

ORDINANCE NO. 7677-23

AN ORDINANCE DECLARING A MORATORIUM ON
NEW CONSTRUCTION NEAR THE BONEYARD CREEK

WHEREAS, the City Council of the City of Urbana finds that the Boneyard Creek and its banks are sites and areas of historical and aesthetic importance having special community interest and value, the preservation of which is necessary and desirable to sound community planning for the City; and

WHEREAS, the Boneyard Creek is generally located in an area designated as a flood hazard area by the Department of Housing and Urban Development, Federal Insurance Administration, as a part of the Federal Flood Insurance Program in which the City of Urbana cooperates; and

WHEREAS, the City of Urbana is a participant in the Boneyard Creek Commission, which Commission has as an objective the proposal of a master plan for the permanent development and redevelopment of the Boneyard Creek; and

WHEREAS, the City Council finds that a period of six months may be necessary for the Boneyard Creek Commission to determine what developmental regulations to recommend to the City concerning new construction along the Boneyard Creek and to take steps to initiate a comprehensive preliminary plan concerning such matters as flood prevention, water quality and control, drainage, recreation and aesthetic improvements near the Boneyard Creek; and

WHEREAS, the Boneyard Creek Commission, in order to have time in which to promulgate developmental regulations and to initiate a comprehensive preliminary plan with respect to the Boneyard Creek, requested that the City of Urbana and the City of Champaign institute a moratorium on construction along the Boneyard in order to protect the Boneyard corridor from improvident development; and

WHEREAS, the City is committed to orderly, safe, and aesthetic development of the Boneyard corridor; and

WHEREAS, the City is a home rule unit under the 1970 Illinois Constitution with the authority to exercise any power and perform any function pertaining to its government and affairs.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

1. That the Code Administrator be and is hereby directed to issue no building permits for the construction, erection, or placement of any structure or building that is subject to the provisions of The BOCA Basic Building Code, 1970, as adopted by Ordinance No. 7475-67 (An Ordinance Adopting The BOCA Basic Building Code, 1970, Fifth Edition, With Certain Deletions, Modifications and Exceptions, passed and approved April 18, 1975), on any lot, tract, or parcel within the City of Urbana that is contiguous to the Boneyard Creek or through which the Boneyard Creek flows or on any part of a lot, tract, or parcel that is within seventy-five (75) feet of the centerline of the Boneyard Creek until such time as the City adopts a plan and uniform regulations affecting construction along the Boneyard Creek, but in no event for a time longer than six (6) months from the effective date of this Ordinance.

2. That the moratorium provided in paragraph 1 of this Ordinance shall apply to the construction, erection, and placement of structures and buildings not existing on the effective date of this Ordinance and to additions to any existing structures and buildings; and it shall not apply to the otherwise lawful remodeling, repair, or maintenance of any existing structures and buildings.

3. That this Ordinance shall become effective ten (10) days after its passage and publication.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 16th day of August, 1976.

PASSED by the City Council this 16 day of AUGUST, 1976.

Duane Eckerty
Duane Eckerty, City Clerk

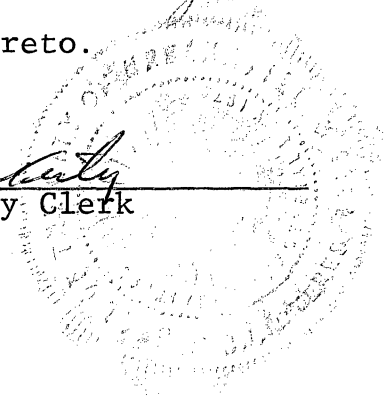
APPROVED by the Mayor this 23 day of August, 1976.

Hiram Paley
Hiram Paley, Mayor

CERTIFICATE OF PUBLICATION

I, Duane Eckerty, City Clerk, City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in the Champaign-Nelson Courier on the 27th day of August, 1976, and a Certificate of Publication is attached hereto.

Duane Eckerty
Duane Eckerty, City Clerk



18900

Certificate of Publication

STATE OF ILLINOIS }
Champaign County } ss.

CHAMPAIGN-URBANA COURIER, Inc., a corporation, hereby certifies that it is the publisher of THE COURIER, a daily secular newspaper of general circulation in said County, printed and published in the City of Urbana, and in the City of Champaign, in said County and State, and that said newspaper is a newspaper as defined in "An Act to revise the law in relation to notices," approved February 13, 1874, as amended, and that the printed notice hereto annexed and hereby made a part of this certificate has been published in said newspaper at least once

each week for one successive weeks in each and every copy and impression

thereof; that the date of the first newspaper containing said publication was Aug.

27 76
A.D. 1976, and that the date of the last newspaper containing said

publication was _____ A.D. 19____; and that _____

Barbara A. Rees
by resolution of the Board of Directors of said
CHAMPAIGN-URBANA COURIER, Inc., has been authorized to make this certificate.

IN TESTIMONY WHEREOF said CHAMPAIGN-URBANA COURIER, Inc., has caused this cer-

tificate to be executed in its name by said Barbara A. Rees

this 27th Aug. 76
day of _____ A.D. 19____.

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ 20.34 By Barbara A. Rees

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CORRIDOR ON NEW
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CERTIFICATE OF PUBLICATION

in

THE COURIER

CHAMPAIGN AND URBANA, ILLINOIS

In the Matter of

Ordinance-7677-23-Boneyard

construction moratorium

Solicitors or
Attorneys **City Clerk**

Urbana, Ill.

Investments-Certificates of Deposit

Total Cash on Hand & Investments

McNeal, Bellefont 157.00; J. Lloyd Br
Emery R. Chilton 200.00; Clark, Dietz