



Agenda
Village of Glen Ellyn
Regular Workshop Meeting
Monday, September 17, 2018
7:00 PM
Glen Ellyn Civic Center, Room 301

Village Board Workshop Procedures Statement

Visitors are most welcome to attend all meetings of the Village Board and can find copies of the Agenda on their chairs or online at www.glenellyn.org prior to the meeting. Any individual with a disability requiring a reasonable accommodation in order to participate in a meeting should contact the Village of Glen Ellyn ADA Coordinator, 630-469-5000, at least five (5) business days in advance of the next scheduled meeting. All matters on the Agenda may be discussed, amended, and acted upon.

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Audience Participation

1. Open:

Members of the public are welcome to speak to any item not specifically listed on tonight's agenda for up to (3) three minutes. For those items which are on tonight's agenda, the public will have the opportunity to comment at the time the item is discussed. In either case, please complete the Audience Participation form and turn it in to the Village Clerk. It is requested that, if possible, one spokesman for a group be appointed to present the views of the entire group. Speakers who are recognized are requested to step to a microphone and state their name, their topic and the group, if any, they are representing prior to addressing the Village Board. Individuals wishing to address the Board shall exercise proper decorum and respect for the proceedings and the business of the Village Board, and shall refrain from abusive demeanor and language. The practice of ceding time to other speakers shall be prohibited, except in the discretion of the presiding officer of the meeting. Public officials are not obligated to respond to questions.

E. Sign Code Discussion (Presented by Planning and Development Director Springer) (Discussion Only)

1. Planning and Development Director Springer will lead a continued discussion on illegal downtown signage.

F. Parking Technology Update (Presented by Police Chief Norton) (Discussion Only)

1. Police Chief Norton will present proposed parking technology updates for the Duane Lorraine daily lot.

G. Oxcart Truck Permitting Program (Presented by Police Chief Norton) (Discussion Only)

1. Police Chief Norton will lead a discussion about Oxcart Truck Permitting Program.

H. Other Items

I. Adjournment



Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 09/17/18 07:00 PM
Department: Planning & Development
Department Head: Staci Springer
Category: Discussion Item
Prepared By: John Sterrett

SCHEDULED

AGENDA ITEM (ID # 3549)

DOC ID: 3549

Planning and Development Director Springer will lead a continued discussion on illegal downtown signage.

Background: At the May 7, 2018 Village Board Workshop meeting, staff requested direction from the Board on how to proceed with the enforcement of existing illegal signage in the downtown including neon signs, video board signs, and off-premise real estate signs. Staff informed the Board at the time that enforcement involving a significant number of downtown businesses/property owners would likely generate negative commentary. For this reason, staff sought confirmation of support from the Village Board prior to proceeding. The direction from the Board was clear that these types of signs are illegal and they should be removed no later than the end of June (please see attached meeting minutes). Regarding neon signs, the Village Board stated that all neon signs, with the exception of those that only say "Open", are illegal and must be removed from the downtown. Accordingly, staff issued a 45-day notice on May 18, 2018 to all property and business owners containing these illegal signs instructing their removal no later than July 2, 2018 or a citation would be issued (please see attached letters).

Upon receipt of these notices, the Planning and Development Department was contacted by a number of the recipients questioning the Village's authority to have these signs removed. Some recipients of the Village's letter also alleged that these signs are "grandfathered-in" and are therefore permitted to remain in place. Staff explained that the Sign Code prohibits these signs regardless of when they were installed and that the signs must be removed by the date indicated.

Several individuals attended the June 25, 2018, Village Board meeting in opposition to the removal of these signs, specifically the off-premise real estate signs. Three individuals, including an attorney representing one of the building owners containing 4 off-premise signs, spoke during public comment asking the Board to reconsider their directive to have the signs removed. After a brief discussion following public comment, the Board granted a two-month reprieve on the enforcement of these signs to allow further Village Board discussion on the matter. Although no comments were made during the June 25, 2018, Village Board meeting in regards to the illegal neon signs or video board signs, staff has delayed further enforcement against these signs until such time that the Board has discussed the overall issue.

The individuals who spoke during public comment offered statements and arguments as justification to allow the signs to remain. Staff has provided responses to these to assist the Board with their discussion on the issue which can be found below. It should be noted that comments from the public questioning the constitutionality of the Village's Sign Code will be addressed under a separate memo prepared by the Village Attorney and are not included below.

Property values are being adversely impacted by requiring the removal of these signs

Response: The Village's codes and ordinances, including the Sign Code, are adopted to preserve, protect, and promote the health, safety, and welfare of the Village and preserve

property values. The Statement of Purpose within the Sign Code, Section 4-5-2, states “*There should not be a proliferation of off premises signs as it can obscure the legitimate efforts of local business establishments to reasonably identify the location and nature of their business*” (please see attached). Properties and businesses in the immediate area of off-premise signage can suffer from sign clutter which decreases visibility of nearby businesses. If the property values of the buildings containing the illegal off-premise signs are decreased as a result of the removal of the signs, it is because of the elimination of a revenue generator for the property owner that is considered illegal and should not exist.

The real estate industry is specifically being singled out and therefore the Code is arbitrary

Response: The signs in question are illegal because they are off-premise signs. The code violation does not relate to the fact that the signs are rented by realtors. They are considered off-premise signs because they are advertising a business, product, and service that is not associated with the property where they are located. This information was clearly conveyed in the notice sent to the property owners. Other industries would still be prohibited from advertising a business, product, or service on a property that does not contain that business, product, or service. For example, a restaurant owner would not be able to promote the restaurant with information, such as menus, on a building that does not contain the restaurant. This would also be considered illegal off-premise signage.

Too much uncertainty exists about what part of the sign is illegal: The signs or the boxes containing the advertisements or the advertisements themselves

Response: The sign box and the information contained inside are all considered part of the sign. The sign is advertising an off premise business, product, and service. As mentioned, off premise signs are illegal, thus the sign box and the advertisements are considered illegal. If information related to the business in the building were put in the sign boxes, it would be considered a wall sign and would be subject to the maximum size requirements of the Sign Code and would also require a building permit. None of these signs were submitted for, or were issued, a building permit.

The Village’s authority to have the signs removed is a violation of due process

Response: Due process is not being violated. The property owners in violation of the Sign Code have the ability to request a sign variation to allow their signs to remain, subject to a public hearing held by the Plan Commission. It should be noted that in order to meet the standards for a sign variation it must be demonstrated that a physical hardship exists preventing compliance with the Sign Code, such as an irregular lot shape, substantial lot depth, unusual geographic location, exceptional topographical feature or other condition that is peculiar to the subject property. If this condition cannot be met then the Plan Commission shall not recommend approval of the request, as is stipulated in Section 4-5-17(G)3(a) of the Sign Code (please see attached).

If a property owner chooses to ignore the notice and leave the signs up, a citation will be issued requiring an appearance before the Village's Administrative Adjudicator for a hearing. Decisions made by the Adjudicator may be appealed and filed with the DuPage County Judicial Circuit Court. This process ensures that a property owner's due process rights are not violated.

The signs along Crescent Boulevard have been in place for several years and should be "grandfathered-in"

Response: Some property owners believe the signs predate the Village's Sign Code and therefore establish nonconformity. The term "nonconforming" means that a sign fails to conform to all applicable regulations and restrictions of the Sign Code. Non-conforming signs are either legal nonconforming (they were lawfully established in conformance with all codes and ordinances at the time of installation) or illegal non-conforming (they were not permitted when they were installed). A sign considered to be legal nonconforming is still required to adhere to the nonconforming provisions of the Sign Code. This includes requiring a legal nonconforming sign to be brought into conformance with the Sign Code if the sign is altered in any way. Legal nonconforming signs and structures are afforded the ability to remain only until they are altered.

If the signs were installed prior to the adoption of the original Sign Code in 1969, then the signs would be considered legal nonconforming. For the signs to maintain status as legal nonconforming, they may not be altered in any way and may not be discontinued for more than 30 consecutive days. The signs consistently change on a regular basis and updated real estate advertising information is constantly replacing outdated information. The Sign Code clearly states that once the signs are altered in copy they are required to be brought into compliance with the Code, per Section 4-5-17(I)3(b) of the Sign Code (please see attached). The off-premise real estate signs, therefore, cannot be considered legal nonconforming and are instead illegal nonconforming.

Nonetheless, staff disputes the claims that the signs have been in existence for the last several decades. Staff has evidence that 5 of the 9 illegal off-premise signs do not predate the Village's original 1969 Sign Code and are therefore illegal non-conforming. The attached photos from 2004 and 2013, courtesy of Milton Township Assessor, and Google Street View images from 2012 and 2016, show that the 2 signs at 530 Crescent Boulevard, the 2 signs at 536 Crescent Boulevard, and the 1 sign at 427 North Main Street did not exist at the time the images were captured. This means that the amount of off-premise real estate signage in the Village has more than doubled in the last decade.

Staff could not locate any evidence that the 4 signs located at 532-534 Crescent Boulevard were in existence prior to the adoption of the original 1969 Village Sign Code. Regardless, even if these 4 signs did exist prior to the adoption of the original 1969 Sign Code they would have lost status as *legal* non-conforming signs once the real estate information in the sign box was changed, based on the previously mentioned Section 4-5-17(I)3(b) of the Sign Code.

The signs help promote foot traffic in the Downtown and eliminating this local advertising is counterproductive to a thriving downtown economy

Response: Staff is of the opinion that the existing vibrancy of the downtown is not dependent on these illegal signs. Staff has conducted a community survey of 15 nearby municipalities to gauge how they view this type of off premise signage. Staff forwarded photos of these signs to all 15 municipalities to see if they would be permitted in their downtowns. Staff from all 15 communities stated that these signs would be considered illegal off-premise signs in their community based on their own Sign Code. Please see attached list of communities contacted. The conclusion can be made that these signs are not common nor necessary for a community's downtown to be successful, especially considering that the majority of the signs are proven to have been added in the last decade.

Staff Recommendation: Based on the reasons within staff's responses above, staff maintains that the off-premise real estate signs, as well as the neon and video board signs, are illegal nonconforming signs. Furthermore, the Village has clear authority to require their removal. Staff therefore recommends moving forward with the Village Board's original direction of enforcement of the Sign Code against these signs in the downtown. As previously mentioned, property owners can request a variation if they believe they have a unique circumstance or particular hardship which prevents compliance with the Sign Code.

If the Village Board decides to allow the illegal signs to remain in the downtown, the Board should be aware that similar new signs must be allowed in the downtown as well. If the Village allows only some properties to have these types of illegal signs but not all, this would be considered a discriminatory application of the Sign Code. Similar signs throughout the downtown and the Village would certainly alter the appearance of the Village. Property owners would be able to charge rent to post any information within the sign box thus creating small billboards throughout the community.

Requested Action: The Village Board is being asked to discuss this matter and should direct staff on how to proceed with the enforcement of the Sign Code. Staff has notified all property/business owners who received the original violation letter about the Village Board Workshop meeting. All those in attendance at the June 25, 2018 Village Board meeting who provided their contact information have also been made aware of the Workshop meeting.

Attachments: Village Board Workshop Meeting Minutes – May 7, 2018
Notice of Illegal Signs Letters
Section 4-5-2 of the Sign Code
Section 4-5-17(G)3(a) of the Sign Code
Section 4-5-17(I)3(b) of the Sign Code
2016 Google Street View Image of 427 North Main Street
2004 Milton Township Photo of 530 Crescent Boulevard
2012 Google Street View Image of 530 Crescent Boulevard
2013 Milton Township Photo of 536 Crescent Boulevard
Surveyed Communities

ATTACHMENTS:

- Village Board Workshop Meeting Minutes – May 7, 2018 (PDF)
- Notice of Illegal Signs Letters (PDF)
- Section 4-5-2 of the Sign Code (PDF)
- Section 4-5-17(G)3(a) of the Sign Code (PDF)
- Section 4-5-17(I)3(b) of the Sign Code (PDF)
- 2016 Google Street View Image of 427 North Main Street (PDF)
- 2004 Milton Township Photo of 530 Crescent Boulevard (PDF)
- 2012 Google Street View Image of 530 Crescent Boulevard (PDF)
- 2013 Milton Township Photo of 536 Crescent Boulevard (PDF)
- Surveyed Communities (PDF)

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Economic Development Coordinator Hannah stated this expansion program would be for existing properties and not for new construction. Trustee Ladesic asked about the language in the ordinance for this. Economic Development Coordinator Hannah stated she included the language in the current ordinance for the Downtown TIF district as the staff wanted feedback on this possible expansion before drafting a proposed ordinance.

Trustee Senak asked what the purpose is for making the distinction between fire sprinklers and fire alarms. Economic Development Coordinator Hannah stated there is a bigger cost associated with sprinklers than there are with alarms, and the businesses in the Roosevelt Road corridor are typically larger. Trustee Pryde stated there is a much lower threshold to cause something to need a fire alarm rather than a fire sprinkler system. Trustee Senak stated if this is about safety, they should consider all devices that would promote this.

Trustee Senak asked about the sliding scale to which Economic Development Coordinator Hannah stated this scale would be like the one used for the Downtown Fire Award Program.

There was a discussion about possible funding for this program from the Roosevelt Road TIF.

Trustee Fasules stated it does not seem fair that other businesses in the Village cannot have access to these Fire Awards as the businesses are not in the TIFs. Village Manager Franz stated the Roosevelt Road TIF lines were drawn based on the areas in need and whether the areas met the criteria for a TIF District. Trustee Pryde stated there might be a small number of exceptions outside the TIF.

President McGinley asked if the Village Board was open to expanding the Fire Prevention Award to the Roosevelt Road TIF as well. Trustee Pryde stated he is open to this, and he wants to ensure there is a balance between the downtown and other parts of the Village. President McGinley stated Trustee Fasules had an idea to go to a tax incentive promotion to reimburse for fire prevention for businesses not in the TIF Districts. There was a discussion regarding the criteria for this, and the Village Board agreed to this.

President McGinley asked if there are any pending requests currently for any non-sales tax generating business. Economic Development Coordinator Hannah stated she has not heard of any, but that does not mean that these requests are not out there. Economic Development Coordinator Hannah stated the Village then will establish the Fire Award Program for the Roosevelt Road TIF, and then any requests outside of the TIF will come to the Village Board on a case by case basis.

RESULT:	DISCUSSION ONLY
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F. Sign Code Updates (Planning and Development Director Hulseberg) (Discussion Only) (30 Minutes)

1. Planning and Development Director Hulseberg will lead a discussion on potential amendments to the Sign Code.

Planning and Development Director Hulseberg presented background on the proposed Sign Code updates and stated the original Sign Code was written in 1993, with a comprehensive revision done in 2014. Planning and Development Director Hulseberg stated staff is proposing 11 changes to the

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Sign Code, and she wanted the Village Board to discuss three of these changes.

Planning and Development Director Hulseberg stated staff is recommending amendments to the Sign Code for:

- *Double the current allowable square footage of building signage in the downtown from 0.5 square feet per lineal foot to 1 square foot per lineal foot of establishment frontage.*
- *Signage on an awning valance would be considered exempt from the Sign Code provided that the valance does not exceed 8 inches in height, and no letter or logos exceed 6 inches in height.*
- *Projecting signs (also known as blade signs) be exempt from the size regulation provided they do not exceed the maximum square footage of the building signage allowable for the business, with a maximum size of 8 square feet.*

Planning and Development Director Hulseberg stated the blade signs would count toward the allowable 20 square feet of total signage. Trustee Pryde stated he likes the concept of a blade sign, but store owners might have different thoughts on these blade signs. Trustee Fasules asked about the current allowable size of the blade signs. Planning and Development Director Hulseberg stated it was 4 square feet with the 1993 Sign Code, revised to 6 square feet with the 2014 revision to the Sign Code and staff is now proposing a maximum of 8 square feet. Trustee Pryde stated he feels the blade signs should stay at a maximum of 6 square feet. President McGinley asked if a business could do a blade sign and have its name on the awning. Planning and Development Director Hulseberg stated this is fine as the awning would be exempt now. Village Manager Franz stated a business cannot have a wall sign and an awning sign.

Trustee Enright asked if these proposed changes will go to the Plan Commission. Planning and Development Director Hulseberg stated these changes will go to the Plan Commission, but Planning and Development Director Hulseberg wanted the Village Board's opinion first.

Trustee Senak stated he is against all three proposed changes as he does not think there is a need for anymore signage in the downtown as there is a reasonable amount now. Trustee Senak stated a business is always able to request a Sign Code variation on a case-by-case basis. Trustee Senak stated with the two Downtown Historical Districts, there is not a need for any additional signage. President McGinley stated the lack of signage downtown is the number one complaint from prospective businesses. Trustee Senak stated he thinks the current blades signage and restrictions are reasonable.

Trustee Ladesic stated there are not enough blade signs in the downtown, and Historic Preservation Chairman Lee Marks and the Historic Preservation Commission have asked about blade signs for many years as they bring character to the downtown. Trustee Ladesic stated the signage size is now restrictive.

President McGinley asked about the Landscaping for Non-Conforming Signs change. Planning and Development Director Hulseberg stated the Sign Code requires 2 square feet of landscaping at the base of a free-standing sign for each 1 square foot of sign area, but this is not clear in the Sign Code so staff will add this as a requirement. Planning and Development Director Hulseberg stated it does not matter what is planted.

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Planning and Development Director Hulseberg stated staff is also looking for direction on Code Enforcement issues as some issues have arisen, but the staff is reluctant to deal with these without direction. Planning and Development Director Hulseberg stated the use of neon or LED window signs, such as “Open” signs, of any type are prohibited in the C5 District in order to preserve the downtown’s historic character; however, there are approximately 17 such signs that exist in the C5 Downtown District which pre-date the adoption of the new Sign Code. Planning and Development Director Hulseberg stated neon and “Open” signs are allowed on Roosevelt Road.

