

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

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

TO: PRESIDENT AND BOARD OF TRUSTEES
FROM: David A. Hulseberg, Village Manager
DATE: January 9, 2013 (B of T) DATE: January 17, 2013
TITLE: Village Board Policy Memorandum 7.D. Commercial Corridor Snow Removal
SUBMITTED BY: Carl Goldsmith, Director of Public Works *CG*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Public Works recommends the approval of an amendment to Village Board Policy Memorandum 7.D. The changes will reduce the restrictions placed upon property owners/tenants related to the removal of snow from the public right-of-way.

FISCAL IMPACT/FUNDING SOURCE

Review (as necessary):

Village Attorney X _____ Date _____
Finance Director X _____ Date _____
Village Manager X _____ Date _____

NOTE: Materials must be submitted to / approved by the Village Manager's Office by 12:00 pm, Wednesday, prior to the Agenda Distribution.



Legistar: 120665

January 9, 2013

TO: Village President and Board of Trustees

THROUGH: David A. Hulseberg, Village Manager

FROM: Carl S. Goldsmith, Director of Public Works *CJ*

SUBJECT: Village Board Policy Memorandum – Commercial Corridor Snow Removal

Background

As a result of the After Action Review from the January 31, 2011 – February 4, 2011 blizzard, the Village developed, through the Public Works Committee, the Commercial Corridor Snow Removal policy. The purpose of the policy was to clarify the manner in which businesses located within specific areas of Lombard could remove snow on the public sidewalks in front of their businesses. The plan was developed to correspond to the Village's windrow operation, as property owners in these areas are unable to accommodate snow removal due to the configuration, or lack of a parkway.

Pursuant to current Village policy (Section 10-14-16 of the Traffic Code), it is not legal for an individual to place an obstruction in the public way. The policy lessened the restriction by allowing property owners within the defined areas to place snow into the roadway, which will then be plowed to the windrow and removed by Village crews during the windrow operation under certain conditions. The policy was effective only after six inches of accumulation from a single snow event. Additionally, snow must be removed from the walk and placed in the roadway for the windrow operation within 12 hours of the ending of the snow event. Property owners could not place snow from private property into the roadway, but may only place snow from the public sidewalk in the roadway under this policy.

Since the inception of the policy, the Village has not had to activate the policy given the mild winter of 2011-2012 and the mild (so far) 2012-2013 season. The Village staff, as part of the annual snow plan review, has modified the policy and is seeking input and concurrence from the Committee on the proposed changes. A copy of the amended policy is attached for your consideration and is summarized below:

- Property owners/tenants within the specified areas may place snow from the public sidewalk into the street for removal by the village after all snow events.

- Property owners/tenants may not place material from private property into the street for removal by the Village.
- Property owners/tenants at locations that have open space on the property must maintain snow removed from the public sidewalk on the property.
- Property owners/tenants must place snow removed from the public sidewalk into the street within twelve (12) hours of the completion of the snow event.

The goal of the amended policy is to minimize confusion over the policy and to ensure that the public sidewalks in the commercial corridors are kept free of all snow and ice to ensure the safety of those conducting business in Lombard.

This matter was presented to the Public Works Committee at their January 8, 2012. The Village sent notice of the proposed amendment and Committee meeting to all properties within the three commercial corridors that are subject to the Village Board Policy. There was only one (1) property owner/tenant in attendance at the meeting. Following discussion and public comment, the Committee unanimously supported the proposed amendment to Village Board Policy Memorandum 7.D.

Please contact me with any questions or concerns. I thank you for your time and attention to this matter and request consideration of this matter at the January 17, 2013 Village Board of Trustees meeting.

Recommendation

The Public Works Committee and staff recommend that the Village Board of Trustees approve changes to Village Board Policy Memorandum 7.D. in regard to the Commercial Corridor Snow Removal.



VILLAGE OF LOMBARD

VILLAGE BOARD POLICY MEMORANDUM

| **Subject:** Commercial Corridor Snow Removal

Section: 7.D.

Dept.: PW

Date: March 23, 2011

Updated:

I. Purpose

The purpose of this Board of Trustees policy is to clarify how snow removal from public sidewalks will be handled within specific commercial corridors in Lombard where property owners do not have sufficient area to remove snow from the public sidewalk. A map identifying the properties subject to his policy is attached as Attachment "A".

Section 10-14-16 of the Lombard Traffic Code, states,

"Section 10-14-16 Obstructions Prohibited On Public Ways. *It shall be unlawful for any person to place or cause to be placed in or upon any public alley, roadway, street, driveway or sidewalk any dirt, snow, refuse or other obstruction of any kind, or to permit the same to remain thereon longer than is necessary to remove such obstruction to or from the premises abutting on such public way."*

As a result of the proximity of the public sidewalk to the street and on-street parking stalls, certain sidewalks in and adjacent to the commercial corridors are not conducive to clearing snow from the sidewalk and maintaining the snow on the business' property in accordance with 605 ILCS 5/9-130, which states,

"Sec. 9-130. *No person, firm, corporation or institution, public or private, shall plow or remove or cause to be plowed or removed ice or snow from any shopping center, parking lot, commercial or institutional service area or driveway or any other public or private service area or driveway and deposit such ice or snow upon a public highway or along the shoulder or edge of a public highway. Such prohibition shall not pertain to a residential driveway or sidewalk.*

Any person, firm, corporation or institution, public or private, who violates this Section is guilty of a petty offense."

The Village Board of Trustees is desirous to assist businesses in certain defined commercial corridors in safely and effectively clearing the sidewalks in the commercial corridors. In order to accomplish the snow removal the Village will afford properties identified in Attachment "A" the ability to place snow from the public sidewalk into the street for removal by the Village

through the windrow operation. The specified commercial corridors shall be defined as the following three areas:

1. St. Charles Road from Elizabeth Street East to Garfield
2. Main Street from Grove Street South to Washington Boulevard
3. Westmore\Meyers Road from Division Street to Maple Avenue.

It shall be illegal for a property owner/tenant to place snow/ice from private property into the public right-of-way under this policy. Only snow from the public sidewalk shall be permitted to be placed into the street for removal by the Village.

The policy will be enacted in accordance with the procedures and guidelines set forth by this Village Board policy.

II. Procedures/Guidelines

~~A) The policy shall only apply to snow events that produce 6" of accumulation in a single snow event.~~

~~B) The Director of Public Works, or his designee, shall contact the affected property owners/tenants that the Business District Snow Removal plan has been activated. Contact shall be made via e-mail blast or the Village's Emergency Response Network.~~

A) Property owners/tenants will have 12 hours from the end of the snow event to place snow from the sidewalk into the street to be included in the Village of Lombard's windrow operation. Property owners/tenants will not be subject to citations by the Lombard Police Department during this 12 hour period. Any property owner/tenant placing snow in the street following the 12 hour period may be subject to enforcement action by the Lombard Police Department.

B) Snow removed from private property shall not be permitted to be placed into the street for removal by the Village of Lombard.

C) At locations in the Commercial Corridor(s) where there is an area adjacent to/or on the property where snow can be placed during removal, property owners/tenants shall not place snow into the street, but rather maintain the snow on the property.

III. Legislation/Documentation

A. Public Works Committee – March 8, 2011

A.B. Public Works Committee – January 8, 2012

VILLAGE OF LOMBARD
2010-11 SNOW PLOWING
DO NOT FLOW STREETS IN RED
CONTRACT PLOWING STREETS IN BLUE



NOV 5
2010

2 TRUCKS REQUIRED
FOR NORTH IND. PARK

