Agenda
Village of Glen Ellyn
Village Board Workshop
Monday, April 21, 2025
7:00 PM
Glen Ellyn Civic Center, Room 301

Meeting Procedures Statement

Visitors are most welcome to attend all meetings of the Village Board and can find copies of the Agenda in the meeting room 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 when the item is discussed. Please complete the Audience Participation form and turn it in to the Village Clerk. It is requested that one spokesman for a group be appointed to provide comment for the entire group. When recognized, please step up to the microphone, state your name, and provide your comment. 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. Taft Avenue Roadway Improvements

1) Discussion of Taft Avenue and Exmoor Avenue Roadway Improvements

F. Bicycles, Low-speed Electric Bicycles, and Personal Mobility Devices Use

1) Review and Discussion of Draft Ordinance to Regulate the Use of Bicycles, Low-Speed Electric Bicycles, and Personal Mobility Devices in the Village

G. Lead Service Line Replacement Discussion

1) Discussion of Lead Service Line Replacement Plan and Water/Sewer Fees

H. Reminders

1) Village Board Meeting, April 28, 2025 at 7 pm

2) Village Board Meeting Monday, May 12, 2025 at 7 pm

I. Adjourn

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

Meeting 4/21/2025 7:00 PM
Department: Public Works - Internal Services
Department Head: Dave Buckley
Category: Discussion Item
Prepared By: Richard Daubert

AGENDA ITEM (ID # 2025-343)

DOC ID: 2025-343

Discussion of Taft Avenue and Exmoor Avenue Roadway Improvements

Statement of the Issue:
The purpose of this agenda item is to present a preliminary draft concept of potential roadway improvements to Taft Avenue (Park Boulevard to Nicoll Way) as well as to Exmoor Avenue (Taft Avenue to Roosevelt Road).

Staff emphasize that the presented concept is very preliminary. The concept takes the Full Circle Communities Development Project into consideration. However, the future of other potential redevelopment sites along Taft and Exmoor is not definitive at this time. Ideally, the future of other sites become known with the roadway improvement design to be coordinated accordingly. However, we must balance the coordination of future improvements with current infrastructure maintenance and improvement needs.

Having made the above disclaimers, staff would nevertheless like to inform the Village Board of this potential roadway improvement concept and solicit any input the Board may have at this time.

Analysis:
Taft Avenue
The subject section of Taft Avenue is an east-west local roadway owned and maintained by the Village. Taft Avenue was constructed circa 1975 and consists of asphalt pavement with concrete curb and gutter. The nominal roadway width is thirty feet (30') from back of curb to back of curb. However, Taft does widen to 38' at Park Boulevard. Parking is allowed on the south side of Taft Avenue between Fire Station 62 and Kingsbrook Glen; Parking is not allowed elsewhere on Taft between Park and Exmoor. Pavement markings are limited to stop bars, the aforementioned parking spaces, hatching in front of fire station 62, and crosswalks. Floodplain is present within the Taft Avenue right-of-way and there is also wetland area adjacent to the project site. Due to the floodplain, limited changes can be made to the roadway profile. The speed limit along Taft Avenue is 30 miles per hour and the Taft Avenue approaches to Park and Nicoll are stop controlled. The Taft Avenue approaches to Exmoor Avenue are uncontrolled.

As part of the recently approved Full Circle Communities Development Project, a traffic study was performed and provided insight on current peak hour traffic operations along Taft and Exmoor. In summary, the roadways currently function reasonably well and have reserve capacity to serve the

Full Circle Development. Having said that, Public Works Engineering staff feels that there are opportunities to improve traffic operations along Taft Avenue. Conceptual level roadway geometric improvements include:

1. A westbound left turn lane for Taft Avenue at Park Boulevard.
2. An eastbound left turn lane for Taft Avenue at Nicoll Way.
3. Additional on-street parking spaces along portions of the north and south sides of Taft Avenue.
4. More clearly defined and appropriately sized vehicular travel lanes along with roadway centerline striping.
5. New sidewalk along the north side of Taft Avenue as well as a shortened pedestrian crossing at the west leg of Taft and Exmoor.
6. While not related to geometrics, other improvements including roadway lighting and drainage would be incorporated into the final design.

