

ORDINANCE NO. 5617

**AN ORDINANCE AMENDING TITLE 5, CHAPTER 51, SECTION 51.02
OF THE LOMBARD VILLAGE CODE IN REGARD TO
PROHIBITING THE USE OF GROUNDWATER AS A
POTABLE WATER SUPPLY BY THE INSTALLATION OR USE
OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD**

WHEREAS, the President and Board of Trustees of the Village of Lombard have found that the property legally described below is located in the Village of Lombard and has been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater in the vicinity of the said property may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the Village of Lombard desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of the property that is or may be impacted with the said chemical constituents;

NOW, 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 5, Chapter 51, Section 51.02, of the Lombard Village Code is hereby amended by adding a new subsection (E) thereto, which shall read in its entirety as follows:

“(E) Notwithstanding anything to the contrary contained in this Code, except for uses or methods in existence before the effective date of this subsection (E) prohibiting such use, the use or attempt to use, as a potable water supply (any water used for human or domestic consumption including, but not limited to, water used for drinking, bathing, swimming, washing dishes or preparing foods), groundwater from within a 2,500 foot radius of the boundaries of the property legally described below by the installation or drilling of wells or by any other method is hereby prohibited, including points of withdrawal by the Village of Lombard:

LOT 1, 2, AND 3 IN MARQUARDT’S RESUBDIVISION OF PART OF LOTS 9 THROUGH 12 AND PART OF LOT 13 IN SUBDIVISION OF OUTLOT 10 OF THE TOWN OF LOMBARD, IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1967 AS DOCUMENT R67-16393 AND CORRECTED BY CERTIFICATE RECORDED JUNE 13, 1967 AS DOCUMENT R67-19517, IN DUPAGE COUNTY, ILLINOIS.

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EXCEPT:

PLAT OF DEDICATION OF RIGHT OF WAY ON FEBRUARY 23, 1998: THAT PART OF LOT 1 IN MARQUARDT'S RESUBDIVISION OF PART OF LOTS 9 THROUGH 12 AND PART OF LOT 13 IN SUBDIVISION OF OUTLOT 10 OF THE TOWN OF LOMBARD, IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 23, 1967 AS DOCUMENT R67-16393, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 1 AND HEADING SOUTH ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 12.95 FEET TO A POINT; THENCE NORTH 51 DEGREES 15 MINUTES 50 SECONDS WEST, A DISTANCE OF 15.32 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF ST. CHARLES ROAD; THENCE NORTH 74 DEGREES 15 MINUTES 00 SECONDS EAST, A DISTANCE OF 12.41 FEET TO THE POINT OF BEGINNING, CONTAINING 77.3681 SQUARE FEET OR 0.0018 ACRES MORE OR LESS, IN DUPAGE COUNTY, ILLINOIS.

PARCEL NUMBERS: 06-07-208-016, 06-07-208-021, 06-07-208-022

SECTION 2: If any provision of this Ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the Ordinance as a whole or of any portion not adjudged invalid.

SECTION 3: This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as required by law.

Passed on first reading this _____ day of _____, 2005.

First reading waived by action of the Board of Trustees of the Village of Lombard this 7th day of April, 2005.

Passed on second reading this 7th day of April, 2005, pursuant to a roll call vote as follows:


AYES: Trustees Williams, Tross, Koenig, Sebby, Florey and Soderstrom

NAYS: None

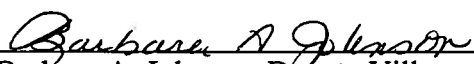
ABSENT: None

APPROVED by me this 7th day of April, 2005.

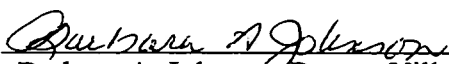
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William J. Mueller, Village President

ATTEST:


Barbara A. Johnson, Deputy Village Clerk

Published by me in pamphlet form this 11th day of April, 2005.


Barbara A. Johnson, Deputy Village Clerk