

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: November 28, 2007 (BOT) Date: December 6, 2007

TITLE: PC 07-39: Text Amendments to the Lombard Zoning Ordinance

SUBMITTED BY: Department of Community Development *W. Lichter*

BACKGROUND/POLICY IMPLICATIONS:

Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The Village of Lombard requests approval of text amendments to the Lombard Zoning Ordinance to establish definitions and regulations for collection centers as a conditional use within the B3, B4, B4A and I Districts.

The Plan Commission recommended approval of this petition.

Staff is requesting a waiver of first reading.

Please place this item on the December 6, 2007 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____
Date _____
Finance Director X _____
Date _____
Village Manager X *W. Lichter*
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.



MEMORANDUM

TO: William T. Lichter, Village Manager

FROM: David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development
John

DATE: December 6, 2007

SUBJECT: PC 07-39; Text Amendments to the Zoning Ordinance – Collection Centers

Attached please find the following items for Village Board consideration as part of the December 6, 2007 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 07-39;
3. An Ordinance approving text amendments establishing regulations for attendant collection centers with companion amendments pertaining to recycling collection centers.



VILLAGE OF LOMBARD

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December 6, 2007

Mr. William J. Mueller,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 07-39: Text Amendments to the Zoning Ordinance – Collection Centers

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard requests approval of text amendments to the Lombard Zoning Ordinance to establish definitions and regulations for collection centers as a conditional use within the B3, B4, B4A and I Districts.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on November 19, 2007. William Heniff, Senior Planner, presented the petition and submitted the staff report to the public record. He stated that as a companion to the requested actions associated within PC 07-40, a text amendment is requested to establish regulations for attendant collection centers. The amendments are intended to allow for such facilities as conditional uses in the B3, B4, B4A and I Districts. This amendment establishes definitions for such centers, which would distinguish it from recycling centers or other outdoor sales and service activities.

The Zoning Ordinance currently does not have any regulations pertaining to such collection centers, per se. The closest existing regulations for the business district is the "outdoor display, sales and storage of items, the sale of which is permitted in the district", which is listed as a conditional use. Within the I District, recycling collection centers is listed as a conditional use.

In consideration of this amendment, staff is proposing a new term associated with collection centers, to distinguish it from traditional recycling centers. The amendment will establish "Collection Center, Attendant" to define the clothing drop-off activity typically done by non-profit entities. As it could be argued that attendant collection centers are a type of recycling, the recycling collection center definition is being modified to strengthen the difference between the two uses.

Village President
William J. Mueller

Village Clerk
Bridgette O'Brien

Trustees
Greg Alan Gron, Dist. 1
Richard J. Tross, Dist. 2
John "Jack" T. O'Brien, Dist. 3
Dana L. Moreau, Dist. 4
Laura A. Fitzpatrick, Dist. 5
Rick Soderstrom, Dist. 6

Village Manager
William T. Lichter

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business to create a distinctive sense of spirit and an outstanding quality of life."
"The *Mission* of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

He then discussed the proposed language. The definition provides for collection centers that are manned (either in the form of volunteers or staff). This would preclude drop boxes that are arbitrarily dropped off on properties. Attendant facilities are desired over remote drop boxes as the staffing helps minimize impacts of fly-dumping and help ensure that its operation will be compatible with adjacent land uses. He also noted the term "manned" was meant to reflect an on-site person managing the premises, but would also find the term "staffed" acceptable. He stated that attendant collection centers are proposed to be listed as conditional uses within the B3, B4, B4A and I Districts. These districts provide the greatest compatibility with the proposed use.

He then noted the "collection center, recycling" amendment is intended to help further distinguish it from attendant collection centers. The current definition also includes a number of regulations associated with the operation. As it not good practice to include regulations within definitions, this struck language is being inserted into the listing section of recycling collections in the I District. It is also intended to address issues raised in a recent appellate court decision. The definitional amendment to "collection center, recycling" section is being added to place the regulatory provisions with the use listing, rather than the definitions section. It also is intended to clarify the provisions associated with the use operation.

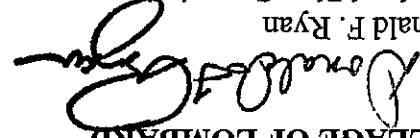
Chairperson Ryan then opened the meeting for public comment. There were no comments relative to the petition. He then opened the hearing for discussion by the Plan Commission.

Commissioner Sweetser asked about the staffing provisions associated within the proposed definition and noted that the regulations do not define the level of staffing required for the facility. Mr. Heniff noted that each operation may be a little different, but the actual staffing level can be considered as part of the conditional use application.

