

ORDINANCE NUMBER 2001 - 22

GRANTING SPECIAL USE
10702 RIVER ROAD
POLISH NATIONAL ALLIANCE CAMPGROUND

WHEREAS, the Youth Camp Association District 12 & 13, Polish National Alliance (P.N.A.) filed a petition for a Special Use within the A-1 District, for property located at 10702 River Road in Bristol Township; and

WHEREAS, said petition is to allow the use of the property for special events as provided in Sections 7.01.D of the Kendall County Zoning Ordinance; and

WHEREAS, said property is designated on the zoning map as an A-1 Special Use; and

WHEREAS, said property is legally described as:

That part of Section 29, Township and Range aforesaid, bounded by a line described as follows: Commencing 8 chains North from the South West corner of said Section 29; running North on the West line of said Section 43.25 chains to the South line of T. Specer's farm; thence East on said farm line 31.12 chains; thence South 12 degrees East 8 chains; thence South 11 degrees, West 3.43 chains; thence South 22 ½ degrees, West 10.23 chains; thence South 62 ½ degrees East 1.58 chains; the center of Blackberry Creek; thence Southerly along the center of Blackberry Creek to the East line of the South West quarter of said Section 29 at a point 8 chains North of the South East corner of said Section 29; thence West 40 chains to beginning;

ALSO

A part of Sections 29 and 32, Township 37 North, Range 7 East of the 3rd P.M., bounded by a line described as follows: Beginning at the South East corner of the South West quarter of Section 29; thence West 20 chains thence South 6 chains to the Fox River; thence West 10.80 chains along the Fox River to a point 9 chains East of the West line of Section 32; thence North 9.10 chains; thence West 2.65 chains; thence North 3.50 chains; thence West 6.40 chains; thence North 4.50 chains; thence East 40 chains; thence South 8 chains to the place of beginning all in Township 37 North, Range 7 East of the 3rd P.M. in Kendall County, Illinois.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact, and recommendation for approval by the Zoning Board of Appeals; and

WHEREAS, the Kendall County Board finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit for the PNA Camp, with the following conditions:

1. All concerts shall abide by the noise standards set forth in the City of Yorkville Noise Control Ordinance for Amplified, Enhanced Noise and Excessive Noise Levels (Ordinance 2001-10) attached hereto as Exhibit "A", and shall include charitable organizations.
2. Overnight accommodations will be provided by attendees only, in the form of tents.
3. The petitioner will co-ordinate traffic control with the Sheriffs Department and the Yorkville Police Department for events with 1,000 persons or more.
4. Two licensed and bonded private security officers for every 100 people shall be provided at concert and sporting events.
5. One permanent or portable sanitary facility per 50 expected attendees shall be provided and one permanent or portable shower per 100 expected overnight attendees shall also be provided.
6. Specialty food vendors, from off-site, will obtain temporary food handling licenses with the County Health Department for each event.
7. Additional waste containers must be provided to accommodate the number of expected attendees.
8. The Special Use shall be subject to a second review by the Planning, Building, & Zoning Committee at their regularly scheduled meeting one year after the approval by the County Board of this petition.
9. Petitioner shall have no more than 10 concert events per calendar year.
10. No more than 2,000 people may attend a particular concert event.
11. The primary use of this property must remain for private, non-profit organizational uses. If the uses become primarily public and/or commercial, an amendment to the Special Use will be required.
12. P.N.A. events may occur year-round.
13. Signage will be allowed as noted below:
 - a. A lighted sign, not to be neon, over the gate of the P.N.A. Campground, no larger than 32 square feet.
 - b. Two (2) road signs leading to the camp, no larger than 2 feet by 3 feet (or 6 square feet).
 - c. Two (2) signs at each of the gates, 3 feet wide by 5 five long.
 - d. Two (2) signs on River Road, across from the P.N.A. gated entrance, 3 feet wide by 5 feet long, with a directional arrow to the camp, provided that P.N.A. continues to own that property at the time permits are issued.
14. Special events allowed specifically include:
 - a. One carnival event lasting five (5) days, not to conflict with the Kendall County Fair. Event length may be extended if approved by the Planning, Building and Zoning Committee.
 - b. Two rock concerts lasting two (2) days with attendees camping overnight.


- c. One Polka Festival lasting two (2) days.
- d. One WPNA Radio Picnic featuring live bands and lasting two (2) days.
- e. One Polish American Contractors Builders Association Festival featuring live bands and lasting two (2) days.
- f. One Blues Concert, two (2) days.
- g. One Jazz Concert, two (2) days.
- h. Two classical concerts on Sundays.
- i. Boy Scouts of American Jamboree.
- j. Two soccer game tournaments lasting two (2) days each with dinner and live entertainment.

