

CHAPTER 9-15

INDUSTRIAL PERFORMANCE STANDARDS

SECTION:

- 9-15-1: General
- 9-15-2: Noise
- 9-15-3: Vibrations
- 9-15-4: Smoke and Particulate Matter
- 9-15-5: Toxic and Noxious Matter
- 9-15-6: Odorous Matter
- 9-15-7: Fire and Explosive Hazards
- 9-15-8: Glare and Heat

- 9-15-1: **GENERAL:** Any uses established in any zoning district after the effective date of this Ordinance shall be so operated as to comply with the performance standards governing: (1) noise; (2) vibration; (3) smoke and particulate matter; (4) toxic and noxious matter; (5) odorous matter; (6) fire and explosive hazards; and (7) glare and heat, as set forth hereinafter for the district in which such use shall be located. No use already established on the effective date of this Ordinance shall be so altered or modified as to conflict with, or further conflict with, the applicable performance standards established hereinafter for the district in which such use is located.

An application for a building permit in M-1 District shall require an industrial performance review by the Zoning Enforcement Officer. When deemed necessary by the Zoning Enforcement Officer, the Building Permit Application shall be accompanied by a certification from an engineer or scientific testing laboratory approved by the Village Board, indicating that the use of the land and all processing either does or will comply with the applicable performance standards.

Complaints by an individual or individuals of noncompliance with these standards shall be investigated by the Zoning Enforcement Officer. Upon completion of the investigation, if a scientific test and investigation is deemed desirable, the Zoning Enforcement Officer shall so inform the Planning Commission who shall evaluate the recommendation and subsequently recommend to the Village Board that scientific test be carried out. This test shall be carried out by qualified professionals. If such test reveals a violation of the performance standard, the Village Board shall take the prudent actions necessary to assure compliance by any violator with the performance standards and other pertinent provisions of this Ordinance.

9-15-2: **NOISE:**

- A. Sound levels shall be measured with a sound level meter and associated octave band filter manufactured by the American Standards Associates. Measurement shall be made using the flat network of the sound level meter. Impulsive type noises shall be subject to the performance standards hereinafter prescribed, provided that such noises shall be capable of being so measured, for the purpose of this Ordinance, shall be those noises which cause rapid fluctuations of the needle of the sound level meter with a variation of no more than plus or minus two (2) decibels. Noise incapable of being so measured, such as those of an irregular and intermittent nature, shall be controlled so as not to become a nuisance to adjacent issues.
- B. At no point on the boundary of the property shall the sound pressure level of any operation than background noises not directly under the control of the property owner exceed the limits set forth by the regulations promulgated by the Environmental Protection Act (IL Rev. Stat. 1981, Ch. 111 ½, Pars. 1025 and 1027) and all amendments made hereafter.

9-15-3: **VIBRATIONS:**

- A. Vibrations within a district shall be controlled so as not to become a nuisance to adjacent uses.
- B. No operation or activity (except those not under the direct control of the property owner) cause at any time ground transmitted vibrations in excess of the limits set forth below. Vibrations shall be measured at any point along a property boundary line of the owner with a component measuring instrument approved by the Zoning Enforcement Officer, and shall be expressed as displacement in inches.

<u>Frequency (cycles per second)</u>	<u>Maximum Permitted Displacement Along Residence Boundaries (Inches)</u>
0 to 10	.0008
10 to 20	.0005
20 to 30	.0002
30 to 40	.0002
40 and over	.0001

9-15-4: **SMOKE AND PARTICULATE MATTER:**

- A. Any use already established on the effective date of this Ordinance shall be permitted to be altered, enlarged, expanded, or modified, provided that new sources of smoke and/or particulate matter conform to the performance standards established hereinafter for the district in which such use is located. The total emission weight of the particulate matter from all sources within the boundaries of the lot shall not exceed the net amount permitted in the district in which the use is located after such alteration, enlargement, expansion, or modification.

- B. For the purpose of grading the density of smoke, the Ringelmann Chart, published and used by the United States Bureau of Mines, shall be employed. The emission of smoke or particulate matter of a density equal to No. 2 on the Ringelmann Chart is prohibited at all times, except as otherwise provided hereinafter.
- C. In all districts, all uses shall comply with the current regulations promulgated by authority of the Environmental Protection Act and its subsequent amendments or updates set forth by the State of Illinois, Environmental Protection Agency

9-15-5: **TOXIC AND NOXIOUS MATTER:** No activity or operation shall cause, at any time, the discharge of toxic or noxious matter across lot lines in such concentration as to be detrimental to or endanger the public health, safety, comfort or welfare or cause injury or damage to property or business.

9-15-6: **ODOROUS MATTER:** No activity or operation shall cause, at any time, the discharge of odorous matter in such a manner as to not conform with the applicable regulations promulgated by authority of Environmental Protection Act and its subsequent amendments or updates.

9-15-7: **FIRE AND EXPLOSIVE HAZARDS:**

A. The manufacture, utilization, or storage of pyrophoric and explosive dusts shall be in accordance with the safety codes of the National Fire Protection Association. Such dusts include, but are not limited to: aluminum, bronze, magnesium powder, powdered coal, powdered plastics, flour and feed, spices, starches, sugar, cocoa, sulfur, grain (storage), and wood flour.

B. In the M-1 District, the following additional regulations shall apply:

1. The storage, utilization, or manufacture of solid materials ranging from incombustible to intense burning are permitted, subject to applicable rules and regulations of the State of Illinois.
2. The storage and utilization of flammable liquids or materials, which produce flammable or explosive vapors or bases, shall be permitted in accordance with the regulations of the State of Illinois.

Said materials shall be stored, utilized, or manufactured within completely enclosed buildings having incombustible exterior walls, or protected throughout by an automatic fire extinguishing system or said materials may be stored outdoors in conformance with the regulations of the State of Illinois and such storage shall have fifty feet (50') clearance from all property lines.

9-15-8: **GLARE AND HEAT:** Any operation producing intense glare or heat shall be performed within a completely enclosed building in such a manner so as not to create a public nuisance or hazard along a lot line. Exposed sources of light shall be shielded so as not to create a nuisance across lot lines.