


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

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager 

DATE: October 27, 2009 (BOT) Date: November 5, 2009

TITLE: PC 09-28: Text Amendments to the Lombard Sign, Subdivision and Development, and Zoning Ordinances

SUBMITTED BY: Department of Community Development

BACKGROUND/POLICY IMPLICATIONS:

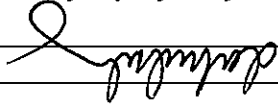
Your Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The Village of Lombard requests text amendments to the following relevant chapters and definition of the Lombard Code of Ordinances: Chapter 153: Signs, Chapter 154: Subdivisions and Development, and Chapter 155: Zoning Code. These text amendments are intended to: address the proper roles and responsibilities of Lombard staff, correct references pertaining to the Illinois Compiled Statutes, and update definitions for clarity and consistency.

The Plan Commission recommended approval of this petition.

Please place this item on the November 5, 2009 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____
Finance Director X _____
Village Manager X  _____
Date _____
Date 10/28/09 _____

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: David A. Hulseberg, Village Manager
FROM: William Heniff, AICP *WH*
Director of Community Development
DATE: November 5, 2009

SUBJECT: PC 09-28: Text Amendments to the Lombard Sign, Subdivision and Development, and Zoning Ordinances

Attached please find the following items for Village Board consideration as part of the November 5, 2009 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 09-28;
3. Ordinances amending Title 15, Chapter 153, Chapter 154, and Chapter 155: Zoning Code of the Lombard Village Code; and

The Plan Commission recommended approval of the actions associated with this petition.

While not under the purview of the Plan Commission, the Department of Community Development is also proposing text amendments to Chapter 152: Planning to further clarify the roles and responsibilities of Lombard Village staff. Staff also reviewed Chapters 151: Flood Control but found no necessary changes.

VILLAGE OF LOMBARD
 255 E. Wilson Ave.
 Lombard, Illinois 60148-3931
 (630) 620-5700 Fax (630) 620-8222
 www.villageoflombard.org



Village President
 William J. Mueller

Village Clerk
 Brigitte O'Brien

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

**Subject: PC 09-28: Text Amendments to the Lombard Sign,
 Subdivision and Development, and Zoning Ordinances**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner requests approval of text amendments to Lombard Sign, Subdivision and Development, and Zoning Ordinances. After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on October 19, 2009.

Chairperson Ryan reread the public hearing request and stated that there are two different statements. He indicated to staff that the word compiled in the public hearing agenda should be compiled.

Stuart Moynihan, Associate Planner, presented the petition. The text amendments are intended to address the proper roles and responsibilities of Lombard staff, correct references pertaining to the Illinois Compiled Statutes and update definitions for clarity and consistency.

The Department of Community Development has reviewed the above indicated ordinances, along with Chapter 151: Flood Control and Chapter 152: Planning, as a result of the recent movement of the Building Division, formerly the Bureau of Inspectional Services (BIS), into the Department of Community Development. Staff has specifically looked for references to BIS and for now obsolete references relating to administrative procedures and personnel responsibilities. Staff has also looked for references to the Illinois Compiled Statutes for necessary corrections. For instances in which there were references to procedures and staff responsibilities that were unclear or incorrect, the Director of Community Development has determined how such procedures and responsibilities will be performed and by whom.

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

"Our shared vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

Village Manager
 David A. Huiseberg

Trustees
 Greg Alan Gron, Dist. 1
 Richard J. Tross, Dist. 2
 Zachary C. Wilson, Dist. 3
 Dana L. Moreau, Dist. 4
 Laura A. Fitzpatrick, Dist. 5
 William "Bill" Ware, Dist. 6

Companion changes to Chapter 150: Building were adopted by the Village Board in September, 2009. Edits to Chapters 151: Flood Control and 152: Planning are not reviewed by the Plan Commission but will be transmitted concurrently with the other text amendments to Board of Trustees.

On August 23, 2009, the Bureau of Inspectional Services (BIS) was moved from the Fire Department into the Department of Community Development. The Bureau of Inspectional Services (BIS) is now referred to as the Building Division of the Department of Community Development. As a result, a number of references within the Lombard Code of Ordinances have become incorrect or obsolete. These references most often pertain to the roles and responsibilities of Lombard staff within the Fire Department and the Department of Community Development. Also, direct references to BIS are proposed to be revised to refer to the Building Division.

Staff has reviewed Chapter 153: Signs, Chapter 154: Subdivisions and Development, and Chapter 155: Zoning Code for such references relating to administrative procedures and personnel responsibilities. Staff has also looked for references to the Illinois Revised Statutes/ Illinois Compiled Statutes for necessary corrections. Further, staff is proposing text amendments to the definitional sections of these Chapters as necessary for clarity and consistency. Staff is proposing to add definitions for specific staff positions in the definitional section of the Zoning Ordinance and Sign Ordinance.

Staff read from the Standards for Text Amendments. The proposed amendments are not intended to benefit any specific property but would correct and/or clarify the responsibilities of Village staff. These amendments are being proposed in order to allow for proper functioning of Village staff and the proper application of Village codes. The zoning district regulations will only be affected with regard to application and enforcement. The proposed amendment would not create any non-conforming situations. The proposed amendments would not make Village codes more or less permissive. Staff believes that the proposed text amendments are consistent with the Comprehensive Plan. The amendment is intended to ensure that Village staff can apply Village codes in a manner consistent with the Plan. The amendments are consistent with the staffing directives set forth by the Village Manager and previously approved by the Village Board.