Tom Foley, petitioner for Amvets International, stated that their operations are intended to have regular on-premises staffing. Chairperson Ryan noted that the Commission is only considering discussion on the text amendments at this time and will consider the Amvets petition (PC 07-40) after the hearing on the text amendments has concluded.

After due consideration of the petition and the testimony presented, the Plan Commission found that the petition complies with the standards required by the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4-0, recommended to the Corporate Authorities **approval** of the petition associated with PC 07-39.

Respectfully,

VILLAGE OF LOMBARD

Donald F. Ryan
Lombard Plan Commission

c. Lombard Plan Commission

**VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission
FROM: Department of Community Development
HEARING DATE: November 19, 2007
PREPARED BY: William Heniff, AICP
Senior Planner

TITLE

PC 07-39: Text Amendments to the Lombard Zoning Ordinance: The Village of Lombard requests approval of text amendments to the Lombard Zoning Ordinance to establish definitions and regulations for collection centers as a conditional use within the B3, B4, B4A and I Districts.

BACKGROUND:

The Planning Services Division of the Community Development Department is proposing text amendments to the Zoning Ordinance as it relates to drop-off collection centers. As the existing Zoning Ordinance does not specifically identify such centers as permitted or conditional uses within any of the commercial districts, staff believes establishing such regulations is appropriate.

These amendments are intended to allow for such facilities as a conditional uses in the B3, B4, B4A and I Districts. This amendment establishes definitions for such centers, which would distinguish it from recycling centers or other outdoor sales and service activities.

Staff also received a companion petition (PC 07-40) requesting conditional use approval for an existing collection facility at 345 W. Roosevelt Road, located in the B4A District. Consideration of PC 07-40 is subject to approval of this petition.

INTER-DEPARTMENTAL REVIEW COMMENTS

ENGINEERING

The Private Engineering Services Division does not have any comments.

PUBLIC WORKS

Public Works has reviewed the petition and does not have any comments.

BUILDING AND FIRE

The Bureau of Inspectional Services has reviewed the petition and does not have any comments.

PLANNING

Compatibility with the Zoning Ordinance

The intent of this text amendment is to provide regulations pertaining to the activity and function of the drop off collection of used clothing and household items. This activity is usually operated under the auspices of a non-profit entity.

The Zoning Ordinance currently does not have any regulations pertaining to such collection centers, per se. The closest regulations included within the Zoning Ordinance for the business district is the "outdoor display, sales and storage of items, the sale of which is permitted in the district", which is listed as a conditional use.

Within the I District, recycling collection centers is listed as conditional uses, and is defined as:

RECYCLE COLLECTION CENTER is the use of a lot for the collection of such products only, and not their processing. The placement is required to be on a hard surface parking area, and is permitted only in an area where there is an excess of parking beyond that required in Section 6 (155.600 et seq.). The collection center must be staffed full-time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept and cleaned at the end of the business day. Additionally, no recycle collection center shall operate without the consent of the property owner stating approved days and hours of operation. Such owners consent must be filed with the office of the Community Development Director prior to operation.

In consideration of this text amendment, staff is proposing a new term associated with collection centers, to distinguish it from traditional recycling centers. The amendment will establish "Collection Center, Attendant" to define the clothing drop-off activity typically done by non-profit entities. As it could be argued that attendant collection centers are a type of recycling, the recycling collection center use definition is also being modified to strengthen the difference between the two uses.

PROPOSED ZONING ORDINANCE REGULATIONS

The proposed text amendments to the Zoning Ordinance are noted below, in underscore or strikethrough. Additional comments regarding the proposed amendments are noted in italics.

Section 155.803 - DEFINITIONS

COLLECTION CENTER, ATTENDANT is a staffed drop-off donation facility for the collection of discarded household goods and clothing for the purpose of resale or donation by the facility operator. This term excludes recycling collection centers or any stand alone, unmanned drop boxes or collection sites for discarded household goods or clothing.

The proposed definition provides for collection centers that are manned (either in the form of volunteers or staff). This would preclude drop boxes that are arbitrarily dropped off on sites for collection purposes. Attendant facilities are desired over remote drop boxes as the staffing helps minimize impacts of fly-dumping and help ensure that its operation will be compatible with adjacent land uses.

