

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 5532,
ADOPTED AUGUST 19, 2004,
GRANTING A VARIATION OF THE LOMBARD CODE OF ORDINANCES CHAPTER
151 “FLOOD CONTROL”;
SUBSECTION 151.55 “RETENTION/DETENTION BASINS”**

(BOT 04-11: 309 & 315 W. St. Charles Road, Lombard, IL)

WHEREAS, the President and Board of Trustees of the Village of Lombard have heretofore adopted the Code of Lombard, Illinois, and;

WHEREAS, on August 19, 2004, the Village President and Board of Trustees adopted Ordinance No. 5532, granting a variation of the Lombard Code of Ordinances Chapter 151; Subsection 151.55 to allow payment of a fee in lieu of providing on-site stormwater detention for the development at 309 & 315 W. St. Charles Road; and

WHEREAS, the Village President and Board of Trustees passed Ordinance No. 5616 on March 3, 2005 to amend Chapter 151; Subsection 151.55 reduce the stormwater detention requirement from the 100-yr rainfall event to the 2-yr rainfall event for properties that are at least 80% impervious.

WHEREAS, the properties at 309 & 315 W. St. Charles Road are currently 86% impervious and the 2-yr rainfall event detention volume for the proposed development has been determined to be 0.21 acre-foot, as reviewed and approved by Village staff; and

WHEREAS, The detention fee due to the Village based on 0.21 acre-foot is \$34,020.00, based on the rate of \$162,000 per acre-foot, as required by Chapter 151; Subsection 151.57; and

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of staff and incorporate such findings and 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 the fee in-lieu-of detention required by Ordinance No. 5532 per Subsection 151.57 is hereby amended to \$34,020.00, based on 0.21 acre-foot of volume at a rate of \$162,000, and shall be deposited into the Village’s Stormwater Fund for the East Branch DuPage River Watershed.

Section 2: That the \$150.00 administrative fee required by Ordinance No. 5532 is still required and shall be deposited into the Village’s Stormwater Fund for the East Branch DuPage River Watershed.

Ordinance No. _____

Page 2 of 2

Section 3: 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 ____ day of _____, 2005.

First reading waived by action of the Board of Trustees this ____ day of _____, 2005.

Passed on second reading this ____ day of _____, 2005.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2005.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk