

**ORDINANCE NO. 7487**

**AN ORDINANCE APPROVING A WAIVER OF THE REQUIREMENTS OF  
TITLE I, CHAPTER 13, SECTION 13.01 OF THE LOMBARD VILLAGE CODE  
PERTAINING TO THE ISSUANCE OF LICENSES AND PERMITS**

**(144 East St. Charles Road)**

WHEREAS, 144 East St. Charles Road, Lombard, Illinois (the “Subject Property”) has been identified as an environmentally contaminated site by the Illinois Environmental Protection Agency (IEPA); and

WHEREAS, to address the proposed environmental clean-up activities and construction of an engineered environmental barrier on the Subject Property, an application has been filed with the Village of Lombard (the “Village”) requesting a building permit for environmental remediation and engineered environmental barrier work on the Subject Property, within the area as depicted on Exhibit A attached hereto and made part hereof; and

WHEREAS, the environmental remediation efforts are being funded by the State of Illinois Drycleaner Fund, and said funds are available for only a limited period of time; and

WHEREAS, Section 13.01 of the Lombard Village Code states that, “if monies are found to be due and owing the Village, said license or permit shall not be issued or renewed until all monies due and owing to the Village have been paid in full, and the finance department so certifies.”; and

WHEREAS, the Subject Property is subject to liens filed by the Village relative to costs incurred by the Village, in an amount of at least \$50,004.23, relative to Lombard Village Code Violations, demolition of a building on the Subject Property and environmental clean-up work in relation thereto and

WHEREAS, past attempts to collect the money owed the Village, have been unsuccessful; and

WHEREAS, the Village staff and the environmental engineering consultant who would like to proceed with the environmental remediation, that undertaking the desired environmental remediation at this time, relative to the Subject Property, is in the best interest of all parties; and

WHEREAS, the President and Board of Trustees of the Village have determined that is in the best interests of the Village granting a waiver from the provisions of Section 13.01 of the Lombard Village Code, so as to provide for the issuance of a building permit for the engineered environmental barrier work on the Subject Property without having the Village liens paid prior to permit issuance; and

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 a waiver is hereby granted, from the provisions of Title I, Chapter 13, Section 13.01 of the Lombard Village Code, so as to allow for the release of a building permit limited to, and exclusively for, environmental remediation and engineered barrier improvements at the Subject Property, without the Village receiving payment for all outstanding monetary amounts owed to the Village.

**SECTION 2:** This Ordinance is limited and restricted to the environmental remediation and engineered environmental barrier improvements at the property located at 144 East St. Charles Road, Lombard, Illinois, to be funded from the State of Illinois Drycleaner Fund.

**SECTION 3:** This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this 15<sup>th</sup> day of March, 2018.

Passed on second reading this 15<sup>th</sup> day of March, 2018, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

Approved by me this 15<sup>th</sup> day of March, 2018.

  
**Keith T. Giagnorio, Village President**

ATTEST:

  
**Sharon Kuderna, Village Clerk**

**Exhibit "A"**  
**Depiction of 144 East St. Charles Road**  
Property with Proposed Remediation/Engineered Barrier Areas