Trustee Senak stated these neon signs should be eliminated in the downtown. Trustee Ladesic stated he thought the Village Board exempted the “Open” signs to which Planning and Development Director Hulseberg stated they did not. President McGinley stated they should consider keeping the “Open” signs as these signs are important. Trustee Ladesic stated retailers have said it is hard to find “Open” signs that are not neon. Trustees Enright and Pryde stated there are fine with the “Open” signs staying in the downtown. President McGinley suggested having the Chamber of Commerce ask the businesses with the “Open” signs if these signs are vital to their business. Trustee Fasules stated the Village Board needs to regulate these signs.

Planning and Development Director Hulseberg stated Real Estate Listing signs have increased dramatically throughout the downtown. Trustee Ladesic stated these signs are acceptable in real estate offices, but nowhere else. Planning and Development Director Hulseberg stated this was not a code enforcement priority until recently when many more of these real estate listing signs appeared. Planning and Development Director Hulseberg stated building owners are leasing these spaces to real estate office and agents for these signs. Planning and Development Director Hulseberg stated these signs are prohibited, but the Village has not been enforcing it. Trustee Pryde stated this seems to be an illegal leasing of property, and the businesses should be not leasing sign space on a building to anything that is not pertaining to that particular business.

Planning and Development Director Hulseberg stated two other communities have called her to ask where these signs are listed in Glen Ellyn’s Sign Code because the other two communities do not allow these signs, but they have people asking about them. Planning and Development Director Hulseberg stated the staff wants to enforce that these signs are not permitted, but will need to give the business some time to deal with this. President McGinley stated the business owners have until the end of June to remove these real estate listing signs.

Trustee Fasules asked what would happen if the real estate listing signs were kept up. Planning and Development Director Hulseberg stated the business would get a ticket for Administrative Adjudication. Attorney Mathews asked what provision would be used for this. Planning and Development Director Hulseberg stated the real estate listing signs are not permitted in the Sign Code so therefore these signs are prohibited as they are illegal signs.

Planning and Development Director Hulseberg stated video displays are being placed in downtown storefront windows, but these signs are specifically prohibited in the Sign Code. There was a discussion regarding video displays. Planning and Development Director Hulseberg stated the Village will do no video displays, and variation requests for these would be considered on a case-by-case basis. Attorney Mathews stated it might be hard to show a hardship for this type of variation. Planning and Development Director Hulseberg stated all variation requests would be considered.

Planning and Development Director Hulseberg stated they are trying to increase the amount of murals in the Village, and proposed murals would follow a similar track as exterior appearance. Planning and Development Director Hulseberg stated the Village would like to encourage murals,

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but does not want advertising on these murals. Trustee Ladesic stated designs that are inside windows may need to be revisited.

Planning and Development Director Hulseberg stated these potential Sign Code amendments will go to the Plan Commission for discussion and then the proposed text amendments would come back to the Village Board for approval. Trustee Senak stated it would be good for the Historic Preservation Commission to look at these proposed changes.

RESULT:	DISCUSSION ONLY
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G. Civic Center Renovation Project (Assistant Village Manager Holmer) (Discussion Only) (30 Minutes)

1. Assistant Village Manager Bill Holmer will update the Board on the status of the Civic Center Renovation Project.

Assistant Village Manager Holmer presented background on the Civic Center Renovation Project and stated design development has been completed. Assistant Village Manager Holmer stated they are expecting the asbestos removal to be completed by the end of May. Assistant Village Manager Holmer stated a guaranteed maximum price (GMP) for the entire project is being developed while, at the same time, costs are being broken out to account for the fact that the project is being funded, both by the Village and College of DuPage (COD). Assistant Village Manager Holmer stated the entire \$3.35 million for the project will come back to the Village Board for approval, even though this cost is split between the Village and COD.

Assistant Village Manager Holmer stated there have been some building maintenance issues found as they have been working on this project. Assistant Village Manager Holmer stated there are concerns with the HVAC system, and staff asked Dewberry and LCI to evaluate the system and provide some options for improvements. Assistant Village Manager Holmer stated the boiler will need to be replaced in the next few years, but a new HVAC system with boiler and piping could be an approximate \$1 million expenditure. Assistant Village Manager Holmer stated also with this the electrical system would need to be upgraded as well as installing additional baseboard heating which would be another \$150,000 expenditure. Assistant Village Manager Holmer stated he feels they are past the part where they can no longer do nothing about this issues; however, the staff does need some direction on this.

Trustee Senak asked if the cost would be split with COD if they decide to do the entire fix. Village Manager Franz stated this might not be right as COD has already committed \$2 million to this project. Trustee Ladesic stated it is COD's investment into the Civic Center which is causing the Village to spend money in the first place. Trustee Ladesic stated the building's infrastructure should have been looked at before this project was started.

President McGinley stated the HVAC issues should have been addressed years ago. Trustee Fasules stated they need to find the money for the proposed HVAC fix because they should not renovate the building twice. Assistant Village Manager Holmer stated they can add the piping later; however, walls and ceilings that were just redone would need to be removed again.

President McGinley asked the Village Board if money should be invested now to put in a new HVAC system, boiler and piping. Trustee Enright stated COD should be paying their fair share of this.



May 18, 2018

Chris Kouros
124 Danada Drive
Wheaton, IL 60189

RE: 433 Main Street – Illegal Real Estate Listing Signage
45-Day Notice to Remove

Dear Mr. Kouros:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that signage has been installed on the exterior of your building at the address referenced above advertising real estate for sale in the area. Please see the enclosed photos depicting this signage. Please note that this type of signage is not permitted in the downtown and must be removed.

Section 4-5-6(BB) of the Village's Sign Code permits real estate signs only when the sign is located on the property of which the sign is advertising. Therefore, the real estate signage on your building is considered an off-premise sign which is specifically prohibited in Section 4-5-5(I) of the Village's Sign Code. For your convenience, these sections of the Sign Code are enclosed in this mailing. To avoid the issuance of a citation, we ask that you remove this signage no later than **July 2, 2018**.

We thank you in advance for your cooperation in this matter. The dedication and devotion of the Village's business community to create and maintain an attractive downtown is essential to the Village. Should you have any questions regarding this matter please feel free to contact me at 630-547-5249.

Sincerely,

John H. Sterrett
Village Planner

Enclosures: Photos of Real Estate Signage
Section 4-5-6(BB) of the Sign Code
Section 4-5-5(I) of the Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector

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Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
630-469-1187

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180



May 18, 2018

240 Properties LLC
c/o Sabih Quadeer
17w620 14th Street, Unit 201
Oakbrook Terrace, IL 60181

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

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Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180

RE: 530 Crescent Boulevard – Illegal Real Estate Signage
45-Day Notice to Remove

Dear Mr. Quadeer:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that signage has been installed on the exterior of your building advertising real estate for sale in the area. Please see the enclosed photos depicting this signage. Please note that this type of signage is not permitted in the downtown and must be removed.

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Sincerely,

John H. Sterrett
Village Planner

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Section 4-5-6(BB) of the Sign Code
Section 4-5-5(I) of the Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector

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May 18, 2018

William Jegen
536 Crescent
Glen Ellyn, IL 60137

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
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Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180

www.glenellyn.org
www.villagelinksgolf.com

RE: 536 Crescent Boulevard – Illegal Real Estate Listing Signage
45-Day Notice to Remove

Dear Mr. Jegen:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that signage has been installed on the exterior of your building advertising real estate for sale in the area. Please see the enclosed photos depicting this signage. Please note that this type of signage is not permitted in the downtown and must be removed.

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Sincerely,

John H. Sterrett
Village Planner

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Section 4-5-6(BB) of the Glen Ellyn Sign Code
Section 4-5-5(I) of the Glen Ellyn Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official

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May 18, 2018

Thomas Smith
PO Box 234
Glen Ellyn, IL 60138

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
630-469-1187

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180

RE: 532-534 Crescent Boulevard – Illegal Real Estate Listing
45-Day Notice to Remove

Dear Mr. Smith:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that signage has been installed on the exterior of your building advertising real estate for sale in the area. Please see the enclosed photos depicting this signage. Please note that this type of signage is not permitted in the downtown and must be removed.

Section 4-5-6(BB) of the Village's Sign Code permits real estate signs only when the sign is located on the property of which the sign is advertising. Therefore, the real estate signage on your building is considered an off-premise sign which is specifically prohibited in Section 4-5-5(I) of the Village's Sign Code. For your convenience, these sections of the Sign Code are enclosed in this mailing. To avoid the issuance of a citation, we ask that you remove this signage no later than **July 2, 2018.**

We thank you in advance for your cooperation in this matter. The dedication and devotion of the Village's business community to create and maintain an attractive downtown is essential to the Village. Should you have any questions regarding this matter please feel free to contact me at 630-547-5249.

Sincerely,

John H. Sterrett
Village Planner

Enclosures: Photos of Real Estate Signage
Section 4-5-6(BB) of the Sign Code
Section 4-5-5(I) of the Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector

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May 18, 2018

Ellyn Cleaners
485 Forest Avenue
Glen Ellyn, IL 60137

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
630-469-1187

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180

RE: 485 Forest Avenue – Illegal Neon Sign
45-Day Notice to Remove

To Whom It May Concern:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that neon signage has been installed in the window of your business at the address referenced above. Please see the enclosed photos depicting this neon signage. The Sign Code currently does not allow any neon signs in the downtown. The Village, however, intends to amend the Code to permit neon "open" signs in the downtown. All other neon signs, however, are, and will remain, prohibited in the downtown.

For your convenience, the section of the Sign Code which prohibits neon signs in the downtown is enclosed in this mailing. To avoid the issuance of a citation, we ask that you remove this signage no later than **July 2, 2018**.

We thank you in advance for your cooperation in this matter. The dedication and devotion of the Village's business community to create and maintain an attractive downtown is essential to the Village. Should you have any questions regarding this matter please feel free to contact me at 630-547-5249.

Sincerely,

John H. Sterrett
Village Planner

Enclosures: Photos of Neon Sign
Section 4-5-5(H) of the Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector

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May 18, 2018

Marinella Italian Restaurant
548 Duane Street
Glen Ellyn, IL 60137

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
630-469-1187

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180

RE: 548 Duane Street – Illegal Neon Sign
45-Day Notice to Remove

To Whom It May Concern:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that neon signage has been installed in the window of your business at the address referenced above. Please see the enclosed photos depicting this neon signage. The Sign Code currently does not allow any neon signs in the downtown. The Village, however, intends to amend the Code to permit neon "open" signs in the downtown. All other neon signs, however, are, and will remain, prohibited in the downtown.

For your convenience, the section of the Sign Code which prohibits neon signs in the downtown is enclosed in this mailing. To avoid the issuance of a citation, we ask that you remove this signage no later than **July 2, 2018**.

We thank you in advance for your cooperation in this matter. The dedication and devotion of the Village's business community to create and maintain an attractive downtown is essential to the Village. Should you have any questions regarding this matter please feel free to contact me at 630-547-5249.

Sincerely,

John H. Sterrett
Village Planner

Enclosures: Photos of Neon Sign
Section 4-5-5(H) of the Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector

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May 18, 2018

North Side Bar and Grill
499 Pennsylvania Avenue
Glen Ellyn, IL 60137

RE: 499 Pennsylvania Avenue – Illegal Neon Sign
45-Day Notice to Remove

To Whom It May Concern:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that neon signage has been installed in the window of your business at the address referenced above. Please see the enclosed photos depicting this neon signage. The Sign Code currently does not allow any neon signs in the downtown. The Village, however, intends to amend the Code to permit neon "open" signs in the downtown. All other neon signs, however, are, and will remain, prohibited in the downtown.

For your convenience, the section of the Sign Code which prohibits neon signs in the downtown is enclosed in this mailing. To avoid the issuance of a citation, we ask that you remove this signage no later than **July 2, 2018**.

We thank you in advance for your cooperation in this matter. The dedication and devotion of the Village's business community to create and maintain an attractive downtown is essential to the Village. Should you have any questions regarding this matter please feel free to contact me at 630-547-5249.

Sincerely,



John H. Sterrett
Village Planner

Enclosures: Photos of Neon Sign
Section 4-5-5(H) of the Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
630-469-1187

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180



June 11, 2018

2Toots Train Whistle Grill
450 N. Main Street
Glen Ellyn, IL 60137

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
630-469-1187

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180

**RE: 450 N. Main Street – Illegal Neon Sign
45-Day Notice to Remove**

To Whom It May Concern:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that neon signage has been installed in the window of your business at the address referenced above. Please see the enclosed photos depicting this neon signage. The Sign Code currently does not allow any neon signs in the downtown. The Village, however, intends to amend the Code to permit neon "open" signs in the downtown. All other neon signs, however, are, and will remain, prohibited in the downtown.

For your convenience, the section of the Sign Code which prohibits neon signs in the downtown is enclosed in this mailing. To avoid the issuance of a citation, we ask that you remove this signage no later than **July 26, 2018**.

We thank you in advance for your cooperation in this matter. The dedication and devotion of the Village's business community to create and maintain an attractive downtown is essential to the Village. Should you have any questions regarding this matter please feel free to contact me at 630-547-5249.

Sincerely,

John H. Sterrett
Village Planner

Enclosures: Photos of Neon Sign
Section 4-5-5(H) of the Sign Code

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector



May 21, 2018

Baird and Warner Real Estate
543 Pennsylvania Avenue
Glen Ellyn, IL 60137

Village President
Diane McGinley

Trustees
William Enright
Gary Fasules
John Kenwood
Pete Ladesic
Craig Pryde
Mark Senak

Village Manager
Mark T. Franz

Village Attorney
Gregory S. Mathews

Civic Center
535 Duane Street
Glen Ellyn, IL 60137

Administration
630-469-5000

Finance
630-547-5235

Planning and Development
630-547-5250

Police
630-469-1187

Public Works
30 South Lambert Road
Glen Ellyn, IL 60137
630-469-6756

The Village Links
485 Winchell Way
Glen Ellyn, IL 60137
630-469-8180

RE: 543 Pennsylvania Avenue – Illegal Video Display Message Board Sign
Notice to Remove

To Whom It May Concern:

The Village of Glen Ellyn regularly works with the business community to maintain the unique and historic character of the Village's downtown. This includes monitoring and reviewing the installation of signage for conformance with the Village's Sign Code. It has come to the Village's attention that video display message board signs have been installed in the window of your business at the above referenced location. Please see the enclosed photos depicting this signage. Please note that video display message board signage is prohibited. Furthermore, these types of signs incorporate movement and animation, which is specifically prohibited in the Sign Code. Also, window signs are not permitted to cover more than 50% of any window area. Accordingly, these video display message board signs must be removed.

To avoid the issuance of a citation, we ask that you remove this signage no later than **July 2, 2018**.

We thank you in advance for your cooperation in this matter. The dedication and devotion of the Village's business community to create and maintain an attractive downtown is essential to the Village. Should you have any questions regarding this matter please feel free to contact me at 630-547-5249.

Sincerely,

John H. Sterrett
Village Planner

Enclosures: Photos of Video Display Message Board Signage

Cc: Staci Hulseberg, Planning and Development Director
Steve Witt, Building and Zoning Official
William Keel, Property Inspector

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433 Main Street



536 Crescent Boulevard



532-534 Crescent Boulevard



530 Crescent Boulevard



530 Crescent Boulevard



450 North Main Street



485 Forest Avenue



499 Pennsylvania Avenue



548 Duane Street





543 PENNSYLVANIA AVENUE

4-5-2. - Statement of purpose.

It is hereby determined that the primary purpose of signage is to help people find what they need without difficulty or confusion. Thus, while not restricting freedom of expression, regulations must be established for preventing an overload of graphic messages in the environment. The purpose of signs is subordinate to the structures and land use functions they reference. Signs are to be considered accessory components of an overall composition of architectural elements, not as freestanding or dominant architectural elements by themselves. There should not be a proliferation of off premises signs as it can obscure the legitimate efforts of local business establishments to reasonably identify the location and nature of their businesses.

This chapter establishes standards and regulations for the erection, display, safety and maintenance of signs which are intended to allow a person to observe or ignore graphic messages, according to that person's own purpose, as well as to encourage the general attractiveness of the community and to protect property values. These standards and regulations are intended to meet the following objectives:

- (A) *Effective communication:* A reasonable, orderly and effective display of signs is to be promoted by authorizing the use of signs which:
 - 1. Are legible in the context in which they are viewed;
 - 2. Are appropriate to the functions to which they pertain;
 - 3. Clearly and efficiently identify and classify the goods, services, facilities, activities and locations made available to the community by businesses, community service organizations and other enterprises; and
 - 4. Eliminate or reduce the "canceling out" effect created by the inappropriate placement of signs in proximity to one another.
- (B) *Public welfare:* The public health, safety and welfare is to be preserved, protected and promoted through sign regulations which:
 - 1. Recognize that signs are a necessary means of visual communication for the convenience of the general public taken as a whole, as opposed to the convenience of any individual person;
 - 2. Minimize the blighting influences posed by visual clutter, decay and neglect;

3. Reduce distractions, obstructions, and hazards to pedestrian and automobile traffic caused by the indiscriminate placement and use of signs and to protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting or illegible signage;
4. Prohibit the placement of signs which obstruct vision or access in a manner which creates dangerous conditions;
5. Protect the physical and mental well-being of the general public by encouraging a sense of aesthetic appreciation for the Village's visual environment and ensuring that signs harmonize with their surroundings and are consistent with the character of their community context;
6. Promote the use of graphics which are aesthetically pleasing, of appropriate scale, and integrated with surrounding buildings and landscaping, in order to meet the community's expressed desire for quality development;
7. Protect the value of the Village's architectural resources, by ensuring that the integrity of the architectural elements and character of buildings and sites to which signs principally relate is maintained;
8. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of streets in accordance with the downtown, Roosevelt Road and historic Stacy's Corners streetscape plans, and other public structures and spaces, are protected by exercising reasonable controls over the character and design of graphic structures;
9. Preserve the value of private property by assuring the compatibility of signs with surrounding land uses;
10. Promote economic development by encouraging a more attractive economic and business climate within the commercial areas of the Village;
11. Further the objectives of the comprehensive plan and downtown strategic plan;
12. Protect the general public from damage and injury caused by the faulty and uncontrolled construction and use of signs within the Village; and
13. Respect the rights of nearby property owners.