Mr. Moynihan stated that staff recommends that the Plan Commission approve the changes as proposed.

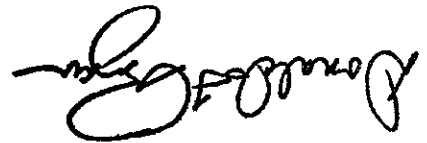
Chairperson Ryan then opened the meeting for public comment. No one spoke for or against the petition.

Chairperson Ryan opened the meeting for comments from the Plan Commission. No comments were given by the Commissioners.

After due consideration of the petition and the testimony presented, the Plan Commission found that requested text amendments comply with the standards required by the Lombard Zoning, Sign and Subdivision and Development Ordinances; and, therefore, moved that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and therefore, by a roll call vote of 4 to 0, recommended to the Corporate Authorities approval of PC 09-28.

Respectfully,

VILLAGE OF LOMBARD



Donald F. Ryan

Chairperson

Lombard Plan Commission

at-

c. Petitioner

Lombard Plan Commission

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

FROM: Department of Community Development
PREPARED BY: Stuart Moynihan
Associate Planner

TITLE

PC 09-28; Text Amendments to the Lombard Sign, Subdivision and Development, and Zoning Ordinances: The Village of Lombard requests text amendments to the following relevant chapters and definition of the Lombard Code of Ordinances: Chapter 153: Signs, Chapter 154: Subdivisions and Development, and Chapter 155: Zoning Code.

The text amendments are intended to address the proper roles and responsibilities of Lombard staff, correct references pertaining to the Illinois Compiled Statutes and update definitions for clarity and consistency.

GENERAL INFORMATION

Petitioner:

Village of Lombard
255 E. Wilson Ave
Lombard, IL 60148

ANALYSIS

DESCRIPTION

The Department of Community Development has reviewed the above indicated ordinances, along with Chapter 151: Flood Control and Chapter 152: Planning, as a result of the recent movement of the Building Division, formerly the Bureau of Inspectional Services (BIS), into the Department of Community Development. Staff has specifically looked for references to BIS and for now obsolete references relating to administrative procedures and personnel responsibilities. Staff has also looked for references to the Illinois Compiled Statutes for necessary corrections. For instances in which there were references to procedures and staff responsibilities that were unclear or incorrect, the Director of Community Development has determined how such procedures and responsibilities will be performed and by whom. As text amendments to the aforementioned sections require a public hearing by the Plan Commission before Village Board consideration, staff brings these amendments forward for consideration.

Companion changes to Chapter 150: Building were adopted by the Village Board in September, 2009. Edits to Chapters 151: Flood Control and 152: Planning are not reviewed by the Plan Commission but will be transmitted concurrently with the other text amendments to Board of Trustees.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

The Department of Public Works has no comments on the petition.

PRIVATE ENGINEERING SERVICES

The Private Engineering Services Division of Community Development has no comments.

BUILDING DIVISION

Upon review of the above referenced request for text amendments, the Building Division of Community Development has no comments at this time.

FIRE DEPARTMENT

The Fire Department has reviewed the petition and has no comments.

PLANNING

On August 23, 2009, the Bureau of Inspectional Services (BIS) was moved from the Fire Department into the Department of Community Development. The Bureau of Inspectional Services (BIS) is now referred to as the Building Division of the Department of Community Development. As a result, a number of references within the Lombard Code of Ordinances have become incorrect or obsolete. These references most often pertain to the roles and responsibilities of Lombard staff within the Fire Department and the Department of Community Development. Also, direct references to BIS are proposed to be revised to refer to the Building Division.

Staff has reviewed Chapter 153: Signs, Chapter 154: Subdivisions and Development, and Chapter 155: Zoning Code for such references relating to administrative procedures and personnel responsibilities. Staff has also looked for references to the Illinois Revised Statutes/ Illinois Compiled Statutes for necessary corrections. Further, staff is proposing text amendments to the definitional sections of these Chapters as necessary for clarity and consistency. Staff is proposing to add definitions for specific staff positions in the definitional section of the Zoning Ordinance and Sign Ordinance.

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;*

The proposed amendments are not intended to benefit any specific property but would correct and/or clarify the responsibilities of Village staff. Further, the text amendments would correct other references within the Village code which are currently obsolete, ambiguous or invalid.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*
These amendments are being proposed in order to allow for proper functioning of Village staff and the proper application of Village codes. The zoning district regulations will only be affected with regard to application and enforcement.

3. *The degree to which the proposed amendment would create nonconformity;*
The proposed amendment would not create any non-conforming situations.

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

The proposed amendments would not make Village codes more or less permissive. These amendments would primarily affect the administrative procedures of Village staff. These amendments are also not intended to modify the processes applicants must undertake to apply for permits, develop properties or seek zoning relief.

5. *The consistency of the proposed amendment with the Comprehensive Plan;*
Staff believes that the proposed text amendments are consistent with the Comprehensive Plan. The amendment is intended to ensure that Village staff can apply Village codes in a manner consistent with the Plan.

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 evolving circumstances presented by petition or to clarify the intent of the Ordinance provisions. The proposed amendments are consistent with established Village policy in this regard. The amendments are consistent with the staffing directives set forth by the Village Manager and previously approved by the Village Board.

Proposed Text Amendments

The proposed text amendments to the Lombard Sign, Subdivision and Development and Zoning Ordinances are listed below. Any new additions and/or changes are underlined while any information that is to be removed is marked with a strikethrough.

CHAPTER 153: SIGNS

SECTION 153.601 WORD USAGE

Words and phrases used in this ordinance shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in Title 15 of the Code of Ordinances of the

Village of Lombard, also known as the Zoning Ordinance, shall be given the meanings set forth in such ordinance. All other words and phrases shall be given their common, ordinary meanings, as defined in Webster's Unabridged Dictionary (1976 edition) Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2003), unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this ordinance.

SECTION 153.602 DEFINITIONS

DIRECTOR OF COMMUNITY DEVELOPMENT. The Director of the Village of Lombard, Illinois, Department of Community Development or the Director's duly authorized representative.

DIRECTOR OF PUBLIC WORKS. The Director of the Village of Lombard, Illinois, Department of Public Works, or the Director's duly authorized representative.

FIRE CHIEF. The Fire Chief of the Village of Lombard, Illinois or his duly authorized representative.

OWNER A person recorded as such on official records. For the purposes of this Ordinance, the owner of the property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Administrator Village; e.g., a sign leased from a sign company.

VILLAGE MANAGER. The Village Manager of the Village of Lombard, Illinois or the Manager's duly authorized representative.

CHAPTER 154: SUBDIVISIONS AND DEVELOPMENT

154.202 ADMINISTRATIVE BODIES AND DUTIES

(A) Village Board of Trustees

The Board of Trustees of the Village of Lombard, hereinafter referred to as the "Village Board" or "Board of Trustees", as established in accordance with the Revised Statutes of the State of Illinois Illinois Compiled Statutes, shall have the following authority and duties with respect to this ordinance.

154.407 PUBLIC RIGHTS-OF-WAY, STREETS AND SIDEWALKS

(I) Street Names and Traffic Signs

(1) Street name signs are to be placed at all intersections within, or abutting, the subdivision, type and location of which to be approved by the Director of Public Works. No street names shall be used which will duplicate or be confused with the names of existing streets. New streets which are extensions of, or obviously in alignment with existing streets shall bear the name of the existing streets. Street names shall be subject to the approval of the Village Board. Street addresses shall be

assigned by the ~~Fire Chief~~ Director of Community Development and be clearly visible from the street in front of the structure.

154.502 CONFORMANCE TO APPLICABLE RULES AND REGULATIONS

(B) All applicable provisions of the Illinois Revised Compiled Statutes.

154.702 RULES

154.703 DEFINITIONS

(J) Terms not herein defined shall be defined as specified in Webster's New Collegiate Dictionary—1986 Edition Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2003).

~~Building Permit~~. Written permission issued by the Village of Lombard through the Bureau of Inspection Services Department of Community Development for the construction, repair, alteration or addition to a structure.

~~Bureau of Inspection Services Building Division~~. The Bureau of Inspection Services Building Division of the Fire Department of Community Development of the Village of Lombard, Illinois.

~~Certificate of Occupancy~~. A document issued jointly by the Bureau of Inspection Services and the Department of Community Development allowing the occupancy or use of a building and certifying that the building or use has been constructed or will be used in compliance with all applicable Village codes and ordinances.

~~Land Division (Deed Division)~~. A land division or deed division is the division of a parcel of land into two (2) or more parts, lots or parcels in accordance with one (1) of the nine (9) exemptions under Chapter 109 (Plat Act) of the Illinois Revised Compiled Statutes.

~~Plat, Condominium~~. Condominium plat means a plat or plats of survey of the parcel and of all units in the property submitted to the provisions of the Condominium Property Act of the Illinois Revised Compiled Statutes, which may consist of a three (3) dimensional horizontal and vertical delineation of all such units.

CHAPTER 155: ZONING CODE

155.102 ADMINISTRATIVE BODIES AND DUTIES

(A) Village Board of Trustees

The Village Board of Trustees of the Village of Lombard, hereinafter referred to as the "Village Board" or "Board of Trustees," as established in accordance with the Revised Statutes of the State

of Illinois Compiled Statutes, shall have the following authority and duties with respect to this ordinance.

(D) Inter-departmental Review Committee

(1) Creation

There is hereby created the Inter-departmental Review Committee. Said committee shall be appointed by the Village Manager and consist of one member representation from each of the following Village offices: ~~Bureau of Inspectional Services~~; Department of Public Works, Department of Community Development, Fire Department, and the Office of the Village Manager.

155.103 PROCEDURES FOR ADMINISTRATIVE FUNCTIONS

(J) Public Hearings

(I) General Procedures and Information

Public hearings of the administrative bodies of the Village of Lombard shall be conducted in accordance with requirements of the Illinois Revised Compiled Statutes. Information regarding requirements for public hearings for each Administrative Function shall be available at the Department of Community Development of the Village of Lombard. In addition, materials submitted in conjunction with a public hearing shall be made available for public inspection by the Department of Community Development. Issuance of notice of public hearings and pending actions of the administrative bodies of the Village of Lombard shall be governed by the requirements of Illinois Revised Compiled Statutes, except where Village Code requires broader notice than minimal state requirements.

155.205 FENCES, WALLS, AND HEDGES

(A) Fences and Walls

(1) Fences or walls in Residential Districts.

(a) Fence or Wall Materials

Fences or walls in residential districts shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in residential districts. Fences or walls within fifteen feet (15') of any multi-family building must be of fire resistant type of construction, as approved by the ~~Bureau of Inspectional Services Building Division~~. Materials for fences or walls in the clear line of sight area shall meet the requirements of Section 155.205(A)(1)(e) of this Chapter.

(2.) Fences or Walls in Business and Office Districts

(a) Fence or Wall Materials

The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than six feet (6') and less than eight feet (8') above the ground. No electrified fences shall be permitted. Fences or walls within fifteen feet (15') of any building must be of fire resistant type construction, as approved by the ~~Bureau of Inspectional Services Building~~ Division. Materials for fences or walls in the clear line of sight area shall meet the requirements of Section 155.205(A)(2)(e) of this Chapter.

(3) Fences or Walls in Industrial Districts

(a) Fence or Wall Materials.

The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than eight feet (8') and less than ten feet (10') above the ground. No electrified fences or walls shall be permitted. All fences within fifteen feet (15') of any building must be of fire resistant type of construction, as approved by the ~~Bureau of Inspectional Services Building~~ Division. Materials for fences or walls in the clear line of sight area shall meet the requirements of Section 155.205(A)(3)(e) of the Chapter.

155.402 MAPS

(B) The following rules shall apply with respect to the boundaries of the various districts as shown on the Zoning District Map:

3. Where a district boundary line divides a lot in single ownership on the effective date of this ordinance, the ~~Zoning Board of Appeals Plan Commission~~, after date of hearing, may extend the regulations for either portion of such lot. ~~No fee shall be assessed for such interpretation.~~

155.801 WORD USAGE

F. Words contained in this ordinance and not defined hereinafter shall assume definitions as prescribed in ~~Webster's unabridged dictionary (1976 edition) Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2003).~~

155.802 RULES AND DEFINITIONS

DIRECTOR OF COMMUNITY DEVELOPMENT. The Director of the Village of Lombard, Illinois, Department of Community Development or the Director's duly authorized representative.

DIRECTOR OF PUBLIC WORKS. The Director of the Village of Lombard, Illinois, Department of Public Works, or the Director's duly authorized representative.

FIRE CHIEF. The Fire Chief of the Village of Lombard, Illinois or his duly authorized representative.

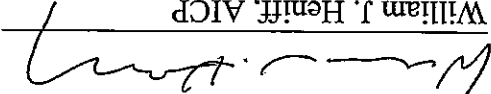
VILLAGE MANAGER. The Village Manager of the Village of Lombard, Illinois or the Manager's duly authorized representative.

FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee recommends that the petition as presented does meet the standards set forth in the Zoning Ordinance and recommends that Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Lombard Zoning, Sign and Subdivision and Development Ordinances; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 09-28.

Inter-Departmental Review Group Report Approved By:



William J. Heniff, AICP

Director of Community Development

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD SIGN ORDINANCE
TITLE 15, CHAPTER 153 OF THE CODE OF LOMBARD, ILLINOIS**

ORDINANCE NO. _____

WHEREAS, the Village of Lombard maintains a Code of Ordinances, which is found in the Code of Lombard, Illinois; and,

WHEREAS, Title 15, Chapter 153 of the Code of Lombard, Illinois includes references related to the roles and responsibilities of Lombard Village staff; and,

WHEREAS, the Board of Trustees deems it reasonable to periodically review said Code and make necessary changes pertaining to said Code; and

WHEREAS, as the Director has identified and recommends text amendments to the Sign Ordinance as set forth 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 October 19, 2009 pursuant to appropriate and legal notice; and,

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, 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.

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 153 of the Code of Lombard Village Code is hereby amended by amending Section 153.601 and 153.602 thereto, which shall read as follows:

§153.601 WORD USAGE

Words and phrases used in this ordinance shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in Title 15 of the Code of Ordinances of the

Village of Lombard, also known as the Zoning Ordinance, shall be given the meanings set forth in such ordinance. All other words and phrases shall be given their common, ordinary meanings, as defined in Webster's Unabridged Dictionary (1976 edition) Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2003), unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this ordinance.

§153.602 DEFINITIONS

DIRECTOR OF COMMUNITY DEVELOPMENT. The Director of the Village of Lombard, Illinois, Department of Community Development or the Director's duly authorized representative.
DIRECTOR OF PUBLIC WORKS. The Director of the Village of Lombard, Illinois, Department of Public Works, or the Director's duly authorized representative.
FIRE CHIEF. The Fire Chief of the Village of Lombard, Illinois or his duly authorized representative.

OWNER A person recorded as such on official records. For the purposes of this Ordinance, the owner of the property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the Administrator Village; e.g., a sign leased from a sign company.

VILLAGE MANAGER. The Village Manager of the Village of Lombard, Illinois or the Manager's duly authorized representative.

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 _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009. Passed on second reading this _____ day of _____, 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2009.

Brigitte O'Brien, Village Clerk

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO THE LOMBARD SUBDIVISION AND DEVELOPMENT ORDINANCE
TITLE 15, CHAPTER 154 OF THE CODE OF LOMBARD, ILLINOIS**

ORDINANCE NO. _____

WHEREAS, the Village of Lombard maintains a Code of Ordinances, which is found in the Code of Lombard, Illinois; and,

WHEREAS, Title 15, Chapter 154 of the Code of Lombard, Illinois includes references related to the roles and responsibilities of Lombard Village staff; and,

WHEREAS, the Board of Trustees deems it reasonable to periodically review said Code and make necessary changes pertaining to said Code; and

WHEREAS, as the Director has identified and recommends text amendments to the Subdivision and Development Ordinance as set forth 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 October 19, 2009 pursuant to appropriate and legal notice; and,

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, 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.

