

APPENDIX A  
**LAKEWOOD MUNICIPAL CODE DEFINITIONS**

**Abandoned Vehicle:** Any vehicle which is left at any place for such time and under such circumstances as to cause such vehicle to reasonably appear to have been abandoned.

**Abandoned Vehicle:** Any vehicle in a state of disrepair rendering the vehicle incapable of being driven in its condition; or any vehicle that has not been moved or used for seven consecutive days or more and is apparently deserted.

**Accessory Structure:** A building the use of which is incidental to that of the principal building and which is located on the same lot.

**Administrator:** *Deleted, 2009-14*

**Aerator:** Any machinery used to heat and circulate air in and around water, thereby preventing the water from naturally freezing.

**Air Rifle:** Includes any air gun, air pistol, spring gun, spring pistol, BB gun, pellet gun or any implement that is not a firearm which impels a projectile constructed of hard plastic, steel, lead, brass or any other hard material with a force that is reasonably expected to cause bodily harm or property damage.

**Alcohol:** Alcohol means the product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, and includes synthetic ethyl alcohol. It does not include denatured alcohol or wood alcohol.

**Alcoholic Liquor:** Alcoholic liquor includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being.

**Antique Vehicle:** Any motor vehicle or other vehicle 24 years of age or older.

**Architect:** The Village Architect as established in Section 3.08 of this Code.

**APT:** A ticket issued at the discretion of the Lakewood Police Department and/or Building and Zoning Department personnel in cases of certain minor ordinance violations in lieu of arrest.

**Basement:** A portion of any building located partly underground but having less than half of its clear floor to ceiling height below the average grade of the adjoining ground.

**Beer:** Beer means a beverage obtained by the alcoholic fermentation of an infusion or concoction of barley, or other grain, malt and hops in water, and includes, among other things, beer, ale, stout, lager beer, porter and the like.

**Board of Trustees:** The President and Board of Trustees of the Village of Lakewood.

**Boat:** Any device used or capable of being used for navigation on water.

**Bowling Alley:** A recreational area or facility contained within a building and so constructed as to permit the public to engage in the recreational form commonly known as bowling and constructed primarily for use in connection with such recreational pursuit.

**Building:** Any residential or nonresidential support, shelter or enclosure of persons, animals or movable property of any kind, and which is permanently affixed to the land.

**Cellar:** A portion of a building located partly or wholly underground and having half or more than half of its clear floor to ceiling height below grade.

**Charitable Organization:** An organization or institution organized and operated to benefit an indefinite number of the public. The service rendered to those eligible for benefits must also confer some benefits upon the public.

**Civil Emergency:** A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three or more persons acting together without authority of law; or any natural disaster or manmade calamity, including flood, conflagration, cyclone, tornado, earthquake or explosion within the corporate limits of the Village, resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

**Clerk:** The Village Clerk of the Village of Lakewood.

**Club:** A corporation organized under the laws of this State, not for pecuniary profit, solely for the promotion of some common object other than the sale or consumption of alcoholic liquors which conforms to the definition of a club, as provided by 235 ILCS 5/1-3.24, commonly known as “Liquor Control Act” as amended.

**Combustible Waste:** All waste substances capable of incineration or burning, but excluding explosive or highly flammable material.

**Construction:** Any site preparation, assembly, erection, substantial repair, alteration or similar action, but excluding demolition.

**Construction Vehicle:** Any vehicle used in, and that is hauling, picking up or delivering materials, equipment and related apparatus then being used in the construction, remodeling, repair, replacement, enlargement or addition of or to any improvement on a lawful site within the corporate limits of the Village for which a building permit has been duly issued, and is then outstanding, by the Zoning Officer of the Village under the provisions of Chapter 19 of the Municipal Code.

**Corporate Authorities:** The President and Trustees. *2000-54*

**Country Club:** A recreational area with buildings or structures used in conjunction therewith for the primary use of members and their guests as the case may be, all of which is established for recreational and entertainment purposes and used in conjunction with recreational pursuits or games, e.g. golf, tennis, etc.