(Ord. 6215, 2-10-2014)

4-5-17. - Sign Code administration.

This chapter shall be administered in accordance with the following provisions:

- (A) *Type, size, location and number of signs:* Permitted sign types and the maximum surface area, maximum height, location and number of such signs are established for zoning districts as they are defined in the Zoning Code, and delineated on the zoning district map published annually by the Village. Each sign type permitted shall meet all the applicable standards in this chapter.
- (B) *Sign permit required:* Unless otherwise exempted from this chapter, no sign shall be erected, altered or relocated without a permit being issued by the Building and Zoning Official. When an electrical permit is required, it shall be obtained at the same time as the sign permit.
 - 1. *Permit exceptions:* No permit shall be required for repainting, cleaning and other normal maintenance or repair of a sign, or for changing copy on a sign specifically designed for the use of changeable copy.
 - 2. *Permit application:* Application for a permit shall be made to the Building and Zoning Official on the forms provided by the Village and shall include the following information:
 - (a) *Permit fees:* Every applicant shall pay the applicable permit fee set forth in this Code.
 - (b) *Identity:* Name, address, e-mail address and telephone number of applicant, person, firm, corporation or association submitting the application and the owner of the property if the property is not owned by the applicant.
 - (c) *Proof of ownership:* Proof of ownership in the form of a deed or title insurance policy for the property on which the sign is to be placed.
 - (d) *Location:* Location of the building, structure or parcel of property to which, or upon which, the sign is to be attached or erected.
 - (e) *Sign plan:* A plan showing the location of the proposed sign(s) and any other existing signs on the property in relation to nearby buildings, structures, access drives and parking spaces with the setback of the sign from any adjacent rights-of-way identified.

- (f) *Structural drawings:* Unless waived by the Building and Zoning Official, two copies of plans and specifications showing the method of construction, location and support. These plans must be sealed by a registered architect, structural engineer or registered professional engineer.
 - (g) *Sign elevation:* An elevation or sketch showing sign faces, exposed surfaces and proposed message thereof accurately represented in scale as to size, proportion, dimensions of letters and features, color and with the total square footage of the sign noted thereon.
 - (h) *Building elevation:* If the sign is to be placed on a building or other structure, an elevation or photo rendering drawn to scale shall be submitted showing the sign thereon.
 - (i) *Owner's consent:* If the sign is proposed to be placed on property not owned by the applicant, written consent of the owner(s) of the building, structure or land on which the sign is to be erected.
 - (j) *Indemnification:* The owner of the sign for any and all signage projecting over the public right-of-way shall indemnify and hold the Village harmless from any damage, cause of action or claim to be caused by the improper construction or maintenance of the sign.
 - (k) *Removal upon abandonment:* A statement that the sign owners agree to remove the sign at their own expense in the event the sign is abandoned as defined in subsection (E) of this section.
 - (l) *Other information:* Such other information as may be reasonably required by the Building and Zoning Official to show full compliance with this and all other ordinances of the Village.
- (C) *Issuance of permit:* It shall be the duty of the Building and Zoning Official or his or her designee, upon the filing of an application for a permit to examine such plans and specifications, and determine whether or not the proposed structure is in compliance with all requirements of this chapter and all other provisions of this Code, in which event a permit shall be issued. If the work authorized under the permit has not been initiated within six months and completed within 12 months after the date of issuance, the permit shall become null and void.

(D)

Removal of unsafe or unlawful sign: If the Building and Zoning Official shall find that any sign is unsafe, insecure or a menace to the public, or has been constructed, erected or maintained in violation of the provisions of this section, written notice shall be given to the property owner, sign owner or permittee thereof. If the property owner, sign owner or permittee fails to remove or alter the structure so as to comply with the standards herein set forth within 15 days after such notice, the Building and Zoning Official may cause the sign to be removed or repaired to place the sign in a safe condition pursuant to the corporate powers granted by the Illinois Municipal Code as amended. The Village may remove any sign illegally placed in the public right-of-way without prior notice.

(E) *Removal of abandoned sign:*

1. *Nonconforming sign:* If the Building and Zoning Official finds that a nonconforming sign is abandoned, the official shall give written notice to the permittee or owner to remove the sign. If the permittee or owner fails to remove or bring such sign and sign structure into conformance with this chapter within 30 days after such notice, the Building and Zoning Official may initiate judicial process to cause the sign to be removed, and the owner shall be subject to the general penalty provisions of this Code.
2. *Conforming sign:* If the Building and Zoning Official finds that a conforming sign is abandoned, the official shall give written notice to the permittee or owner thereof. If the permittee or owner fails to cover the sign face with an opaque single color material or remove the sign face within 30 days after such requirement notice, the Building and Zoning Official may initiate judicial process to cause the sign to be removed, and the owner shall be subject to the general penalty provisions of this Code.

(F) *Enforcement official:*

1. The Planning and Development Director is hereby authorized and directed to enforce all of the provisions of this chapter. Upon presentation of proper credentials, the Planning and Development

Director, or a duly authorized representative, may enter, at reasonable times, any building, structure or premises in the Village to perform any duty imposed by this chapter.

2. Where there is any ambiguity or dispute concerning the interpretation of this chapter, the interpretation of the Planning and Development Director shall prevail, subject to appeal as provided herein.

(G) *Sign variation request:*

1. *Manner of requesting:*

- (a) Any person seeking a variation from this chapter shall file an application with the Planning and Development Director who shall, in a timely manner, place the request on an agenda for the Plan Commission to consider at a public hearing. The Plan Commission shall act in an advisory capacity and make a recommendation on the request to the Village Board of Trustees. Upon receiving a recommendation from the Plan Commission, the request shall be scheduled for consideration by the Village Board in a timely manner. The Village Board shall then approve, approve with conditions or deny the application.
- (b) An application for variation must be filed with the Director of Planning and Development on the forms provided by the Village and shall contain at least the following:
 - (1) *Application fee:* Every applicant shall pay the applicable application fee for a sign variation request set forth in this Code.
 - (2) *Sign variation application:* A completed sign variation application, including information about how the request complies with the standards for granting approval of a sign variation set forth in subsection (G)3. of this section.
 - (3) *Identity:* Name, address, e-mail address and telephone number of applicant, person, firm, corporation or association proposing to install the sign and the owner of the property if the property is not owned by the applicant.

- (4)

Proof of ownership: Proof of ownership in the form of a deed or title insurance policy for the property on which the sign is proposed.

- (5) *Legal description:* A current legal description of the property.
- (6) *Location:* Location of the building, structure or parcel of property to which, or upon which, the sign is to be attached or erected.
- (7) *Sign plan:* A dimensioned plan showing the location of the proposed sign(s) and all other existing signage on the property in relation to nearby buildings, structures, drive aisles and parking spaces with the setback of the sign(s) from any adjacent rights-of-way identified.
- (8) *Sign elevation:* An elevation or sketch showing sign faces, exposed surfaces and proposed message thereof accurately represented in scale as to size, proportion, dimensions of letters and features, color and with the total square footage of the sign noted thereon measured from ground level.
- (9) *Building elevation:* If the sign is to be placed on a building or other structure, an elevation or photo rendering drawn to scale shall be submitted showing the sign thereon and indicating the height of the sign.
- (10) *Owner's consent:* If the sign is proposed to be placed on property not owned by the applicant, written consent of the owner(s) of the building, structure or land on which the sign is proposed granting the applicant the right to file the variation request.
- (11) *Design information:* A description of the proposed kind, color and texture of materials, including cut sheets, pictures or samples as may be deemed appropriate by the Planning and Development Director.
- (12) *Landscape plan:* A landscape plan shall be provided if a freestanding sign is proposed.
- (13)

Other information: Such other information as may be reasonably required by the Planning and Development Director.

- (c) Any entity which, by reason of unique circumstances relating to a geographic area larger than 25 acres which requires regulations beyond the application and scope of the specific provisions in this chapter, may be deemed a special sign district and may apply to the Village Board for approval of a comprehensive sign plan. Said plan shall include all proposed signs for which the entity seeks approval, the sections of this chapter for which any variations are requested and a statement of the need for the signage and its relation to the district.
- 2. *Hearing:* The Plan Commission will conduct a public hearing at a regularly scheduled meeting to consider the request. Said hearing shall be duly advertised in a newspaper with a general circulation within the municipality not less than 15 nor more than 30 days before the hearing.
- 3. *Evidence and findings:* The applicant or his or her representative is required to attend the hearing and present the case.
 - (a) The Plan Commission shall conduct an evidentiary hearing and shall not recommend approval of the request unless the commission makes positive findings based on the evidence presented that all of the following standards have been met:
 - (1) The request complies with the statement of purpose found in section 4-5-2 of this chapter; and
 - (2) The plight of the owner is based on unique circumstances due to an unusual physical limitation, such as an irregular lot shape, substantial lot depth, unusual geographic location, exceptional topographic feature, or other condition, that is peculiar to the subject property or establishment and the conditions upon which the request is based are not generally applicable to other property within the same zoning district; and
 - (3)

The variation, if granted, would have no adverse impact on property values in the surrounding area or be injurious to other property or improvements in the neighborhood in which the property is located; and

- (4) The variation, if granted, would have no adverse impact on the existing or desired character of the surrounding area; and
 - (5) The variation, if granted, would not endanger the public health, safety or welfare.
 - (b) For the purpose of supplementing the above standards, the Plan Commission, in making its findings and recommendation may also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:
 - (1) That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.
 - (2) That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property or by the applicant.
 - (3) That the variation is the minimum variation necessary.
 - (4) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
 - (c) A showing that the granting of the requested variation would be more profitable to the applicant or that the sign would be more valuable if the requested variation granted is not grounds for granting approval of a variation.
4. *Conditions and restrictions:* The Plan Commission may recommend and the Village Board may require such conditions and restrictions upon the premises benefited by a sign variation as may be necessary in their opinion to comply with the standards set forth in this section, to reduce or minimize any injurious effects of such sign variation upon other property in the neighborhood, to implement the general purpose and

intent of this chapter or to bring the existing or proposed signs on the property into compliance or closer into compliance with this chapter and the Village's appearance review guidelines.

5. *Ordinance:* All variations shall be granted only by the adoption and approval of an ordinance. Violation of any condition or limitation set forth in an approved ordinance shall be a violation of this chapter and shall constitute grounds for revocation of the variance.
6. *Sign variation:* The granting of a sign variation shall not authorize construction or maintenance of any sign, but shall merely authorize the preparation, filing and processing of a sign permit application.

(H) *Appeals:*

1. *Notice of appeals:* Any person aggrieved by a decision of the Planning and Development Director may appeal to the Village Board of Trustees by a written notice to the Village Manager. Such appeal must be filed within ten working days of the action being appealed.
2. *Stay pending appeal:* The Planning and Development Director shall take no further action on the matter pending the Village Board's decision, except for unsafe signs which present an immediate and serious danger to the public.
3. *Appeals promptly heard:* The appeal shall be heard by the Village Board in a timely manner, and that body may affirm, reverse or modify the action of the Building and Zoning Official.

(I) *Legal nonconforming signs:*

1. *Defined:* Signs legally existing at the time of the enactment of this chapter and not conforming to its provisions shall be regarded as legal nonconforming signs.
2. *Statement of policy:* It is not the intent of this chapter to encourage the survival of legal nonconforming signs but rather to bring such signs into conformance with the provisions of this chapter. Legal nonconforming signs are permitted to continue, subject to the following provisions.
3. *Restrictions on legal nonconforming signs:* Legal nonconforming signs shall not be:
 - (a) Reestablished if the sign has been abandoned for a period of 30 consecutive days.

- (b) Expanded, enlarged, re-erected, replaced or, except for changing signs, altered in copy (including the replacement of the sign face).
 - (c) Reconstructed after damage or destruction to an extent equal to or more than 50 percent of the sign's original value, as determined by the Planning and Development Director.
 - (d) Moved in whole or part to another location unless the sign is made to conform to all regulations in this chapter.
 - (e) Structurally altered so as to prolong the life of the sign.
- 4. *Monument signs:* Any monument sign that does not conform to this chapter shall not be required to be brought into compliance upon replacement of the sign face if the only nonconformity is the height of the base.
- 5. *Construction of new building:* In the event of the construction of a new building, any building addition that increases the gross floor area of an existing building by 25 percent or more, or any exterior remodeling, renovation or rehabilitation of a building that triggers the requirement for exterior appearance review, shall require all nonconforming signs on the premises to be brought into conformance with the provisions of this chapter.
- 6. *Maintenance:*
 - (a) Normal repair and maintenance shall be allowed.
 - (b) Immediately upon the removal of a sign, the wall, structure or other appurtenances previously used to support the sign shall be repaired so as to return the building, structure or site to the condition it was in prior to installation of the sign. Specifically, any remaining holes in a wall must be repaired in kind, no wires shall be left exposed and the ground around a removed freestanding sign shall be graded and planted with grass or other landscaping.
- (j) *Penalties and interpretation:*
 - 1. *Penalties:* Any person who violates any of the provisions of this chapter shall be subject to the general penalty provision set forth in title 1, chapter 4 of this Code for each violation, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues; and

2. *Interpretation:* Should any regulation in this chapter be in conflict with provisions of any other lawfully adopted rule, regulation or ordinance, the more restrictive provision shall prevail.
- (K) *Severability:* If any section, subsection, sentence, clause or phrase of this chapter is held to be invalid by a court of competent jurisdiction, then all remaining parts, which are severable from the invalid parts, shall be valid and remain in effect.

(Ord. 6215, 2-10-2014; Ord. 6519, 7-24-2017)

4-5-17. - Sign Code administration.

This chapter shall be administered in accordance with the following provisions:

- (A) *Type, size, location and number of signs:* Permitted sign types and the maximum surface area, maximum height, location and number of such signs are established for zoning districts as they are defined in the Zoning Code, and delineated on the zoning district map published annually by the Village. Each sign type permitted shall meet all the applicable standards in this chapter.
- (B) *Sign permit required:* Unless otherwise exempted from this chapter, no sign shall be erected, altered or relocated without a permit being issued by the Building and Zoning Official. When an electrical permit is required, it shall be obtained at the same time as the sign permit.
 - 1. *Permit exceptions:* No permit shall be required for repainting, cleaning and other normal maintenance or repair of a sign, or for changing copy on a sign specifically designed for the use of changeable copy.
 - 2. *Permit application:* Application for a permit shall be made to the Building and Zoning Official on the forms provided by the Village and shall include the following information:
 - (a) *Permit fees:* Every applicant shall pay the applicable permit fee set forth in this Code.
 - (b) *Identity:* Name, address, e-mail address and telephone number of applicant, person, firm, corporation or association submitting the application and the owner of the property if the property is not owned by the applicant.
 - (c) *Proof of ownership:* Proof of ownership in the form of a deed or title insurance policy for the property on which the sign is to be placed.
 - (d) *Location:* Location of the building, structure or parcel of property to which, or upon which, the sign is to be attached or erected.
 - (e) *Sign plan:* A plan showing the location of the proposed sign(s) and any other existing signs on the property in relation to nearby buildings, structures, access drives and parking spaces with the setback of the sign from any adjacent rights-of-way identified.

- (f) *Structural drawings:* Unless waived by the Building and Zoning Official, two copies of plans and specifications showing the method of construction, location and support. These plans must be sealed by a registered architect, structural engineer or registered professional engineer.
 - (g) *Sign elevation:* An elevation or sketch showing sign faces, exposed surfaces and proposed message thereof accurately represented in scale as to size, proportion, dimensions of letters and features, color and with the total square footage of the sign noted thereon.
 - (h) *Building elevation:* If the sign is to be placed on a building or other structure, an elevation or photo rendering drawn to scale shall be submitted showing the sign thereon.
 - (i) *Owner's consent:* If the sign is proposed to be placed on property not owned by the applicant, written consent of the owner(s) of the building, structure or land on which the sign is to be erected.
 - (j) *Indemnification:* The owner of the sign for any and all signage projecting over the public right-of-way shall indemnify and hold the Village harmless from any damage, cause of action or claim to be caused by the improper construction or maintenance of the sign.
 - (k) *Removal upon abandonment:* A statement that the sign owners agree to remove the sign at their own expense in the event the sign is abandoned as defined in subsection (E) of this section.
 - (l) *Other information:* Such other information as may be reasonably required by the Building and Zoning Official to show full compliance with this and all other ordinances of the Village.
- (C) *Issuance of permit:* It shall be the duty of the Building and Zoning Official or his or her designee, upon the filing of an application for a permit to examine such plans and specifications, and determine whether or not the proposed structure is in compliance with all requirements of this chapter and all other provisions of this Code, in which event a permit shall be issued. If the work authorized under the permit has not been initiated within six months and completed within 12 months after the date of issuance, the permit shall become null and void.
- (D)

Removal of unsafe or unlawful sign: If the Building and Zoning Official shall find that any sign is unsafe, insecure or a menace to the public, or has been constructed, erected or maintained in violation of the provisions of this section, written notice shall be given to the property owner, sign owner or permittee thereof. If the property owner, sign owner or permittee fails to remove or alter the structure so as to comply with the standards herein set forth within 15 days after such notice, the Building and Zoning Official may cause the sign to be removed or repaired to place the sign in a safe condition pursuant to the corporate powers granted by the Illinois Municipal Code as amended. The Village may remove any sign illegally placed in the public right-of-way without prior notice.

