

ORDINANCE NO. 6217

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 93,
SECTION 93.02(B) AND TITLE 15, CHAPTER 150, SECTION 150.035
OF THE LOMBARD VILLAGE CODE IN REGARD TO
RESIDENTIAL REDEVELOPMENT/CONSTRUCTION SITE REGULATIONS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title 9, Chapter 93, Section 93.02(B) of the Lombard Village Code is amended by revising the reference therein to, "10:00 p.m." to read, "8:00 p.m."

SECTION 2: That Title 15, Chapter 150, Section 150.035 of the Lombard Village Code is amended by revising the paragraph set forth therein relative to "Section R302.5: Residential Construction Site Fencing" to read in its entirety as set forth on Exhibit A attached hereto and made part hereof.

SECTION 3: That Title 15, Chapter 150, Section 150.035 of the Lombard Village Code is amended by adding the following subparagraphs thereto, as more fully set forth on Exhibit A attached hereto and made part hereof:

Section R302.7: Site Restoration Guidelines

Section R302.8: Public Sidewalks

Section R302.9: Construction Site Signage

Section R302.10: Hours of Construction

SECTION 4: 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 _____, 2008.

First reading waived by action of the Board of Trustees this 21st day of August, 2008.

Passed on second reading this 21st day of August, 2008.

Ayes: Trustees Gron, Tross, O'Brien, Moreau, Fitzpatrick & Soderstrom

Nays: None

Absent: None

Approved this 21st day of August, 2008.


William J. Mueller, Village President

ATTEST:


Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this 26th day of August, 2008.

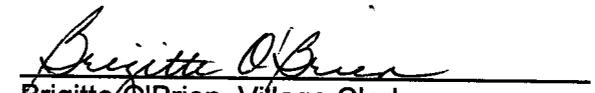

Brigitte O'Brien, Village Clerk

Exhibit A

Add Section R302.5: Residential Construction Site Fencing.

When a permit authorizes demolition or authorizes construction of a new principal structure or any other construction as determined by the Fire Chief or his designee, then the applicant, owner or general contractor shall cause a "safety fence" (fencing) to be installed around the area of construction, in a location and manner approved by the Fire Chief or his designee. The fencing shall be installed not more than seven (7) days nor less than four (4) days prior to the commencement of any demolition and/or new construction of a proposed structure on the subject property. The fencing shall consist of six (6) foot high chain link fencing with driven posts to secure the chain link. The chain link fencing shall consist of #9 or #11 gauge metal and maximum mesh size of eleven and one-half (11½) inch or as approved by the Fire Chief or his designee. The fencing shall also include removable panels or type of hinged gates, (25% maximum area of fencing) for construction/utility access, only on the street side where the utilities are entering the subject property. Removable panels (or type of hinged gate) shall be latched when there is no construction activity being performed on the construction site. The latch may be of wire composition or of other means as approved by the Fire Chief or his designee. The fencing shall remain in place on the subject property until the structure is made weather tight and safe and secure from unauthorized entry and until the beginning stages of final site improvements (i.e. final grading, sodding or seeding of the subject property).

The applicant, owner or general contractor shall cause tree fencing to be installed around the trees in the public right-of-way (parkway) abutting the subject property. Such tree fencing shall be located, if possible, at the drip line of the tree or as directed by the Fire Chief or his designee. The parkway tree fence shall remain in place until final inspection of the construction projects has been approved by the Village. The required types of tree fencing protection shall be four (4) foot high orange vinyl fencing or chain link fencing.

Add Section R302.7: Site Restoration Guidelines.

If the application includes demolition of a principal structure and if commencement of the construction of a new principal structure does not occur within thirty (30) days after completion of demolition, then the application shall include a detailed site restoration plan depicting all work required to restore the subject property, within thirty (30) days after completion of the demolition, to a safe, clean condition until construction of a new principal structure has commenced, including without limitation backfilling of any excavation, grading, seeding, sodding, fencing, stormwater management and the like.

