

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

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

X

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: May 10, 2006 (BOT) Date: May 18, 2006

TITLE: Amendment to Title 9, Chapter 94 of the Lombard Village Code - Commercial
Vehicle Parking on Residential Lots

SUBMITTED BY: Department of Community Development *WTH*

BACKGROUND/POLICY IMPLICATIONS:

The Economic and Community Development Committee transmits for your consideration its
recommendation relative to the above petition. The Village of Lombard requests amending Title 9, Chapter
94 of the Lombard Village Code with regard to Nuisance Regulations (Commercial Vehicles on Residential
Property). (ALL DISTRICTS)

The Economic and Community Development Committee recommended approval of this amendment with
the exception of adding the term "tow trucks" to the list of specifically prohibited vehicles.

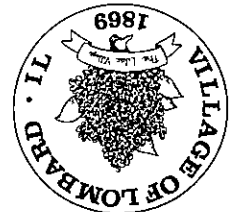
Please place this item on the May 18, 2006 Board of Trustees agenda.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____
Date _____
Finance Director X *W. Lichter*
Date _____
Village Manager X _____
Date *5/10/06*

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
Director of Community Development *DCH*

DATE: May 18, 2006

SUBJECT: Amendments to the Nuisance Ordinance – Commercial Vehicle Parking on Residential Lots

At the March 16, 2006 Village Board meeting, staff presented a number of text amendments to the Village Board for consideration. These amendments pertain to selected sections of the Health and Sanitation and Nuisance Ordinances. After discussion of these amendments, the Village Board referred this matter to the Economic and Community Development Committee (ECDC) for further review and a recommendation. One of these amendments pertains to refinements to the parking and storage of commercial vehicles on residential property.

The ECDC considered the proposed amendments set forth within this Ordinance at its May 2, 2006 meeting. Staff noted that the Board expressed concerns about specifically naming "tow trucks" within the list of commercial vehicles that are permitted to be parked and/or stored on residential property. The ECDC heard testimony from a tow truck operator stating that he sometimes parks his vehicles on his property in order to quickly respond to late night calls for emergency service. The ECDC then weighed the benefits of allowing for tow trucks to be permitted on residential properties versus the impacts of allowing such vehicles in residential neighborhoods. Through this discussion the ECDC recommended that the term "tow trucks" not be added to the list of specifically prohibited vehicles.

As tow trucks are classified as a commercial vehicle, should staff receive a complaint or find that a towing operation is occurring out a particular residence, they could still enact the provisions of the existing code and seek compliance. However, the recommendation from the ECDC to staff is that infrequent parking of tow trucks on a residential property is not a concern but operating a tow truck dispatching operation off of a residential property is not desired.

The ECDC unanimously recommended that the Village Board approve the attached amended Ordinance as presented by staff.

ACTION REQUESTED

Please place this item on the May 18, 2006 Village Board consideration with a recommendation from the ECDC to approve an amended Ordinance modifying Sections 94.04(L)(1) and (2) of the Village Code.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 9, CHAPTER 94 OF THE
LOMBARD VILLAGE CODE
IN REGARD TO NUISANCE REGULATIONS
(COMMERCIAL VEHICLES ON RESIDENTIAL PROPERTY)

WHEREAS, the Village of Lombard has established and maintains nuisance regulations, which are found in Title 9, Chapter 94 of the Lombard Village Code; and,

WHEREAS, the Village finds that Sections 94.04(L)(1) and (2) of the Lombard Village Code should be amended to clarify the regulations and restriction for parking and/or storage of commercial vehicles on residential property within the Village; and

WHEREAS, the President and Board of Trustees deems it reasonable to periodically review the Lombard Village Code to ensure that the regulations adequately meet the health, safety, and welfare needs of the Village, and make necessary changes when warranted;

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 9, Chapter 94, Sections 94.04(L)(1) and (2) of the Lombard Village Code is hereby amended to read in its entirety as follows (the undersigned language representing the additions thereto):

“(L)(1) All parking and/or storage of commercial vehicles requiring more than a Class B license plate as established by the Office of the Secretary of State of Illinois over three-fourths ton-in-size such as trucks, tractors, and trailers on residential property; however, the parking of a school bus, as defined by 625 ILCS 5/1-182, shall not be prohibited between 8:00 a.m. and 4:00 p.m., provided:

(a) The occupant of the residential property is the authorized driver of said school bus; and

(b) The school bus is parked no closer than fifteen (15) feet from the sidewalk adjacent to said residential property or, where no sidewalk exists, no closer than fifteen (15) feet from the street adjacent to said residential property;

(2) Storage of all other specialized commercial vehicles such as tractors, plows, backhoes, or any other similar equipment stored on any residential property unless said

equipment is garaged, or for a construction site building is under construction for which a building permit has been issued.

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 _____, 2006.

First reading waived by action of the Board of Trustees this _____ day of _____, 2006.

Passed on second reading this _____ day of _____, 2006, pursuant to a roll call vote as follows:

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2006.

William J. Mueller, Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2006.

Brigitte O'Brien, Village Clerk