

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)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott R. Niehaus, Village Manager

DATE : September 29, 2020 **(BOT) Date:** October 1, 2020

SUBJECT: Text Amendments to Section 150.142 of Village Code: Time Limits for Building Permits (Pandemic)

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

On September 7, 2020, attached Executive Order No. 2020-16 was approved which recognized the challenges brought forward by COVID-19 as it pertains to timelines for construction completion as set forth within Section 151.142 of Village Code. As staff has heard from builders and contractors, there are supply chain issues, labor availability and other uncertainties that have resulted in projects being delayed or deferred in atypical manners. Given market and labor uncertainties staff is advancing additional flexibility options to address this year's challenges.

Village Counsel as prepared the attached Ordinance for Village Board consideration that provides an additional 90-day time extension for all permits issued prior to October 12, 2020.

Please place this item on the October 1, 2020 Village Board agenda for consideration and approval, with a waiver of first reading.

Fiscal Impact/Funding Source:


Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development 

MEETING DATE: October 1, 2020

SUBJECT: **Text Amendments to Section 150.142 of Village Code: Time Limits for Building Permits (Pandemic)**

On September 7, 2020, attached Executive Order No. 2020-16 was approved which recognized the challenges brought forward by COVID-19 as it pertains to timelines for construction completion as set forth within Section 151.142 of Village Code. As staff has heard from builders and contractors, there are supply chain issues, labor availability and other uncertainties that have resulted in projects being delayed or deferred in atypical manners. Given market and labor uncertainties staff is advancing additional flexibility options to address this year's challenges. Also, staff believes the last thing the Village should be undertaking is levying contractors and permittees with additional fees, which invariably will be passed onto property owners or tenants.

Village Counsel as prepared the attached Ordinance for Village Board consideration that provides an additional 90-day time extension for all permits issued prior to October 12, 2020.

ACTION REQUESTED

Please place this item on the October 1, 2020 Village Board agenda for consideration and approval, with a waiver of first reading.

EXECUTIVE ORDER NO. 2020-16

**EXECUTIVE ORDER REGARDING BUILDING PERMIT EXTENSIONS
UNDER A DECLARATION OF A STATE OF EMERGENCY IN
THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS**

(COVID-19 – September 7, 2020)

WHEREAS, the Village of Lombard (the “Village”) is a non-home rule unit of local government, as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, COVID-19 is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and DuPage County; and

WHEREAS, COVID-19 is a direct and serious threat to the public’s health, safety and welfare; and

WHEREAS, on March 20, 2020, the Village President declared a state of emergency in the Village in Declaration 2020-1, entitled “Declaration of a State of Emergency in the Village of Lombard, DuPage County, Illinois (COVID-19 – March 20, 2020)” (the “Declaration”); and

WHEREAS, the Declaration was made pursuant to authority granted to the Village President in Section 31.18 of the Lombard Village Code, entitled “Village President’s Authority to Declare a State of Emergency,” and pursuant to Section 11-1-6 of the Illinois Municipal Code (65 ILCS 5/11-1-6); and

WHEREAS, the Village President has determined that it is necessary to make this Executive Order to best protect the public’s health, safety and welfare regarding COVID-19;

NOW, THEREFORE, BE IT ORDERED, by the Village President of the Village of Lombard, DuPage County, Illinois, as follows:

SECTION 1: Incorporation. That the recitals above shall be and are incorporated in this Section 1 as if restated herein.

SECTION 2: Executive Order. That it is ordered as follows:

1. In light of the COVID-19 pandemic’s adverse impacts on the ability to complete construction projects in a timely manner, the following time requirements, as set forth in Section 150.142 of the Lombard Village Code, relative to construction projects, and the permits issued in relation thereto, as hereby extended, as set forth below, for all projects which, as of the effective date of this Executive Order, have been issued a building permit(s):

Subsection of Section 150.142	Current Time Reference	Revised Time Reference
(D)	one year	15 months
(D)	12 months	15 months
(E)	12 months	15 months
(E)	24 months	27 months
(F)	180 days	270 days
(I)	six months	nine months

SECTION 3: Duration. That this Executive Order shall expire upon the earlier of: (a) the Declaration ending; or (b) withdrawal of this Executive Order by the Village President.


 Keith Giagnorio, Village President

Date: September 7, 2020

ORDINANCE NO. _____

**AN ORDINANCE AMENDING
TITLE 15, CHAPTER 150, SECTION 150.142
OF THE LOMBARD VILLAGE CODE IN REGARD TO
TIME LIMITS FOR BUILDING PERMITS**

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

SECTION 1: That Title 15, Chapter 150, Section 150.142 of the Lombard Village Code is amended by adding a new subsection (J) thereto, which shall read in its entirety as follows:

“(J) In light of the COVID-19 pandemic’s adverse impacts on the ability to complete construction projects in a timely manner, the following time requirements, as set forth in subsections (D), (E), (F) and (I) above, relative to construction projects, and the permits issued in relation thereto, are hereby extended, as set forth below, for all projects which, as of October 12, 2020, have been issued a building permit(s):

Subsection Above	Current Time Reference	Revised Time Reference
(D)	one year	15 months
(D)	12 months	15 months
(E)	12 months	15 months
(E)	24 months	27 months
(F)	180 days	270 days
(I)	six months	nine months”

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 _____, 2020.

First reading waived by action of the Board of Trustees this 1st day of October, 2020.

Passed on second reading this 1st day of October, 2020, pursuant to a roll call vote as follows.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this 1st day of October, 2020.

Keith Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published by me in pamphlet form this 2nd day of October, 2020.

Sharon Kuderna, Village Clerk