**County:** McHenry County.

**Crop Harvest Permit:** A permit issued under Section 15.13 of this Code to the owner of a through vehicle, which vehicle is engaged in the hauling of harvested farm crops, including, but not limited to grain, that have been planted and cultivated on, and harvested from, land owned or rented by the owner of said vehicle.

**Curfew:** A prohibition against any person or persons walking, running, loitering, standing or motor-ing upon any alley, street, highway, public property or vacant premises within the corporate limits of the Village, except officials of any governmental unit and persons officially designated to duty in a civil emergency.

**Demolition:** Any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces or similar property.

**Dwelling Unit:** A single family attached and detached residence and duplex.

**Electronic or Mechanical Amusement Device:** The term “electronic amusement device” or “me-  
chanical amusement device” is defined as follows:

1. Each machine which, upon the insertion of a coin, trade token or slug, operates or may be operated as a game or contest of skill or amusement of any kind or description, and which contains no automatic payoff device for the return of money, trade token or slug, or which makes no provision whatever for the return of money to the player.
2. Any machine, apparatus or contrivance which is used or which may be used as a game of skill and amusement wherein or whereby the player initiates, employs or directs any force generated by the machine.
3. Each machine vending recorded music or a period of radio or television entertainment in re-  
turn for insertion or deposit therein of a coin, trade token or slug; however, this does not in-  
clude coin-operated radios or television sets in private quarters.
4. All amusement machines and/or electronic devices, whether purporting to be games of skill or otherwise, for which a fee or charge is made for the privilege of playing or operating the same.

**EPA Administrator:** Administrator of the U.S. Environmental Protection Agency.

**Extermination:** The control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible material that may serve as their food; by poisoning, spraying, fumigating or trapping; or by any other recognized legal pest elimination methods.

**Educational Organization:** An organization or institution organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

**Firearm:** Any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding any pneumatic gun, spring gun or BB gun which expels a single globular projectile not exceeding .18 inch in diameter.

**Fireworks:** Any rocket, firecracker, torpedo, squib or other similar projectile, or anything containing any substance of an explosive nature, including but not limited to gun powder, gun cotton, giant powder, dynamite, nitroglycerine, fulminate of mercury or other explosives of a similar nature for blasting or other purposes. In addition, the definition for “fireworks” found in 425 ILCS 35/1, as amended, is incorporated into this Ordinance.

**Fraternal Organization:** An organization of persons having a common interest, the primary interest of which is to both promote the welfare of its members and to provide assistance to the general public in such a way as to lessen the burdens of government by caring for those who otherwise would be cared for by the government.

**Garbage:** Any rejected or waste household food, offal, swill or carrion, and every accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of meats, fish, fowl, fruits or vegetable, and any other matter of any nature which are subject to decay, putrefaction and the generation of noxious or offensive gases or odor, or, which during or after decay, may serve as breeding or feeding material for flies or other germ-carrying insects.

**Golf Course:** A recreational area with or without club house facilities primarily for the use of members and their guests or the general public as the case may be, engaging in a form of recreation or game commonly known as golf.

**Gross Receipts:** *Deleted, 97-43*

**Highway or Street:** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public or purposes of vehicle travel. Any street, alley or public way within the Village.

**Hotel:** A building or portion thereof, or a group of buildings, which provides sleeping accommodations for transients on a daily or weekly basis, whether such establishments are designated as a hotel, inn, motel, motor inn, motor lodge or otherwise.

**Illinois Compiled Statutes:** The 1991 edition of the Illinois Compiled Statutes and when later editions are published, the latest publication thereof.

**Illinois Municipal Code:** 65 ILCS 5/1 *et seq.*

**Infestation:** The presence within or around a dwelling unit of any insects, rodents or other pests.

**Inoperable Motor Vehicle:** Any motor vehicle from which, for a period of at least seven days, the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power.

The term “inoperable motor vehicle” shall not include a motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations nor to any motor vehicles that are kept within a building when not in use, to historic vehicles over 25 years of age, nor to a motor vehicle on the premises of a place of business engaged in wrecking or junking of motor vehicles, nor to any motor vehicle which has been rendered temporarily incapable of being driven under its own power by authorization of the Chief of Police.

**Leaves:** Small twigs attached to the leaves, but shall exclude other vegetable or plant refuse, garbage, agricultural waste, trees, tree trimmings, branches, stumps, brush, weeds, grass, shrubbery and yard trimmings.

**Legal Guardian:** A person appointed guardian or given custody of a minor by a Circuit Court of the State, but does not include a person appointed guardian or given custody of a minor under the Juvenile Court Act, 705 ILCS 405/1-1, as amended.

**Let:** To give another person the right to occupy any portion of a building or real estate or both. The act of “letting” shall be deemed to be a continuing act for so long as the person given the right to occupy the premises continues to do so. A further “letting” by any occupant or a portion of a building is, for the purpose of this Ordinance, also a “letting” by the owner or operator of the building.

**Licensee:** An organization, person or firm which has been issued a license, such as to operate a raffle.

**Local Liquor Control Commissioner:** The President of the Village.

**Minor:** A person who is above the age of 11 years but not yet 18 years of age.

**Motor Vehicle:** Any vehicle which is propelled or drawn on land by a motor, such as, but not limited to, passenger cars, trucks, truck-trailers, semi-trailers, campers, go-carts, snowmobiles, amphibious craft on land, dune buggies or racing vehicles, but not including motorcycles.

**Motorcycle:** An unenclosed motor vehicle having a saddle for the use of the operator and two or three wheels in contact with the ground, including, but not limited to, motorscooters and minibikes.

**Municipality:** The Village of Lakewood.

**Natural Barrier:** A non-seasonal lake, pond or stream greater than 20 feet in width.

**Net Proceeds:** The gross receipts from the conduct of raffles, less sums expended for prizes, local license fees and other reasonable operating expenses incurred as a result of operating a raffle.

**Noise:** Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

**Noise Disturbance:** Any sound which endangers or injures the safety or health of humans or animals, or annoys or disturbs a reasonable person of normal sensitivities, or endangers or injures personal or real property.

**Noise Sensitive Zone:** Any area designated pursuant to this Ordinance for the purpose of ensuring exceptional quiet.

**Noncombustible Waste:** All other waste substance not capable of incineration or burning, including ashes, glass, metal, earthenware and the like.

**Non-Profit:** Organized, operated and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of such operation.

**Occupant:** Any person, over one year of age, living in, sleeping in or having actual possession of a building or portion thereof.

**Off-Season Storage:** Storage of any mobile home, trailer, boat or recreation vehicle during the off season, as defined herein.

**On-Going Raffle:** A raffle in which there is one sale of chances before an initial drawing date; thereafter, the chances shall be valid at subsequent drawings in the same raffle.

**Open Burning:** The burning of any materials or substances outside of the confines of the dwelling or buildings located on the premises.

**Operator:** Any person having charge, care, management or control of any building or part thereof.

**Owner:** Any person who alone or jointly or severally with others shall have legal or equitable title to any building, the agent of said person or any person having management or control of the building or portion thereof, including, but not limited to a purchaser, mortgagee, receiver or lessee in possession of any building or portion thereof.

**Owner:** With respect to Section 15.12 of this Code, a person other than a lien holder having a property interest in or title to a trailer, utility trailer, watercraft, watercraft trailer, snowmobile or snow-

mobile trailer. The term includes a person entitled to the use or possession of a trailer, utility trailer, watercraft, watercraft trailer, snowmobile or snowmobile trailer, subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation. *Amended, 2012-23, 2006-31*

**Parabolic or Dish Type Television Antenna:** Any circular or similar dish shaped transmitting or receiving antenna for communications or for transmitting or receiving television signals from a satellite.

**Parade:** Any parade, march, ceremony, show, exhibition, pageant or procession of any kind, or any similar display, in or upon any street, park or other public place in the Village.