Additional Fee for Late Work: If the applicant, or owner or general contractor shall fail to commence construction within thirty (30) days or shall fail to complete site restoration within thirty (30) days, as provided in this section, then the applicant, owner or general contractor shall be subject to a special late work permit fee of \$250.00 per day until such work is completed. The Village shall deduct such fee from the construction deposit provided by this Code.

The Fire Chief or his designee may, at his discretion, extend the thirty (30) day time limit to an additional thirty (30) days upon special written request from the applicant, owner or general contractor.

Village Right to Enforce: Every permit authorizing demolition of a dwelling or structure issued pursuant to this Code, shall be conditioned on the agreement of the applicant, owner or general contractor of the subject property that if any work pursuant to a permit authorizing demolition of a dwelling or structure is undertaken in violation of any provision of this Code, then the Village shall have the right at all times, but not the obligation, to enter onto the subject property and to cause any and all work to be done and actions to be taken to cure such violation. The applicant, owner or general contractor of the subject property shall be jointly and severally responsible for all costs and expenses incurred by the Village, including without limitation attorney's fees and administrative expenses, in causing such cure. The Village shall have the right, at its option, to draw on the construction deposit provided by this Code, or to demand payment directly from the applicant, owner or general contractor, for the cost of such Village work, including without limitation legal fees and administration expenses, based either on costs actually incurred by the Village or on the Village's reasonable estimates of costs to be incurred. The Village shall give a written or oral twenty-four (24) hour notice and an opportunity to cure to the applicant or owner/general contractor before taking such action; provided, however, that no such notice and opportunity to cure shall be required in the event of repeated violations or in the event that a condition on or near the subject property poses, in the determination of the Village, a threat of any kind to the public health and safety.

Add Section R302.8: Public Sidewalks.

The public sidewalk shall not be removed unless required for construction purposes or if the public sidewalk can be replaced and open to foot traffic within thirty (30) days. When a public sidewalk is removed for construction purposes such as utility or driveway, only the area of the public sidewalk requiring the work shall be removed. This area shall be replaced with compacted stone (three (3) inch base and CA6 top - six (6) inches) within seven (7) days of the completion of the utility or driveway work and shall have a new public sidewalk installed within ninety (90) days of removal, weather permitting.

Whenever a public sidewalk is closed to pedestrian traffic the area shall be marked by barricades on both sides of the area where work is being performed. If, in the opinion of the Fire Chief (or designee), pedestrians need to be informed of the closure, additional barricades with signage will be erected at locations selected by the Fire Chief (or designee).

Add Section R302.9: Construction Site Signage.

Construction signage shall be placed on all new residential construction.

The builder or developer shall place a construction information sign on the jobsite inside the construction fence on private property clear of any clear line of site areas. The sign face shall be a minimum of twenty (20) inches tall and twenty-eight (28) inches long and no larger than forty-eight (48) inches tall and ninety-six (96) inches long. This informational sign shall have lettering large enough to be read from the street curb. This sign is to be erected prior to the start of any construction and shall come down at issuance of the Certificate of Occupancy or completion. This sign shall have the following minimum information:

- Address of site
- Name of builder and/or developer
- Twenty-four (24) hour telephone contact number of builder

The second sign shall be provided by the Village of Lombard and sold to the builder at the Village's cost, rounded to the next whole ten dollars. The sign is to be attached to the construction safety fence on the street side clear of any clear line of site areas and facing the street. The sign is to be attached prior to demolition or construction and will be removed at the time the safety fence is removed. The sign is the property of the builder and may be reused until the information on the sign is no longer valid or legible. From the time the builder is notified he/she will have thirty (30) days to replace the obsolete sign. The sign will have the following information:

- Construction Code of Conduct
- Village of Lombard's Building Inspection Service's Telephone Number
- Village of Lombard's website
- Twenty-four (24) hour Village contact number
- Emergency Contact Number

Add Section R302.10: Hours of Construction.

See Section 93.02(B) of the Lombard Village Code.