B. Maxwell
COUNTY CLERK
JACKSON COUNTY CLERK'S OFFICE

**AN ORDINANCE FOR THE ESTABLISHMENT
OF AN ALTERED SPEED ZONE**

IT IS HEREBY DECLARED by the Board of Jackson County, Illinois, that the basic statutory vehicular speed limits established by Section 11-601 of the Illinois Vehicle Code are less than that considered reasonable and proper on the highway listed below for which Jackson County has maintenance responsibility and which is not under the jurisdiction of the Department of Transportation, State of Illinois.

BE IT FURTHER DECLARED that this Board has caused to be made an engineering and traffic investigation upon highway listed below; and,

BE IT FURTHER DECLARED that, by virtue of Section 11-604 of the above Code and subject to approval by the Department, this Board determines and declares that reasonable and proper absolute maximum speed limit upon a portion of C.H. 16 (Union Hill Road) as listed below shall be 45 m.p.h.

A 45 miles per hour speed limit beginning at Pleasant Hill Road south to a point at the intersection of FAS 1917 (Cedar Lake Road) for a total distance of 2.8 mile.

BE IT FURTHER DECLARED that, by virtue of Section 11-604 of the above code, the Department is hereby requested to review the supporting data and findings of the engineering and traffic investigation submitted and filed in duplicate for each proposed speed zone of said highway described herein.

BE IT FURTHER DECLARED that when this Board is advised that the Department has approved the proposed maximum speed limits for the zones of said highway described herein, signs giving notice thereof shall be erected in conformance with the standards and specifications contained in the Illinois Manual of Uniform Traffic Control Devices for Streets and Highways.

BE IT FURTHER DECLARED that this ordinance shall take effect immediately after the erection of said signs giving notice of the maximum speed limits.

I, Robert B. Harrell, County Clerk in and for Jackson County, in the State aforesaid, and keeper of the records and files thereof, as provided by statute, do hereby certify the foregoing to be a true, perfect, and complete copy of an ordinance adopted by the Board of Jackson County at its regular meeting held at Murphysboro on 11 AUG, 1993.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County this 13 day of AUG, 1993.

Robert B. Harrell
Robert B. Harrell, County Clerk

S E A L

ORDINANCE NO. 93-5

AN ORDINANCE TO MAKE A TECHNICAL CORRECTION TO THE
JACKSON COUNTY-CARBONDALE-MURPHYSBORO ENTERPRISE ZONE

WHEREAS, the Jackson County Board established an Enterprise Zone through Ordinance No. 90-2, pursuant to authority granted it by the Illinois Enterprise Zone Act (The "Act"; P.A. 82-1019), as amended, subject to the approval of the Illinois Department of Commerce and Community Affairs, and subject to provisions of the Act; and

WHEREAS, an Intergovernmental Agreement was entered into between the County of Jackson, Illinois (hereinafter "County") and the Cities of Carbondale and Murphysboro (hereinafter collectively "Cities"), through which the governments designated certain areas, and any areas subsequently certified from time to time, as an Enterprise Zone pursuant to and in accordance with the Act, subject to certification of the State as in the Act provided, and known as the Jackson County Enterprise Zone; and

WHEREAS, the Jackson County-Carbondale-Murphysboro Enterprise Zone was approved by the Illinois Department of Commerce and Community Affairs, effective March 1, 1990; and

WHEREAS, a request has been made to make a technical correction to the current Enterprise Zone area through the addition of certain parcels of property, pursuant to authority of the Act, and subject to approval by the Illinois Department of Commerce and Community Affairs, and subject to provisions of the Act; and

WHEREAS, the designating units of government through their designated zone administrator, and pursuant to statute, conducted at least one public hearing within the Enterprise Zone area.

NOW, THEREFORE, BE IT ORDAINED BY THE JACKSON COUNTY BOARD OF JACKSON COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. That Ordinance 90-2, the Ordinance Establishing an Enterprise Zone for Jackson County, Illinois, is hereby amended by deleting Section III thereof and inserting in lieu thereof, a new Section III as follows:

Section III

As established by the units of government and approved by the Illinois Department of Commerce and Community Affairs, the area of the Enterprise Zone shall be as described in Exhibits A, A-1, A-2, A-3, and A-4 and as outlined in the maps in Exhibits B, B-1, B-2, B-3, and B-4 which exhibits are attached to this Ordinance and made a part hereof.

SECTION 2. That all ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 3. The repeal of any ordinance by this Ordinance shall not affect any rights accrued or liability incurred under said repealed ordinance to the effective date hereof. The provisions of this Ordinance insofar as they are the same or substantially the same as those of any prior ordinance, shall be construed as a continuation of said prior ordinances.

SECTION 4. That it is the intention of the County Board of Jackson County that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 5. That the County Board of Jackson County finds that the subject matter of this Ordinance pertains to government and affairs of Jackson County and is passed pursuant to authorities granted it by State statute and the Illinois Constitution.