**Peddling:** The selling, bartering or exchanging or the offering for sale, barter or exchange of any tangible personal property upon or along the streets, highways or public places of the Village or from house to house, whether at one place or from place to place, from any wagon, truck, pushcart or other vehicle or from movable receptacles of any kind, but shall not include the delivery of any item previously ordered or the sale of items along delivery routes where the purchaser has previously requested the seller to stop and exhibit his items, or sales of ice cream from commercial vehicles. Nor shall peddle be taken to include the solicitation of orders by sample where the goods are not delivered at the time the order is taken.

**Person:** Any natural individual, firm, partnership, trust, estate, club, association or corporation. As applied to partnerships or associations the word includes the partners or members thereof; as applied to corporations it includes the officers, agents or employees thereof who are responsible for the act referred to. The singular includes the plural, and the plural includes the singular. The masculine gender includes the feminine and neuter genders.

**Pier:** Any structure or platform built out over the water and supported by pillars or piles, used as a landing place, as during loading or unloading, including any water landing places, and docks.

**Plumbing:** Gas pipes, gas burning equipment, water heating equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, wells, septic tanks, catch basins, drains, vents and any similar supplied fixtures, together with all connections to water, sewer or gas lines.

**Population:** The population determined by the most recent official Federal, State or village census.

**Powered Model Vehicle:** any self-propelled airborne, waterborne or landborne plane, vessel or vehicle, which is not designed to carry persons, including, but not limited to, any model airplane, boat, car or rocket.

**Premises:** A lot, plot or parcel of land, including the buildings and structures thereon.

**Property:** Any real property within the Village which is not a street or highway.

**Public Right-of-Way:** any street, avenue, boulevard, highway, sidewalk or alley or similar place which is owned or controlled by a government entity.

**Public Space:** any real property or structures thereon which are owned or controlled by a government entity.

**Public Utility:** Any corporation, company, association, joint stock company or association, firm, partnership or individual, their lessees, trustees or receivers appointed by any court whatsoever that owns, controls, operates or manages, with the State of Illinois, directly or indirectly, for public use, any plant, equipment or property used or to be used for or in connection with, or owns or controls any franchise, license, permit or right to engage in:

1. The transmission of telegraph or telephone messages between points within the State of Illinois;
2. The production, storage, transmission, sale, delivery or furnishing of heat, cold, light, power, electricity or water;
3. The conveyance of oil or gas by pipeline; and
4. The disposal of sewerage.

**Public Safety Emergency:** Any condition wherein the service offered by a public utility or a unit of government has been interrupted, curtailed or damaged, an immediate, substantial and harmful threat to the public health and safety exists, and will continue if such condition is not immediately repaired. Without limiting the generality thereof, a threat to the public health and safety includes damage to telegraphic, telephonic, heating, cooling, lighting, power, electrical, water, sewerage, oil or gas equipment facilities, machinery or property of a hospital or other building providing inpatient health care services, a school, a nursing home or a government building.

**Raffle:** A form of lottery, as defined in Section 5.28-2(b) of the “Criminal Code of 1961” (720 ILCS 5/28-2) conducted by an organization licensed under this Ordinance in which:

1. The player pays or agrees to pay something of value for a chance represented and differentiated by a number or by a combination of numbers or by some other means, one or more of which chances is to be designated the winning chance;
2. The winning chance is to be determined through a drawing or by some other method based on an element of chance by an act or set of acts on the part of persons conducting or connected with the lottery, except that the winning chance shall not be determined by the outcome of a publicly exhibited sporting contest.

**Real Property Boundary:** a line along the ground surface, and its vertical extension, which separates the real property owned by one person from that owned by another person, but not including intrabuilding real property divisions.



**Refuse:** All household garbage, rubbish and kitchen wastes such as discarded food or food residues and paper used for wrapping the same, books, boxes, furniture and other large household items.  
*Amended, 1999-34*

**Registered Solicitor:** Any person who has obtained a valid certificate of registration as provided in this Code, and which certificate is in the possession of the solicitor on his person while engaged in soliciting.

**Religious Organization:** Any church, congregation, society or organization founded for the purpose of religious worship.

