

Legistar #: 220040
DISTRICT: 1

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: January 21, 2022 (COW) (B of T) **Date:** February 17, 2022

TITLE: AN ORDINANCE AMENDING TITLE 7, CHAPTER 71, SECTIONS 71.15, 71.16, 71.17, 71.18 AND 71.19 OF THE LOMBARD VILLAGE CODE IN REGARD TO BICYCLE LOCKER PARKING

SUBMITTED BY: Carl Goldsmith, Director of Public Works 

BACKGROUND/POLICY IMPLICATIONS:

Amended program for the use of the bicycle lockers located near the commuter rail station.

FISCAL IMPACT/FUNDING SOURCE:

None required.

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.



February 2, 2022

TO: Village President and Board of Trustees

THROUGH: Scott Niehaus, Village Manager

FROM: Carl Goldsmith, Director of Public Works *g*

SUBJECT: Bicycle Locker Rental Program

BACKGROUND

The Village has operated a bicycle locker rental program for commuters for many years. The Village had a total of sixteen (16) lockers, with 12 located north of the train station and 4 located south of the train station. In 2018, the Village of Lombard, along with the City of Elmhurst, the Village of Bartlett, the Village of Downers Grove, the Village of Villa Park, the Village of Hanover Park and DuPage County received a Federal grant for bicycle improvements. Included in the grant for Lombard was twenty-four (24) bicycle lockers, twenty-two (22) inverted “U” racks and a 10’ x 24’ bicycle shelter that will be placed in the downtown following the sidewalk project in 2023. The grant provided 75% funding for all of the amenities for the participating agencies. The Village received the lockers, racks and shelter this past summer and installed the lockers adjacent to the train station.

With the additional lockers now available, staff undertook an evaluation of the current program and determined that several changes were warranted. The changes addressed modifications to the Village’s authority to enforce rules, the fees imposed for the rental of a locker, the Village’s authority to remove and dispose of material not in line with the program guidelines and creating a definition of an abandoned bicycle that allowed for the removal. These changes have been incorporated into the attached ordinance.

The revised program, which will be administered as a pilot program, will be evaluated to determine whether the Village should continue the program or modify the program. A summary of the bike locker rental program includes the following:

- Users will be responsible for submitting a completed Space Use Agreement that defines the terms and conditions of the use of the locker. A copy of the Space Use Agreement has been attached.
- There will be no fee collected or deposit required for the use of the lockers
- The rental period will run from April 1st through March 31st
- The Village will provide keyed padlocks to the renters that will be used at all times during the rental.

- The Village will perform a “spring cleaning” of the lockers in April and will provide renters notice of the need to remove material no less than 7 days prior to the clean up taking place.
- The Village will post signage at the locker locations that outline the rules of use for the facilities. A copy of the signage is attached.

The Village anticipates that the program will go into effect upon the Village Board adopting the ordinance. The Village will notify the current renters of the revised program and will place the use agreement on the Village’s website. The lockers will be rented on a first-come, first-served basis.

The Ordinance and Space Use Agreement have been reviewed and approved by the Village Attorney. I respectfully request that this item be placed on the Village Board agenda for consideration at the February 17, 2022 meeting. Should you have any questions, please feel free to contact me.

RECOMMENDATION

Staff recommends that the Village Board of Trustees adopt AN ORDINANCE AMENDING TITLE 7, CHAPTER 71, SECTIONS 71.15, 71.16, 71.17, 71.18 AND 71.19 OF THE LOMBARD VILLAGE CODE IN REGARD TO BICYCLE LOCKER PARKING.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 7, CHAPTER 71, SECTIONS 71.15, 71.16, 71.17, 71.18, AND 71.19 OF THE LOMBARD VILLAGE CODE AND IN REGARD TO BICYCLE LOCKER PARKING

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: That Title 7, Chapter 71, Sections 71.15, 71.16, 71.17, 71.18, 71.19 of the Lombard Village Code are amended to read in its entirety as follows:

“§ 71.15 - Bicycle parking.

- (A) A person may park a bicycle on a sidewalk unless prohibited or restricted by an official traffic-control device.
- (B) A person shall not park a bicycle on a roadway.
- (C) A person shall not park a bicycle in such a manner as to constitute an obstruction to pedestrian or vehicular traffic. Bicycle racks are to be utilized wherever provided.
- (D) Use of the commuter bike lockers shall be subject to the terms and conditions of a space use agreement, which shall be in a form approved by the ~~e~~Director of ~~p~~Public ~~w~~Works, and shall be executed by the person renting the commuter bike locker and delivered to the Village prior to use of the commuter bike locker.

§ 71.16 - ABANDONED BICYCLES.

- (A) No person shall allow a bicycle to remain on property dedicated to the village or owned by the village for more than forty-eight (48) hours unless it is safely secured. Where bicycle racks are provided, bicycles may be parked, stored or remain for a period of up to ten (10) days, if the bicycle remains in operational condition.
- (B) In the event a bicycle or bicycles remain on property dedicated to the village or owned by the village in excess of ten (10) days, it/they shall be considered to be abandoned, and may be removed by the Village of Lombard. The bicycle shall be taken to the Police Department as lost or abandoned property and disposed of pursuant to state statute.
- (C) In the event the bicycle is not in operational condition and left on property dedicated to the village or owned by the village for more than twenty-four (24) hours, it may be

removed after twenty-four (24) hours ~~and~~ taken to the Lombard Police Department as lost or abandoned property.