RECYCLE COLLECTION CENTER, RECYCLING is the use of a lot for the collection of household goods such as paper, glass bottles, aluminum cans, and plastic containers such products only, and not their processing. The definition of recycling collection centers specifically excludes junkyards and motor vehicle salvage operations, solid waste transfer stations. The placement is required to be on a hard surface parking area, and is permitted only in an area where there is an excess of parking beyond that required in Section 6. The collection center must be staffed full-time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept and cleaned at the end of the business day. Additionally, no recycle collection center shall operate without the consent of the property owner stating approved days and hours of operation. Such owners consent must be filed with the office of the Community Development Director prior to operation.

This proposed amendment is intended to help further distinguish it from attendant collection centers. The current definition also includes a number of regulations associated with the operation. As it not good practice to include regulations within definitions, this struck language is being inserted into the listing section of recycling collections in the I District. It is also intended to address issues raised in a recent appellate court decision (*Victory Auto Wreckers v. Bensenville*).

**Section 155.400 et. seq.
 REGULATIONS BY DISTRICT**

Use	Districts Listing as a Permitted Use	Districts Listing as a Conditional Use
Collection Centers, Attendant		B3, B4, B4A, I
Collection Centers, Recycling		I

Section 155.420 LIMITED INDUSTRIAL DISTRICT REQUIREMENTS

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) in this Ordinance, the following conditional uses may be allowed:

- a. The recycling collection center is located in an area where there is an excess of parking beyond that required in Section 155.600 et. seq.
- b. Placement of any containers shall be on a hard surface parking area.
- c. The recycling collection center must be staffed full-time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept and cleaned at the end of the business day.
- d. Recycling collection centers shall not operate without the consent of the property owner stating approved days and hours of operation as part of the application for conditional use approval.

This section is being added to place the use provisions with the use listing. It also is intended to clarify the provisions associated with the use operation.

Standards for Text Amendments

For any change to the Zoning Ordinance, the standards for text amendments must be affirmed. The standards and the petitioner's and staff comments are noted below:

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property.*
Should the proposed amendments be approved, it would apply to all properties within the B3, B4, B4A and I Districts.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations.*

As noted in the table above, no changes are proposed for the recycling collection center use – it remains a conditional use in the I District. Regarding the attendant collection centers, it is proposed as a conditional use in the B3, B4, B4A and I Districts. The B1 and B2 Districts are the local commercial districts and the designated properties tend to be in very close proximity to residences. Additionally, as this use is intended to provide drop-off services for the community at-large, it should be established in the community or corridor district as well. The downtown districts (B5 and B5A) are not listed as the activity is not consistent with the downtown area (i.e., pedestrian scale with a de-emphasis on automobile related activities). The I District listing is added for consistency.

3. *The degree to which the proposed amendment would create nonconformity.*

The Ordinance would not create any nonconformities.

4. *The degree to which the proposed amendment would make this ordinance more permissive.*

The proposed amendment would make the Zoning Ordinance more permissive to the extent that it adds the potential new land use into the B3, B4, B4A and I Districts.

5. *The consistency of the proposed amendment with the Comprehensive Plan.*

Staff believes that the proposed amendment would be consistent with the Comprehensive Plan, as the use may be compatible with the commercial or industrial designations, provided that it meets the standards for conditional uses and any appropriate conditions of approval associated with the petition.

6. *The degree to which the proposed amendment is consistent with Village policy as established in previous rulings on petitions involving similar circumstances.*

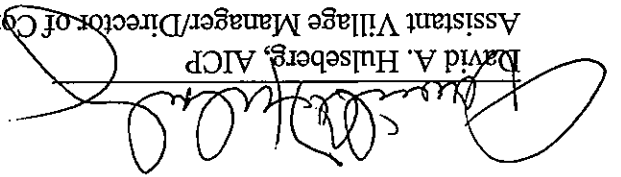
The Village has a history of amending its Zoning Ordinance to address newly evolving circumstances presented by petition or otherwise. The proposed amendments are consistent with established Village policy.

RECOMMENDATION:

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the request as proposed:

Based on the submitted petition and the testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the text amendments described in PC 07-39.

Inter-Departmental Review Group Report Approved By:



David A. Hulseberg, AICP
Assistant Village Manager/Director of Community Development

§155.415 B3 COMMUNITY SHOPPING DISTRICT REQUIREMENTS

Illinois is hereby amended to read in part, as follows:
SECTION 1. That Title 15, Chapter 155, Section 415 (C), of the Code of Lombard,

TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:
NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein.

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

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on November 19, 2007 pursuant to appropriate and legal notice; and,

WHEREAS, as the Director has identified and recommends text amendments to the Zoning Ordinance as set forth herein; and

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and

WHEREAS, Section 155.102 (E)(13) of the Zoning Ordinance directs the Director of Community Development to initiate a review of the provisions established within the Zoning Ordinance; and

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Code of Lombard, Illinois; and,

(PC 07-39: Collection Centers)

AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS

ORDINANCE _____

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, any conditional use in the B1 District shall be a conditional use in the B3 District and in addition, the following conditional uses may be allowed:

1. Amusement establishments including bowling alleys, pool halls, swimming pools, skating rinks

2. Automobile repair

3. Automobile service

4. Bus station

5. Catering services

6. Collection Centers, Attendant

7. Day Care Centers

8. Drive-through and drive-in establishments/services

9. Funeral homes

10. Furniture upholstery, repair, and reconditioning

11. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment)

11. Hotel and Convention Halls

12. Hotels and motels

13. Learning Centers, with outdoor component

14. Medical and dental laboratories

15. Meeting hall

16. Motor vehicle sales

17. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance

18. Outside display and sales of products the sale of which is a permitted or conditional use in this district

19. Outside service areas for other permitted or conditional uses in this district

20. Parking garages or structures, other than accessory parking for private passenger automobiles only

21. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)

22. Psychics, ESP Readers, and fortune tellers

23. Public utility and service uses

24. Recreation and community centers, noncommercial

25. Religious institutions

26. Restaurants including entertainment, dancing, and/or amusement devices

27. Taverns and cocktail lounge

28. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

29. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.

SECTION 2: That Title 15, Chapter 155, Section 416 (C), of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) of this Ordinance, the following conditional uses may be allowed:

1. Amusement establishments, outdoor, including: archery ranges, shooting galleries, miniature golf facilities, and other similar outdoor amusement facilities

2. Amusement parks, including: permanent carnivals, kiddie parks, golf driving ranges, pitch and putt, miniature golf courses, and other similar outdoor amusement facilities
3. Animal hospitals and kennels
4. Automobile repair
5. Automobile service
6. Boat showrooms, sales and repairs
7. Building material and products sales and storage
8. Clubs and lodges, nonprofit and fraternal
9. Collection Centers, Attendant
10. Contractor construction offices, shops, and yards
11. Day Care Center
12. Drive-through and drive-in establishments/services
13. Dwelling Units, located above the first floor, where all the requirements of Section 155.412(B)(1) of this Code are not met.
14. Gasoline sales (or any expansion of a principal, secondary or ancillary use on the same lot as a gasoline sales establishment
15. Learning Centers, with outdoor component
16. Machinery sales
17. Mobile homes sales
18. Model homes and garage displays
19. Motor vehicle sales
20. Off-site parking, in conformance with Section 155.602 (A) (3) (b) of this Ordinance

21. Outside display and sales of products the sale of which is a permitted or conditional use in this district

22. Outside service areas for other permitted or conditional uses in this district

23. Photographic processing business

24. Physical culture and massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)

25. Planned developments in conformance with Section 155.500 of this Ordinance

26. Psychics, ESP Readers, and fortune tellers

27. Public utility and service uses

28. Religious Institutions

29. Restaurants, which include entertainment, dancing, and/or amusement devices

30. Stadiums, auditoriums, and arenas—open or enclosed

31. Storage centers, provided that the use fronts along an arterial roadway with an average daily trip volume (ADTV) of less than 25,000

32. Theaters, drive-in

33. Trailer and camper trailer sales and rental for use with private passenger motor vehicles

34. Four (4) story buildings and buildings which are forty feet (40') to forty-five feet (45') in height.

35. Accessory uses and buildings, incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 155.210 of this Ordinance

SECTION 3: That Title 15, Chapter 155, Section 417 (G)(2), of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

2. Conditional Uses. The following uses are considered conditional uses and shall be subject to the provisions set forth in Section 155.103 (F) of this Ordinance.

b. Service Uses

- 1. Animal hospitals and kennels

- 2. Banks and financial institutions

- 3. Clubs and lodges, nonprofit and fraternal

- 4. Collection Center, Attendant

- 5. Day Care Center

- 6. Drive-through and drive-in establishments/services

- 7. Learning Centers, with outdoor component

- 8. Motor vehicle repair

- 9. Motor vehicle service

- 10. Photographic processing business

- 11. Therapeutic massage establishments (as defined and regulated by Chapter 12, Section 122 of the Code of Ordinances)