**Repeat Offender:** Any person who has been previously issued an APT for the same ordinance violation within the preceding 12 month period.

**Residence:** Every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

**Residential:** That which is situated on the premises of a detached single or a one-family townhouse, not more than three stories in height.

**Residential Area:** an area designated for any residential use under the zoning ordinance of the Village.

**Restaurant:** Any public place kept, used and maintained, advertised and held out to the public as a place where meals actually are served and regularly served, without sleeping accommodations, such space being provided with adequate and sanitary kitchen and dining room equipment and capacity and having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable food for its guests.

**Retail Sale:** The sale for use or consumption and not for resale.

**Sanitary Landfill:** A type of operation in which refuse is deposited by plan in a pit or excavation of open land, is compacted by force applied by mechanical equipment and then is covered by a layer of earth, ashes or suitable covering material to a depth of at least two feet.

**Snowmobile:** A self-propelled device designed for travel on snow or ice or natural terrain, steered by skis or runners, and supported in part by skis, belts or cleats.

**Spirits:** Spirits means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whisky, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

**State:** State of Illinois.

**Stop:** Pursuant to Chapter 10, each dwelling unit shall be considered a “stop” for the purpose of defining the extent of the collection service to be provided, and of determining the amount of materials collected (refuse, compostable yard waste and recyclable material).

**Storage:** With respect to Section 15.12 of this Code, the stationary placement of any trailer, utility trailer, watercraft, watercraft trailer, snowmobile, snowmobile trailer, mobile home, camper, recreation vehicle or van equipped for camping. However, watercraft, watercraft trailers, snowmobiles and snowmobile trailers may be permitted pursuant to Section 15.12--G. *Amended, 2012-23, 2006-31*

**Street or Highway:** The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public or purposes of vehicle travel.

**Supplied:** Paid for, installed, furnished or provided by and under the control of the owner or operator at its own expense.

**This Code:** The Lakewood Municipal Code.

**Temporary Parking:** With respect to Section 15.12 of this Code, the stationary placement of any trailer, utility trailer, watercraft, watercraft trailer, snowmobile, snowmobile trailer, mobile home, boat, camper, recreation vehicle, horse trailer or van equipped for camping for a continuous period of less than 48 hours. No more than three 48-hour exceptions shall be permitted in any one calendar year. *Amended, 2012-23, 2006-31*

**Through Vehicle:** Any vehicle that traverses the roads of the Village from the point of entrance to the point of exit without providing a legitimate service as described in Section 15.13 to a lawful location within the corporate limits of the Village during the course of such traverse, other than a public utility vehicle engaged in a public service emergency.

**Trailer or utility trailer:** With respect to Section 15.12 of this Code, every vehicle without motive power in operation designed for carrying persons or property behind any motor vehicle or non-motorized vehicle. Examples of utility trailers include, but are not limited to ATV trailers, boat trailers, car trailers, cargo trailers, horse trailers, motorcycle trailers, snowmobile trailers, toy hauler trailers, landscape equipment trailers and trailers attached to lawn mowers. Except as provided in Section 15.12 of this Code, every vehicle designed or utilized for the transportation of any watercraft, snowmobile or camper, which does not have motor power but is designed to be drawn by another vehicle. *Amended, 2012-23, 2006-31*

**Treasurer:** The Village Treasurer of the Village of Lakewood.

**Vehicle:** A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners or slides and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy and wagon.

**Vending machine:** Any mechanical, electric or electronic, self-service device which, upon insertion of money, tokens or any other form of payment, dispenses tobacco products. *1997-15*

**Veterans Organization:** An organization or association comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

**Village:** Village of Lakewood, Illinois.

**Village Board:** The President and Board of Trustees of the Village of Lakewood.

**Wine:** Wine means any alcoholic beverage obtained by the fermentation of the natural contents of fruits, or vegetables, containing sugar, including such beverages when fortified by the addition of alcohol or spirits, as above defined.

**Zoning Code:** Chapter 17 of the Lakewood Municipal Code. *1999-29*