

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


 X Resolution or Ordinance (Blue) X *Waiver of First Requested*
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE: May 12, 2015 (B of T) Date: May 21, 2015

TITLE: 1 E. Roosevelt Road – Village Code Amendment

SUBMITTED BY: Department of Public Works 

BACKGROUND/POLICY IMPLICATIONS:

The Department of Public Works transmits for your consideration an ordinance to amend the Village Code to prohibit the use of groundwater for potable purposes in the vicinity of Roosevelt Road and Main Street due to soil contamination at 1 E. Roosevelt Road.

Staff recommends that this request be approved.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X _____	Date _____

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.

ORDINANCE NO. _____

**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 (G) thereto, which shall read in its entirety as follows:

“(G) Notwithstanding anything to the contrary contained in this Code, except for uses or methods in existence before the effective date of this subsection (G) prohibiting such use, the use or attempt to use, as a potable water supply (any water used in human or domestic consumption including, but not limited to, water used for drinking, bathing, swimming, washing dishes or preparing foods), groundwater from within the specified limits on the properties as shown on the attached modelled plume map and legally described below in the proximity of Roosevelt Road and Main Street by the installation or drilling of wells or by any other method is hereby prohibited, including points of withdrawal by the Village of Lombard:

PINs: 0620100065, 0618421005, 0618421007, 0618421009, 0618421008,
0618421006, 0617305006, 0618421010, 0618417016, 0618417014, 0618417017,
0618417018, 0619201018, 0618417015, 0618420029, 0619201015, 0618417013,
0618421013, 0619201021, 0619201020, 0618421037, 0618421027, 0619201022,
0618421004, 0618421003, 0618421028, 0619201003, 0618417030, 0618421032,

0618421040, 0618421041, 0620100039, 0617305043, 0618421043, 0618421034,
0618421044, 0618421045, 0618421046

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 _____, 2015.

First reading waived by action of the Board of Trustees of the Village of Lombard this _____ day of _____, 2015.

Passed on second reading this _____ day of _____, 2015, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2015.

Keith Giagnorio, Village President

ATTEST:

Janet Downer, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2015.

Sharon Kuderna, Village Clerk