

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

  X   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: Scott R. Niehaus, Village Manager

DATE: March 7, 2017 (B of T) Date: March 16, 2017

TITLE: Inspection Overtime Minimum Hours on Weekends and Holidays

SUBMITTED BY: Department of Community Development *NS*

BACKGROUND/POLICY IMPLICATIONS:

Your Board of Building Appeals (BOBA) transmits for your consideration its recommendation regarding the above-referenced petition. The BOBA recommends that the Village Board approve an ordinance amending Title XV, Chapter 150, Section 150.141 of the Lombard Village Code in regard to engineering plan review fees and inspection fees. (DISTRICTS - ALL)

The BOBA recommended approval of this petition by a vote of 5-0 at its February 27, 2017 meeting.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X \_\_\_\_\_ Date \_\_\_\_\_

Finance Director X \_\_\_\_\_ Date \_\_\_\_\_

Village Manager X \_\_\_\_\_ Date \_\_\_\_\_

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:** Scott R. Niehaus, Village Manager

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

**MEETING DATE:** March 16, 2017

**SUBJECT:** **Text Amendments to the Lombard Building Code – Section 150.141 (Overtime Inspection Fees)**

Please find the following items for Village Board consideration as part of the March 16, 2017 Village Board meeting:

1. Board of Building Appeals memorandum pertaining to code amendments to align the overtime inspection fee requirements with the Village's call-out provisions set forth within the applicable bargaining unit agreement; and
2. An Ordinance granting approval of text amendments to the Building Code memorializing the policy.

The intent of this code is to align the minimum two-hour inspection fee requirement for scheduled inspections outside of the traditional workday (i.e., weekends, nights and holidays) if such an inspection is pertaining to a call-out. The amendment also strikes the waiver provisions for owners of single family residences, consistent with past practices and other sections of Village Code.

The Board of Building Appeals unanimously recommended approval of the amendments at the February 27, 2017 meetings. Please place this item on the March 16, 2017 Board of Trustees agenda for a first reading.



## MEMORANDUM

**TO:** Board of Building Appeals (BOBA) Members

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

**MEETING DATE:** February 20, 2017

**SUBJECT:** **Inspection Overtime Minimum Hours on Weekends and Holidays**

The current Village provision for overtime inspections does not currently align with the adopted policies and controlling agreements pertaining to the majority of the Village staff that actually performs the inspections. As such, there is a discrepancy between the fee we collect and the cost of the employee payment. Current Village code requires for a minimum of one (1) hour charge for any overtime inspection above the standard inspection fees. However, the labor agreements for callouts during the week, weekends and holidays set forth for a minimum of two (2) hours of pay for such activities.

With the goal of being consistent with the union contract for overtime expenditures, staff is proposing that the overtime provisions for evenings, weekends and holidays to match the union contract provisions. The change for inspections outside of normal work hours will be a minimum charge of two (2) hours, instead of one (1). However, as staffing schedules can change from time to time, the intent of the text amendment is to memorialize this policy by actually identifying the hour periods in which the two hour minimum period would be applicable (or in other words, when a call-out provision would occur). Lastly, the proposed amendment strikes the exemption provision associated with the owner of a residence as the overtime costs would still be borne by the Village regardless of ownership.

### **Proposed Amendments**

Below are the proposed code amendments with deletions noted in strikeout and addition in underline text. The amended language also is set forth in the attached draft ordinance of approval.

#### Section 150.141(X)(3) of the Village Code

Inspection of project improvements - Three percent (3%) of engineer's estimated cost all public improvements as defined in Title 15, Chapter 15, § 154.703 of this Code. Inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour with a minimum of one hour charged to the permittee beginning at the scheduled starting time, including no-shows. ~~In addition, any inspections conducted before 6:00 a.m. or after 5:00 p.m. on weekdays, and at anytime on weekends and holidays, when available, shall be charged with a minimum of two (2) hours charged to the permittee, including no-shows.~~ Said inspection fee shall be in addition to the normal three percent fee referenced in the first sentence of this subsection.

Section 150.141 (AA) Overtime inspection fees.

Inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays and at any time on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector with a minimum of one hour charged to the permittee beginning at the scheduled starting time, including no-shows. Said inspection fee shall be in addition to any requisite fees referenced elsewhere within this section 150.141 or as set forth within Chapter 16 of this Code within this subsection or as set forth within § 16.01 of the Village Code, whichever is greater, and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. In addition, any inspections conducted before 6:00 a.m. or after 5:00 p.m. on weekdays, and at anytime on weekends and holidays, when available, shall be charged with a minimum of two (2) hours charged to the permittee, including no-shows. ~~The aforementioned fee shall not apply for permitted projects being undertaken by the owner/occupant of a single-family residence.~~

**ACTION REQUESTED**

Staff recommends approval of the attached draft amendments to Chapter 150 of the Lombard Code as it pertains to the overtime provisions for inspections.

WJH:JB:jb

BOBA memo - OT inspection fees.doc

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE XV, CHAPTER 150, SECTION 150.141  
OF THE LOMBARD VILLAGE CODE IN REGARD TO  
ENGINEERING PLAN REVIEW FEES AND INSPECTION FEES**

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 XV, Chapter 150, Section 150.141 (X)(3) of the Lombard Village Code is hereby amended to read in its entirety as follows:

“(3) *Inspection of project improvements*—Three percent (3%) of engineer's estimated cost of all public improvements, as defined in Title XV, Chapter 154, § 154.703 of this Code. Inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays, and at anytime on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector, including no-shows. In addition, any inspections conducted before 6:00 a.m. or after 5:00 p.m. on weekdays, and at anytime on weekends and holidays, when available, shall be charged with a minimum of two (2) hours charged to the permittee, including no-shows. Said inspection fee shall be in addition to the normal three percent (3%) fee referenced in the first sentence of this subsection.

SECTION 2: That Title XV, Chapter 150, Section 150.141 (AA) of the Lombard Village Code is hereby amended to read in its entirety as follows:

“(AA) *Overtime inspection fees.* Inspections conducted before 7:30 a.m. or after 4:00 p.m. on weekdays, and anytime on weekends and holidays, when available, shall be billed at a rate of \$100.00 per hour per inspector, including no-shows, when available. Said inspection fee shall be in addition to any requisite fees referenced elsewhere within this section 150.141 or as set forth within Chapter 16 of this Code, whichever is greater, and shall be paid prior to issuance of any certificates of occupancy or approval of final inspections. In addition, any inspections conducted before 6:00 a.m. or after 5:00 p.m. on weekdays, and at anytime on weekends and holidays, when available, shall be charged with a minimum of two (2) hours charged to the permittee, including no-shows.

SECTION 3: 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 \_\_\_\_\_, 2017.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2017.

Ordinance No. \_\_\_\_  
Re: Overtime Inspection Fees  
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Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2017. Pursuant to a roll call vote as follows:

Ayes: \_\_\_\_\_

Nayes: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved by me this \_\_\_\_\_, day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published by me in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk