

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Charlie Mattern
Kevin Groth
Corby Valentine
Steve Smith
Tony Miller

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Stephen R. Wigginton

January 7, 2008

NOTICE

MEETING OF LEGAL AND ORDINANCE COMMITTEES (Annexation; Building; Zoning; Subdivision) Groth/Baker/Mattern

A Legal and Ordinance Committee Meeting of the Village of Freeburg will be held at the Municipal Center, Executive Board Room, **Wednesday, January 9, 2008, at 4:00 p.m.**

LEGAL AND ORDINANCE COMMITTEE MEETING AGENDA

I. Items To Be Discussed

A. Old Business

1. Approval of 12/6/07 Minutes
2. Material Requirements on Commercial Buildings
3. Status of Public Hazard Homes
4. Nuisance Abatement Code
5. Recording system for board room
6. Countryside Lane annexations
7. TIF Litigation
8. Stumpf lawnmower repair business

B. New Business

1. William Starnes

C. General Concerns

D. Public Participation

E. Adjourn

At said Legal and Ordinance Meeting, the Village Trustees may vote on whether or not to hold an Executive Session to discuss the selection of a person to fill a public office [5 ILCS, 120/2 - (c)(3)], litigation [5 ILCS, 120/2 - (c)(11)] personnel [5 ILCS, 120/2 - (c) (1) a.]; or real estate transactions [5 ILCS, 120/2 - (c)(5)].

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Charlie Mattern
Kevin Groth
Corby Valentine
Steve Smith
Tony Miller

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Stephen R. Wigginton

Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Groth/Baker/Mattern)
Wednesday, January 9, 2008 at 4:00 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:04 p.m. by Chairman Kevin Groth on Wednesday, January 9, 2008, in the Freeburg Municipal Center. Members attending were Chairman Kevin Groth, Trustee Charlie Mattern, Trustee Rita Baker, Mayor Ray Danford, Village Clerk Jerry Menard, Administrator Dennis Herzing and Office Manager Julie Polson. Guest present: Janet Baechle.

OLD BUSINESS:

1. Approval of 12/6/07 Minutes: Trustee Charlie Mattern motioned to approve the December 6, 2007 minutes and Trustee Rita Baker seconded the motion. All voting aye, motion carried.
2. Material Requirements on Commercial Buildings: Charlie attended the Chamber of Commerce meeting and stated there was no real discussion on this topic. The meeting had approximately 10 members present. Charlie asked if the proposed building requests could go through the Plan Commission for their review and Dennis advised that there is nothing in the code to control what a building looks like when built. Kevin would like the code from Fairview Heights revised by Dennis and have a proposal published in the paper for public comment.
3. Status of Public Hazard Homes: Dennis provided copies of emails received on the 2 S. Monroe property. The Public Works Dept. put up the orange plastic fence as directed by the Board of Trustees and Sheets' attorney questioned why they were not advised ahead of time. Dennis advised them that the cleanup was underway but we needed the site to be safe. Sheets also requested a temporary arrangement be made so he doesn't have to back fill that property right now. We responded no to that request. Kevin brought up the Main Street property and Dennis advised that an invoice has been sent to Mary Kinzinger to pay for the cost to have R&N clean up the property. If she does not pay the invoice in a timely manner, a notice of lien will be filed. Since St. Clair County has not answered our question on how the special assessment works (as we passed the ordinance), it is possible we can recover these costs through that avenue. Rita brought up the Rogers' home across the street from the old power plant and Dennis advised that someone asked her if she was willing to sell the home and she said she is not interested. The home is not vacant.
4. Nuisance Abatement Code: Kevin stated he has talked to some people in town who would support this and also some that won't. Dennis stated Attorney Wigginton feels we need to address this and make the code more stringent. Dennis is to come up with a proposal on this to be put in the paper for public comment.

Legal and Ordinance Committee Meeting
Wednesday, January 9, 2008
Page 1 of 3

5. Recording system for board room: Dennis and Julie met with Heil to go over the system again with the requested requirements from the trustees discussed. The revised quote is attached in the amount of \$4,444.00.

Trustee Charlie Mattern motioned to recommend to the full Board the recording system for the Executive Board Room be purchased at a cost of \$4,444.00 and Trustee Rita Baker seconded the motion. All voting aye, the motion carried.