Site events shall all be subject to conditions one, three, four, five, nine, and ten as listed above.

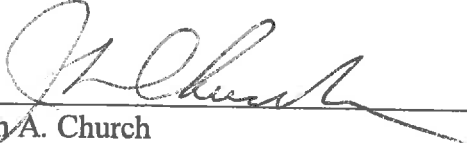
Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on August 21, 2001.

Attest:



Paul Anderson
Kendall County Clerk



John A. Church
Kendall County Board Chairman

Revised March 16, 2001

STATE OF ILLINOIS)
)ss.
COUNTY OF KENDALL)

ORDINANCE: 2001-10

NOISE CONTROL ORDINANCE FOR AMPLIFIED, ENHANCED NOISE AND EXCESSIVE NOISE LEVELS

WHEREAS, the Mayor and City Council of the United City of Yorkville, upon the recommendation and request of various members of the community, and after consideration and study by the City Police Department, deem it to be in the best interest, and necessary for public safety, to create a Noise Control Ordinance for Amplified, Enhanced Noise and Excessive Noise Levels; and

WHEREAS, the Mayor and City Council of the United City of Yorkville have determined that a Noise Control Ordinance is in the best interest of the City and will improve the quality of life of its Citizens; and

WHEREAS, the Mayor and City Council of the United City of Yorkville have reviewed the relevant noise standards of surrounding communities and have determined that the standards contained herein are reasonable and appropriate for the United City of Yorkville;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE UNITED CITY OF YORKVILLE upon Motion duly made, seconded and approved, that the United City of

Yorkville hereby enacts the following Ordinance with respect to Amplified, Enhanced Noise and Excessive Noise Levels:

- I. **Definitions:** All terminology used in this ordinance shall be in conformance with applicable publications of the American National Standard Institute (ANSI) or its successor body.
- II. **Weighted Sound Level:** Sound pressure level decibels as measured on a sound level meter using the "A" weighing network. The level so read is designated dB(A) or dBA.
- III. **Day Hours:** No person shall cause or allow the emission of sound during daytime hours (7:00 AM to 10:00 PM) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.
- IV. **Night Hours:** No person shall cause or allow the emission of sound during night time hours (10:00 PM to 7:00 AM) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided, however, that point of measurement shall be on the property line of the complainant.
- V. **Exemptions**
 - A. **Emergency Operations:** Emergency short-term operations which are necessary to protect the health and welfare of the citizens, such as, emergency utility and street repair, fallen tree removal or emergency fuel oil delivery shall be exempt, provided that reasonable steps shall be taken by those in charge of such operations to minimize noise emanating from the same.

- B. **Noises Required By Law:** The provisions of section shall not apply to any noise required specifically by law for the protection or safety of people or property.
- C. **Powered Equipment:** Powered equipment, such as lawnmowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted between the hours 7:00 a.m and 10:00 p.m.
- D. **Community Events:** The term "Community Events" shall include such things as parades, festivals, drum corps shows, sports events, Fourth of July celebrations, sanctioned or sponsored in whole or in part by local governments, schools or charitable or service organizations.
- VI. **Fines:** The first violation of this Section shall result in a written warning issued by the Police to the owner or occupant of the property. A second violation of this Section shall result in a One Hundred Dollar (\$100.00) dollar fine. Third and subsequent violations of this Section shall result in a Five Hundred Dollar (\$500.00) fine. Said fine shall be paid to the United City of Yorkville no later than Ten (10) working days after the violation.
- VII. Upon the third violation of this section, the Police and City Attorney may seek to declare the noise a Public Nuisance and seek its abatement in the Circuit Court of Kendall County.
- SEVERABILITY:** The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.
- REPEALER:** Any Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

EFFECTIVE DATE: This Ordinance shall be in full force and effect 15 days from and after its passage and approval by the Mayor and City Council.

IN WITNESS WHEREOF, this Ordinance has been enacted this 22nd day of March, 2001.

PAUL JAMES [Signature]
RICHARD STICKA [Signature]
VALERIE BURD [Signature]
LARRY KOT [Signature]

MARTY MUNNS [Signature]
MIKE ANDERSON [Signature]
ROSE SPEARS [Signature]
THOMAS SOWINSKI [Signature]

APPROVED by me, as Mayor of the United City of Yorkville, Kendall County, Illinois, this 22nd day of March, A.D. 2001.

[Signature]
MAYOR

PASSED by the City Council of the United City of Yorkville, Kendall County, Illinois this 22nd day of March, A.D. 2001.

Attest: [Signature]
CITY CLERK

Prepared by:
Law Offices of Daniel J. Kramer
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630.553.9500