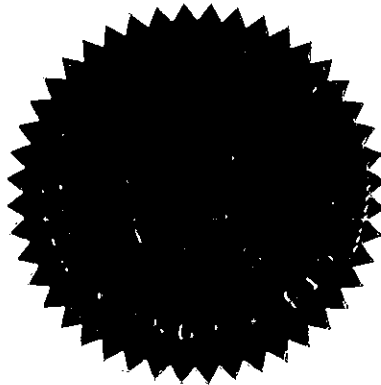


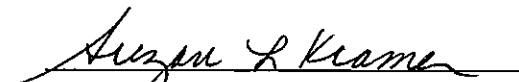
ORDINANCE 5149

PAMPHLET

ORDINANCE REGULATING ENCROACHMENTS ON PUBLIC RIGHT OF WAY IN
THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS
NORTH AVENUE (ILLINOIS ROUTE 64) PROJECT



PUBLISHED IN PAMPHLET FORM THIS 27th DAY OF June, 2002.
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.


Suzan L. Kramer
Village Clerk

**AN ORDINANCE REGULATING ENCROACHMENTS ON
PUBLIC RIGHT OF WAY IN THE VILLAGE OF
LOMBARD, DUPAGE COUNTY, ILLINOIS
[NORTH AVENUE (Illinois Route 64) PROJECT]**

WHEREAS, The Village of Lombard (hereinafter the "Village") has entered into an Agreement with the State of Illinois for the improvement of North Avenue (Illinois Route 64) [FAP Route 307, State Section: 131-WRS-1, State Job No.: C-91-149-99, State Contract No.: 60737, Village Section: 02-00145-00-WR] (hereinafter the "Agreement"); and

WHEREAS, in order to facilitate said improvement, it is necessary for the Village to adopt an ordinance regulating encroachments on the right of way, relative to said improvement, in accordance with the following definitions:

ROADWAY RIGHT OF WAY is defined as those areas existing or acquired by dedication or by fee simple for highway purposes; also, the areas acquired by temporary easement during the time the easement is in effect;

PROJECT RIGHT OF WAY is defined as those areas within the project right of way lines established jointly by the Village and the State of Illinois which will be free of encroachments except as hereinafter defined;

ENCROACHMENT is defined as any building, fence, sign or any other structure or object of any kind (with the exception of utilities and public road signs), which is placed, located or maintained in, on, under or over any portion of the project right of way or the roadway right of way where no project right of way line has been established;

PERMISSIBLE ENCROACHMENT is defined as any existing awning, marquee, advertising sign or similar overhanging structure supported from a building immediately adjacent to the limits of the platted street where there is a sidewalk extending to the building line and which does not impair the free and safe flow of traffic on the highway; the permissive retention of overhanging signs is not to be construed as being applicable to those signs supported from poles constructed outside the project right of way line and not confined by adjacent buildings;

CONSTRUCTION EASEMENT AREA is defined as that area lying between the project right of way limits and the platted street limits within which the Village, by concurrence in the establishment of the project right of way lines, will permit the State of Illinois to enter to perform all necessary construction operations; and

WHEREAS, representatives of the Village and the State of Illinois have, by visual inspection, cooperatively established PROJECT RIGHT OF WAY lines and have mutually determined the disposition of ENCROACHMENTS;

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

SECTION 1: It shall be unlawful for any person, firm or corporation to erect or cause to be erected, to retain or cause to be retained, any ENCROACHMENT, except as provided in Section 3 below, within the limits of the PROJECT RIGHT OF WAY or ROADWAY RIGHT OF WAY where no PROJECT RIGHT OF WAY lines have been established.

SECTION 2: PROJECT RIGHT OF WAY lines have been established at the following locations:

Along the North and South sides of North Avenue (Illinois Route 64), from a point twenty-four (24) feet East of Illinois Route 53 East to Joyce Avenue.

SECTION 3: Revocable permits have been issued by the appropriate governing agencies for the temporary retention of the following PERMISSIBLE ENCROACHMENTS:

NONE

SECTION 4: This Ordinance is intended to and shall be in addition to all other ordinances, rules and regulations concerning encroachments and shall not be construed as repealing or rescinding any other ordinance or part of any ordinance unless in direct conflict therewith.

SECTION 5: Any person, firm or corporation violating this Ordinance shall be fined not less than fifty and No/100 Dollars (\$50.00) nor more than Seven Hundred Fifty and No/100 Dollars (\$750.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

SECTION 6: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2002.

First reading waived by action of the Board of Trustees this 20th day of June, 2002.


Passed on second reading this 20th day of June, 2002.

AYES: Trustees DeStephano, Tross, Koenig, Sebby, Florey, Soderstrom

NAYS: None

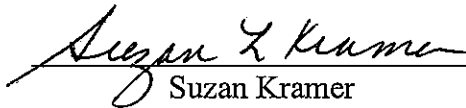
ABSENT: None

Approved by me this 20th day of June, 2002.



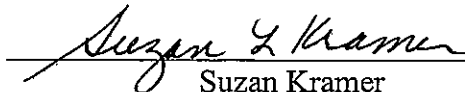
William J. Mueller
Village President

ATTEST:



Suzan Kramer
Village Clerk

Published by me in pamphlet form this 27th day of June, 2002.



Suzan Kramer
Village Clerk

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