6. Countryside Lane Annexations: Dennis talked to David Gass who talked to Mark Luechtefeld and both stated they would like to annex into the village but want water. They were under the assumption there was water at the end of Gass' lane. Currently, the water ends at Sugar Creek. Ron advised Dennis the approximate cost to run a line would be \$35,000 - \$40,000 in materials only. Gass has stated he would run a line from his house to the main. Dennis said he will talk to Gass tomorrow and explain the situation. He is also going to start talking to the surrounding neighbors to see if they would be interested in getting water and contribute to the cost to put it in. Charlie stated we need to take advantage of the situation while they are willing to annex. It was discussed having Gass and Luechtefeld enter into annexation agreements now with the agreement that the water line would go in within a year. Dennis will have Ron verify that year commitment can be met. The committee discussed obtaining grant money from the U.S. Department of Agriculture Rural Development -- Dennis will contact them to discuss. The issue of charging tap-in fees for future development was also discussed and Dennis was asked to review the current code language.

7. TIF Litigation: Nothing new.

8. Stumpf lawnmower repair: Nothing new.

NEW BUSINESS:

1. William Starnes: Dennis provided a copy of his response to Starnes' letter dated December 28, 2007. Dennis advised the neighbors who are complaining about the dog do not want to file a complaint since Starnes is a retired judge.

2. Closed session tapes: Attorney Wigginton provided information on Steelville's code with regard to the closed door sessions and procedures for destroying executive session tapes. Village Clerk Jerry Menard said they can be destroyed after 18 months. Dennis will prepare an ordinance addressing this item.

3. Pool financing: Trustee Groth stated he wants the different procedures for the financing options explained. Dennis said he thinks that Councilman-Hunsaker will provide that information. We are going to wait on this and see what they come up with.

4. Underwood: Dennis stated the current ordinance on satellite installations address the larger dishes and requires a building permit be issued. The committee agreed that a building permit should not be required for the smaller dishes currently being installed by residents. After

committee review, it was decided to have Dennis revise the ordinance to only have a building permit required for a very large dish.

GENERAL CONCERNS: None.

PUBLIC PARTICIPATION: Janet Baechle asked what was going on with Walnut Street/Phillips Street and Dennis advised the tenants are gone.

ADJOURN: *Trustee Rita Baker motioned to adjourn the meeting at 5:23 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*



Julie Polson
Office Manager

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Charlie Mattern
Kevin Groth
Corby Valentine
Steve Smith
Tony Miller

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Stephen R. Wigginton

Legal and Ordinance Committee Meeting
(Annexation; Building; Zoning; Subdivision)
(Groth/Baker/Mattern)
Thursday, December 6, 2007 at 4:00 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:05 p.m. by Chairman Kevin Groth on Thursday, December 6, 2007, in the Freeburg Municipal Center. Members attending were Chairman Kevin Groth, Trustee Charlie Mattern, Trustee Rita Baker, Village Clerk Jerry Menard, Administrator Dennis Herzing and Office Manager Julie Polson.

Trustee Rita Baker motioned to go into Executive Session at 4:06 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION 4:06 P.M.

Trustee Rita Baker motioned to end Executive Session at 4:07 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

EXECUTIVE SESSION ENDED 4:07 P.M.

Trustee Rita Baker motioned to reconvene the Legal/Ordinance Committee meeting at 4:08 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

OLD BUSINESS:

1. Approval of 11/7/07 Minutes: *Trustee Rita Baker motioned to approve the November 7, 2007 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, motion carried.*
2. Material Requirements on Commercial Buildings: Charlie was unable to attend the Chamber of Commerce meeting on November 12, 2007 but the committee felt they still wanted to pursue giving the Chamber of Commerce a questionnaire they could distribute to their members. Charlie will attend the next meeting.
3. Status of Public Hazard Homes: Dennis stated the Koesterer house is down. Attorney Brian Manion has done a lot of research on whether we can recoup our expenses on the Washington Street property and advised there is no case law to support a situation such as this one. Dennis advised we will recover our expenses on the Koesterer property which amount to \$6,000. We have a decision to make on 2 S. Monroe Street as Sheets is dragging his feet. The next hearing

Legal and Ordinance Committee Meeting
Thursday, December 6, 2007
Page 1 of 3

in this case is scheduled for late January and Dennis advised that if we came to that hearing to argue our case, it would cost an additional \$6,000 - \$8,000 due to legal and engineering fees. Dennis stated he has had conversations with Attorney Wigginton and they have decided it might be better to have Attorney Manion approach Sheets' attorney saying we will drop some of our legal and engineering fees in the Monroe case (approximately \$2,800), if Sheets would agree to enter into a consent decree that would order the demolition of the Monroe Street building. This would save us the \$6 - \$8,000 in expected legal and engineering fees. The committee directed Dennis to advise Attorney Manion to begin talks with Sheets' attorney. Dennis will advise the other trustees of this in upcoming committee meetings. The ownership of the Washington Street property was discussed and it was confirmed the rezoning of the property is contingent upon the proposed project and also the fact that the court case follows the property.

4. Nuisance Abatement Code: Nothing new on this.

5. Recording system for board room: As the trustees increased the number of microphones, that changed the channel mixer from an 8-channel to a 10-channel and increased the price. Dennis and Julie will contact Heil to have them come back out to see if we can keep our amplifier for lobby sound, if there is any output capability on the new system, and putting a toggle switch on the mayor's microphone for audience participation.

6. PWD, APWD and Chief of Police Position Status: Trustee Mattern stated he wanted to research this topic further and the committee agreed to take this item off the agenda.

7. Regional Wastewater Treatment: Item can be taken off the agenda.

8. Countryside Lane Annexations: Kevin talked to Brian Price and advised he is quite interested in annexing into the Village. Mr. Price talked to some of the neighbors who said they are also interested in annexing into the Village but would like to get something for it, i.e. water, sewer. Charlie stated he would like to entertain putting this into next year's budget. He stated if we did go through with this project, he would like to see a capacity surcharge for any new development that came along after we installed the water line. The developer would pay a percentage of the cost for us to run that water line. It was noted that if all the people in that area annex, Luetchfeld would probably also annex. Charlie stated this would need to be discussed with the other board members.

8. TIF Litigation: Attorney Wigginton talked to Koppeis' attorney and they are trying to schedule a date to iron out the agreement.

NEW BUSINESS:

1. Special Assessment Ordinance: Dennis provided copies of the draft ordinance prepared by Attorney Wigginton. This ordinance would allow the Village to recover costs on certain nuisances, i.e. cutting of grass and weeds, removal of garbage and debris. A tax can be levied against the property by a special assessment on the property owner's real estate tax bill.



WEILMUNSTER & WIGGINTON, P.C.

ATTORNEYS AT LAW

wwlaw1.com

STEPHEN R. WIGGINTON

E-Mail: srw@wwlaw1.com

Licensed in Illinois

January 4, 2008

*Sent Via Fax #(636) 394-0584 &
Regular U.S. Mail*

Mr. Daniel J. Mannion
Attorney at Law
426 Lexbridge
St. Louis, MO 63011

**Re: Village of Freeburg, a Municipal Corporation v. C and S, Ltd., A Limited
Partnership, Phil Sheets, et al. (#2 South Monroe)
No: 07-MR-94**

Dear Dan:

I understand from my associate, Brian Manion, that it appears unlikely that we will be able to reach an agreement as to the attorney's fees and costs recoverable by the Village in connection with this demolition action. Putting aside this issue, I don't believe that there is any dispute that it is the responsibility of your client to clean the debris from the demolition. Several weeks have now passed since the demolition occurred. Please be advised that I have forwarded the enclosed Notice to your client, as required by Freeburg Code.

Please feel free to contact me if you have any questions.

Sincerely,
WEILMUNSTER & WIGGINTON, P.C.

By: 

STEPHEN R. WIGGINTON

SRW:kh
Enclosure
cc: Dennis Herzing



WEILMUNSTER & WIGGINTON, P.C.

ATTORNEYS AT LAW

wwlaw1.com

STEPHEN R. WIGGINTON

E-Mail: srw@wwlaw1.com

Licensed in Illinois and Missouri

January 4, 2008

*Sent Via Regular U.S. Mail and
Certified Mail/Return Receipt Requested*

Mr. Phil Sheets
Sheets Enterprises, Ltd.
7632 Jefferson Road
Belleville, IL 62220

NOTICE

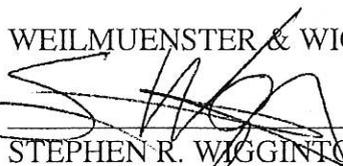
Dear Mr. Sheets:

You are hereby notified pursuant to §94.41 of the Freeburg Code of Ordinances that an accumulation of garbage and debris constituting a nuisance is present on your property at **#2 South Monroe, Freeburg, Illinois**. Please be advised that you have five (5) days from the service of this notice to remove the garbage or debris. If you fail to abate the nuisance within five (5) days, the Village may proceed to abate such nuisance, keeping an account of the expense of the abatement and such expense shall be charged and paid by the owner. If the bill for abatement costs is not paid within thirty (30) days of the submission of the bill, a notice of lien will be recorded.

