



## MEMORANDUM

**TO:** Trustee Laura Fitzpatrick, Chairperson  
Economic and Community Development Committee

**FROM:** William J. Heniff, AICP, Director of Community Development *WJH*

**SUBJECT:** Proposed Code Amendment for Dumpsters in the Downtown- Supplement

**DATE:** January 21, 2015

At the January 13, 2015 meeting of the Public Works Committee (PWC), proposed code amendments for dumpsters in the downtown was discussed. The concept was supported by the PWC with two amendments:

- the maximum dumpster size should be reduced from thirty (30) yards to (20) yards; and
- dumpsters should be allowed for up to five (5) consecutive business days, as opposed to three (3), but dumpsters shall not be allowed on the public right-of-way on Saturday or Sunday.

The PWC tabled the consideration of the matter to their February 10, 2015 meeting and directed staff to prepare a draft ordinance for review.

### **ACTION REQUESTED**

This item is on the ECDC agenda under New Business at the January 21, 2015 meeting.

ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING AN AMENDMENT  
TO TITLE 4, CHAPTER 97, SECTION 97.005  
OF THE LOMBARD VILLAGE CODE**

WHEREAS, the Village of Lombard maintains General Regulations which is found in Title 4, Chapter 97 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Ordinance and make necessary changes; and,

WHEREAS, a public meeting to consider text amendments to the General Regulations has been conducted by the Village of Lombard Public Works Commission on January 13, 2015 and by the Village of Lombard Economic and Community Development Committee on January 21, 2015; and,

WHEREAS, the Public Works Commission and Economic and Community Development Committee has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Public Works Commission and Economic and Community Development Committee and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That Title 4, Chapter 97, Section 97.005 of the Lombard Village Code is hereby amended as follows:

**§ 97.005 - Items on Village Right-of-Way.**

- (D) One dumpster may be allowed in the public right-of way of the Central Business District with prior written approval from the Director of Community Development, or his or her designee. The Director of Community Development, or his or her designee, shall be the sole authority to determine whether a dumpster should be allowed to be placed in the public right-of-way. The applicant shall:
- (1) demonstrate that their dumpster cannot be reasonably accommodated on private property;
  - (2) place the dumpster only within specific dates that shall not interfere with foreseen special events;
  - (3) be wholly responsible for all damages and liability due to placement in the public right-of-way;

- (4) place the dumpster only in a demarcated parking space, not including those reserved for persons with disabilities, on St. Charles Road from Lincoln Avenue to Martha Street, Park Avenue from Grove Street to Michael McGuire Drive, or Main Street from Grove Street to St. Charles Road;
- (5) place the dumpster as close to their own building as possible and at least ten (10) feet from any building, fifteen (15) feet from any fire hydrant, and thirty (30) feet from any crosswalk or traffic sign or signal;
- (6) place and maintain barricades with working flashers at the corners of the dumpster and cover it with a tarpaulin during non-working hours;
- (7) be responsible for all fly dumping that may occur in and next to the dumpster;
- (8) remove the dumpster within six hours of notice to do so from the Chief of Police or the Director of Public Works per Village Code §97.001;
- (9) use a dumpster of a maximum size of twenty (20) cubic yards;
- (10) the applicant will pay a dumpster placement fee in the amount of one hundred dollars (\$100), unless it is associated with work being performed under an active building permit wherein these fees shall not apply, however an inspection fee in the amount of sixty-eight dollars (\$68) for each occurrence that the dumpster remains in the public right-of-way will be assessed at the time of any scheduled inspection for dumpsters that were allowed with work being performed under an active building permit;
- (11) the applicant will provide a certificate of insurance in the following amount: Comprehensive General Liability Insurance—\$1,000,000.00, showing the village, its officers, employees, agents, and volunteers as additional insureds and containing a statement that said policies shall not be changed or canceled without 30 days written notice to the Village of Lombard; and
- (12) dumpsters shall not be allowed on the public right-of-way on Saturday and Sunday.

**SECTION 2:** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2015.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2015.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2015.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2015.

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Sharon Kuderna, Village Clerk