SECTION 6. That this Ordinance shall be known as Ordinance No. 43-5 of Jackson County, Illinois, and shall be in full force and effect from and after its passage, approval, and recording, and after the Illinois Department of Commerce and Community Affairs has approved the application for amendment to the Enterprise Zone in Jackson County, Illinois.

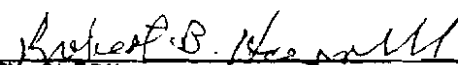
PASSED this 11 day of AUG, 1993.

APPROVED this 11 day of Aug, 1993.

JACKSON COUNTY BOARD


CHAIRMAN

ATTESTED:

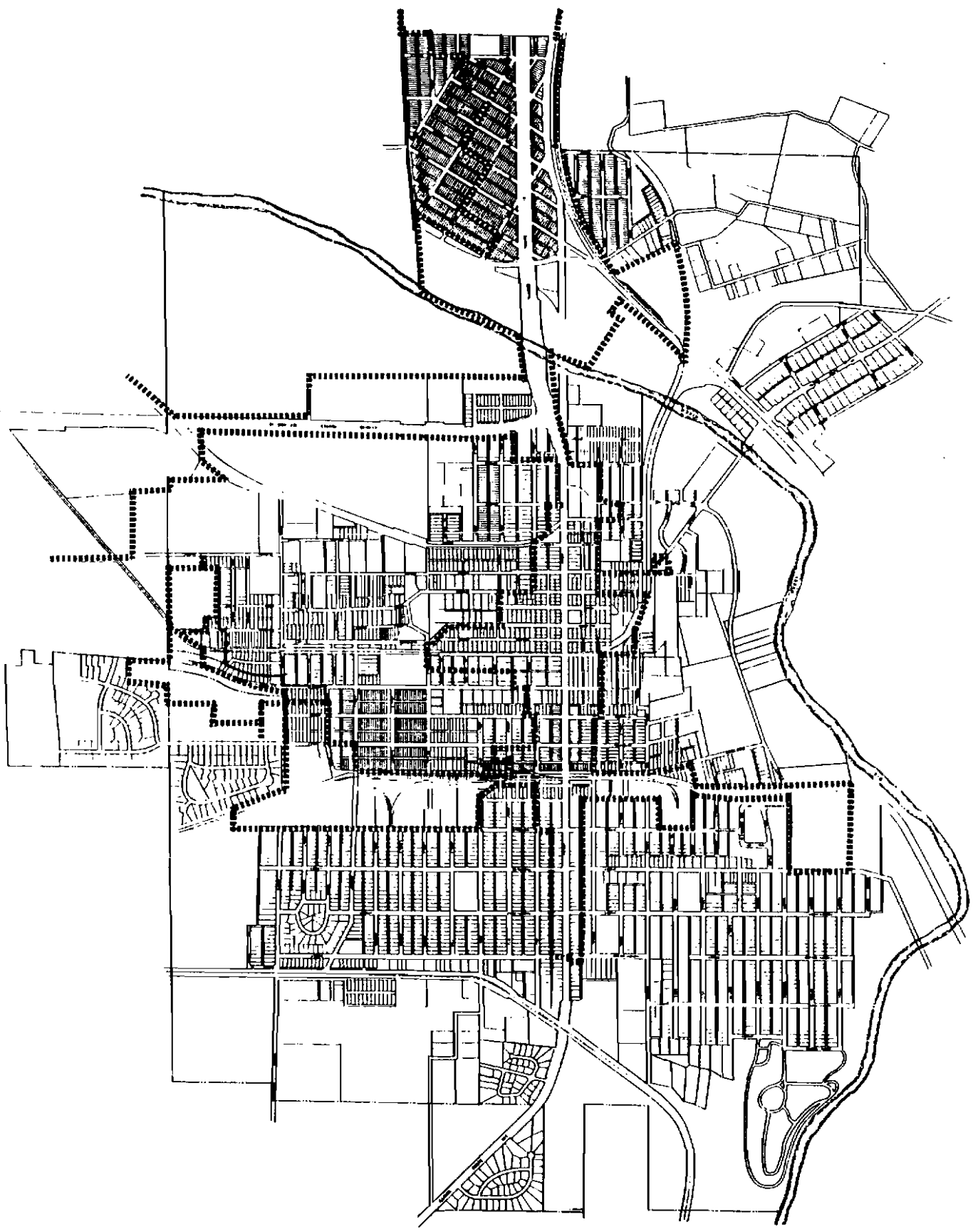

COUNTY CLERK

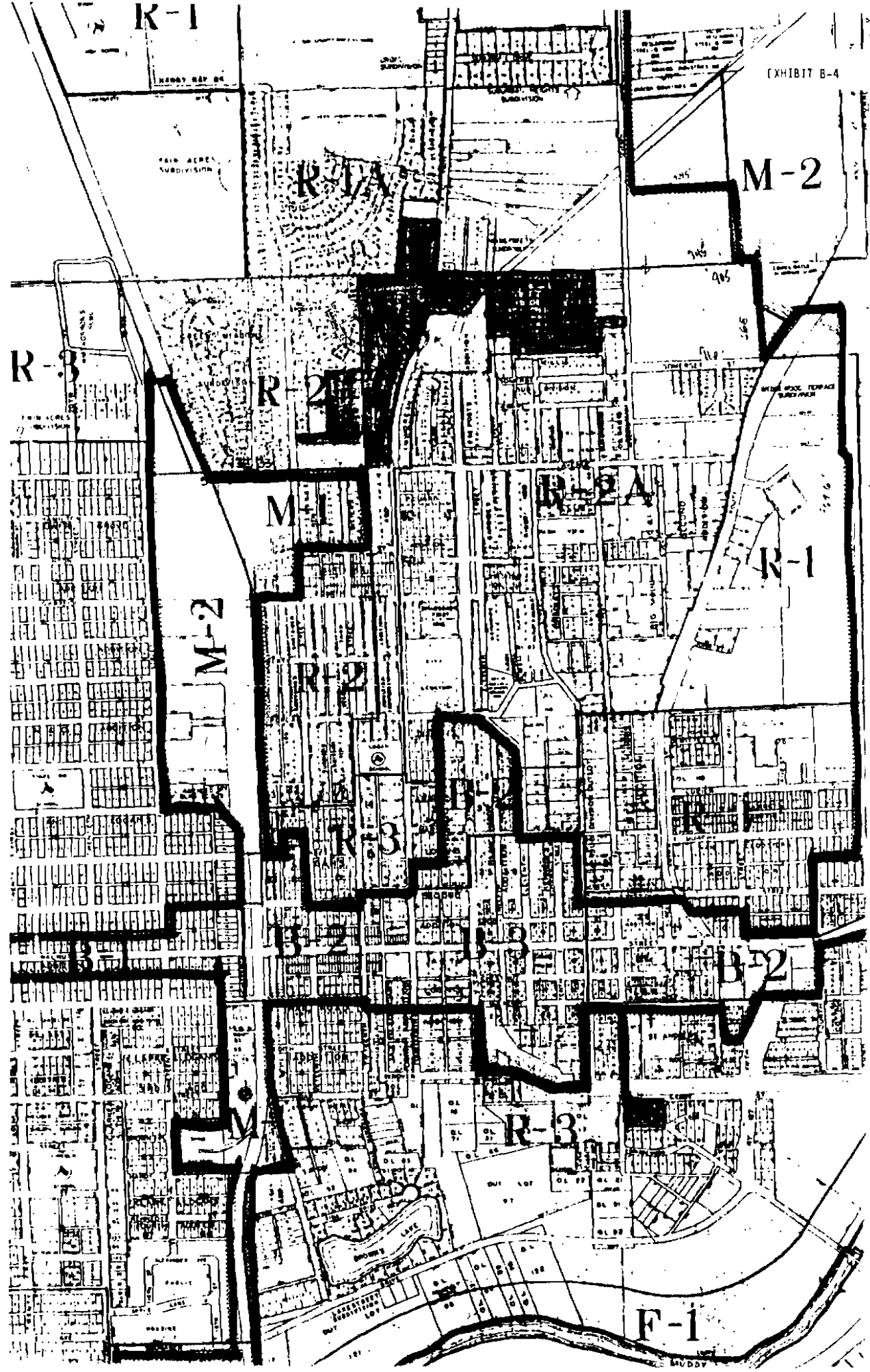
LEGAL DESCRIPTION

Start at intersection of North boundary of Grace Street and East boundary of North 14th Street and proceed northerly along 14th Street to the intersection with the South boundary of Illinois Avenue then easterly along the South boundary approximately 110' to the intersection of the South boundary of Illinois Avenue to the East boundary of Lot 25 of the Morgan Place Subdivision thence northerly along the East boundary to the intersection of the South boundary of the Platted Alley running East and West between 14th and Keough Drive. Thence easterly along the South boundary approximately 40' to the intersection of the South boundary and the eastern boundary of Lots 26-34 of Morgan Place Subdivision thence northerly along the eastern boundary to a point of intersection with the South boundary of Keough Drive and thence southeasterly approximately 60' to the intersection of the South boundary and the East boundary of Lot 16 of the Morgan Place Subdivision and an extension of the northern boundary of Post Street as platted thence easterly on the northern boundary to a point of intersection on the East boundary of North 11th Street thence northerly along the East boundary to a point of intersection of the East boundary of the abandoned IC&G Railroad right of way and thence southwesterly along the east boundary approximately 270' and thence westerly approximately 270' to a point of intersection with the West boundary of North 14th Street thence southwesterly along the West boundary to a point of intersection with the North boundary of Illinois Avenue thence westerly along the North boundary approximately 150' to the West boundary of the Platted Alley thence southerly along the West boundary to a point of intersection with the North boundary of Grace Street thence easterly along the North boundary to the point of beginning.



THE COMMISSION IS MADE UP OF THE
CITY OF MURPHYSBORO, ILLINOIS
AND THE FOLLOWING MEMBERS:
[List of names and titles]





R-1

EXHIBIT B-4

PAID AREA SUBDIVISION

R-1A

M-2

R-3

R-2

M-1

R-3A

R-1

M-2

R-2

R-3

B-2

R-3

F-1