Again, you must remove the garbage and debris within five (5) days or the Village will proceed to abate the nuisance.

Sincerely,

WEILMUNSTER & WIGGINTON, P.C.

By: 

STEPHEN R. WIGGINTON

Village Attorney/Village of Freeburg

DATED THIS 4th DAY OF JANUARY, 2008.

Invoice #: 00031257

Bill To:

Freeburg City Hall
14 Southgate Center
Freeburg, IL 62243

Ship To:

Freeburg City Hall
14 Southgate Center
Freeburg, IL 62243

Jerald Lynch	Rev2 System	U.S. Mail	Net 30	1/8/2008	1
Misc. Mat	Items listed below are for a new sound system upgrade. The system below is designed to capture the members and participants voices for recording purposes only.		1		
7 PR30	Heil Sound PR30 Microphone w/push to talk button and microphone base.	\$297.00		\$2,079.00	
1 Misc. Mat	Microphone cable w/connectors for above microphones, audio patch cables and trip molding for exposed wiring if needed. Connectors to tie into lobby speaker	\$260.00	1	\$260.00	
1 Misc. Mat	Adjustable microphone stand for wireless microphone.	\$29.00	1	\$29.00	
2 Wireless Mic.	Shure PG24/58 Single channel wireless handheld/stand mounted microphone for audience participation.	\$329.00	1	\$658.00	
1 Misc. Mat	M-audio Microtrack II portable 2 channel recorder. Unit is capable of 1500 minutes of recording time in voice mode. Unit is supplied w/1GB compact flash card. Unit will be used to record executive sessions w/included microphone.	\$399.00	1	\$399.00	
1 Misc. Mat	Behringer Xenyx series, 10 channel microphone mixer.	\$419.00	1	\$419.00	

Please remit a 50% deposit upon acceptance. Thank You!

Invoice #: 00031257

Bill To:

Freeburg City Hall
 14 Southgate Center
 Freeburg, IL 62243

Ship To:

Freeburg City Hall
 14 Southgate Center
 Freeburg, IL 62243

Jerald Lynch Rev2 System U.S. Mail Net 30 1/8/2008 2

1	INSTALLATION	Installation/Estimated labor to install and design sound system for meeting room. Labor is estimated and will be adjusted according to how long it takes to install and calibrate system.	\$600.00		\$600.00
	Misc. Mat	Please present tax exempt letter at time of deposit.		1	

Please remit a 50% deposit upon acceptance. Thank You!

\$4,444.00
 \$0.00
 \$0.00
 \$4,444.00
 \$0.00
 \$4,444.00

WILLIAM B. STARNES

Attorney at Law

403 Silverthorne Drive
Freeburg, IL 62243
(618) 539-3550

Reg. #2707136

RECEIVED

DEC 31 2007

December 28, 2007

Dennis R. Herzing;

Receipt of your letter is acknowledged - it is gratifying to know that you are concerned with some (noise) nuisances if not stagnant standing water nuisances which obviously could serve as breeding areas for mosquitoes which could result in serious health problems. Query - did you write such a letter to the developers of Lone Oak subdivision, or, to their engineers? Why not?

The foregoing notwithstanding, my son and I have been aware of the problem and have acknowledged responsibility to Freeburg police officers; we have tried to train the stupid dog, to no avail, which is why my son advised your officers that we would acquire a shock collar, which we did. PETSMAST advised that the collar would correct the problem.

In their visits to my home the investigating officers were at all times pleasant, respectful, and professional - they are welcome at my home, even with without a search warrant; not so with the civilian (presumably a neighbor) who came on my property without my permission, without any lawful authority and berated my fifteen year old son. I want to serve him with written notice "NOT TO TRESSPASS" so that I may prosecute him and/or sue him civilly if he again trespasses - but I do not know his name or address; please furnish that information to me at your first opportunity - I assume it is a matter of public record. If there was more than one "neighbor" who trespassed, I request all of their names and addresses. My purpose is to avoid future contact and confrontation that could erupt into violence. I will not tolerate future civilian invasions of my home and attempted "Intimidation" (a crime) of my son.



