

VILLAGE OF LOMBARD  
REQUEST FOR BOARD OF TRUSTEES ACTION  
For Inclusion on Board Agenda

Resolution or Ordinance (Blue)   X   *Waiver of First Requested*  
  X   Recommendations of Boards, Commissions & Committees (Green)  
Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES  
FROM: David A. Hulseberg, Village Manager  
DATE: May 28, 2013 (B of T) Date: June 6, 2013  
TITLE: Proposed Ordinance Adopting the Current Version of the DuPage  
Countywide Stormwater and Floodplain Ordinance  
SUBMITTED BY: Carl S. Goldsmith, Director of Public Works *CS*

BACKGROUND/POLICY IMPLICATIONS:

Please find attached staff's recommendation relative to approving an Ordinance to adopt the revisions to the DuPage Countywide Stormwater and Floodplain Ordinance (ALL DISTRICTS)

The Public Works Committee has voted to recommend this ordinance. A waiver of first reading is requested to accommodate permitting for pending development.

Please place this item on the June 6, 2013 Board of Trustees agenda.

Fiscal Impact/Funding Source:

There will be no cost to the Village.

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



## MEMORANDUM

**TO:** David A. Hulseberg, Village Manager

**THROUGH:** Carl S. Goldsmith, Director of Public Works *CJ*

**FROM:** Jana Bryant, PE, Private Development Engineer *JB*

**SUBJECT:** DuPage County Stormwater Ordinance

**DATE:** May 28, 2013

The Village of Lombard must take certain actions following the enactment of the revised DuPage County Countywide Stormwater and Flood Plain Ordinance. This revised Ordinance contains minor changes in direction for stormwater management since the revised Ordinance was revised in 2012.

### Overview of the Countywide Ordinance:

The County Board passed the Ordinance on April 23, 2013 and is now effective. Village staff participated in the Municipal Engineers Group (MEG) that provided comments. While the Ordinance does represent a consensus document, Staff continues to find that it will be flexible and streamlined for permitting without losing important flood control and environmental protections. The Board of Trustees must formally adopt the new Ordinance before it takes effect in Lombard.

The attached Stormwater Ordinance text amendments corrects scrivener's errors with the previously revised Stormwater Ordinance effective on April 25, 2012 and otherwise adds clarification and addresses organizational and operational issues left unresolved by the last comprehensive text amendments.

Post Construction Best Management Practices (PCBMPs) – Article 8: PCBMPs are still required; however, greater flexibility is provided for providing the required PCBMPs.

Wetlands – Article 11: Provides for more clarification on calculation requirements for Indirect Impacts to Wetlands. Language was simplified regarding wetland hydrology calculations for Wetland Mitigation Requirements.

**RECOMMENDATIONS:**

The Public Works Committee has voted to recommend Board of Trustees approve the following actions by enacting the attached ordinance.

1. Adopt the Countywide Ordinance last revised on 4/23/13 for use within Lombard per the attached ordinance.

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Attachments: Countywide Ordinance, draft ordinance to adopt Countywide Ordinance

cc: William J. Heniff, Director of Community Development  
David A. Dratnol, PE, Village Engineer

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 3476, ADOPTED NOVEMBER 21, 1991, AS AMENDED, IN REGARD TO THE COUNTY OF DUPAGE COUNTYWIDE STORMWATER AND FLOODPLAIN ORDINANCE**

WHEREAS, the Village of Lombard (the "Village") has previously adopted the DuPage County Countywide Stormwater and Floodplain Ordinance (the "Countywide Ordinance"); and

WHEREAS, the Village has worked with DuPage County and the countywide municipalities to develop the revisions to the Countywide Ordinance contained herein; and

WHEREAS, the proposed Countywide Ordinance includes revisions to the stormwater certifications, best management practices, site runoff conveyance and storage, flood plain management, wetlands, buffers, and fee-in-lieu program articles of the Countywide Ordinance; and

WHEREAS, the DuPage County Board enacted and approved the revisions to the Countywide Ordinance on April 23, 2013, pursuant to Ordinance OSM-001-13, to become effective on April 23, 2013; and

WEHREAS, enacting the proposed revisions to the Countywide Ordinance is in the bast interests of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: That, effective July 1, 2013, Ordinance No. 3476, adopted November 21, 1991 as amended, is hereby futher amended to incorporate the revisions to the Countywide Ordinance, in its entirety, as provided for by DuPage County Ordinance No. OSM-001-13, with said Countywide Ordinance being attached hereto as Exhibit A and made part hereof.