(E) *Removal of abandoned sign:*

1. *Nonconforming sign:* If the Building and Zoning Official finds that a nonconforming sign is abandoned, the official shall give written notice to the permittee or owner to remove the sign. If the permittee or owner fails to remove or bring such sign and sign structure into conformance with this chapter within 30 days after such notice, the Building and Zoning Official may initiate judicial process to cause the sign to be removed, and the owner shall be subject to the general penalty provisions of this Code.
2. *Conforming sign:* If the Building and Zoning Official finds that a conforming sign is abandoned, the official shall give written notice to the permittee or owner thereof. If the permittee or owner fails to cover the sign face with an opaque single color material or remove the sign face within 30 days after such requirement notice, the Building and Zoning Official may initiate judicial process to cause the sign to be removed, and the owner shall be subject to the general penalty provisions of this Code.

(F) *Enforcement official:*

1. The Planning and Development Director is hereby authorized and directed to enforce all of the provisions of this chapter. Upon presentation of proper credentials, the Planning and Development

Director, or a duly authorized representative, may enter, at reasonable times, any building, structure or premises in the Village to perform any duty imposed by this chapter.

2. Where there is any ambiguity or dispute concerning the interpretation of this chapter, the interpretation of the Planning and Development Director shall prevail, subject to appeal as provided herein.

(G) *Sign variation request:*

1. *Manner of requesting:*

- (a) Any person seeking a variation from this chapter shall file an application with the Planning and Development Director who shall, in a timely manner, place the request on an agenda for the Plan Commission to consider at a public hearing. The Plan Commission shall act in an advisory capacity and make a recommendation on the request to the Village Board of Trustees. Upon receiving a recommendation from the Plan Commission, the request shall be scheduled for consideration by the Village Board in a timely manner. The Village Board shall then approve, approve with conditions or deny the application.
- (b) An application for variation must be filed with the Director of Planning and Development on the forms provided by the Village and shall contain at least the following:
 - (1) *Application fee:* Every applicant shall pay the applicable application fee for a sign variation request set forth in this Code.
 - (2) *Sign variation application:* A completed sign variation application, including information about how the request complies with the standards for granting approval of a sign variation set forth in subsection (G)3. of this section.
 - (3) *Identity:* Name, address, e-mail address and telephone number of applicant, person, firm, corporation or association proposing to install the sign and the owner of the property if the property is not owned by the applicant.
 - (4)

Proof of ownership: Proof of ownership in the form of a deed or title insurance policy for the property on which the sign is proposed.

- (5) *Legal description:* A current legal description of the property.
- (6) *Location:* Location of the building, structure or parcel of property to which, or upon which, the sign is to be attached or erected.
- (7) *Sign plan:* A dimensioned plan showing the location of the proposed sign(s) and all other existing signage on the property in relation to nearby buildings, structures, drive aisles and parking spaces with the setback of the sign(s) from any adjacent rights-of-way identified.
- (8) *Sign elevation:* An elevation or sketch showing sign faces, exposed surfaces and proposed message thereof accurately represented in scale as to size, proportion, dimensions of letters and features, color and with the total square footage of the sign noted thereon measured from ground level.
- (9) *Building elevation:* If the sign is to be placed on a building or other structure, an elevation or photo rendering drawn to scale shall be submitted showing the sign thereon and indicating the height of the sign.
- (10) *Owner's consent:* If the sign is proposed to be placed on property not owned by the applicant, written consent of the owner(s) of the building, structure or land on which the sign is proposed granting the applicant the right to file the variation request.
- (11) *Design information:* A description of the proposed kind, color and texture of materials, including cut sheets, pictures or samples as may be deemed appropriate by the Planning and Development Director.
- (12) *Landscape plan:* A landscape plan shall be provided if a freestanding sign is proposed.
- (13)

Other information: Such other information as may be reasonably required by the Planning and Development Director.

- (c) Any entity which, by reason of unique circumstances relating to a geographic area larger than 25 acres which requires regulations beyond the application and scope of the specific provisions in this chapter, may be deemed a special sign district and may apply to the Village Board for approval of a comprehensive sign plan. Said plan shall include all proposed signs for which the entity seeks approval, the sections of this chapter for which any variations are requested and a statement of the need for the signage and its relation to the district.
- 2. *Hearing:* The Plan Commission will conduct a public hearing at a regularly scheduled meeting to consider the request. Said hearing shall be duly advertised in a newspaper with a general circulation within the municipality not less than 15 nor more than 30 days before the hearing.
- 3. *Evidence and findings:* The applicant or his or her representative is required to attend the hearing and present the case.
 - (a) The Plan Commission shall conduct an evidentiary hearing and shall not recommend approval of the request unless the commission makes positive findings based on the evidence presented that all of the following standards have been met:
 - (1) The request complies with the statement of purpose found in section 4-5-2 of this chapter; and
 - (2) The plight of the owner is based on unique circumstances due to an unusual physical limitation, such as an irregular lot shape, substantial lot depth, unusual geographic location, exceptional topographic feature, or other condition, that is peculiar to the subject property or establishment and the conditions upon which the request is based are not generally applicable to other property within the same zoning district; and
 - (3)

The variation, if granted, would have no adverse impact on property values in the surrounding area or be injurious to other property or improvements in the neighborhood in which the property is located; and

- (4) The variation, if granted, would have no adverse impact on the existing or desired character of the surrounding area; and
 - (5) The variation, if granted, would not endanger the public health, safety or welfare.
 - (b) For the purpose of supplementing the above standards, the Plan Commission, in making its findings and recommendation may also take into consideration the extent to which the evidence establishes or fails to establish the following facts favorably to the applicant:
 - (1) That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.
 - (2) That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property or by the applicant.
 - (3) That the variation is the minimum variation necessary.
 - (4) That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
 - (c) A showing that the granting of the requested variation would be more profitable to the applicant or that the sign would be more valuable if the requested variation granted is not grounds for granting approval of a variation.
4. *Conditions and restrictions:* The Plan Commission may recommend and the Village Board may require such conditions and restrictions upon the premises benefited by a sign variation as may be necessary in their opinion to comply with the standards set forth in this section, to reduce or minimize any injurious effects of such sign variation upon other property in the neighborhood, to implement the general purpose and

intent of this chapter or to bring the existing or proposed signs on the property into compliance or closer into compliance with this chapter and the Village's appearance review guidelines.

5. *Ordinance:* All variations shall be granted only by the adoption and approval of an ordinance. Violation of any condition or limitation set forth in an approved ordinance shall be a violation of this chapter and shall constitute grounds for revocation of the variance.
6. *Sign variation:* The granting of a sign variation shall not authorize construction or maintenance of any sign, but shall merely authorize the preparation, filing and processing of a sign permit application.

(H) *Appeals:*

1. *Notice of appeals:* Any person aggrieved by a decision of the Planning and Development Director may appeal to the Village Board of Trustees by a written notice to the Village Manager. Such appeal must be filed within ten working days of the action being appealed.
2. *Stay pending appeal:* The Planning and Development Director shall take no further action on the matter pending the Village Board's decision, except for unsafe signs which present an immediate and serious danger to the public.
3. *Appeals promptly heard:* The appeal shall be heard by the Village Board in a timely manner, and that body may affirm, reverse or modify the action of the Building and Zoning Official.

(I) *Legal nonconforming signs:*

1. *Defined:* Signs legally existing at the time of the enactment of this chapter and not conforming to its provisions shall be regarded as legal nonconforming signs.
2. *Statement of policy:* It is not the intent of this chapter to encourage the survival of legal nonconforming signs but rather to bring such signs into conformance with the provisions of this chapter. Legal nonconforming signs are permitted to continue, subject to the following provisions.
3. *Restrictions on legal nonconforming signs:* Legal nonconforming signs shall not be:
 - (a) Reestablished if the sign has been abandoned for a period of 30 consecutive days.

- (b) Expanded, enlarged, re-erected, replaced or, except for changing signs, altered in copy (including the replacement of the sign face).
 - (c) Reconstructed after damage or destruction to an extent equal to or more than 50 percent of the sign's original value, as determined by the Planning and Development Director.
 - (d) Moved in whole or part to another location unless the sign is made to conform to all regulations in this chapter.
 - (e) Structurally altered so as to prolong the life of the sign.
- 4. *Monument signs:* Any monument sign that does not conform to this chapter shall not be required to be brought into compliance upon replacement of the sign face if the only nonconformity is the height of the base.
- 5. *Construction of new building:* In the event of the construction of a new building, any building addition that increases the gross floor area of an existing building by 25 percent or more, or any exterior remodeling, renovation or rehabilitation of a building that triggers the requirement for exterior appearance review, shall require all nonconforming signs on the premises to be brought into conformance with the provisions of this chapter.
- 6. *Maintenance:*
 - (a) Normal repair and maintenance shall be allowed.
 - (b) Immediately upon the removal of a sign, the wall, structure or other appurtenances previously used to support the sign shall be repaired so as to return the building, structure or site to the condition it was in prior to installation of the sign. Specifically, any remaining holes in a wall must be repaired in kind, no wires shall be left exposed and the ground around a removed freestanding sign shall be graded and planted with grass or other landscaping.
- (j) *Penalties and interpretation:*
 - 1. *Penalties:* Any person who violates any of the provisions of this chapter shall be subject to the general penalty provision set forth in title 1, chapter 4 of this Code for each violation, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues; and

2. *Interpretation:* Should any regulation in this chapter be in conflict with provisions of any other lawfully adopted rule, regulation or ordinance, the more restrictive provision shall prevail.

(K) *Severability:* If any section, subsection, sentence, clause or phrase of this chapter is held to be invalid by a court of competent jurisdiction, then all remaining parts, which are severable from the invalid parts, shall be valid and remain in effect.

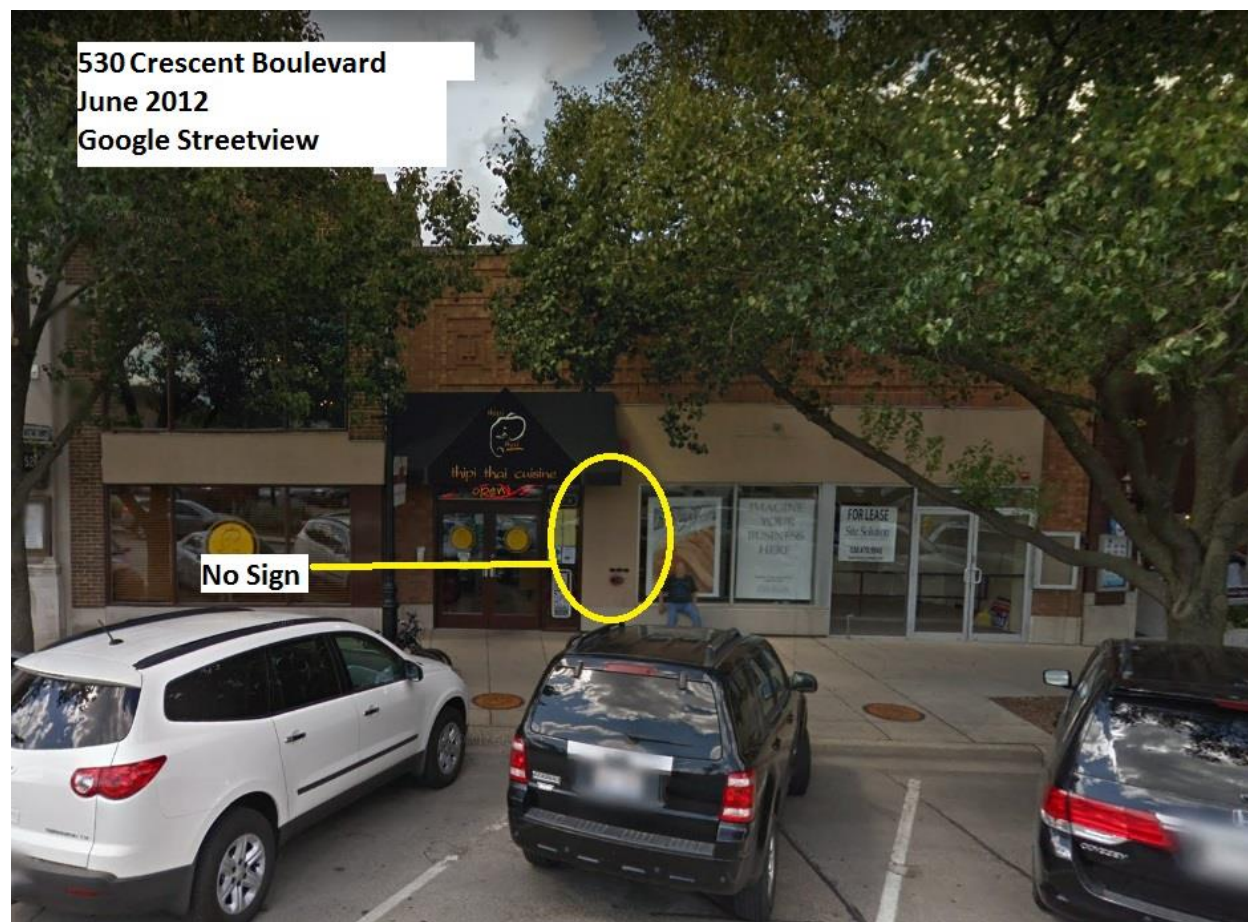
(Ord. 6215, 2-10-2014; Ord. 6519, 7-24-2017)

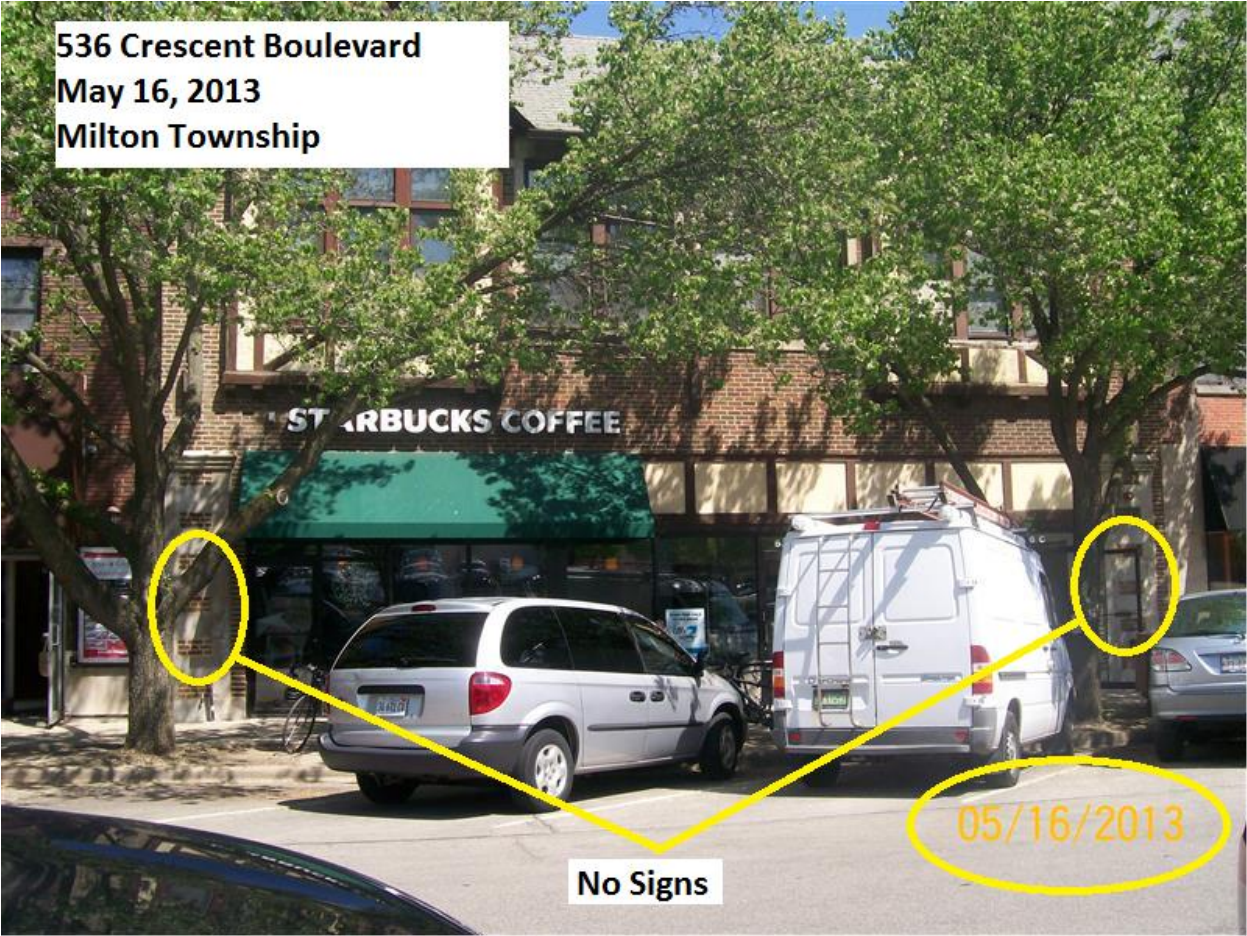
427 North Main Street



530 Crescent Boulevard







Surveyed Communities

Wheaton
Lombard
Lisle
Warrenville
Glendale Heights
Addison
Naperville
Elmhurst
Downers Grove
Clarendon Hills
Carol Stream
Winfield
Westmont
Western Springs
Bloomingtondale



Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 09/17/18 07:00 PM
Department: Glen Ellyn Village Board
Department Head: Angela Andrianopoulos
Category: Discussion Item
Prepared By: Angela Andrianopoulos

SCHEDULED

AGENDA ITEM (ID # 3563)

DOC ID: 3563

Police Chief Norton will present proposed parking technology updates for the Duane Lorraine daily lot.

