

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A VARIATION OF THE LOMBARD CODE OF
ORDINANCES CHAPTER 51 “WATER”;
SUBSECTION 51.12 “MULTIPLE USE OF METERS”**

(BOT 07-01: Shops on Butterfield, 100, 102, 300 to 390 Yorktown, Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Code of Lombard, Illinois, and;

WHEREAS, a request has been made for the Village of Lombard to grant a variation from Chapter 51 “Water”; Subsection 21.12 “Multiple Use of Meters”, and;

WHEREAS, a public hearing has been conducted by the Board of Trustees on May 3, 2007 pursuant to appropriate and legal notice; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff 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 a variation of §51.12(A) and §51.12(B) is hereby granted from the provisions of Chapter 51 of the Code of Lombard, Illinois, for the property described in Section 2 below so that the Village of Lombard shall read, own and maintain each individual sub meter, along with the master meter, as well as allow for combined service lines, without separate b-boxes.

Section 2: That this ordinance is limited and restricted to the property located at the Shops on Butterfield, 100, 102, and 300 to 390 Yorktown, Lombard, IL and legally described as follows:

LOT 1 IN TBA RESUBDIVISION PLAT OF LOT 7 IN YORKTOWN, BEING A SUBDIVISION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 27, 1968 AS DOCUMENT R68-44972, IN DUPAGE COUNTY, ILLINOIS.

CONTAINING 674,000 SQ. FT. (15.5 ACRES)

PIN: 06-29-301-012

Section 3: That this ordinance shall be subject to the following conditions:

1. All sub meters shall be located within a readily accessible area of each tenant build out (including all future build outs). The Building Department and the Department of Public Works shall approve each meter location prior to occupancy.
2. Each sub meter shall have a remote sensor extended to the back dock areas of the buildings, and these sensor pads shall be grouped and clearly identified as to which pad is for which tenant.
3. Long Pehrson Associates shall be ultimately responsible for the sub meter bills. Should a tenant not pay a bill within 60 days, the bill will be forwarded to Long Pehrson for payment.
4. Payment for consumption discrepancies greater than 5% between the master meter and the sub meters is the responsibility of Long Pehrson Associates.

Section 4: 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 _____, 2007.

First reading waived by action of the Board of Trustees this _____ day of _____, 2007.

Passed on second reading this _____ day of _____, 2007.

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2007.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk