

ORDINANCE NO. 7778-21

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

WHEREAS, the City Council of the City of Urbana, Illinois, on August 16, 1976, adopted Ordinance No. 7677-23, An Ordinance Declaring a Moratorium on New Construction Near the Boneyard Creek; and

WHEREAS, the City Council of the City of Urbana on March 21, 1977, adopted Ordinance No. 7677-84 which extended the moratorium declared in Ordinance No. 7677-23 for an additional six months; and

WHEREAS, the Boneyard Creek Commission in May, 1977, executed a contract with the joint venture of Conklin and Rossant/Clark, Dietz and Associates to prepare the Master Plan for development along the Boneyard Creek. Said Master Plan is to be completed in March, 1978, and the work by said joint venture is currently on schedule; and

WHEREAS, the Champaign County Bicentennial Commission has transferred \$37,804.06 received in its Horizons '76 fund drive to the Boneyard Creek Commission; and

WHEREAS, the Boneyard Creek Commission in June, 1977, executed a contract with the State of Illinois, Department of Transportation, Division of Water Resources for the receipt of Funds for the Preparation of Flood Control Structures along the Boneyard Creek, which said funds are \$30,000.00; and

WHEREAS, the funds received from the Champaign County Bicentennial Commission and the State of Illinois are adequate to fund the Master Plan; and

WHEREAS, the State of Illinois Water Survey will provide input into the Master Plan in the form of two major studies; one, the "Type 15" Flood Study which is near completion; and two, a water quality study in which the Boneyard Creek will serve as a model for several other Illinois cities; and

WHEREAS, the Master Plan upon completion will be specific in its recommendations on set-back lines, channel bank construction, landscaping, and land-use for the permanent development and redevelopment of the Boneyard Creek; and

WHEREAS, it is in the best interests of the City of Urbana that the Master Plan be completed and implemented by the City Council and that the moratorium declared in Ordinance No. 7677-84 accordingly be further extended until June 30, 1978 or until implementation of the Master Plan, whichever is the earlier date.

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, And Supplement Thereto With Certain Deletions, Modifications and Exceptions, passed on March 13, 1975 and approved March 13, 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, or until June 30, 1978, whichever is earlier in date.

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 upon its passage and approval.

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 19th day of September, 1977.

PASSED by the City Council this 19th day of September, 1977.

Duane Eckerty, City Clerk

APPROVED by the Mayor this _____ day of _____, 1977.

Jeffrey Markland, Mayor

This ordinance was vetoed by Mayor. Council over-rode veto at next mtg of 10/3/77 & ordinance became effective 10/3/77.

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 C-U Courier on the 23rd day of October A.D., 1977, and a Certificate of Publication is attached hereto.

Duane Eckerty, City Clerk
Duane Eckerty, City Clerk
Sherly Umbarger, Deputy Clerk
Sherly Umbarger, Deputy Clerk



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WHEREAS, the City Council of the City of Urbana on March 21, 1977, adopted Ordinance No. 7677-84, which extended the moratorium declared in Ordinance No. 7677-23 for an additional six months; and

WHEREAS, the Boneyard Creek Commission in May, 1977, executed a contract with the joint venture of Conklin and Rossant-Clark, Dietz and Associates to prepare the Master Plan for development along the Boneyard Creek. Said Master Plan is to be completed in March, 1978, and the work by said joint venture is currently on schedule; and

WHEREAS, the Champaign County Bicentennial Commission has transferred \$37,804.06 received in its Horizons '76 fund drive to the Boneyard Creek Commission; and

WHEREAS, the Boneyard Creek Commission in June, 1977, executed a contract with the State of Illinois, Department of Transportation, Division of Water Resources, in receipt of Funds for the Boneyard Creek Flood Control Structures, which said structures are located along the Boneyard Creek, which said structures are to be completed by June 30, 1978; and

WHEREAS, the Commission received from the Champaign County Bicentennial Commission in June, 1977, Illinois are adequate to carry out the Master Plan; and

WHEREAS, the Illinois Water Survey has completed the Master Plan and the Master Plan is to be completed in March, 1978, and the work by said joint venture is currently on schedule; and

WHEREAS, the Commission upon completion of the Master Plan, its recommendations, channel bank construction, zoning, and land use for the permanent development and redevelopment of the Boneyard Creek; and

WHEREAS, it is in the best interests of the City of Urbana, that the Master Plan be approved and implemented by the City Council and that the moratorium declared in Ordinance No. 7677-84 accordingly be further extended until June 30, 1978, for until implementation of the Master Plan, whichever is the earlier date.

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

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24548

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 in the City of Urbana, 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 _____ successive weeks in each and every copy

and impression thereof; that the date of the first newspaper containing said publication was

Oct. 23 A.D. 1977, and that the date of the last newspaper containing said

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

Barbara 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 Rees

this 23rd day of October A.D. 1977

CHAMPAIGN-URBANA COURIER, Inc.

Publication Fee, \$ 21.42

By Barbara Rees

LS-630

CERTIFICATE OF PUBLICATION

in

THE COURIER

CHAMPAIGN AND URBANA, ILLINOIS

In the Matter of

Ordinance 7778-21 Moratorium
extension - Boneyard

Solicitors or
Attorneys

City of Urbana