Background

Staff has been exploring an electronic parking payment application for the Duane and Lorraine parking lot called *Passport*. The Duane and Lorraine parking lot utilizes a manual payment box which is located at the intersection of the Prairie Path and Prospect Ave. The use of manual payment boxes is old technology. In today's fast paced world, people desire and expect a hassle free way to pay for parking. Through the use of Passport, motorists can pay for a parking space without having to visit a payment box. They can simply use their smartphones for payment any point after they have parked. For example, users of the system could pay for their parking space while riding on the train.

Village Manager Mark Franz, Accounts Manager Michelle Urbina, Parking Officer Rick Perez, Chief Philip Norton and Deputy Chief Kurt Vavra attended a presentation by Passport and a company called Total Parking Solutions, Inc. (TPS). Following the presentation, the group felt the two products would be a good fit for the Duane and Lorraine parking lot. TPS sells Cale brand electronic payment kiosks. They can be used by motorists that do not possess a smartphone or those that prefer to pay by credit card or cash. (It should be noted, Passport has an exclusive agreement with TPS which prohibits the use of other kiosk vendors. See attachment.) As Passport works exclusively with TPS, the purchase of kiosks through TPS would be considered a sole source purchase and would require waiver of competitive bidding when the purchase goes before the Village Board.

The following municipalities are using TPS kiosks on the Union Pacific West Metra train line; La Fox, West Chicago, Winfield, Lombard, Villa Park, Elmhurst, Berkeley and Oak Park. The attached TPS Metra transit map shows additional Chicagoland communities using kiosks provided by TPS. The City of Wheaton does not use TPS kiosks. However, the private parking garage of Wheaton Center does use TPS kiosks. They allow Metra users to park in their private parking spaces. The use of Passport and TPS kiosks would provide more consistency for travelers utilizing the Union Pacific West line.

Passport receives revenue through convenience fees. They receive \$0.37 per paid parking space and \$3.00 per citation paid through Passport. These fees are paid in addition to the \$2.00 daily parking fee and \$15.00 fine amount paid to the Village. Fines can still be paid at the Police Department to avoid the \$3.00 convenience fee from Passport. Passport provides two printers at no charge. The table on the following page shows what costs the Village may incur to use Passport. The cellular

costs for the phone will be recurring. The paper rolls should last several years if Passport is only used in the Duane Lorraine parking lot. The remainder of the items will not be annual purchases.

<i>Item</i>	<i>Cost</i>	<i>Optional</i>
Android Phone	\$431.88/year	
100 Rolls of Citation Paper (accommodates 7000 citations)*	\$300.00	
Printer Case	\$50.00	X
Printer Strap	\$10.00	X
Printer Battery	\$75.00	X
Battery Charger	\$30.00	X
Car Charger	\$30.00	X
One Year Total (All Items)	\$926.88	

*198 citations issued in the Duane and Lorraine parking lot in 2017.

Should the Village use Passport for payment processing, there is a \$0.05 gateway fee per credit card transaction and a merchant processing fee of 2.9% + \$0.25 per transaction.

Consideration needs to be given to users of the parking lot that do not have smart phones. To accommodate those users, payment kiosks would be needed. The costs associated with using two electronic payment kiosks are noted in the table below. The most convenient location for the electronic kiosk is the northeast corner of the parking lot. This location unfortunately lacks a power source. The current location of the payment boxes was considered, however, there is not a 24/7 power source at that location. Additionally, the underground conduit is at capacity and there is not enough room to add new wires. Mike Zitzka with the Public Works Department estimated it would cost approximately \$20,000 to bore from the electrical box at the entrance of the parking lot to the northeast corner of the parking lot. A concrete pad would also need to be poured in order to mount the kiosks. At the time of this memorandum, formal quotes for the electrical and concrete work have not been completed. TPS provided a quote of \$23,100 to purchase and install two kiosks.

<i>Item</i>	<i>Cost</i>	<i>Recurring Cost</i>
TPS Payment Kiosks (2) - Includes Installation	\$23,100	
Underground Boring and Electrical Work	\$20,000 (estimate)	
Concrete Pad 2' X 2'	TBD	
Service and Maintenance (after first year)	\$1,380 per device	X
Total	TBD	

It should be noted, the Police Department is also looking to upgrade our current parking ticket management system called Dacra. The current Dacra platform the Police Department uses is being retired in 2019. If the Department upgrades to a newer version of Dacra and uses Passport, the result would be less data entry for the Records Division. Currently, parking citations are entered manually into Dacra. The use of Dacra is mentioned in this document because it is currently under consideration for an upgrade.

Staff met with employees of the Village of Downers Grove which utilizes Passport and Cale brand kiosks supplied by TPS. The police and finance departments both reported the use of Passport and Cale payment kiosks has been a great experience for the users and the village. They reported no complaints and gave favorable recommendations for Passport and TPS.

Recommendation

It is recommended the Village utilize Passport to enhance the parking experience for users of the Duane and Lorraine parking lot. Additionally, it is recommended two payment kiosks be installed at the northeast corner of the Duane and Lorraine parking lot. Options to be considered are:

- ☐ Use Passport in conjunction with electronic payment kiosks
- ☐ Use Passport without electronic payment kiosks
- ☐ Use Passport without electronic payment kiosks but continue to use the existing payment boxes

Staff is looking for direction on these items as we continue to assess specific cost details. In addition, staff will continue to evaluate how an updated parking system can enhance record management and enforcement capabilities.

Please let me know if you have any questions.

Attachments

- ☐ Passport Information Documents Including Price Sheet
- ☐ Passport Chicagoland Client List
- ☐ TPS Parking Kiosk Proposal
- ☐ Passport and TPS exclusive agreement
- ☐ TPS Metra Transit Map

Agenda Item (ID # 3563)

Meeting of September 17, 2018

☐ TPS Illinois Customer List

ATTACHMENTS:

- Passport - Parking Technology Update (PDF)



Item		Price (USD)
Parking by Passport	→ Android Application → iOS Application → Mobile-Optimized Website → Closed-Loop Wallet → Unlimited ongoing upgrades and enhancements	Convenience Fee, Paid by the Parker \$0.37
OpsMan Mobile	→ Android Application → Dynamic LPN Lookups → Integration with DMV Data → Scofflaw Notifications → Electronic Chalking → Unlimited ongoing upgrades and enhancements	Annual License Fee <i>waived</i>
OpsMan	→ Heat Mapping of Citation Density → Live Officer Route Tracking → Real time access to active parking sessions → Reporting Access¹ ◆ 20 <i>Parking</i> Reports ◆ 17 Current Citation Reports ◆ 3 Administrative Reports ◆ Ad hoc and custom reports → Unlimited Administrators → Unlimited Access to Passport's Knowledge Base ◆ FAQs ◆ Training Videos ◆ Community Forum	Annual License Fee waived
RMCPay	→ Citation Payment Portal → Online Appeals → In-App Citation Payments	Convenience Fee per Citation Paid Online \$3.00
Delinquency Notices	→ Automatic Notification Mailing → DMV Lookups	Fee per Letter Sent: \$1.50
		Percentage of Delinquent Citation Fees Collected: 30%

¹ Passport continues to update and iterate its products and may develop alternative solutions to its reporting structure, which may cause the exact numbers listed below to change.



Hardware		→ Zebra ZQ320 Bluetooth Printer	\$600/device
		◆ Charger	2 included
		◆ Battery	
		◆ Shoulder Strap	
		◆ 1 Roll of Blank Paper	
		→ Configuration (if not provided directly by Passport)	\$300.00/device
		→ Paper	Custom
		◆ 70 citations/roll	\$8.00/roll
		◆ Minimum 100 roll order	Blank
			\$3.00/roll
Payment Processing	Gateway	→ Passport Gateway	\$0.05/transaction ²
	Merchant Processing	→ Secure Payment Processing	2.9% + \$0.25/transaction
Service Delivery	Project Management	→ Dedicated Project Manager	Included
		→ Implementation Specialist	
		→ Project Plan	
		→ Weekly Calls	
	Configurations	→ Zone Setup	Included
		→ Rate Setup	
		→ Rate Testing	
		→ Citation Setup	
		→ Escalation Schedule Setup	
		→ Escalation Schedule Testing	
		→ Transfer of All Outstanding Citations	
		→ Administrator role creation and setup	
	Training	→ Passport Overview	Remote waived
		→ Enforcement Introduction	
		→ OpsMan Mobile	
		→ RMCPay Portal	
		→ <i>Parking</i> Introduction	On-Site³ \$895.00/day
		→ <i>Parking</i> Consumer Experience	
		→ <i>Parking</i> Configurations	
		→ Customer Support	
		→ Operator Management	

² Bundled gateway costs. To use only Passport's gateway and not Merchant Processing services, the gateway fee is \$0.10/transaction.

³ On-site training is optional, all training can be effectively done remotely.



	Integrations	→ Merchant Processor Integration⁴ → Meter Integration → Unlimited access to 40+ active integrations	
	Expansions	→ Tools and assistance for location additions	
	Expedited Development ⁵	→ Product Manager → Project Timeline → Full Stack Engineers	\$250.00/ hour
Support	End User Support	→ Tier Three End User Support → Customer Support Representatives → Live Body Support 7 days a week	
	Client Support	→ Product Support Specialists for technical support 7 days a week → Dedicated Client Success Manager for system updates	

Zebra/Samsung Optional Accessory Pricing

ZQ320 Case	\$50.00
ZQ320 Strap	\$10.00
ZQ320 4 Charger Rack	\$275.00

⁴ With any of the 15+ Merchant Processors that Passport currently maintains integrations with.

⁵ The Client may request new features or functionality to be built into the system, and, to the extent that Passport plans to incorporate such requested new features or functionality into the Software, Passport will develop such features and functionality at no cost to the Client. If the Client's requested features or functionality are created for the Client's use, are not contemplated in the scope of work, and are not incorporated into the Software, Passport may, at its sole discretion, charge Provider custom development fee of two hundred and fifty dollars (\$250.00) per hour for the development of such features or functionality and a monthly maintenance fee that will be mutually agreed between the Parties and reduced to a written addendum to this Agreement that the Parties must execute.



ZQ320 Battery	\$75.00
ZQ320 Charger	\$30.00
ZQ320 Car Charger	\$30.00

• Over 70 clients in Chicagoland!

To name a few...

- | | |
|-----------------|-------------------|
| • Oak Park | • Crystal Lake |
| • Orland Park | • Harvard |
| • Downers Grove | • Barrington |
| • Hinsdale | • Buffalo Grove |
| • Joliet | • Forest Park |
| • Evanston | • Glenview |
| • River Forest | • La Grange |
| • Elmhurst | • Palatine |
| • Blue Island | • Richton Park |
| • Deerfield | • Brookfield |
| • Oak Lawn | • Clarendon Hills |



Total Parking Solutions Inc.

**Village of Glen Ellyn
Parking Equipment Proposal
August 6, 2018**

Equipment

2 Cale CWT BA Pay by Space Terminal \$ 22,850.00

Cabinet stainless steel construction - black, AC powered with battery backup, includes card reader, CashCode bill acceptor, 1,000 note capacity canister, spare note and coin canisters, 400w a/c heater, keypad for multi-space w/communication board, fully programmable 3" x 6" anti-glare color display, vandal resistant Lexan protected, backlit LCD with light sensor, GSM modem and antennae, one roll receipt paper, instruction graphics, installation hardware, training for collection and first line maintenance, F.O.B. Glen Ellyn, one year warranty and parts and service

Installation, terminal mounting, and activation \$ 250.00

Total Equipment and installation \$ 23,100.00

Cale "WebOffice" Central Management System

Provides cellular communication for:

- real time credit card payment processing, PCI compliant
- alarms and warnings sent via SMS text or e-mail to owner and/or service technician
- remote access to maintenance, statistical and financial reporting (built-in report generator can export data as Excel or PDF files)
- remote enforcement via web-enabled device (i.e., Iphone, Droid, Ipad, laptop)
- "Passport" pay by phone integration

\$ 80.00 per terminal per month, \$ 960.00 per terminal annually

Service and Maintenance

Year one included
Year two \$ 1,380.00 per unit

Service and maintenance includes all parts and labor, quarterly preventive maintenance inspection and cleaning visits per year. No limit on service calls during normal business hours.

Per Terminal \$1,380.00 per year **\$ 2,760.00 annually**

TERMS AND CONDITIONS

<i>Delivery</i>	<i>typically 4 to 6 weeks after order F.O.B. job site</i>
<i>Payment Terms</i>	<i>50% billable upon placement of order, balance due upon completion of installation</i>
<i>Notes</i>	<i>For AC powered, 110-volt power must be provided to point of terminal mounting, does not include any necessary concrete work</i>

Proposed by:

Total Parking Solutions, Inc.



Joseph Smith
President of Sales/Co-Owner

Accepted by:

Date

Title



Total Parking Solutions, Inc.

July 25, 2018

This is to confirm that Total Parking Solutions, Inc. of Downers Grove, IL is in an exclusive agreement for the State of Illinois with Passport, Inc. Passport will be the only provider for Mobile Payment solutions, Digital Permits, Citation Management and Enforcement to Total Parking Solutions, Inc.

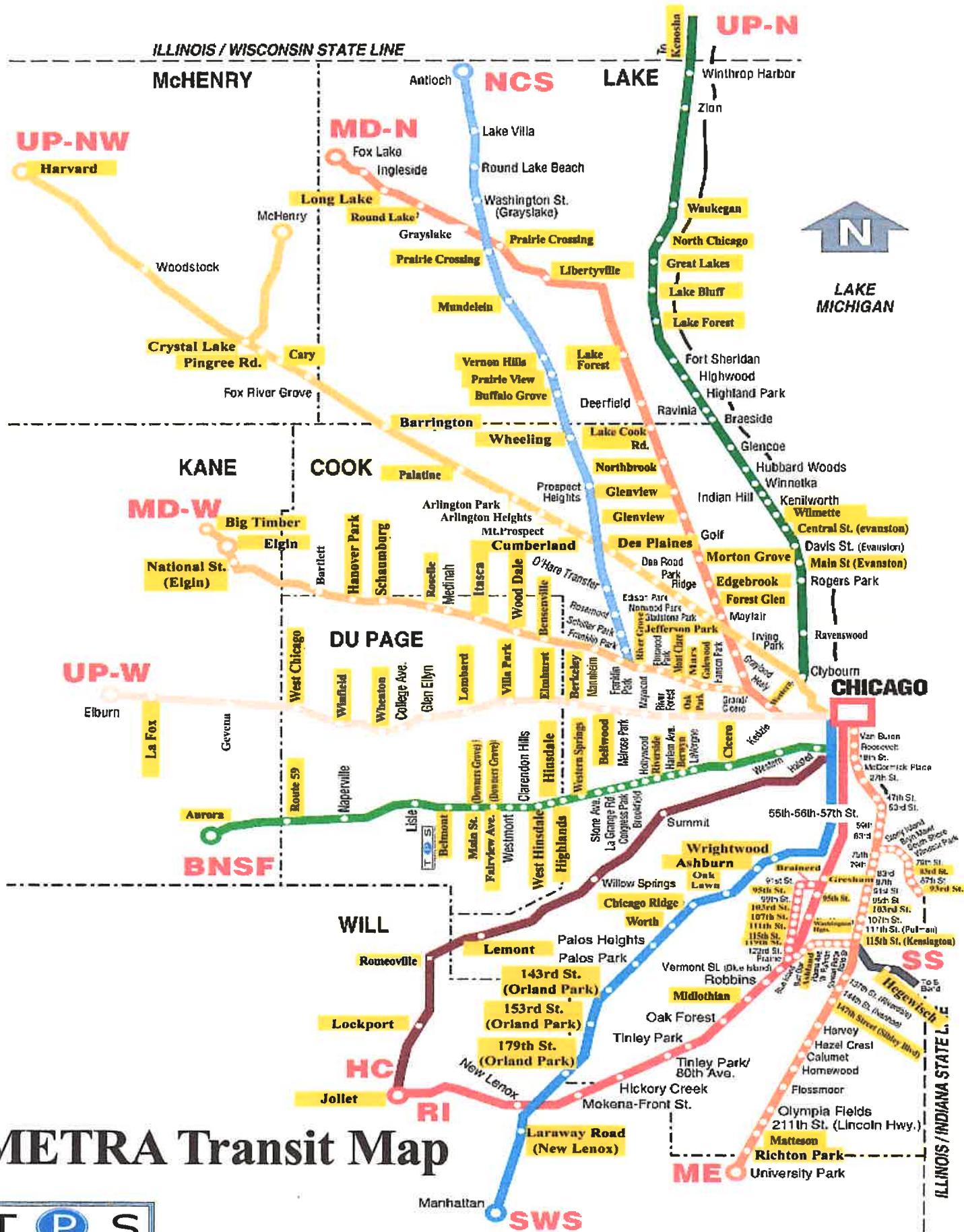
Total Parking Solutions, Inc. has agreed not market any other digital parking solutions that immediately competes with Passport, Inc. in the region.

Thomas Zawacki

Thomas Zawacki

President / Co-Owner

Total Parking Solutions, Inc.



