

**ORDINANCE 6939**

**AN ORDINANCE APPROVING TEXT AMENDMENTS  
TO THE TITLE 15, CHAPTER 150, SECTIONS 141 AND 310  
OF THE CODE OF LOMBARD, ILLINOIS**

(Board of Building Appeals: Patios)

WHEREAS, the Village of Lombard maintains a Building Code which is found in Title 15, Chapter 150 of the Code of Lombard, Illinois; and,

WHEREAS, the Village deems it reasonable to periodically review said Building Code and make necessary changes to protect life, safety health and welfare and maintenance of all buildings and structures in the Village; and

WHEREAS, as the Director has identified and recommends text amendments to the Building Code as set forth herein pertaining to the construction of patios; and

WHEREAS, a public meeting to consider text amendments to the Building Code has been conducted by the Village of Lombard Board of Building Appeals (BOBA) on February 24, 2014; and

WHEREAS, BOBA has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and

WHEREAS, the President and Board of Trustees approve and adopt the recommendations of the Board of Building Appeals and incorporate such 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 Title 15, Chapter 150, Section 140(A), of the Code of Lombard, Illinois is hereby amended to read, as follows:

**§ 150.140 PERMIT REQUIRED FOR ERECTION, REPAIR, OR DEMOLITION OF ANY BUILDING OR STRUCTURE; EXCEPTIONS.**

(A) It shall be unlawful to proceed with the erection, enlargement, alteration, repair, removal, or demolition of any building, structure and associated electrical, plumbing and HVAC systems including fire suppression or detection work or any structural part thereof, installation of new or new or replacement of exterior windows or to construct, add onto or replace a ~~or~~ hard surface a-driveway or patio (100 square feet or greater) or parking lot within the village unless a permit therefor shall have first been obtained from the Community Development Director or

his/her designee. Such permit shall be posted in a conspicuous place upon the exterior of the premises for which it is issued, and shall remain so posted at all times until the work is completed and approved. Starting any work prior to the issuance of a required permit shall be cause to double the permit fee that is pertinent to the work that was started. Roof repair or replacement constituting less than 25% of the total roof area shall not require a village building permit.

**SECTION 2:** That Title 15, Chapter 150, Section 141(F), of the Code of Lombard, Illinois is hereby amended to read, in part as follows:

**§ 150.141 PERMIT FEES.**

(F) PATIO PERMITS.

(1) Any size \$55.00

**SECTION 3:** That Title 15, Chapter 150, Section 310 is hereby established to read in its entirety as follows:

**PATIOS.**

**§ 150.310 DEFINITIONS.**

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***PATIO.*** An open surface area, usually constructed of concrete, asphalt, brick, block or other like surface, located on the ground and intended to be utilized as an ancillary function to a principal use and utilized for sitting or other passive recreational activities.

**§ 150.311 PATIOS; PERMIT REQUIRED.**

- (A) Patios less than 100 square feet in size will not require a permit, but must not be located within a drainage or public utility and drainage easement. Additionally, if said patio includes any electrical, plumbing, or gas fixtures, a permit and inspections will be required.
- (B) Applications for a permit for patios shall be made to the Department of Community Development. The application shall include a minimum of 3 copies of a plat of survey, to scale, showing the following items:
  - a. Dimensions from property lines to all corners of the patio.

- b. Dimensions of the patio.
- c. Additional topographic information may be requested during the review process to verify drainage impacts.

**§ 150.312 DESIGN SPECIFICATIONS.**

(A) Patios shall be designed in accordance with the following specifications:

- (1) For concrete patios, Two-inches (2") compacted aggregate subbase (CA-6 gradation) plus five-inches (5") concrete, six bag-air entrained mixture with 6" x 6" wire mesh.
- (2) For concrete patios, a pre-pour inspection will be required.
- (3) For asphalt patios, six-inches (6") compacted aggregate subbase (CA-6 gradation) plus three-inches (3") binder/surface course.
- (4) For all other materials, the construction shall follow the manufacturer's standard specifications.
- (5) Patios shall have a minimum slope of 1% and a maximum of 8%.
- (6) Drainage not to adversely affect adjoining properties. (Patios within five-feet (5') of a property line may be required to include a three-inch (3") curb.)

**§ 150.313 OBSTRUCTION OF STORM WATER DRAINAGE COURSE PROHIBITED.**

It is unlawful for the owner or occupants of any subdivision or parcel of land to obstruct any storm water drainage course. Penalty, see § 150.999.

**SECTION 4:** That Title 15, Chapter 150, Section 999(D) is hereby established to read as amended as follows:

**§ 150.999 PENALTY.**

(D) Any person who shall violate any of the provisions of the code hereby adopted in § 150.105 through § 150.111, §150.284, § 150.310 through § 150.314 or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken or who shall fail to comply with an order as affirmed or modified by the Village President and Board of Trustees, or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not more than \$750. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time, not to exceed 30 days, or as agreed upon by all parties concerned; and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense. The application of this penalty shall not be held to prevent the enforced removal of prohibited conditions.

**SECTION 5:** 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 3rd day of April, 2014.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_, 2014.

Passed on second reading this 17th day of April, 2014.

Ayes: Trustee Fugiel, Foltyniewicz, Breen, Fitzpatrick and Ware

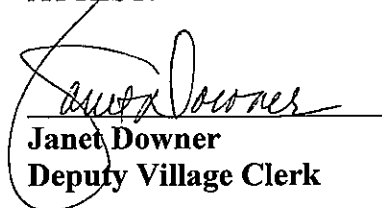
Nays: None

Absent: Whittington

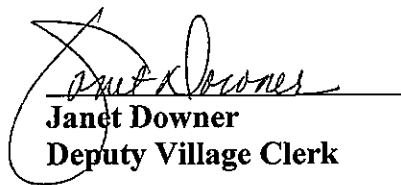
Approved this 17th day of April, 2014.

  
**Keith T. Giagnorio**  
Village President

ATTEST:

  
**Janet Downer**  
Deputy Village Clerk

Published by me in pamphlet form on this 18<sup>th</sup> day of April, 2014.

  
**Janet Downer**  
Deputy Village Clerk