

**ORDINANCE NO. MC-1073**

**AN ORDINANCE AMENDING SECTION 20-27 OF THE HOMEWOOD MUNICIPAL CODE CONCERNING CERTAIN ACTS OR CONDITIONS DEEMED PROHIBITED NUISANCES**

WHEREAS, the former Homewood Zoning Ordinance contained restrictions on scavenger hours of operation and construction hours of operation; and

WHEREAS, Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes the corporate authorities of each municipality to define, prevent, and abate nuisances; and

WHEREAS, the President and Board of Trustees hereby declare that operation of scavenger service or construction activities outside of the hours listed in this ordinance constitute a nuisance; and

WHEREAS, the President and Board of Trustees have determined that these restrictions are better suited for inclusion in the Homewood Municipal Code instead of the Homewood Zoning Ordinance.

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

**SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:**

Section 20-27 of the Homewood Municipal Code is amended as follows (additional language underlined):

(29) Scavenger hours of operation. Scavengers shall not pick up garbage, refuse, yard waste or other materials between 6:00 p.m and 6:30 a.m. The Village Manager may authorize scavenger service at other times on a case-by-case basis if in the public interest.

(30) Construction hours of operation. With the exception of the village, no person shall operate outdoors any construction equipment or mechanical apparatus operated by fuel or electrical power between 7:00 p.m. and 7:00 a.m., except for emergency work. At the Village Manager's discretion, operating hours may be extended if required by unique circumstances or in the public interest. Any such exception shall be documented by a written permit displayed at the job site.

**SECTION TWO - EFFECTIVE DATE:**

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 10<sup>th</sup> day of January, 2023.

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Village President

ATTEST:

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Village Clerk

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_