METRA Transit Map



Total Parking Solutions Illinois Customer List

Village of Orland Park	City of McHenry	Village of New Lenox
Village of Hinsdale	Village of Lemont	Village of Lombard
City of Berwyn	City of Evanston	Village of Round Lake
Village of Riverside	Village of Glenview	Village of River Grove
Village of Western Springs	Village of Oak Lawn	Village of Villa Park
Village of Barrington	Village of Richton Park	
Village of Itasca	Village of Midlothian	
Village of Wood Dale	Village of Park Forest	
Village of Hanover Park	City of Joliet	
Village of Palatine	Village of Chicago Ridge	
Village of Cary	Village of Buffalo Grove	
Village of Roselle	Village of Mundelein	
City of Elmhurst	Vernon Township	
Village of Berkeley	Village of Lake Forest	
Town of Cicero	City of North Chicago	
City of Aurora	Village of Libertyville	
Village of Bellwood	Village of Lake Bluff	
Village of Downers Grove	Village of Northbrook	
Village of Forest Park	Village of Romeoville	
Village of Oak Park	Village of Worth	
City of Harvard	City of Des Plaines	
City of Crystal Lake	Village of Schaumburg	
Village of Wilmette	City of Lockport	
City of West Chicago	Village of Vernon Hills	
Village of Winfield	Village of Wheeling	
Village of Morton Grove	City of Waukegan	
Village of Skokie	Village of Bensenville	



Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 09/17/18 07:00 PM
Department: Police
Department Head: Phil Norton
Category: Ordinance
Prepared By: Kurt Vavra

SCHEDULED

AGENDA ITEM (ID # 3557)

DOC ID: 3557 B

Police Chief Norton will lead a discussion about Oxcart Truck Permitting Program.

Background

Village staff members were tasked with implementing a permitting program for over-weight and over-sized trucks. Specifically, staff was directed to research Oxcart which is an online permitting system used successfully throughout the area. The purpose of truck permitting is to regulate and monitor the movement of over-weight and over-sized trucks. Doing so ultimately protects the streets from damage and premature wear. For more background on over-weight and over-sized trucks, please review Public Works Director Julius Hansen's memorandum which is attached. The focus of this memorandum is permitting, not the enforcement of over-weight and over-sized trucks.

Oxcart streamlines the process of managing truck permits. The system allows municipalities to review, modify and approve permits electronically eliminating a slow, manual paper process. Oxcart collects all the permit fees and direct deposits those fees to each municipality at the end of every month. Our fee structure would be defined by an ordinance which is attached to this memorandum. Oxcart's fee structure is shown in the table below. Credit card transaction fees of 2.9% + \$0.30 would be applied to each transaction. It is unknown how many permits applications will be received annually.

<i>Municipal Permit Fee Range</i>	<i>Oxcart's Fee</i>
\$1.00-\$49.00	\$5.00
\$50.00-\$99.00	10%
\$100.00-\$199.00	\$12.50
\$200.00 +	\$15.00

Currently, there are 77 municipalities using Oxcart in Illinois. Some of these local municipalities include: Addison, Aurora, Bensenville, Burr Ridge, Carol Stream, Elgin, Elmhurst, Hanover Park, Hinsdale, Joliet, Schaumburg, Villa Park, Warrenville, West Chicago, Winfield and Wood Dale.

Recommendation

It is recommended the Village utilize the services of Oxcart's online system. The trucking companies pay all the necessary permitting and credit card fees. There is no cost for the Village to use the Oxcart system. Attached is an ordinance which sets the fee structure and allows the use of

permits to regulate over-weight and over-sized trucks traveling through the Village. Regulating and monitoring the movement of trucks will protect the streets and reduce long term damage caused by unpermitted trucks cutting through the Village.

Please let me know if you have any questions.

Attachments

- Julius Hansen's Original Memorandum
- Oxcart Community List
- Ordinance

ATTACHMENTS:

- Printout-3557-1001 (DOC)
- 20180913161125 (PDF)
- 20180913161213 (PDF)
- 20180913161153 (PDF)



Glen Ellyn Village Board
535 Duane Street
Glen Ellyn, IL 60137

Meeting: 09/17/18 07:00 PM
Department: Police
Department Head: Phil Norton
Category: Ordinance
Prepared By: Kurt Vavra

DRAFT

AGENDA ITEM (ID # 3557)

DOC ID: 3557 B

Oxcart Truck Permitting Program

TO: Philip Norton, Chief of Police
FROM: Kurt Vavra, Deputy Chief of Police
DATE: September 10, 2018
SUBJECT: **Oxcart - Truck Permitting Program**

Background

On February 28, 2017, the Metropolitan Mayors Caucus issued a recommendation concerning overweight truck permitting systems. The recommendation its members was to “consider enrolling in the third party on-line permit application system offered by Oxcart Permit Systems based in Palatine, Illinois. The recommendation pointed out the following:

- There is a State mandate for municipalities to permit overweight and oversized trucks.
- Many communities do issue such permits.
- Oxcart’s permitting system keeps control with the local municipality and is customizable.
- Oxcart interfaces with the Illinois permit systems.
- Oxcart is free for local governments. Its costs are borne by the trucking companies seeking permits. The cost per permit ranges from \$5 to \$15.

Public Works staff researched Oxcart and our current practices and recommended adopting Oxcart as our permit processing system. After some discussion, it was decided that this system would emanate from the Police Department.

The purpose of truck permitting is to regulate and monitor the movement of over-weight and over-sized trucks. Doing so ultimately protects the streets from damage and premature wear. For more background on over-weight and over-sized trucks, please review Public Works Director Julius Hansen's memorandum which is attached. The focus of this memorandum is permitting, not the enforcement of over-weight and over-sized trucks.

Oxcart streamlines the process of managing truck permits. The system allows municipalities to review, modify and approve permits electronically eliminating a slow, manual paper process. Oxcart

collects all the permit fees and direct deposits those fees to each municipality at the end of every month. Our fee structure would be defined by an ordinance which is attached to this memorandum. Oxcart's fee structure is shown in the table below. Credit card transaction fees of 2.9% + \$0.30 would be applied to each transaction. It is unknown how many permits applications will be received annually.

<i>Municipal Permit Fee Range</i>	<i>Oxcart's Fee</i>
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\$50.00-\$99.00	10%
\$100.00-\$199.00	\$12.50
\$200.00 +	\$15.00

Currently, there are 77 municipalities using Oxcart in Illinois. Some of these local municipalities include: Addison, Aurora, Bensenville, Burr Ridge, Carol Stream, Elgin, Elmhurst, Hanover Park, Hinsdale, Joliet, Schaumburg, Villa Park, Warrenville, West Chicago, Winfield and Wood Dale.

Recommendation

It is recommended the Village utilize the services of Oxcart's online system. The trucking companies pay all the necessary permitting and credit card fees. There is no cost, other than minimal staff time, for the Village to use the Oxcart system. Attached is an ordinance which sets the fee structure and allows the use of permits to regulate over-weight and over-sized trucks traveling through the Village. Regulating and monitoring the movement of trucks will protect the streets and reduce long term damage caused by unpermitted trucks cutting through the Village.

Please let me know if you have any questions.

Attachments

- Julius Hansen's Original Memorandum
- Oxcart Community List
- Ordinance

Agenda Item (ID # 3557)

Meeting of September 17, 2018

ATTACHMENTS:

- Oxcart (PDF)
- 20180913161125 (PDF)
- 20180913161213 (PDF)
- 20180913161153 (PDF)

Background

Local government can only issue oversize/overweight (OSOW) permits for vehicles which exceed the height, width, length and weights as prescribed by state statute in the Illinois Vehicle Code. The point of OSOW permits is not to permit every truck....just the ones which are big and heavy enough go beyond what the legislature allows.

The penalties for operating without a permit, or exceeding the weight/size limits specified by the permit, are laid out in the Illinois Vehicle Code. The village may issue a special permit authorizing the owner, operator or lessee of an oversize or overweight vehicle or combination of vehicles, to operate on any highway owned and maintained by the Village. Permits are a regulatory function and can be issued by the Village for the streets the Village owns. State, county and township streets require permits from those authorities. This is a safety measure as well as a new revenue stream for the village. The carriers who operate OSOW know they are OSOW requiring permits, and they will buy them.

Glen Ellyn is not currently issuing permits, and has not done so for a long time. The village is not required to issue permits, but the Village cannot continue to do it the way it currently does by giving verbal permission without a written permit. This is contradiction to the Illinois Vehicle Code. The Village has been telling trucking firms that permits are not required and to go ahead and move without a permit. The Village is telling carriers to do something unlawful and creating potential liability for both parties.

Glen Ellyn does not enforce OSOW trucks but currently owns four scales from a previous era of enforcement. The Police eliminated the program many years ago because of a lack of officers needed to be dedicated to OSOW enforcement. However, the trucks are moving on village streets without permits now. The police department has the authority of enforcement of the law anywhere within the corporate limits of the Village, including state, county and township roads.

The authority for OSOW permits is found in 625 ILCS 5/15-301A of the Illinois Vehicle Code. The State leaves it entirely up to village discretion. Municipalities are not required to issue OSOW permits. They can rest on the size/weight limits set by the General Assembly. However, municipalities cannot allow vehicles to exceed those size/weight limits unless they issue a permit in written form.

Maximums

Height = 13'6"

Width = 8'6"

Length = 65' (combinations of trucks and trailers)

Weight = 20,000 (single axle) / 34,000 (tandem) / 80,000 gross or the Federal Bridge Formula

For weight, no vehicle can exceed 80,000 pounds without a permit. However, that does not mean that all vehicles less than 80,000 pounds are legal. The crane in the picture (see attached), appears to be a legal weight crane at probably around 51-53,000 pounds gross. However, if it had a larger counterweight on the back, it would probably be overweight by weighing anywhere from 58-68,000 pounds gross (less than 80,000 pounds). It would probably be overweight on the drive axles too.

Local government does not have the authority to say "we don't offer permits, therefore you can move OSOW on our roads." That sets up the carrier and the municipality for liability in the event there is a crash, a bridge strike (Taylor Street Underpass), etc.

If the village is going to allow oversize/overweight vehicles on village streets, a permit, in written form, must be issued. These OSOW vehicles are a part of the daily commerce building homes, commercial buildings and streets. The legislature requires the written permit for accountability and enforcement. The reality is we need OSOW vehicles to build our communities, and the permit is what generates the compliance. The permit

makes what was illegal, legal, but with local government review to ensure safety and in return for the service the village can collect a fee for the effort.

Nothing mandates we create an integrated, on-line system for the permit process but that is the trend because of technology. The Village can issue a written permit in various methods, as long as it is in writing. While many towns are still using hand-filled forms and faxes, emailed PDF fillable forms, invoicing for fees, the trend is rapidly growing away from this. It is a burdensome process for municipal staff, and slows down the carrier industry (poor customer service).

Subject

A company called Oxcart Permit Systems offers an integrated, on-line permit process system. Numerous communities in the Chicago area are currently using their services with satisfaction. One example is West Chicago making a good case study for this memo. Officer Jeff Moos of West Chicago runs the program for that community. He issues permits via the online Oxcart system and also enforces the permit process with the ability to check truck size and weight on the street with the use of four scales carried in a Police Interceptor. The vendor Oxcart is the only company we have found who provide an OSOW specific online process, free of charge to local government as a business model. Oxcart was built for those in local government.

The village currently does not have an ordinance of permitting and enforcing OSOW trucks. We don't need to specify penalties for violation in the ordinance. The Village code already adopts the IVC in its entirety (9-1-2), so the penalties are covered.

Pros for an integrated, on-line permit process system - you are giving the trucking industry a way to be compliant with the law, and the village gains control over where the biggest and heaviest loads are traveling in your town. An integrated, on-line permit process system such as Oxcart will provide a cutting-edge way to process the permits at NO COST to the village.

Cons - Without an integrated, on-line permit process system we would be left to process the permits via paper/faxing, keeping logs, invoicing for payment, and slowing industry down in a day when everyone else is going online to make the process better for business.

The revenues generated from the permit process will depend on the fees the village will charge. Given the location of Glen Ellyn and its size, it's reasonable to estimate OSOW permits around \$10,000/year. By using an integrated, on-line permit process system there is no cost, and very minimal staff time required to issue a permit. The village could issue permits at no cost (\$0). Villa Park and Vernon Hills are two municipalities in Illinois who currently do not charge for permits.

Enforcement is much more difficult than permitting. I did meet with our Police Department and the West Chicago Police to understand the enforcement requirements. I learned that Officers can go through the Illinois Truck Enforcement Association's basic 40-hour truck officer class at College of DuPage (Oxcart will cover the tuition for an officer if we use their system). This training is readily available and highly rated. There's also a slowly developing DuPage County Truck Enforcement Task Force being developed. I cannot speak in-depth on the enforcement aspect and my focus is strictly the permitting process. The Police are the experts on enforcement and I have no comment in that regard.

Most municipalities issuing permits have police officers doing enforcement to one degree or another. It creates more compliance, safety on village streets and also brings in more revenue (overweight tickets are quite pricey compared to regular traffic tickets). Enforcement is encouraged, but it's not required. Carriers will still buy permits even without the threat of enforcement because they fear the liability if something were

to go wrong and they did not have a permit. They can also be fined by other police departments along the route so they comply without enforcement.

Budget Impact

This program can generate revenue from issuing permits with no cost. The Police Officer in West Chicago said they issue permits and enforce the law by issuing fines. The largest fine issued in West Chicago for OSOW infraction was \$53,000. The State of Illinois takes a large portion of that fine with only 45% going to the local agency. This officer estimated annual revenue to West Chicago exceeding \$250,000. The truck traffic in West Chicago exceeds Glen Ellyn so this is not a fair comparison only giving insight to some degree of potential additional revenue. It is advisable to have an ordinance in place if there will be fees assessed.

EXAMPLE Overweight Vehicles (includes any over dimension)

<u>Permit</u>	<u>Time Frame</u>	<u>Cost of Permit (Village Revenue)</u>	<u>Oxcart Permit Fee</u>
Single Trip (5 days):		\$50.00	\$5.00(\$1-\$49)
Round Trip (10 days):		\$80.00	10% (\$50-\$99)
Quarterly (90 days):		\$200.00	\$15.00(\$100-199)
Annual (365 days):		\$800.00	\$15.00 flat fee (\$200 or more)

EXAMPLE Oversize only Vehicles

<u>Permit</u>	<u>Time Frame</u>	<u>Cost of Permit (Village Revenue)</u>	<u>Oxcart Permit Fee</u>
Single Trip (5 days):		\$25.00	\$5.00
Round Trip (10 days):		\$40.00	\$5.00
Quarterly (90 days):		\$100.00	\$12.50
Annual (365 days):		\$400.00	\$15.00 flat fee

Recommendation

Start a permit process for OSOW using an integrated, on-line permit process system to provide quick service to be compliant with the law, create a new revenue stream and provide improved safety on the street.

Attachments

- Oxcart Information
- Sample Ordinance
- West Chicago Ordinance
- Metropolitan Mayor's Caucus Endorsement.
- Scale Company Information
- Photo of Crane @ Glen Ellyn Construction Site



Julius Hansen

Director of Public Works



Dear Local Government Official:

The conversation revolving around oversize and overweight (OS/OW) truck permitting has amplified greatly the last few years. Because Illinois and the Chicagoland area serve as the national hub for transportation, efficient customer service to the carrier industry is essential. We believe Oxcart Permit Systems provides a solution to meet objectives of both entities.

Funding the Unfunded Mandate | Oversize and overweight vehicles provide necessary transportation when building successful communities. The legislature requires local government to issue these vehicles permits, yet provides no funding to do so. This results in expensive, time consuming human processes. Oxcart is a 100% free online solution for local government to manage this vital service, saving valuable employee time and costs.

Cooperation, not Consolidation | In a perfect world, a carrier could apply and receive a single permit to move a load across the continental United States through dozens of jurisdictions. While the technology exists, the sheer volume of intergovernmental agreements would take decades to complete, providing no foreseeable relief to industry. Oxcart provides a space for communities to work together cooperatively without having to surrender authority.

One-Stop-Shop | There are nearly three-thousand local units of government with OS/OW permit authority statewide, yielding a maze of regulation and processes. Oxcart provides one website with one simple process for carriers to obtain permits from any subscribing community. All permit applications, approvals and payments are managed in our cloud-based site on any internet capable device.

Market Specific | The internet has provided many cost effective ways for government to collect and receive information, but fully processing data from application to payment in an industry-friendly manner is not simple. Oxcart is built for a niche market to meet the trade demands of specialized transportation and resource constraints of local government. Unlike other software packages which require users to modify existing policies or ordinances to rigid specifications, Oxcart is designed for flexibility to maximize customer service.

Free Consultation | In addition to a comprehensive web-application for processing OS/OW permits, Oxcart also provides consultation to write new ordinances or modify existing ones to meet industry demands. Our sample ordinances are designed for different communities with different needs, but geared to meet uniform permit application standards.

We would love to see your community working in partnership with dozens of other locales to maintain local autonomy while balancing protective government and industry profitability. All of this at no cost to your unit of local government or taxpayers.

Sincerely,

Bryce Baker, Chief Operating Officer

440 W Colfax Suite 2384
Palatine IL 60078

w oxcartpermits.com
e info@oxcartpermits.com

p 331.205.8180
f t i @oxcartpermits



COMMUNITIES USING OXCART PERMIT SYSTEMS

as of March 23, 2018

Addison
 Algonquin Township
 Algonquin Village
 Antrim County Road Comm (MI)
 Aurora
 Barrington
 Barrington Hills
 Batavia
 Bay County Road Comm (MI)
 Bensenville
 Buffalo Grove
 Burr Ridge
 Carol Stream
 Cary
 Channahon
 Crestwood
 Deerfield
 DeKalb City
 Dorr Township
 Elgin
 Elk Grove Village
 Elmhurst
 Evanston
 Fox River Grove
 Frankfort
 Glenview
 Grafton Township

Hampshire
 Hanover Park
 Harvard
 Hebron Township
 Hillsboro
 Hinsdale
 Hoffman Estates
 Itasca
 Joliet
 Lake County DOT
 Lakewood
 Leelanau County Road Comm (MI)
 Livingston County HD
 Lombard
 Madison City
 Manhattan
 Marengo Township
 McHenry City
 McHenry County DOT
 McHenry Township
 Midlothian
 Minooka
 Morton Grove
 Mt Prospect
 North Aurora
 Northlake
 O'Fallon

Oswego
 Palatine
 Park Ridge
 Plainfield
 Plainfield Township
 Rochelle
 Rockdale
 Rolling Meadows
 Romeoville
 Saginaw County Road Comm (MI)
 Schaumburg
 Schiller Park
 South Holland
 St Charles
 Taylor Springs
 Vernon Hills
 Villa Park
 Warrenville
 Washtenaw County Road Comm (MI)
 West Chicago
 Wheatland Township
 Wheeling
 Will County DOT
 Wilmington
 Winfield
 Winthrop Harbor
 Wood Dale

Sample Ordinance #1

Sec. ###. – Size and Weight of vehicles.

