

**ORDINANCE 4736**

**AN ORDINANCE AMENDING  
TITLE 15, CHAPTER 151 OF  
THE LOMBARD VILLAGE CODE  
IN REGARD TO STORMWATER DETENTION VARIATIONS**

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 151 of the Lombard Village Code is hereby amended by adding a new Section 151.57 thereto which shall read in its entirety as follows:

**“151.57                                    DETENTION VARIANCE FEE PROGRAM**

- (A) In all cases where a variation from the site runoff storage requirements of Section 151.55 of this code is granted, it shall be a condition of said variation that the payment of the applicable Detention Variance Fee, as provided by subsection (C) below, shall be made prior to the issuance of a Stormwater Management Permit.
- (B) It is hereby determined, based upon the actual costs associated with the construction of stormwater detention facilities by the Village, that the cost of planning, acquiring land, construction, operation and maintenance of a stormwater detention facility in the Village is one hundred sixty-two thousand and no/100 dollars (\$162,000.00) per acre-foot of stormwater detention.
- (C) The Detention Variance Fee applicable to a stormwater management variation shall be calculated based on the following formula:

|              |   |  |   |                            |
|--------------|---|--|---|----------------------------|
| \$162,000.00 | X | The number of acre-feet of stormwater detention that will not have to be provided as a result of the stormwater management variation | = | The Detention Variance Fee |
|--------------|---|--|---|----------------------------|

- (D) Detention Variance Fees collected shall be accounted for in separate watershed planning area accounts. Detention Variance Fees collected relative to a specific watershed planning area shall be used only in the same watershed planning area to enhance existing site runoff storage facilities and related components, construct off-site facilities and related components, provide maintenance of stormwater facilities, or undertake other development that provide a benefit to the specific watershed.

- (E) The Village's Finance Department shall provide accounting on an annual basis relative to all funds deposited in each watershed planning area.
- (F) The Corporate Authorities may prioritize and allocate funds on an annual basis within each watershed planning area account. The Director of Community Development and/or the Village Engineer may make a request to the Corporate Authorities, on or before December 1<sup>st</sup> of each year, for the expenditure of funds within the various watershed planning accounts, for the purposes identified in subsection (D) above.
- (G) Detention Variance Fees are non-refundable and become the sole property of the Village of Lombard, subject to the restriction on the use thereof as set forth above.
- (H) All accounting records relative to the Detention Variance Fees collected by the Village shall be made available to the DuPage County Stormwater Committee upon request.
- (I) Detention Variance Fees collected relative to a particular parcel of property shall be cumulative, so that a second stormwater detention variation relative to said particular parcel of property will only be assessed a Detention Variance Fee equal to the increase in the variation."

SECTION 3: 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 21st day of October, 1999.

First reading waived by action of the Board of Trustees this \_\_\_\_\_ day of \_\_\_\_\_, 1999

Passed on second reading this 4th day of November, 1999.

Ayes: Trustees Borgatell, Tross, Sebby, Florey and Kufrin

Nays: None


Absent: Trustee Schaffer

Approved this 4th day of November, 1999

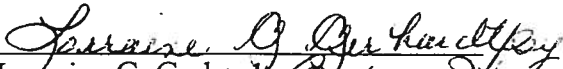
Ordinance No. 4736

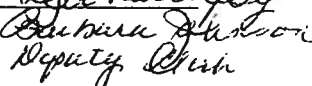
RE: AN ORDINANCE AMENDING TITLE 15, CHAPTER 151 OF THE LOMBARD  
VILLAGE CODE

Page 3 of 3

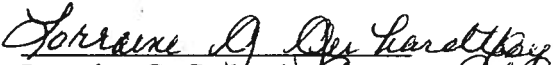
  
William J. Mueller  
Village President

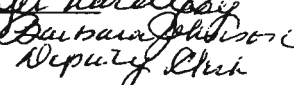
ATTEST:

  
Lorraine G. Gerhardt  
Village Clerk

  
Barbara Johnson  
Deputy Clerk

Published by me in pamphlet form this 10th day of November, 1999.

  
Lorraine G. Gerhardt  
Village Clerk

  
Barbara Johnson  
Deputy Clerk