William B. Starnes

VILLAGE PRESIDENT
Ray Danford

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Rita Baker
Charlie Mattern
Kevin Groth
Corby Valentine
Steve Smith
Tony Miller

VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER
14 SOUTHGATE CENTER, FREEBURG, IL 62243
PHONE: (618) 539-5545 • FAX: (618) 539-5590
Web Site: www.freeburg.com

VILLAGE ADMINISTRATOR
Dennis Herzing

VILLAGE TREASURER
Bryan A. Vogel

PUBLIC WORKS DIRECTOR
Ronald Dintelmann

POLICE CHIEF
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY
Stephen R. Wigginton

07 January 2008

William B. Starnes
403 Silverthorne Dr.
Freeburg, IL 62243

RE: Ordinance Violations
Barking Dog

Dear Mr. Starnes:

Thank you for your letter of December 28 concerning the above referenced issue. I sincerely hope that the shock collar brings about a resolution to the problem for all concerned.

With respect to your request for the name and address of someone who allegedly trespassed on your property, I have checked with the police department. They have no police reports or any other record of any complaints or incidents concerning trespass on your property.

If you have any questions, or if additional information is needed from this office, please feel free to contact me any time at 539-5545 or the police department at 539-3132.

Sincerely,
Village of Freeburg



Dennis R. Herzing, P.E.
Village Administrator

cc: Mayor Danford
Freeburg PD
Legal & Ordinance Committee

January 6, 2008

Village of Freeburg
14 Southgate Center
Freeburg, IL 62243

RECEIVED

JAN 08 2008

RE: Zoning Violations

To Whom It May Concern:

This is a letter in response to the zoning violations letter that we received on December 7, 2007. As the letter stated we had three violations, and hope to rectify these violations with this letter.

The first violation was in regards to the dish-type antenna that was installed on our house. As we stated in a previous conversation, we were unaware that the installation of a dish required a permit, and therefore, have enclosed a permit application. As you know, our dish is already installed, but seems to be in violation of the ordinance. According to the ordinance, the dish shall be placed in the rear yard, and in the event that a satellite signal cannot be reached, may be placed in the side yard.

When Dish Network came to our house to install the dish, it was originally installed on the roof, behind our third car garage. After the dish was installed, the technician discovered that he could not get a signal over the gable on our garage, so he needed to move the dish. The dish was re-installed on the roof of our third car garage, approximately two feet from the front of the house. Unfortunately our neighbors across the street, have an issue with the placement of our dish, and filed a complaint with the Village.

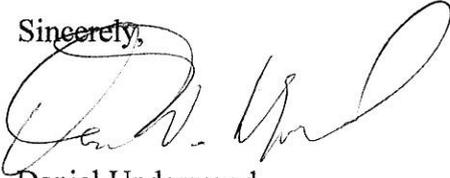
We are fully aware, that we are technically in violation of the ordinance, but feel that our placement of the dish was not in bad taste. All of the incoming cable and power lines are located on the garage side of our home, so that was the only satellite placement option given to us by Dish Network. After this complaint was filed by our neighbor, we have found numerous other homes within a two mile radius of our home that are also in violation. The satellite dish signal is obtained from the southern sky, so homes that are positioned the same as ours, are many of the homes that are also in violation. You will find the addresses of these homes in attachment A. Our intentions are not to have violation letters sent to these residents, but to have the Village Zoning committee re-evaluate the current satellite dish ordinances.

The second violation was in regards to the fence which we had installed without a permit. We have enclosed the permit application for this as well. We installed a 48' tall black aluminum fence.

The final violation was for not having house numbers posted on our home. We have since put the house numbers on our home, and they are within the Village ordinances.

We hope that this letter will better explain our situation and rectify our violations. If you have any questions, please do not hesitate to contact us at

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Underwood", written over the word "Sincerely,".

Daniel Underwood

A handwritten signature in black ink that reads "Kelly Underwood".

Kelly Underwood

Attachment A

308 State Street
107 Hill Street
809 Old Fayetteville Road
630 Old Fayetteville Road
415 Old Fayetteville Road
395 Old Fayetteville Road
5426 Oak Thorn Drive
4 Lakeview Drive
12 Lakeview Drive
10 Edgewood Court
711 Mary Ann Court
709 Mary Ann Court
707 Kristie Lynn Street
12 Meyer Drive
306 Elizabeth Drive
301 Urbanna Drive
8 Milford Drive
202 East Apple Street
206 East Apple Street
302 South Vine Street

40-3-34 REQUIREMENTS. Parabolic or dish-type antennas located outside of the business or residence shall meet the following requirements:

(A) Maximum number per business lot or residence lot shall be one (1) antenna. Businesses selling these dishes shall be allowed a maximum of three (3) and only one (1) of these shall be allowed in front of the building.

(B) The parabolic or dish-type antenna shall be located in the rear yard, except that when the main building is on a corner lot, the parabolic or dish-type antenna cannot be closer to the adjoining side street than the main building is permitted to be located.

(C) The parabolic or dish-type antenna shall be placed in the rear yard, except that if a usable satellite signal cannot be obtained from the rear yard, the antenna may be located on the side yard of the property, subject to the approval of the Zoning Administrator and subject to the other requirements of this section.

In the event that a usable satellite signal cannot be obtained from the rear or side yard of the property, such antenna may be placed on the roof of a structure subject to the approval of the Zoning Administrator and subject to the other requirements of this section.

(D) Screening shall be as deemed necessary by the Zoning Administrator for commercial installations.

(E) All parts of the parabolic or dish-type antenna structure must be a minimum of three feet (3') from all property lines of the lot.

(F) The parabolic or dish-type antenna shall be mounted on a steel pipe support embedded in a concrete foundation, and the parabolic or dish-type antenna, when turned perpendicular to the ground, together with the base, shall not extend more than fifteen feet (15') above the ground. In the event that a usable signal cannot be obtained at a height of fifteen feet (15') then the pole may be raised to the minimum height necessary to obtain a clear signal for the installation. The main diameter of the parabolic or dish-type antenna shall not exceed eleven feet (11').

(G) All petitions for a variance from the provisions of this section shall be heard by the Zoning Board of Appeals and as provided in Article X, Division III.

(H) A Zoning Occupancy Permit shall be required prior to erection of any such parabolic or dish-type antenna.

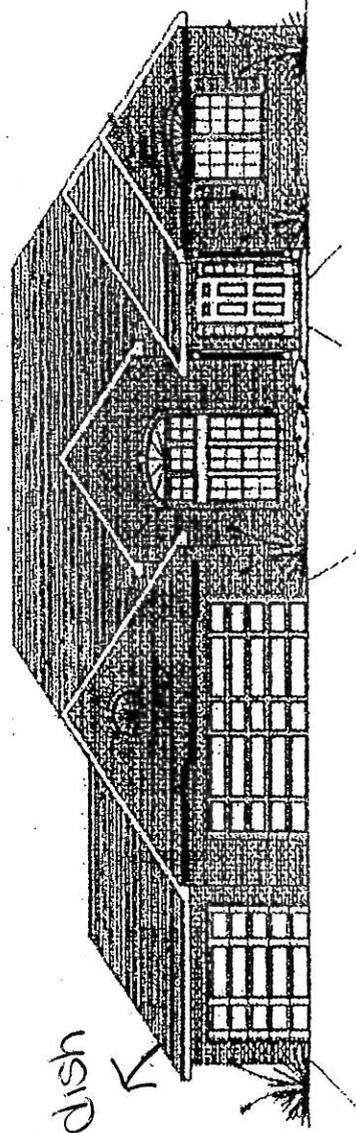
(I) No parabolic or dish-type antenna shall be roofmounted unless the dish is six feet (6') or less in diameter and is mounted on the rear portion of the roof.

(J) No parabolic or dish-type antenna shall be used or serve as a sign for the purpose of advertisement by a business or commercial unit.

(K) Nuisance and Injunction. Any violation of this section is hereby declared to be a nuisance. In addition to any other relief provided by this Code, the Village Attorney may apply to a Court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this section. Such application for relief may include seeking a temporary restraining order, temporary injunction and permanent injunction.

(L) This section shall not apply to any existing parabolic or dish-type antennae which have been installed prior to the effective date of this Code.

The front exterior of the house will be brick as shown, except the gable over the front door as shown. The remaining front gable and three exterior walls will consist of vinyl siding. All soffit and overhang will be aluminum, and the roof will consist of architectural shingles.



Satellite dish
on side
of roof
Approx.
2ft from
front of
house and
behind main roof gable