- 12. Recreational vehicle sales

- 13. Religious Institutions

SECTION 4: That Title 15, Chapter 155, Section 420 (C), of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

C. Conditional Uses

Subject to the provisions of Section 155.103 (F) in this Ordinance, the following conditional uses may be allowed:

- 1. Adult uses (including but not limited to adult book stores, adult cabarets, adult theaters, and adult video stores) subject to the adult use:

(a) Not being located within 500 feet of a zoning district which permits (or allows as a conditional use) residential development, educational or religious institutions, parks, or playgrounds;

(b) Not being located within 1,000 feet of another adult use (distances to be measured from property lines);

(c) Being conducted in a manner that prohibits the observation of any material depicting, describing or relating to any specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public way.

2. Automobile repair

3. Automotive service

4. Banks

5. Building material sales and storage

6. Cartage and express facilities

7. Catering Services

8. Clubs and Lodges, non-profit and fraternal

9. Collection Centers, Attendant

10. Collection Centers, Recycling, provided that the following provisions are met:

a. The recycling collection center is located in an area where there is an excess of parking beyond that required in Section 155.600 et. seq..

b. Placement of any containers shall be on a hard surface parking area;

c. The recycling collection center must be staffed full-time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept

and cleaned at the end of the business day.

d. Recycling collection centers shall not operate without the consent of the property owner stating approved days and hours of operation as part of the application for

conditional use approval.

11. Compost collection facility

12. Concrete and cast stone fabrication and molding

13. Contractors, architects, and engineers equipment and material storage yards

14. Cosmetics production
15. Dairy products processing or manufacture
16. Food manufacture, packaging, and processing
17. Gasoline sales
18. Glass products production
19. Heliports, private or commercial
20. Learning centers (no outdoor component)
21. Metal Plating, Forging, or Casting
22. Mortuarial Services
23. Off-site parking, conforming to Section 155.602 (A) (3) (b) of this Ordinance
24. Outpatient medical and dental offices and clinics
25. Paper products manufacture
26. Parks and playgrounds
27. Planned developments in conformance with Section 155.500 of this Ordinance
28. Plastic extruding
29. Recreation buildings or community centers
- ~~30. Recycling collection centers~~
31. Religious Institutions
32. Restaurants
33. Schools: public and/or private elementary, middle and high
34. Soap manufacture
35. Stadiums, auditoriums, and arenas – open or enclosed

36. Outside Storage of Motor Vehicles

37. Trade school

38. Other manufacturing, processing, storage, or industrial uses as determined by the Director of Community Development to be of the same general character as the uses permitted in Subsection 15.418(C), above, and found not to be obnoxious, unhealthy, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, toxic or noxious matter or glare or heat

39. Four (4) story buildings within one hundred feet (100') of residentially-zoned property or a minor or major arterial street and buildings which are forty feet (40') to forty-five feet (45') in height and which are within one hundred (100') of a residentially-zoned property or a minor or major arterial street.

40. Accessory uses and buildings incidental to and on the same zoning lot as the conditional use, which are constructed and operated in conformance with Section 15.210 of this Ordinance

SECTION 5: That Title 15, Chapter 155, Section 802, of the Code of Lombard, Illinois is hereby amended to read in part, as follows:

15.802 Rules and Definitions

COLLECTION CENTER, ATTENDANT is a staffed drop-off donation facility for the collection of discarded household goods and clothing for the purpose of resale or donation by the facility operator. This term excludes recycling collection centers or any stand alone, unstaffed drop boxes or collection sites for discarded household goods or clothing.

RECYCLE COLLECTION CENTER, RECYCLING is the use of a lot for the collection of household goods such as paper, glass bottles, aluminum cans, and plastic containers such products only, and not their processing. The definition of recycling collection centers specifically excludes junkyards and motor vehicle salvage operations, solid waste transfer stations. The placement is required to be on a hard surface parking area, and is permitted only in an area where there is an excess of parking beyond that required in Section 6. The collection center must be staffed full time to monitor the use, and all collection is to be removed on a daily basis. Any area involved must be swept and cleaned at the end of the business day. Additionally, no recycle collection center shall operate without the consent of the property owner stating approved days and hours of operation. Such owners consent must be filed with the office of the Community Development Director prior to operation.

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2007.

Brigitte O'Brien, Village Clerk

ATTEST:

William J. Mueller, Village President

Approved this _____ day of _____, 2007.

Absent:

Nays:

Ayes:

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

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

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

SECTION 6: 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.