§ 71.17 - Bicycle racing.

- (A) Bicycle racing on a highway shall not be unlawful when a racing event has been approved by state or local authorities on any highway under their respective jurisdictions. Approval of bicycle highway racing events shall be granted only under conditions which assure reasonable safety for all race participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.
- (B) By agreement with the approving authorizing, participants, in an approved bicycle highway racing event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

§ 71.18 - Enforcement.

This ordinance shall be enforced by the Chief of Police of the Village of Lombard as are other traffic ordinances of the village.

§ 71.19 - Penalties.

Any person 16 years of age or older violating the provisions of this Chapter, or any parent, guardian or other adult person having the care and custody of a minor under the age of 16 who violates this Chapter shall be fined not less than \$50.00 nor more than \$750.00 for each offense.”

SECTION 2: 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 _____ day of _____, 2022.

First reading waived by action of the Board of Trustees this _____ day of _____, 2022.

Passed on second reading this _____ day of _____, 2022.

Ayes: _____

Nayes: _____

Absent: _____

Approved this _____ day of _____, 2022.

Keith Giagnorio
Village President

ATTEST:

Elizabeth Brezinski
Village Clerk

Published by me in pamphlet form this _____ day of _____, 2022.



**Village of Lombard
Bike Locker
Space Use Agreement**



I understand and agree to the following terms of use:

1. The Village of Lombard is operating the Bicycle Locker Program as a pilot project and may discontinue the program at any time. Notice of discontinuation will be provide to Users in a timely manner so that contents may be removed.
2. The Space Use Agreement shall be in full force and effect from the date of execution through March 31, 2023 ("Contract Term").
3. A signed Space Use Agreement must be received by the Village of Lombard prior to issuance of the key.
4. A key will be issued by the Village once this Agreement has been approved.
5. The key must be returned no later than 4:30 p.m. on the last day of the Contract Term, or any renewal term.
6. Failure to return the key or renew the Space Use Agreement will result in the removal of the contents of the locker in accordance with the Village Code. All annual use periods will expire at 4:30 p.m. on the last day of the Contract Term, or any renewal term, with all items being removed from the locker by said time and date. The Village will send notice of renewal to the address indicated below prior to expiration of the Contract Term. If this Space Use Agreement is not renewed by execution and delivery to the Village of a new Space Use Agreement by no later than three (3) business days prior to the end of the Contract Term, all contents shall be removed no later than 4:30 p.m. on the last day of the Contract Term.
7. The Village has the right to inspect the locker at any time to determine proper use. *The Village will perform annual maintenance of the lockers in April. Notice shall be provided to locker renters no less than seven (7) calendar days prior to the maintenance period.
8. Use of the locker will be restricted to bicycles, and bicycle equipment (e.g. air pump, lock etc.) and related accessories (e.g. bike helmets, water bottles etc.) storage only.
9. The Village is not liable for the damage or loss of any bicycle, equipment or personal property stored in the locker. The Village may dispose of any bicycle, equipment or personal property left in the locker beyond the Contract Term. Said material will be held at the Lombard Police Department for a period of thirty (30) days after the removal. Any material not collected within the thirty (30) day period shall be disposed of by the Lombard Police Department and no compensation shall be due to the renter. Any material removed from the locker that is determined by the Lombard Police to be hazardous or a health concern will be disposed of immediately.
10. This Agreement may be terminated at any time by the Village for improper use of the locker, or terminated at any time without reason by the Village.
11. The User shall indemnify, defend and save harmless the Village of Lombard, its officers, agents, employees, representatives and assigns, from lawsuits, actions, costs (including attorneys' fees), claims or liabilities of any character, including, as allowed by law, liabilities incurred due to negligence of the User, brought because of any injuries or damages received or sustained by any person, persons, or property on account of any act or omission, neglect or misconduct of said User arising out of use of the locker.

Agreed to by the User:

Assigned Locker #: _____

Assigned Key #: _____

Date: _____

(Signature)

Approved on behalf of the
Village of Lombard

By: _____

Date: _____

Name: _____

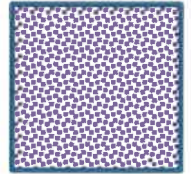
Address: _____

Phone #: _____

Email: _____

Village of Lombard Bicycle Locker Program

For rental, please call 630-620-5740, email publiworks@villageoflombard.org or use QR CODE



- The Village is not liable for the damage or loss of any bicycle, equipment or personal property stored in the locker.
- Use of the locker will be restricted to bicycles, bicycle equipment (e.g. air pump, lock etc.) and related accessories (e.g. bike helmets, water bottles etc.) storage only.
- The Village has the right to inspect the locker at any time to determine proper use.
- Any material removed from the locker will be held at the Lombard Police Department for a period of thirty (30) days after the removal. Any material not collected within the thirty (30) day period shall be disposed of by the Lombard Police Department and no compensation shall be due to the renter.
- Any material removed from the locker that is determined by the Lombard Police to be hazardous or a health concern will be disposed of immediately.



Per Village Ordinance **22-####**