



ORDINANCE NO. 786

AN ORDINANCE AMENDING THE VILLAGE OF
MACKINAW MUNICIPAL CODE SAID MUNICIPAL
CODE BEING ORDINANCE NO. 513 OF THE
VILLAGE OF MACKINAW TO PROVIDE
AMENDMENTS RELATING TO FIRE WALL AND
ZERO LOT LINE DUPLEXES

Published in pamphlet form by authority of the President
and Board of Trustees of the Village of Mackinaw

APRIL 27, 2009

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SAID MUNICIPAL CODE BEING ORDINANCE NO. 513 OF THE VILLAGE OF
MACKINAW TO PROVIDE AMENDMENTS RELATING TO FIRE WALL AND ZERO
LOT LINE DUPLEX

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF MACKINAW:

SECTION 1: §153.005 of the Village of Code of the Village of Mackinaw is hereby
amended by interlineation to insert in correct alphabetical order the following definitions:

FIRE WALL: A fire-resistance-rated wall having protected openings, which
restricts the spread of fire and extends continuously from the foundation to or
through the roof, with sufficient structural stability under fire conditions to allow
collapse of construction on either side without the collapse of the wall. The fire
wall shall have a minimum of a one hour fire rating.

ZERO LOT LINE DUPLEX: A duplex of which both dwelling units may be
sold separately if all of the following requirements are met:

1. At the time the dwelling units are severed from common ownership, the owner
or owners of the two (2) dwelling units have signed an agreement to run with the
land, in a form adequate to ensure access for maintenance and providing for
maintenance of the walls and driveways or a set of covenants and restrictions are
recorded in the Recorder of Deed's Office to provide for said maintenance.
Nothing in this subsection shall be interpreted as permitting the construction of
any adjacent buildings using only one wall for both buildings. Each dwelling unit
shall have its own fire wall.
2. A re-subdivision plat dividing the lot has been approved by the Village Zoning
Board prior to recording. Formal subdivision procedures shall not be required.
3. The duplex otherwise complies with the requirements of the Zoning Code, as
amended from time to time. Each individual zero lot line unit shall have separate
water and sewer service and each individual zero lot line unit shall be a separate
customer for the water and sewer system. The subdivided lot shall be considered
as one lot for purposes of all other provisions of the Zoning Code. A variance for
yard requirements may be requested in the same manner as other variances.

SECTION 2: §153.022 of the Village Code of the Village of Mackinaw is hereby
amended by adding a new §153.022(D) which is as follows:

§153.022(D) All multi family dwellings, two family dwellings, condominiums,
as defined by the State of Illinois, and each zero lot line duplex shall have a fire
wall to separate dwelling units.

SECTION 3: If any section or part of this Ordinance is held invalid, it shall not affect


the validity of the remainder of this Ordinance.

SECTION 4: This Ordinance shall take effect 10 days after publication thereof as provided by law and shall not apply to any structures prior to the effective date of this Ordinance.

SECTION 5: Ordinance No. 513 of the Village of Mackinaw, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 513 shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of Mackinaw at a duly held meeting on the 27 day of April, 2009.

APPROVED:



President of the Board of Trustees of
The Village of Mackinaw

ATTEST:



Village Clerk

AYES: 6
NAYS: 0
ABSENT: 0

STATE OF ILLINOIS)
) SS.
TAZEWELL COUNTY)

CERTIFICATE


I, LORRIE PAXTON, certify that I am duly appointed Municipal Clerk of the Village of Mackinaw, Tazewell County, Illinois.

I FURTHER CERTIFY that on April 27, 2009 the Corporate Authorities of such municipality passed and approved Ordinance No. 786, entitled "An Ordinance amending the Village of Mackinaw municipal code said municipal code being Ordinance No. 513 of the Village of Mackinaw to provide amendments relating to firewall and zero lot line duplexes.

The pamphlet form or Ordinance No. 786, including the Ordinance and a cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building, commencing on April 27, 2009, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection at the Mackinaw United States Post office. The Original Ordinance adopted by the Board of Trustees of the Village of Mackinaw at a regular meeting thereof on the 27th day of April, 2009, attended by all the members of the Board, and approved by the President on 27th day of April, 2009, as said Ordinance appears on file in my office and as the same is recorded in the Book of Ordinances of said Village.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the official seal of said Village of Mackinaw, Illinois, this 8 day of May 20 09, (ten days after it has been posted).





LORRIE PAXTON, Village Clerk
Village of Mackinaw
Tazewell County, Illinois