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 154 of the Code of Lombard Village Code is hereby amended by amending Section 154.202, 154.407, 154.502, 154.702 and 154.703 thereto, which shall read as follows:

§154.202 ADMINISTRATIVE BODIES AND DUTIES

(A) Village Board of Trustees

The Board of Trustees of the Village of Lombard, hereinafter referred to as the "Village Board" or "Board of Trustees", as established in accordance with the ~~Revised Statutes of the State of Illinois~~ Illinois Compiled Statutes, shall have the following authority and duties with respect to this ordinance.

§154.407 PUBLIC RIGHTS-OF-WAY, STREETS AND SIDEWALKS

(1) Street Names and Traffic Signs

(1) Street name signs are to be placed at all intersections within, or abutting, the subdivision, the type and location of which to be approved by the Director of Public Works. No street names shall be used which will duplicate or be confused with the names of existing streets. New streets which are extensions of, or obviously in alignment with existing streets shall bear the name of the existing streets. Street names shall be subject to the approval of the Village Board. Street addresses shall be assigned by the ~~Fire Chief~~ Director of Community Development and be clearly visible from the street in front of the structure.

§154.502 CONFORMANCE TO APPLICABLE RULES AND REGULATIONS

(B) All applicable provisions of the Illinois Revised Compiled Statutes.

§154.702 RULES

(J) Terms not herein defined shall be defined as specified in Webster's New Collegiate Dictionary—1986 Edition Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2003).

§154.703 DEFINITIONS

Building Permit. Written permission issued by the Village of Lombard through the ~~Bureau of Inspection Services~~ Department of Community Development for the construction, repair, alteration or addition to a structure.

~~**Bureau of Inspection Services Building Division.** The Bureau of Inspection Services Building Division of the Fire Department of Community Development of the Village of Lombard, Illinois.~~

Certificate of Occupancy. A document issued jointly by the ~~Bureau of Inspection Services and the Department of Community Development~~ allowing the occupancy or use of a building and certifying that the building or use has been constructed or will be used in compliance with all applicable Village codes and ordinances.

Land Division (Deed Division). A land division or deed division is the division of a parcel of land into two (2) or more parts, lots or parcels in accordance with one (1) of the nine (9) exemptions under Chapter 109 (Plat Act) of the Illinois Revised Compiled Statutes.

Plat, Condominium. Condominium plat means a plat or plats of survey of the parcel and of all units in the property submitted to the provisions of the Condominium Property Act of the Illinois Revised Compiled Statutes, which may consist of a three (3) dimensional horizontal and vertical delineation of all such units.

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 _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.
Passed on second reading this _____ day of _____, 2009.

Ayes: _____
Nays: _____
Absent: _____

Approved by me this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2009.

Ordinance No. _____
Re: Administrative Procedures
Page 4

Brigitte O'Brien, Village Clerk

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

ORDINANCE NO. _____

WHEREAS, the Village of Lombard maintains a Code of Ordinances, which is found in the Code of Lombard, Illinois; and,

WHEREAS, Title 15, Chapter 155 of the Code of Lombard, Illinois includes references related to the roles and responsibilities of Lombard Village staff; and,

WHEREAS, the Board of Trustees deems it reasonable to periodically review said Code and make necessary changes pertaining to said Code; and

WHEREAS, as the Director has identified and recommends text amendments to the Subdivision and Development Ordinance as set forth 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 October 19, 2009 pursuant to appropriate and legal notice; and,

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, 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.

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 154 of the Code of Lombard Village Code is hereby amended by amending Section **155.102, 155.103, 155.205, 155.402, 155.801, and 155.802** thereto, which shall read as follows:

§155.102 ADMINISTRATIVE BODIES AND DUTIES

(A) Village Board of Trustees

The Village Board of Trustees of the Village of Lombard, hereinafter referred to as the "Village Board" or "Board of Trustees," as established in accordance with the ~~Revised Statutes of the State of Illinois~~ Illinois Compiled Statutes, shall have the following authority and duties with respect to this ordinance.

(D) Inter-departmental Review Committee

(1) Creation

There is hereby created the Inter-departmental Review Committee. Said committee shall be appointed by the Village Manager and consist of ~~one member~~ representation from each of the following Village offices: ~~Bureau of Inspectional Services, Department of Public Works, Department of Community Development, Fire Department, and the Office of the Village Manager.~~

§155.103 PROCEDURES FOR ADMINISTRATIVE FUNCTIONS

(J) Public Hearings

(1) General Procedures and Information

Public hearings of the administrative bodies of the Village of Lombard shall be conducted in accordance with requirements of the Illinois Revised Compiled Statutes. Information regarding requirements for public hearings for each Administrative Function shall be available at the Department of Community Development of the Village of Lombard. In addition, materials submitted in conjunction with a public hearing shall be made available for public inspection by the Department of Community Development. Issuance of notice of public hearings and pending actions of the administrative bodies of the Village of Lombard shall be governed by the requirements of Illinois Revised Compiled Statutes, except where Village Code requires broader notice than minimal state requirements.

§155.205 FENCES, WALLS, AND HEDGES

(A) Fences and Walls

(1) Fences or walls in Residential Districts.

(a) Fence or Wall Materials

Fences or walls in residential districts shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in residential districts. Fences or walls within fifteen feet (15') of any multi-family building must be of fire resistant type of construction, as approved by the ~~Bureau of Inspectional Services~~

Building Division. Materials for fences or walls in the clear line of sight area shall meet the requirements of Section 155.205(A)(1)(e) of this Chapter.

(2.) Fences or Walls in Business and Office Districts

(a) Fence or Wall Materials

The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than six feet (6') and less than eight feet (8') above the ground. No electrified fences shall be permitted. Fences or walls within fifteen feet (15') of any building must be of fire resistant type construction, as approved by the ~~Bureau of Inspection Services Building Division~~. Materials for fences or walls in the clear line of sight area shall meet the requirements of Section 155.205(A)(2)(e) of this Chapter.