- (a) It shall be unlawful to drive any motor vehicle with a size or weight, including load, in excess of which is permitted by the Illinois Vehicle Code, specifically 625 ILCS 5/15-102 (width), 15-103 (height), 15-107 (length) and 15-111 (weight), when operating on any highways owned and maintained by the Village, unless a permit has been issued in accordance with subsection (b) granted by the authority of 625 ILCS 5/15-301(a).
- (b) The Chief of Police or his designee may issue a special permit authorizing the owner, operator or lessee of an oversize or overweight vehicle or combination of vehicles, to operate on any highway owned and maintained by the Village. The owner, operator or lessee shall apply for the permit in the method and form provided by the Village along with a fee in the following amounts:

Overweight Vehicles (includes any overdimension)

Single Trip (5 days):	\$50.00
Round Trip (10 days):	\$80.00
Quarterly (90 days):	\$200.00
Annual (365 days):	\$800.00

Oversize only Vehicles

Single Trip (5 days):	\$25.00
Round Trip (10 days):	\$40.00
Quarterly (90 days):	\$100.00
Annual (365 days):	\$400.00

Permits are to be issued for good cause to insure movements will not unduly damage Village highways. Permits are only valid for the dates and times specified, and the Chief of Police or his designee are authorized to create and amend reasonable provisions for permits. Permits are non-transferable to other vehicles and must be carried in the permitted vehicle in either paper or electronic form.

For purposes of this section, a "single trip" is defined as one movement of an oversize or overweight vehicle or load. A "round trip" is defined as one movement of an oversize or overweight vehicle or load, and a return trip of the same vehicle or load. "Quarterly" and "Annual" permits are to be considered limited continuous operation of the same oversize or overweight vehicle with interchangeable loads.

• **ARTICLE X. - REGULATING SIZE AND WEIGHT OF VEHICLES (West Chicago, Illinois)**

• **Sec. 17-91. - Definition of words and phrases.**

a) *Definition of words and phrases.* The following words and phrases when used in this Code shall, for the purpose of this Code, have the meanings respectively ascribed to them in this article, except when the context otherwise requires and except where another definition is set forth in another article of this Code.

(1) *Commercial vehicle.* Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially. A commercial vehicle shall be any vehicle or a combination of vehicles with a manufacturers GVWR, GCWR, registered weight, combined registered weight or actual weight on a scale of ten thousand one (10,001) pounds or more.

(2) *Gross vehicle weight rating (GVWR).* The value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle. The GVWR of a combination of vehicles (commonly referred to as the "gross combination weight rating" or GCWR) is the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified by the manufacturer, GCWR is determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on the unit.

(3) *Gross weight.* The weight of a vehicle whether operated singly or in combination without load plus the weight of the load thereon.

(4) *Highway.* The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(5) *Implement of husbandry.* Every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, including farm wagons, wagon trailers or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry.

(6) *Motor vehicle.* Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. For this act, motor vehicles are divided into two (2) divisions:

First division: Those motor vehicles, which are designed for the carrying of not more than ten (10) persons.

Second division: Those motor vehicles which are designed for carrying more than ten (10) persons, those motor vehicles designed or used for living quarters, those motor vehicles which are designed for pulling or carrying freight, cargo or implements of husbandry, and those motor vehicles of the first division remodeled for use and used as motor vehicles of the second division.

(7) *Permit route.* The route authorized by the issuing authority with proper jurisdiction over the roadway(s) for which permission has been granted to move a vehicle or combination of vehicles that is in itself indivisible or carrying an indivisible load that exceeds legal dimensions or weight or a combination thereof.

(8) *Semitrailer.* Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

(9) *Tandem axles.* Any two (2) or more single axles whose centers are more than forty (40) inches and not more than ninety-six (96) inches apart, measured to the nearest inch between extreme axles in the series.

(10) *Trailer*. Every vehicle without motive power in operation, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(11) *Truck tractor*. Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(12) *City*. The City of West Chicago.

(b) *Overweight and/or overdimension vehicles.*

(1) It shall be unlawful for any person to be in control of, to drive, to park, or move on, upon or across or for the owner to cause or knowingly permit to be parked, driven, or moved upon or across, any street or highway under the jurisdiction of the city, any vehicle or combination of vehicles exceeding the size and weight limitations stated in the ILCS Ch. 625, Act 5, § 15-102 (width), ILCS Ch. 625, Act 5, § 15-103 (height), ILCS Ch. 625, Act 5, § 15-107 (length), and ILCS Ch. 625, Act 5, § 15-111 (weight).

(2) Size and weights limitations while operating on city streets shall not apply to fire apparatus or equipment for snow or ice removal operations owned or operated by or for any governmental body or to implements of husbandry temporarily operated or towed in a combination in the furtherance of a farm or agricultural endeavor and to any vehicle or combination of vehicles operating under the terms of a valid oversize and/or dimension permit issued by the city under the authority of subsection (c).

(3) Where lower size and weight limits or other restrictions are imposed by ordinance under authority of ILCS Ch. 625, Act 5, §§ 15-111, 15-316 and 15-317, and signs indicating such limitations or restrictions are posted, it shall be unlawful to operate any vehicle or combination of vehicles in excess of such size or weight limitations or in violation of such restrictions.

(4) Whenever any vehicle or combination of vehicles is operated in violation of this section, the owner and/or driver of such vehicle shall be deemed guilty of such violation and either or both the owner and driver of such vehicle may be prosecuted for such violation.

(c) *Permits for overweight and/or overdimension vehicles.*

(1) A permit shall be required for the movement of any vehicle or combination of vehicles with a nondivisible load on roadways and bridges within the jurisdiction of the city which exceeds the legal dimensions and weights provided in ILCS Ch. 625, Act 5, § 15-102 (width), ILCS Ch. 625, Act 5, § 15-103 (height), ILCS Ch. 625, Act 5, § 15-107 (length), and ILCS Ch. 625, Act 5, § 15-111 (weight).

(2) The city with respect to any street or highway under its jurisdiction may upon application to the city on forms provided by the city and good cause being shown therefore issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in subsection (c) (1). The applicant shall furnish the following information in the special permit application:

- The name and address of the owner or lessee of the vehicle.
- Applicant's name.
- Type of permit request whether it be for a single trip, round trip, or multiple routing.
- Description of the object or vehicle to be moved.
- The number of axles of the vehicle or combination of vehicles.
- The maximum axle weights of all single, tandem or series axles.

- Maximum gross weight of the vehicle.
- The maximum width, length and height of the vehicle and load.
- Requested routing over city streets to and from a specific location.

(d) For purposes of this section, the following definitions apply:

(1) A one-way or single trip movement means one (1) move from the point of origin to the point of destination. Any additional stops between the point of origin and the point of destination are expressly prohibited. Single trip permits are effective for seven (7) consecutive days from the date of issuance unless otherwise directed by the city.

(2) Round trip movement means two (2) trips over the same route in opposite directions, or upon an alternate route as prescribed by the police department on the permit. Round trip permits are effective for fourteen (14) consecutive days from the date of issuance.

(3) Multiple move permits when granted by the city shall be for a period of time not to exceed ninety (90) days from the date of issuance, and shall provide the applicant the ability to make unlimited moves on city streets.

(e) The owner or his or her agent shall submit an application fee based on the below chart for a single routing which will be valid for seven (7) calendar days, round trip routing valid for fourteen (14) calendar days and multiple routings valid for a base period of ninety (90) days. Permits are valid only for the date periods specified on the permit and for the specific vehicle, load and routing as established by the chief of police or designee. No substitution of vehicle, load or routing is permitted without expressed written permission by the chief of police or his designee and the permit must be carried in the vehicle to which the permit applies.

Fee Schedule

	Fee		
	Single Trip	Round Trip	Multiple
<i>Permit size—Weight (with load)</i>			
Up to 100,000 pounds	50	75	200
100,001—120,000	75	100	250
120,001—150,000	100	125	
Over 150,000	150	200	
<i>Permit size—Width (with load greater than 8'6")</i>			
Up to 12'	25	40	150
14'	50	75	200
16'	75	100	
Greater than 16' wide	100	125	
<i>Permit size—Height (with load greater than 13'6" high)</i>			
15'	25	40	150
Greater than 15' high	50	75	
<i>Permit size—Length (with load)</i>			
115'	25	40	150
145'	50	75	

	Fee		
	Single Trip	Round Trip	Multiple
Greater than 145' long	75	100	

Note: If a vehicle requires a permit due to multiple weight and/or dimension issues, the total fee will be based on the highest individual weight or dimension fee. Any application for a permit which exceeds the maximum weight and dimensions listed in schedule (e) is subject to special assessment fees at the discretion of the chief of police or his designee.

(f) Police escorts are generally required for vehicles operating under a valid overweight or over dimension permit which exceeds the weight and size limits described in schedule (e), and when, in the discretion of the police chief or his designee, is necessary to protect life safety, traffic flow and infrastructure.

(g) The permittee must make all arrangements with the police department at least twenty-four (24) hours prior to the move.

(h) Fees for police escort, when required, shall be in addition to the permit fees. The applicant shall pay the cost for a police vehicle escort at the minimum overtime rate of the highest salaried police officer and per any collective bargaining agreement.

(i) The chief of police or his designee is authorized to approve the application for approved routes. Upon approval and payment of all required fees, the city shall issue a permit allowing passage of the oversize and/or overweight vehicles over city streets. The permit shall be specific and contain:

- (1) Permit number.
- (2) The dates the permit is valid.
- (3) Whether the permit is for single, round or multiple trip routing.
- (4) The description of object or vehicle to be moved.
- (5) Authorized gross weight, axle weights, width, length and height.
- (6) The authorized routing over city streets including the origin and termination point within the city.
- (7) The fee paid.
- (8) The date and signature of the chief of police or his designee. Permits issued electronically shall be considered signed by the chief of police or his designee.
- (9) In addition, the permit will specify general conditions that the permittee must comply with that are consistent and reasonable for the protection of the general public and city streets. A copy of all permits issued will be provided to the city administrator for informational purposes. Any provisions listed on an approved permit will not be more restrictive than those afforded by the Illinois Department of Transportation (IDOT) OPER 993 form or the American Association of State and Highway Transportation Officials (AASHTO) Guidelines.
- (j) It is the duty of the permittee to read and familiarize himself with the permit provisions upon receipt. Undertaking of the permit move is deemed prima facie evidence of acceptance of the permit and that:
 - (1) The permittee is in compliance with all operation requirements;
 - (2) All dimension and weight limitations specified in the permit will not be exceeded;
 - (3) All operation, registration and license requirements have been complied with;
 - (4) All financial responsibilities, obligations and other legal requirements have been met; and

(5) The permittee assumes all responsibility for injury or damage to persons or to public or private property, including his or her own, or to the object being transported, caused directly or indirectly by the transportation or movement of vehicles and objects authorized under the permit. The permittee agrees to hold the city harmless from all suits, claims, damages, or proceedings of any kind and to indemnify the city for any claim it may be required to pay arising from the movement.

(k) The permit shall be carried in the vehicle to which the permit applies at all times while operating on streets within the city and shall be exhibited upon demand to any law enforcement officer, police officer or authorized official of the city. Electronic display of a permit on a device which may be inspected is authorized.

(l) Whenever any vehicle is operated in violation of the provisions of a city permit whether it be by size, weight or general provisions, and either or both the owner or driver of such vehicle shall be deemed guilty, and either or both the owner or the driver of such vehicle may be prosecuted for such violation.

(m) *Vehicles prohibited on certain streets.*

(1) As provided under the authority of ILCS Ch. 625, Act 5, §§ 15-111 and 15-316, it shall be unlawful to operate any vehicle upon any street where the operation of that vehicle is prohibited by ordinance and where signs of such prohibition are posted. Vehicles operating under the authority of ILCS Ch. 625, Act 5, §§ 15-111 or 15-316 shall use the most direct route to points of loading and unloading.

(2) It shall be unlawful to park a commercial motor vehicle on a residential street while said truck is running between the hours of 10:00 p.m. and 6:00 a.m. the following day.

(n) *Oversize/weight vehicles permitted on certain streets.*

(1) As provided under the authority of ILCS Ch. 625, Act 5, § 15-111(f), the city has designated the following portions of streets and/or highways as Class II designated streets. Vehicles utilizing those as such, can be of a length consistent with ILCS Ch. 625, Act 5, § 15-107 (length).

Class II designated streets:

- Arbor Avenue - between Hawthorne Lane and Route 59 (Neltnor Boulevard).
- Arthur Drive.
- Atlantic Drive.
- Blackhawk Drive.
- Brown Street - between Factory Street and Joliet Street.
- Carolina Drive.
- Charles Court.
- Commerce Drive.
- Conde Street also known as Tom Marziani Way - from the western right-of-way line of Illinois Route 59 west to a point one thousand one hundred (1,100) feet.
- Downs Drive.
- Fenton Lane.
- Fremont Street - between West Washington Street and Grandlake Boulevard.

- Grandlake Boulevard - west of Fremont Street.
- Hawthorne Lane - between Kress Road and Atlantic Drive.
- Helena Drive.
- Howard Drive.
- Industrial Drive.
- Joliet Street - between Route 38 and Brown Street.
- Main Street - between Route 59 and Wilson Avenue.
- Main Street - between Wilson Avenue and West Washington Street.
- Northwest Avenue.
- Nuclear Drive.
- Prince Crossing Road - between Route 64 and the Great Western Trail.
- Town Road - between Washington Street and the Burlington Northern Railroad Tracks.
- Wegner Drive.
- West Washington Street - between Route 38 and Wood Street.
- Western Drive.
- Weyrauch Street - between Brown Street and the south end of Weyrauch Street.
- Winston Street.
- Wood Street - between West Washington Street and Church Street.

(2) The director of public works is authorized and directed to post or cause to be posted, streets designated as class II truck routes as governed by subsection (n)(1).

(o) *Penalty.*

(1) Any person, firm or corporation who or which violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this chapter will be fined according to the penalty structures provided in the Illinois Vehicle Code as adopted by Ordinance 17-1 of this Code.

(2) In addition to seeking a fine, as hereinabove provided, the city attorney may institute any proper action in the name of the city to enjoin the violation of any provision of this chapter.

(Ord. No. 02-O-0129, §§ 1, 2, 11-4-2002; Ord. No. 05-O-0062, § 3, 8-1-2005; Ord. No. 15-O-0006, § 1, 7-6-2015)



Robert J. Nunemaker
President, Village of Fox River Grove
Executive Board Chairman

Rahm Emanuel
Mayor, City of Chicago
Executive Board 1st Vice Chair

Joseph Mancino
Mayor, Village of Hawthorn Woods
Executive Board 2nd Vice Chair

John A. Ostenburg
Mayor, Village of Park Forest
Executive Board Secretary

To: Executive Board

From: Regional Truck Permitting Task Force

Date: February 28, 2017

Re: Recommendation re Oversized, Overweight Truck Permit Systems

Issue: The Mayors Caucus Executive Board had created the Regional Truck Permitting Task Force to represent municipal interests in discussions that have taken place among the State of Illinois, the counties in northeastern Illinois, the transportation and logistics industry, the Illinois State Toll Highway Authority, the Chicago Metropolitan Agency for Planning and the business community to develop a streamlined regional permitting process for oversized and/or overweight ("OSW/OW") trucks.

Recommendation: The Task Force recommends that the Mayors Caucus recommend to its member municipalities that they consider enrolling in the third-party online permit application system offered by Oxcart Permit Systems ("Oxcart") based in Palatine, Illinois. The Task Force recommends this specific vendor for the following reasons:

- Municipalities are currently mandated by State law to permit OS/OW vehicles. However, many communities have not adopted an ordinance or established a process to do so. Oxcart will help municipalities abide by the mandate.
- Oxcart's permitting system respects local control. Other third-party permitting systems require municipalities to amend their ordinances and processes to fit their operating specifications. Oxcart's system does the opposite. It can be customized to accommodate the ordinances and processes of its local government clients.
- Oxcart currently interfaces with the permit systems for the State of Illinois and a number of counties in northeastern Illinois. It is easily adaptable to any streamlined system which may be created for the metro Chicago region.
- The use of Oxcart's permitting system is free for local governments. The costs of its operation are borne by the trucking companies seeking permits. The cost per permit ranges from \$5 to \$15 depending on the fees charged by the local governments.
- In addition to the free permitting system, Oxcart provides free consultation services to write new OS/OW permit ordinances or modify existing ones to meet required standards.