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 \_\_\_\_\_, 2013.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2013.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2013.

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

Nayes: \_\_\_\_\_

Ordinance No. \_\_\_\_\_  
Re: DuPage County Stormwater Ordinance  
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Absent: \_\_\_\_\_

Approved this \_\_\_\_\_, day of \_\_\_\_\_, 2013.

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

ATTEST:

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

Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

O R D I N A N C E

OSM-001-13

AMENDMENTS TO CHAPTER 15 OF THE DU PAGE COUNTY CODE - DU PAGE  
COUNTY COUNTYWIDE STORMWATER AND FLOOD PLAIN ORDINANCE

WHEREAS, the County of DuPage ("COUNTY") pursuant to authority granted it under 55 ILCS 5/5-1062 and 5/5-15001 et seq., and other applicable authority, adopted the *DuPage County Countywide Stormwater and Flood Plain Ordinance* (hereinafter referred to as the "Stormwater Ordinance"); and

WHEREAS, the Stormwater Ordinance is further identified as Appendix F to the DuPage County Stormwater Management Plan ("PLAN"), and was originally adopted by the County by Ordinance SMO-0001-91 on September 24, 1991; and

WHEREAS, the principle purpose of the Stormwater Ordinance is to promote effective, equitable, acceptable, and legal stormwater management measures; and

WHEREAS, the Stormwater Ordinance was comprehensively amended by the County by Ordinance OSM-001-12 on April 24, 2012; and

WHEREAS, the attached Stormwater Ordinance text amendments corrects scrivener's errors with OSM-001-12 and otherwise adds clarification and addresses organizational and operational issues left unresolved by the last comprehensive text amendments; and

WHEREAS, the attached Stormwater Ordinance text amendments further include revisions to the Post Construction Best Management Practices and Wetlands Articles to remain competitive in maintaining/attracting businesses while preserving the high standard of flood control and environmental protection for County residents; and

WHEREAS, the DuPage County Stormwater Management Division, DuPage County Municipal Engineers Discussion Group and DuPage County stormwater stakeholders have participated in drafting the attached text amendments;

WHEREAS, the Municipal Engineers Group concurs with the attached text amendments to the Stormwater Ordinance; and

WHEREAS, the proposed Stormwater Ordinance text amendments have undergone all required third-party agency evaluations, public and community comment and review, and a public hearing in accordance with the requirements of state law and Section 15-147 of the Stormwater Ordinance; and

WHEREAS, enacting the proposed Stormwater Ordinance amendments is in the best interest of the COUNTY and its residents; and

WHEREAS, the Stormwater Management Planning Committee recommended approval of the attached text amendments to various sections of the Stormwater Ordinance; and

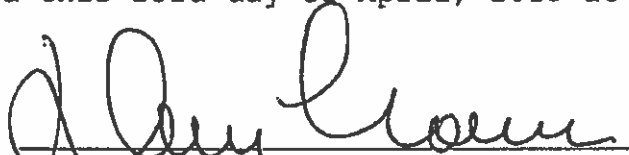
WHEREAS, the Stormwater Management Planning Committee further recommended that the proposed Stormwater Ordinance amendments take effect immediately following their adoption by the County Board.

NOW, THEREFORE, BE IT ORDAINED by the DuPage County Board, that the Stormwater Ordinance is hereby amended as attached; and

BE IT FURTHER ORDAINED by the DuPage County Board pursuant to authority granted to the County of DuPage by the Illinois General Assembly that the amended DuPage County Countywide Stormwater and Flood Plain Ordinance, Chapter 15 of the DuPage County Code shall be effective April 23, 2013; and

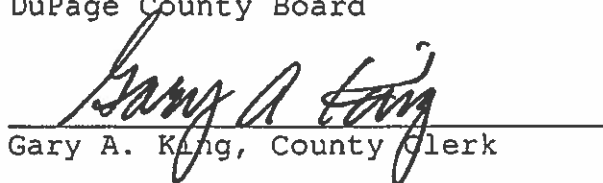
BE IT FURTHER ORDAINED that the County Clerk shall transmit these Stormwater Ordinance amendments to the codifier of the DuPage County Code and otherwise make said amendments available for public inspection.

Enacted and approved this 23rd day of April, 2013 at Wheaton, Illinois.



Daniel J. Cronin, Chairman  
DuPage County Board

ATTEST:



Gary A. King, County Clerk

Ayes: 17  
Absent: 1