(3) Fences or Walls in Industrial Districts

(a) Fence or Wall Materials.

The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than eight feet (8') and less than ten feet (10') above the ground. No electrified fences or walls shall be permitted. All fences within fifteen feet (15') of any building must be of fire resistant type of construction, as approved by the ~~Bureau of Inspection Services Building Division~~. Materials for fences or walls in the clear line of sight area shall meet the requirements of Section 155.205(A)(3)(e) of the Chapter.

§155.402 MAPS

(B) The following rules shall apply with respect to the boundaries of the various districts as shown on the Zoning District Map:

3. Where a district boundary line divides a lot in single ownership on the effective date of this ordinance, the ~~Zoning Board of Appeals Plan Commission~~, after date of hearing, may extend the regulations for either portion of such lot. ~~No fee shall be assessed for such interpretation.~~

§155.801 WORD USAGE

F. Words contained in this ordinance and not defined hereinafter shall assume definitions as prescribed in ~~Webster's unabridged dictionary (1976 edition) Merriam-Webster's Collegiate Dictionary, Eleventh Edition (2003).~~

§155.802 RULES AND DEFINITIONS

~~DIRECTOR OF COMMUNITY DEVELOPMENT. The Director of the Village of Lombard, Illinois, Department of Community Development or the Director's duly authorized representative.~~

DIRECTOR OF PUBLIC WORKS. The Director of the Village of Lombard, Illinois, Department of Public Works, or the Director's duly authorized representative.

FIRE CHIEF. The Fire Chief of the Village of Lombard, Illinois or his duly authorized representative.

VILLAGE MANAGER. The Village Manager of the Village of Lombard, Illinois or the Manager's duly authorized representative.

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 _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009. Passed on second reading this _____ day of _____, 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2009.

Brigitte O'Brien, Village Clerk

**AN ORDINANCE APPROVING TEXT AMENDMENTS
TO TITLE 15, CHAPTER 152 OF THE CODE OF LOMBARD, ILLINOIS**

ORDINANCE

WHEREAS, the Village of Lombard also maintains a Planning Code which is found in Title 15, Chapter 152 of the Code of Lombard, Illinois; and,

WHEREAS, the Board of Trustees deem it reasonable to make necessary text amendments to accurately reflect the roles and responsibilities of selected Village staff and Village Departments in the application of the Planning Code.

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 152, of the Code of Lombard, Illinois is hereby amended in part to read as set forth in Exhibit A attached hereto and a part hereof.

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 _____, 2009.

First reading waived by action of the Board of Trustees this _____ day of _____, 2009.

Passed on second reading this _____ day of _____, 2009.

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2009.

William J. Mueller, Village President

ATTEST:

Brigitte O' Brien, Village Clerk

Published by me this _____ day of _____, 2009.

Brigitte O' Brien, Village Clerk

EXHIBIT A

CHAPTER 152: PLANNING

Section	152.36	Public hearing required;
	152.37	preliminary fee; hearing costs
	152.37	Participation of boards and
	152.37	commissions; no additional
	152.38	fee
	152.38	Preamnexation agreements;
	152.38	contents
	152.99	Penalty
	152.01	Adoption by reference of
	152.02	official plan
	152.03	Objectives of plan
	152.04	Contents of plan
	152.04	Interpretation
	152.05	Changes and amendments
	152.06	Maps and plats to conform to
	152.07	plan
	152.07	Enforcement

Comprehensive Village Plan

**§ 152.01 ADOPTION BY REFERENCE
OF OFFICIAL PLAN.**

(A) The Comprehensive Plan of the village, which plan has been prepared and was recommended on May 24, 1984 to the village, is adopted and made the official plan of the village, hereinafter designated as the official plan.

(B) The Southwest Sub-Area Plan Update is hereby incorporated by reference and made part of the Comprehensive Community Plan.

(C) The Northwest Sub-Area Plan update is hereby incorporated by reference and made part of the Comprehensive Community Plan.

House and Street Numbers

152.20 Assignment of buildings to be numbered

152.21 Designating number
152.22 Map of street numbers
152.23 Recording new subdivisions
on map

152.24 Standards for numerals
152.25 Failure to post number
152.26 Supervision of numbering

152.27 Numbering and identification
of rear exit/entrances
152.28 Honorary Street Names

Preamnexation

152.35 Request for preannexation
hearings; contents

(D) The Roosevelt Road Corridor

Study is hereby incorporated by reference and made part of the Comprehensive Plan.

(70 Code, § 19.08.010) (Ord. 1220, passed -66; Am. Ord. 2670, passed 5-24-84; Am. Ord. 3012, passed 12-3-87; Am. Ord. 3049, 4-21-88) passed

§ 152.02 OBJECTIVES OF PLAN.

The official plan as hereby adopted includes and recognizes the following objectives:

(A) That the character of the village and its environs as essentially a residential community be maintained, with commercial and light industrial enterprises permitted in order to maintain a proper balance of property valuations; and

(B) That for the promotion of the public health, safety, and convenience and for the attainment of reasonable and practical utility and attractiveness, and for the maintenance and protection of property values, all future developments in the village and its environs shall provide:

(1) Adequate street lighting, water supply, sanitary and drainage facilities be constructed and maintained;

(2) Highways, streets, and sidewalks be of adequate width and be so constructed and maintained as to avoid the creation of hazardous conditions:

(3) Railroad crossings and grade separations be constructed and maintained to provide adequate public safety and conveniences;

(4) Landscaping of public and private areas be controlled to avoid the creation of hazardous conditions; and

(5) The locations and architectural design, where applicable, of public buildings, schools, parks, recreational facilities, parking areas, and airports be controlled in accordance with the best public interest.