Background: Board Members will receive a folder at the March 13, 2017 meeting that contains marketing information on Oxcart Permit Systems, how it functions and its benefits to participating units of local government. Additionally, here is a breakdown of Oxcart's fee structure:

City of Chicago · DuPage Mayors and Managers Conference · Lake County Municipal League · McHenry County Council of Governments
Metro West Council of Governments · Northwest Municipal Conference · South Suburban Mayors and Managers Association
Southwest Conference of Mayors · West Central Municipal Conference · Will County Governmental League

233 South Wacker Drive, Suite 800, Chicago, Illinois 60606
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www.mayorscaucus.org


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About Advanced Weighing Systems

Our business is simple "Take Care of the Customer"

David Arnold & Art Guest have over 65 years' experience combined in the scale business. Our experience is in the industrial market which includes:

- Manufacturing
- Food Processing
- Asphalt & Concrete Production
- Chemical & Pharmaceutical

David started his career with Toledo Scale in 1978 working as a service technician, then working for Electro-Mech scale working in service and then starting a new career in sales. After EMS was purchased by Mettler Toledo Scale continued as a sales engineer until 1999 when he started Advanced Weighing with Art Guest.

Art started his career with Electro Mech Scale in 1979 working as a service technician and in 1985 worked as a the service manager for Electro Mech Scale until purchased by Mettler Toledo Scale where he worked as a Regional Service Manager until 1999 when he and David started Advanced Weighing Systems.

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Hours: Mon-Fri 9am - 4:30pm

Email Us (<mailto:avanti63@sbcglobal.net>) | Sitemap ([sitemap](#)) | Contact Form ([contact-advanced-weighing-systems](#)) | [Top](#)



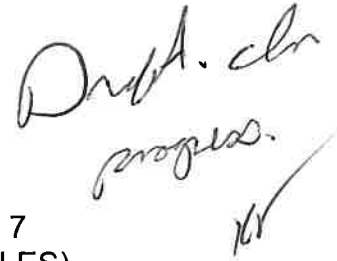


COMMUNITIES USING OXCART PERMIT SYSTEMS

as of March 23, 2018

Addison	Hampshire	Oswego
Algonquin Township	Hanover Park	Palatine
Algonquin Village	Harvard	Park Ridge
Antrim County Road Comm (MI)	Hebron Township	Plainfield
Aurora	Hillsboro	Plainfield Township
Barrington	Hinsdale	Rochelle
Barrington Hills	Hoffman Estates	Rockdale
Batavia	Itasca	Rolling Meadows
Bay County Road Comm (MI)	Joliet	Romeoville
Bensenville	Lake County DOT	Saginaw County Road Comm (MI)
Buffalo Grove	Lakewood	Schaumburg
Burr Ridge	Leelanau County Road Comm (MI)	Schiller Park
<u>Carol Stream</u>	Livingston County HD	South Holland
Cary	<u>Lombard</u>	St Charles
Channahon	Madison City	Taylor Springs
Crestwood	Manhattan	Vernon Hills
Deerfield	Marengo Township	Villa Park
DeKalb City	McHenry City	Warrenville
Dorr Township	McHenry County DOT	<u>Washtenaw County Road Comm (MI)</u>
Elgin	McHenry Township	<u>West Chicago</u>
Elk Grove Village	Midlothian	Wheatland Township
Elmhurst	Minooka	Wheeling
Evanston	Morton Grove	Will County DOT
Fox River Grove	Mt Prospect	Wilmington
Frankfort	North Aurora	Winfield
Glenview	Northlake	Winthrop Harbor
Grafton Township	O'Fallon	Wood Dale

ORDINANCE NO. _____ - VC

Handwritten signature "D. A. Ch" and initials "prop." with a checkmark.

AN ORDINANCE TO ADD TITLE 9 CHAPTER 7
(REGULATING WEIGHTS AND SIZE OF VEHICLES)
TO THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING REGULATING WEIGHTS AND SIZE OF VEHICLES

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF
TRUSTEES OF THE VILLAGE OF GLEN ELLYN, DUPAGE COUNTY, ILLINOIS, in the
exercise of its home rule powers, as follows:

SECTION ONE: Section 9-7-1 (DEFINITION AND WORD PHRASES) of the Glen
Ellyn Village Code is hereby amended by the addition of the following:

- (a) *Definition of words and phrases.* The following words and phrases when used in this Code shall, for the purpose of this Code, have the meanings respectively ascribed to them in this article, except when the context otherwise requires and except where another definition is set forth in another article of this Code.
- (1) *Commercial vehicle.* Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially. A commercial vehicle shall be any vehicle or a combination of vehicles with a manufacturers GVWR, GCWR, registered weight, combined registered weight or actual weight on a scale of ten thousand one (10,001) pounds or more.
- (2) *Gross vehicle weight rating (GVWR).* The value specified by the manufacturer or manufacturers as the maximum loaded weight of a single vehicle. The GVWR of a combination of vehicles (commonly referred to as the "gross combination weight rating" or GCWR) is the GVWR of the power unit plus the GVWR of the towed unit or units. In the absence of a value specified by the manufacturer, GCWR is determined by adding the GVWR of the power unit and the total weight of the towed unit and any load on the unit.
- (3) *Gross weight.* The weight of a vehicle whether operated singly or in combination without load plus the weight of the load thereon.

- (4) *Highway*. The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
- (5) *Implement of husbandry*. Every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations, including farm wagons, wagon trailers or like vehicles used in connection therewith, or for lifting or carrying an implement of husbandry.
- (6) *Motor vehicle*. Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. For this act, motor vehicles are divided into two (2) divisions:
- First division*: Those motor vehicles, which are designed for the carrying of not more than ten (10) persons.
- Second division*:
Those motor vehicles which are designed for carrying more than ten (10) persons, those motor vehicles designed or used for living quarters, those motor vehicles which are designed for pulling or carrying freight, cargo or implements of husbandry, and those motor vehicles of the first division remodeled for use and used as motor vehicles of the second division.
- (7) *Permit route*. The route authorized by the issuing authority with proper jurisdiction over the roadway(s) for which permission has been granted to move a vehicle or combination of vehicles that is in itself indivisible or carrying an indivisible load that exceeds legal dimensions or weight or a combination thereof.
- (8) *Semitrailer*. Every vehicle without motive power, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.
- (9) *Tandem axles*. Any two (2) or more single axles whose centers are more than forty (40) inches and not more than ninety-six (96) inches apart, measured to the nearest inch between extreme axles in the series.
- (10) *Trailer*. Every vehicle without motive power in operation, other than a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

(11) *Truck tractor.* Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(12) *Village.* The Village of Glen Ellyn.

SECTION TWO: Section 9-7-2 (OVERWEIGHT AND/OR OVERDIMENSION VEHICLES) of the Glen Ellyn Village Code is hereby amended by the addition of the following:

(b) *Overweight and/or overdimension vehicles.*

(1) It shall be unlawful for any person to be in control of, to drive, to park, or move on, upon or across or for the owner to cause or knowingly permit to be parked, driven, or moved upon or across, any street or highway under the jurisdiction of the Village, any vehicle or combination of vehicles exceeding the size and weight limitations stated in the ILCS Ch. 625, Act 5/15-102 (width), ILCS Ch. 625, Act 5/15-103 (height), ILCS Ch. 625, Act 5/15-107 (length), and ILCS Ch. 625, Act 5/15-111 (weight).

(2) Size and weights limitations while operating on Village streets shall not apply to fire apparatus or equipment for snow or ice removal operations owned or operated by or for any governmental body or to implements of husbandry temporarily operated or towed in a combination in the furtherance of a farm or agricultural endeavor and to any vehicle or combination of vehicles operating under the terms of a valid oversize and/or dimension permit issued by the Village under the authority of subsection (c).

(3) Where lower size and weight limits or other restrictions are imposed by ordinance under authority of ILCS Ch. 625, Act 5/15-111, 15-316 and 15-317, and signs indicating such limitations or restrictions are posted, it shall be unlawful to operate any vehicle or combination of vehicles in excess of such size or weight limitations or in violation of such restrictions.

(4) Whenever any vehicle or combination of vehicles is operated in violation of this section, the owner and/or driver of such vehicle shall be deemed guilty of such violation and either or both the owner and driver of such vehicle may be prosecuted for such violation.

(c) *Permits for overweight and/or overdimension vehicles.*

(1) A permit shall be required for the movement of any vehicle or combination of vehicles with a nondivisible load on roadways and bridges within the jurisdiction of the Village which exceeds the legal dimensions and weights provided in ILCS Ch. 625, Act 5/15-102 (width), ILCS Ch. 625, Act 5/15-103 (height), ILCS Ch. 625, Act 5/15-107 (length), and ILCS Ch. 625, Act 5/15-111 (weight).

(2) The Village with respect to any street or highway under its jurisdiction may upon application to the Village on forms provided by the Village and good cause being shown therefore issue a special permit authorizing the applicant to operate or move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in subsection (c)(1). The applicant shall furnish the following information in the special permit application:

- The name and address of the owner or lessee of the vehicle.
- Applicant's name.
- Type of permit request whether it be for a single trip, round trip, or multiple routing.
- Description of the object or vehicle to be moved.
- The number of axles of the vehicle or combination of vehicles.
- The maximum axle weights of all single, tandem or series axles.
- Maximum gross weight of the vehicle.
- The maximum width, length and height of the vehicle and load.
- Requested routing over city streets to and from a specific location.

(d) For purposes of this section, the following definitions apply:

(1) A one-way or single trip movement means one (1) move from the point of origin to the point of destination. Any additional stops between the point of origin and the point of destination are expressly prohibited. Single trip permits are effective for seven (7) consecutive days from the date of issuance unless otherwise directed by the Village.

(2) Round trip movement means two (2) trips over the same route in opposite directions, or upon an alternate route as prescribed by the police department on the permit. Round trip permits are effective for fourteen (14) consecutive days from the date of issuance.

(3) Multiple move permits when granted by the Village shall be for a period of time not to exceed ninety (90) days from the date of issuance, and shall provide the applicant the ability to make unlimited moves on Village streets.

(e) The owner or his or her agent shall submit an application fee based on the below Chart for a single routing which will be valid for seven (7) calendar days, round trip routing valid for fourteen (14) calendar days and multiple routings valid for a base

period of ninety (90) days. Permits are valid only for the date periods specified on the permit and for the specific vehicle, load and routing as established by the chief of police or designee. No substitution of vehicle, load or routing is permitted without expressed written permission by the chief of police or his designee and the permit must be carried in the vehicle to which the permit applies.

	FEE		
	SINGLE TRIP	ROUND TRIP	MULTIPLE
PERMIT SIZE – WEIGHT (WITH LOAD)			
Up to 100,000 pounds	\$50	\$75	\$200
100,001 – 120,000 pounds	\$75	\$100	\$250
120,001 – 150,000 pounds	\$100	\$125	
Over 150,000 pounds	\$150	\$200	
PERMIT SIZE – WIDTH (WITH LOAD GREATER THAN 8'6")			
Up to 12'	\$25	\$40	\$150
14'	\$50	\$75	\$200
16'	\$75	\$100	
Greater than 16' wide	\$100	\$125	
PERMIT SIZE – HEIGHT (WITH LOAD GREATER THAN 13'6")			
15'	\$25	\$40	\$150
Greater than 15' high	\$50	\$75	
PERMIT SIZE – LENGTH (WITH LOAD)			
115'	\$25	\$40	\$150
145'	\$50	\$75	
Greater than 145' long	\$75	\$100	

- (f) Police escorts are generally required for vehicles operating under a valid overweight or over dimension permit which exceeds the weight and size limits described in schedule (e), and when, in the discretion of the police chief or his designee, is necessary to protect life safety, traffic flow and infrastructure.
- (g) The permittee must make all arrangements with the police department at least twenty-four (24) hours prior to the move.
- (h) Fees for police escort, when required, shall be in addition to the permit fees. The applicant shall pay the cost for a police vehicle escort at the minimum overtime rate of the police officer and per any collective bargaining agreement.

(i) The chief of police or his designee is authorized to approve the application for approved routes. Upon approval and payment of all required fees, the Village shall issue a permit allowing passage of the oversize and/or overweight vehicles over Village streets. The permit shall be specific and contain:

- (1) Permit number.
- (2) The dates the permit is valid.
- (3) Whether the permit is for single, round or multiple trip routing.
- (4) The description of object or vehicle to be moved.
- (5) Authorized gross weight, axle weights, width, length and height.
- (6) The authorized routing over Village streets including the origin and termination point within the city.
- (7) The fee paid.
- (8) The date and signature of the chief of police or his designee. Permits issued electronically shall be considered signed by the chief of police or his designee.
- (9) In addition, the permit will specify general conditions that the permittee must comply with that are consistent and reasonable for the protection of the general public and Village streets. A copy of all permits issued will be provided to the Village administrator for informational purposes. Any provisions listed on an approved permit will not be more restrictive than those afforded by the Illinois Department of Transportation (IDOT) OPER 993 form or the American Association of State and Highway Transportation Officials (AASHTO) Guidelines.

(j) It is the duty of the permittee to read and familiarize himself/herself with the permit provisions upon receipt. Undertaking of the permit move is deemed prima facie evidence of acceptance of the permit and that:

- (1) The permittee is in compliance with all operation requirements;
- (2) All dimension and weight limitations specified in the permit will not be exceeded;
- (3) All operation, registration and license requirements have been complied with;
- (4) All financial responsibilities, obligations and other legal requirements have been met; and
- (5) The permittee assumes all responsibility for injury or damage to persons or to public or private property, including his or her own, or to the object being transported, caused directly or indirectly by the transportation or movement of vehicles and objects authorized under the permit. The permittee agrees to hold the Village harmless from all suits, claims, damages, or proceedings of any kind and to indemnify the Village for any claim it may be required to pay arising from the movement.

(k) The permit shall be carried in the vehicle to which the permit applies at all times while operating on streets within the Village and shall be exhibited upon demand to any law enforcement officer, police officer or authorized official of the Village. Electronic display of a permit on a device which may be inspected is authorized.

(l) Whenever any vehicle is operated in violation of the provisions of a Village permit whether it be by size, weight or general provisions, and either or both the owner or driver of such vehicle shall be deemed guilty, and either or both the owner or the driver of such vehicle may be prosecuted for such violation.

(m) *Vehicles prohibited on certain streets.*

(1) As provided under the authority of ILCS Ch. 625, Act 5/15-111 and 15-316, it shall be unlawful to operate any vehicle upon any street where the operation of that vehicle is prohibited by ordinance and where signs of such prohibition are posted. Vehicles operating under the authority of ILCS Ch. 625, Act 5/15-111 or 15-316 shall use the most direct route to points of loading and unloading.

(2) It shall be unlawful to park a commercial motor vehicle on a residential street while said truck is running between the hours of 10:00 p.m. and 6:00 a.m. the following day.

(n) *Oversize/weight vehicles permitted on certain streets.*

(1) As provided under the authority of ILCS Ch. 625, Act 5, § 15-111(f), the city has designated the following portions of streets and/or highways as Class II designated streets. Vehicles utilizing those as such, can be of a length consistent with ILCS Ch. 625, Act 5, § 15-107 (length).

Class II designated streets:

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- Blackhawk Drive.
- Brown Street - between Factory Street and Joliet Street.
- Carolina Drive.
- Charles Court.
- Commerce Drive.
- Conde Street also known as Tom Marziani Way - from the western right-of-way line of Illinois Route 59 west to a point one thousand one hundred (1,100) feet.
- Downs Drive.
- Fenton Lane.
- Fremont Street - between West Washington Street and Grandlake Boulevard.
- Grandlake Boulevard - west of Fremont Street.
- Hawthorne Lane - between Kress Road and Atlantic Drive.
- Helena Drive.
- Howard Drive.
- Industrial Drive.
- Joliet Street - between Route 38 and Brown Street.
- Main Street - between Route 59 and Wilson Avenue.
- Main Street - between Wilson Avenue and West Washington Street.
- Northwest Avenue.

- Nuclear Drive.
- Prince Crossing Road - between Route 64 and the Great Western Trail.
- Town Road - between Washington Street and the Burlington Northern Railroad Tracks.
- Wegner Drive.
- West Washington Street - between Route 38 and Wood Street.
- Western Drive.
- Weyrauch Street - between Brown Street and the south end of Weyrauch Street.
- Winston Street.
- Wood Street - between West Washington Street and Church Street.

(2) The director of public works is authorized and directed to post or cause to be posted, streets designated as class II truck routes as governed by subsection (n)(1).

(o) *Penalty.*

(1) Any person, firm or corporation who or which violates, disobeys, neglects, fails to comply with or resists enforcement of the provisions of this chapter will be fined according to the penalty structures provided in the Illinois Vehicle Code as adopted by Ordinance 17-1 of this Code.

(2) In addition to seeking a fine, as hereinabove provided, the city attorney may institute any proper action in the name of the Village to enjoin the violation of any provision of this chapter.

SECTION TWO: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

PASSED by the President and Board of Trustees of the Village of Glen Ellyn, Illinois, this _____ day of _____, 20____.

AYES:

NAYS:

ABSENT:

VILLAGE OF GLEN ELLYN

ORDINANCE NO. _____-VC

AN ORDINANCE TO ADD TITLE 9 CHAPTER 7
(REGULATING WEIGHTS AND SIZE OF VEHICLES)
TO THE VILLAGE CODE OF THE
VILLAGE OF GLEN ELLYN, ILLINOIS
REGARDING REGULATING WEIGHTS AND SIZE OF VEHICLES

ADOPTED BY THE
PRESIDENT AND THE BOARD OF TRUSTEES
OF THE
VILLAGE OF GLEN ELLYN
DUPAGE COUNTY, ILLINOIS
THIS _____ DAY OF _____, 20 ____.

Published in pamphlet form by the authority
of the President and Board of Trustees of the
Village of Glen Ellyn, DuPage County,
Illinois, this _____ day of
_____, 20 ____.

APPROVED by the Village President of the Village of Glen Ellyn, Illinois, this
_____ day of _____, 20____.

Village President of the Village
of Glen Ellyn, Illinois

ATTEST:

Village Clerk of the Village
of Glen Ellyn, Illinois

(Published in pamphlet form and posted on the _____ day of _____,
20____.)