

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

Resolution or Ordinance (Blue) \_\_\_\_\_  
Recommendations of Boards, Commissions & Committees (Green) \_\_\_\_\_  
Other Business (Pink) \_\_\_\_\_  
X

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager *DAH*

DATE: August 25, 2010 (B of T) Date: September 2, 2010

TITLE: Title 9, Chapter 98 of the Lombard Village Code – Amusement Tax

SUBMITTED BY: Department of Community Development *MD*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration an ordinance further amending Title 9, Chapter 98, Section 98.114(A)(1) of the Lombard Village Code to include archery, shooting galleries and shooting ranges with the list of sport or games subject to the amusement tax.

Staff recommends approval of the amendment.

Please place this item on the September 2, 2010 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

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

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

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

*David A. Hulseberg*

Date \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_

*8/25/10*

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  
**FROM:** William Heniff, AICP, Director of Community Development *WHD*  
**DATE:** August 25, 2010

**SUBJECT:** AMUSEMENT TAX CODE AMENDMENT

**BACKGROUND**

Title 9, Chapter 98, Section 98.114(A)(1) of the Village code defines amusement and identifies which types of businesses are subject to the amusement tax. In further review of this regulation, we note that archery, shooting galleries and shooting range establishments are not specifically listed. Staff believes that the aforementioned activities should be considered entertainment as they can function as a sport and should be subject to this tax. The proposed amendment will clarify and codify the types of sporting activities subject to the amusement tax.

**RECOMMENDATION**

That the Board of Trustees approve an ordinance amending Title 9, Chapter 98, Section 98.114(A)(1) of the Lombard Village Code to include "archery, shooting galleries and shooting ranges" within the list of sport or games subject to the amusement tax.

Should you have any questions, please contact me at extension 3599.

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

**AN ORDINANCE FURTHER AMENDING TITLE 9, CHAPTER 98, SECTION 98.114(A)(1) OF THE LOMBARD VILLAGE CODE IN REGARD TO THE AMUSEMENT TAX**

**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 98, Section 98.114(A)(1) of the Lombard Village Code is amended within the term "Amusement" to include "archery, shooting galleries and shooting ranges" with the list of sport or games subject to the amusement tax.

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

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010, pursuant to a roll call vote as follows:

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

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

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

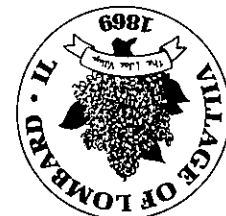
William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk


Published by me in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Brigitte O'Brien, Village Clerk



## MEMORANDUM

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

**FROM:** William Heniff, AICP, Director of Community Development 

**DATE:** September 2, 2010

**SUBJECT:** Building Division Overtime Inspection Fees

At the August 19, 2010 Village Board meeting, the Board continued consideration of an amendment pertaining to Title 15, Section 150.141 of the Village code providing for inspections performed by the Community Development Department, Building Division. Staff noted that the intent of the amendment was to provide for inspections outside of normal working hours.

The Village Board expressed its preference to exclude selected projects from the overtime inspection process. To address this provision, staff provides the following amended ordinance (attached), with the following language (in underscore or strikethru).

### Section 150.141

#### (Y) OVERTIME INSPECTION FEES

Inspections conducted before 7:30 a.m. or after 5:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector with a minimum of one (1) hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to any requisite fees referenced within this subsection and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. The aforementioned fee shall not apply for permitted projects being undertaken by the owner/occupant of a single-family residence.

Availability of inspection staff to perform inspection activities outside of regular business hours is subject to the discretion of the Village Director of Community Development, who may offer such services, subject to staffing levels, costs and inspector availability. For inspections associated with a Special/Temporary Event application, the aforementioned billing rate can be waived, per Section 110.45 of the Village Code, subject to prior approval by the Village Manager or his/her designee.

### RECOMMENDATION:

The Village Board of Trustees approve the attached amended draft ordinance to Title 15, Chapter 150, Section 150.141 to include a new subsection for overtime inspection fees, as amended per Board direction.

**AN ORDINANCE AMENDING TITLE 15 OF THE LOMBARD VILLAGE CODE  
IN REGARD TO BUILDING PERMIT FEES**

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

WHEREAS, the Village of Lombard ("the Village") has established Chapter 150 of the Lombard Village code, establishing regulations pertaining to building and construction within the Village, and

WHEREAS, the Village has established and adopted a fee schedule associated with the issuance of building permits, and

WHEREAS, the Village recognizes that inspections associated with the permit issuance may occur outside of traditional business hours, and

WHEREAS, the Village incurs additional labor costs to provide this service, and

WHEREAS, the Village recognizes that the costs associated with development activity and other special/temporary event activities outside of traditional Village hours should be paid by the parties requesting such services.

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

SECTION 1: That Title 15, Chapter 150, Section 150.141, PERMIT FEES, of the Lombard Village Code is hereby amended to read to include a new subsection (Y) to read in its entirety as follows:

Section 150.141

(Y) OVERTIME INSPECTION FEES

Inspections conducted before 7:30 a.m. or after 5:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector with a minimum of one (1) hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to any requisite fees referenced within this subsection and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. The aforementioned fee shall not apply for permitted projects being undertaken by the owner/occupant of a single-family residence.

Availability of inspection staff to perform inspection activities outside of regular business hours is subject to the discretion of the Director of Community Development, who may offer such services, subject to staffing levels, costs and inspector availability. For inspections associated with a Special/Temporary Event application, the aforementioned billing rate can be waived, per Section 110.45 of the Village Code, subject to prior approval by the Village Manager or his/her designee.

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

Passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Passed on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2010, pursuant to a roll call vote as follows:

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

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

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

Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published in pamphlet from this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Brigitte O'Brien,  
Village Clerk

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Ordinance No. \_\_\_\_\_  
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