The official plan as hereby adopted includes:

(A) Map No. 1. Title, Official Plan, Village of Lombard, DuPage County, Illinois, showing the plan of existing streets and public grounds within the corporate limits of the village and in contiguous territory not more than 1-1/2 miles beyond the village limits and not included in any municipality, and showing certain improvements which the village intends to put into execution as and when these improvements become advisable and feasible; and

(B) Subdivision regulations, set forth in Chapter 154 to regulate and control the future physical development of the village and the contiguous territory.

§ 152.04 INTERPRETATION.
In interpreting and applying the provisions of §§ 152.01 through 152.07 such

It shall be the duty of the Community Development Director of Planning to enforce the requirements of the official plan. The Community Development Director of Planning may call upon any other departments or officials of the village to furnish him with such information or assistance as he may deem necessary for the observance or enforcement of the official plan. It shall be the duty of such other departments or officials to furnish such information or assistance whenever requested.

(70 Code, § 19.08.070) (Ord. 635, passed -54)

HOUSE AND STREET NUMBERS

§ 152.20 ASSIGNMENT OF BUILDINGS TO BE NUMBERED.

All buildings situated or hereafter erected or located on any of the streets, avenues, and public highways, (except alleys), within the village, shall be numbered by the owner or occupant thereof, according to the following plan:

(A) House numbers on the north and south streets and avenues shall begin at St. Charles Road, and shall run from number one upward on both sides of St. Charles Road on a unit basis of 25 feet per number, the odd numbers to be placed on the east side and the even numbers on the west side of the streets. The streets lying on the north side of St. Charles Road shall be designated by their respective names with the word "north" prefixed thereto; those lying on the south side of St. Charles shall be designated by their respective names with the word "south" prefixed thereto.

provisions shall in every instance be held to be the minimum reasonable requirements adopted for the promotion of public health, safety, comfort, convenience, morals, and welfare.

§ 152.05 CHANGES AND AMENDMENTS.

The Plan Commission may from time to time recommend to the Board of Trustees such changes in the official plan as may be deemed necessary by the Board or by the Planning and Zoning Commission. Such changes shall become part of the official plan after their approval by the Planning and Zoning Commission and their adoption by the Board as amendments to this subchapter.

(70 Code, § 19.08.050) (Ord. 635, passed -54)

§ 152.06 MAPS AND PLATS TO CONFORM TO PLAN.

After the passage of this subchapter, no map or plat of any subdivision presented for record, affecting land within the corporate limits of the village or in contiguous territory not more than 1-1/2 miles from such limits and not included in any municipality, shall be entitled to record or shall be valid unless the subdivision thereon shown conforms with the requirements of the official plan.

(70 Code, § 19.08.060) (Ord. 635, passed -54)

§ 152.07 ENFORCEMENT.

The President and Board of Trustees shall cause to be prepared a map of the several streets and avenues in the village, showing the numbers of all lots and houses, which map shall be filed in the office of the ~~Plan~~ Department of Community Development (70 Code, § 19.08.090)

§ 152.23 RECORDING NEW SUBDIVISIONS ON MAP.

As new subdivisions or names of new streets are added from time to time, the Community Development Director shall cause to be extended on the map all such streets and avenues and shall show the number of all lots on the streets and avenues, and shall apply to such streets and avenues the system of numbering hereby adopted. (70 Code, § 19.08.100) (Am. Ord. 2886, passed 9-25-86)

§ 152.24 STANDARDS FOR NUMERALS.

Each of the figures of every number which shall be put of any building pursuant to the requirements of this subchapter shall be not less than 2-1/2 inches in length, being so marked and colored in contrast to the house color as to be easily and readily distinguishable so that it may be distinctly read. The numbers shall be placed at the side of or above the front door of the building to which the same are attached, or at some other and more conspicuous place on the front of the building to serve the purpose for which intended. (70 Code, § 19.08.120) (Am. Ord. 2886, passed 9-25-86) Penalty, see § 152.99

(B) House numbers on the east and west streets and avenues shall begin at Main Street and shall run from number one upward on both sides on Main Street on a unit basis of 25 feet per number, the odd numbers to be placed on the south side and the even numbers on the north side of the streets. The streets lying on the east side of Main Street shall be designated by their respective names with the word "east" prefixed thereto; those lying on the west side of Main Street shall be designated by their respective names with the word "west" prefixed thereto.

(C) The number applying to any particular lot shall be determined by the distance in feet from the nearest through street line, and one hundred shall be added for each block distant from St. Charles Road or Main Street, as the case may be. In cases where the distance between through streets is greater than will permit numbering as herein prescribed without passing the one hundred limit to the block, additional half numbers shall be assigned. (70 Code, § 19.08.080) (Ord. 128, passed -25)

§ 152.21 DESIGNATING NUMBER.

The Community Development Director ~~Fire Chief~~ or his designee shall assign to each house or lot its proper number and shall deliver said number designation to the owner when requested. (70 Code, § 19.08.110) (Am. Ord. 2886, passed 9-25-86)

§ 152.22 MAP OF STREET NUMBERS.

with the corresponding street address and the identification of the occupancy. The numbering and lettering shall be no less than two and one half (2 1/2) inches in height and in contrast coloring to that of the coloring of the door(s). The placement of the numbering and lettering shall be at a height of six (6) feet from the door threshold and shall be uniform throughout the commercial or industrial structure. All fire protection rooms, with direct outside ground access, shall be identified with the words, "Fire Protection Equipment Room" which shall appear on the door to said room in the same manner as the street address. Where fire protection rooms have interior access only, these rooms shall be identified as such with lettering or acceptable symbols, in the same manner as the street address, except that said lettering or acceptable symbols shall be no less than one (1) inch in height.

(Ord. 4277, passed 2/20/97)

§ 152.28 HONORARY STREET NAMES

A. The Village Board may, by Ordinance, authorize the naming of a driveway on public property or a dedicated alley with an honorary street name. No public street shall be named with an honorary street name for a period exceeding one year. A requestor shall make application for such designation to the ~~Fire Chief~~ Community Development Director. The ~~Fire Chief~~ Community Development Director shall seek comments from the Police Chief and ~~Community Development Director~~ Fire Chief, and shall forward a recommendation to the Village Board. If approved by the Village Board, the Public Works Department shall erect the street signs. The requestor shall pay for the cost of the sign and installation unless such costs are waived by the Village Board. The ~~Fire Chief~~ Community Development

§ 152.25 FAILURE TO POST NUMBER.

No person being the owner or occupant of any building now erected or that may hereafter be erected in the village shall, for 30 days after notice by the ~~Fire Chief~~ Community Development Director or his designee of the proper number of such building, neglect or refuse to number that buildings owned or occupied by him, in conformity with the provisions of this subchapter, or shall number the building without having first obtained from the ~~Fire Chief~~ Community Development Director the property number of the building, or maintain an improper number or a number not in conformity with § 152.24.

(70 Code, § 19.08.130) (Am. Ord. 2886, passed 9-25-86) Penalty, see § 152.99

§ 152.26 SUPERVISION OF NUMBERING.

All numbering, renumbering, and all changes in numbering caused by the action of the corporate authorities of the village shall be under the immediate charge and supervision of the ~~Fire Chief~~ Community Development Director or his designee; and no person shall change or alter any number given pursuant to § 152.21 by the ~~Fire Chief~~ Community Development Director.

(70 Code, § 19.08.140) (Am. Ord. 2886, passed 9-25-86) Penalty, see § 152.99

§ 152.27 NUMBERING AND IDENTIFICATION OF REAR EXIT/ENTRANCES

Where there are more than four (4) spaces/businesses/units located in a single commercial or industrial structure, each rear street level exterior door shall be marked

Director shall notify any agencies that might be impacted by the honorary street naming.

B. There shall be no addressing of buildings based upon the honorary street name.

C. The Director of Public Works shall adopt an Honorary Street Signpost Policy pursuant to which honorary street signs shall be designated to clearly indicate that the street name set forth thereon is an honorary street name, and not the recognized name of the street, driveway or alley in question. (Ord. 4647, passed 5/20/99; Ord. 6187, passed 6/5/08)

PREANNEXATION

§ 152.35 REQUEST FOR PREANNEXATION HEARINGS; CONTENTS.

All requests for preannexation hearings pursuant to 65 ILCS 5/11-15.1-1 shall be in writing and shall designate the name, address, and telephone number of the applicant or his attorney upon whom notices may be served, together with a copy of the proposed preannexation agreement and a brief outline of the testimony which the applicant intends to present at the requested public hearing. Applicant will not be limited to the required outline, but may present additional material in evidence, if he so desires, at the hearing. (70 Code, § 19.08.150) (Ord. 1155, passed -66)

§ 152.36 PUBLIC HEARING REQUIRED; PRELIMINARY FEE; HEARING COSTS.

In the event the Plan Commission participates in such public hearing in an original joint session with the corporate authorities, no additional fee will be required.

§ 152.37 PARTICIPATION OF BOARDS AND COMMISSIONS; NO ADDITIONAL FEE.

(B) Each application for public hearing shall be accompanied by a preliminary fee of \$100. At the conclusion of the hearings, including continuances, the Village Treasurer shall certify to the Village Manager the amount of all costs, including publication, legal, and court reporter (including transcript, if ordered). Therefore, the Village Manager shall cause an additional billing to be sent to the applicant, which additional billing shall be paid before the corporate authorities execute the preannexation agreement or modification thereof. The amount so due and owing shall be collectable as an action in debt, and even if the application is not acted upon favorably. (70 Code, § 19.08.170) (Ord. 1155, passed -66)

(A) Upon receipt of such application, Board of Trustees of the contents of same, and the Village Board shall designate a time and place for public hearing in accordance with the statute. The Board may designate that at such time any necessary public hearings by the Plan Commission be heard simultaneously with the hearing of the corporate authorities. Such public hearing may be continued from time to time by the appropriate motion of any of the public bodies participating in such public hearing, but only as to themselves. (70 Code, § 19.08.160)

(70 Code, § 19.08.180)

§ 152.38 PREANNEXATION AGREEMENTS; CONTENTS.

A preannexation agreement may contain, among other provisions as set forth in 65 ILCS 11-15.1-2, an acceptance of land or money by the village in consideration of already existing public improvements serving the area to be annexed that were previously installed by the village at its expense.
(70 Code, § 19.08.190)

§ 152.99 PENALTY.

Whoever violates any of the provisions of §§ 152.20 through 152.26 shall be subject to a penalty of not less than \$25 nor more than \$750 for each offense. Each day an offense occurs shall be subject to separate penalties and fines.