Exmoor Avenue

The subject section of Exmoor Avenue is a north-south local roadway owned and maintained by the Village. The speed limit is 30 miles per hour with the Exmoor Avenue approach to Roosevelt Road uncontrolled and the Exmoor Avenue approach to Taft Avenue uncontrolled. The curvelinear alignment of Exmoor Avenue dates long back with the 1928 plat of subdivision attached hereto for reference. Exmoor Avenue was ultimately vacated between Taft and Harding. However, as land developed, Exmoor Avenue was never "straightened" between Taft and Roosevelt. The alignment is not necessarily problematic, but sightlines and turning movements can be improved by straightening the roadway. As such, this alignment is shown in the attached concept exhibit. There are some challenges and drawbacks to this alignment. In particular, as Exmoor is straightened and shifted to the west, there are some grading considerations to ensure the sidewalk ramps are ADA compliant while also not raising the roadway significantly to create net fill within Taft Avenue. In addition, as the roadway is shifted, this creates additional utility work to accommodate drainage of the roadway. These challenges are not insurmountable, but they are nevertheless challenges. In terms of some drawbacks, straightening of the roadway is places is more proximate to the western right-of-way line of Exmoor Avenue. Ideally, roadways are more centered within the right-of-way. In addition to straightening the roadway, it would be fully reconstructed with street lighting being provided along with sidewalks along both sides of Exmoor Avenue.

Next Steps

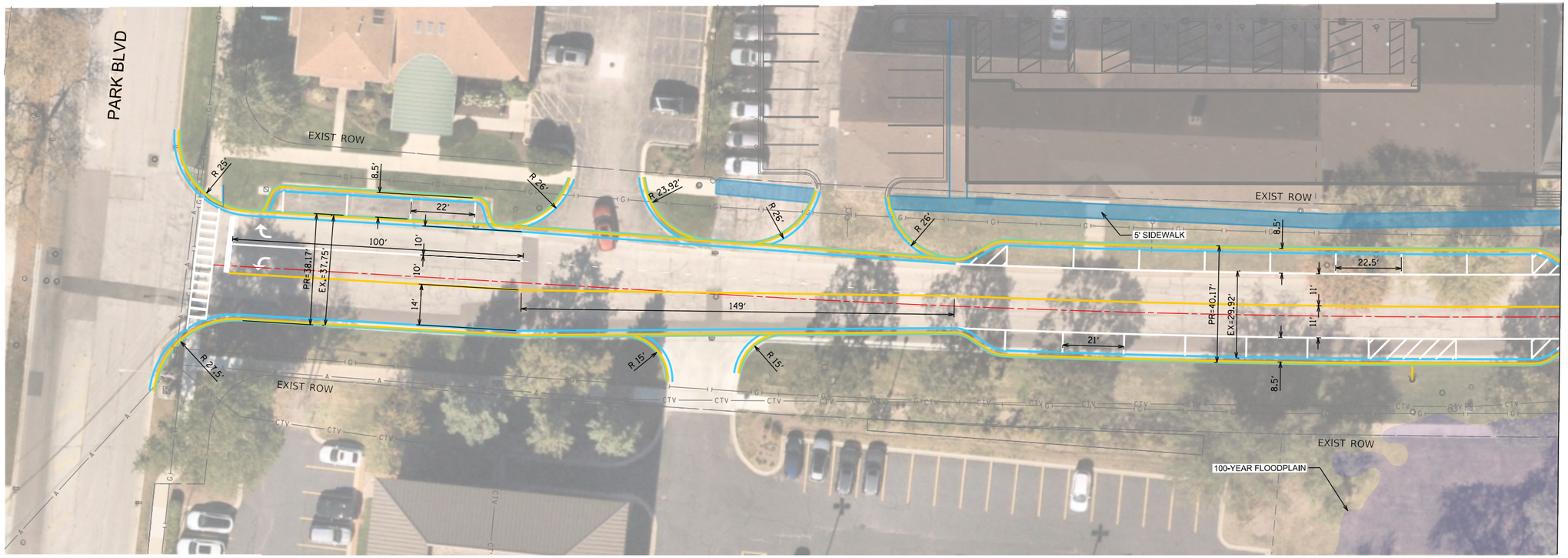
As alluded to above, staff would ideally like to understand the destiny of other future developments along Taft and Exmoor, as well as facility plans for Fire Station 62, prior to finalizing this design. However, there is some value in continuing to advance the design to a reasonable point that will facilitate planning for future developments and position the roadway project for future execution. In this regard, staff will work with AECOM to develop a scope and fee for additional survey along Exmoor Avenue, traffic counts and analysis, and further development of grading, utility, and roadway plans for Taft and Exmoor. Traffic counts and analysis would facilitate confirming storage lengths for the turn lanes as well as to review the intersection controls at Taft and Exmoor. The scope would also include reviewing the pavement design and developing cost estimates for the work. As is the case for other local and federally funded Village projects, staff and the consultant will also engage the public on the project.

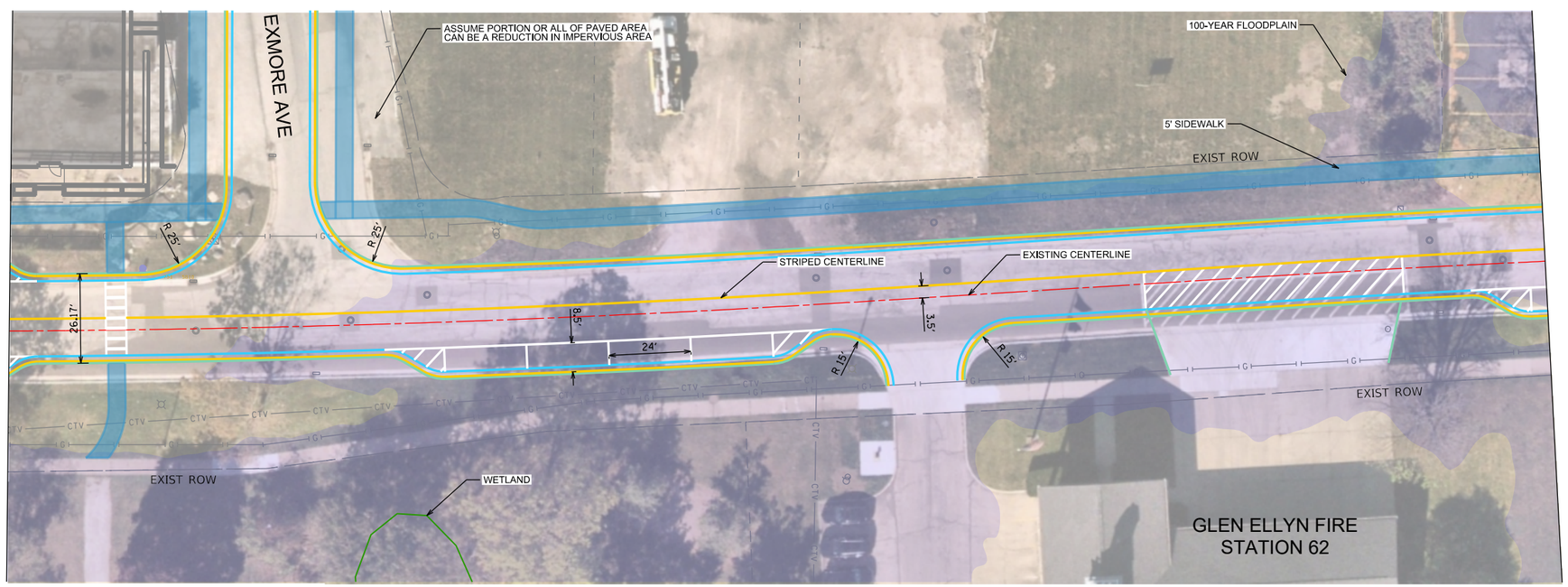
Budget Impact:

Contribution to Strategic Plan

Action Requested:
For discussion only. Any input the Village Board and Public may have would be greatly appreciated by staff.

Attachments:
1. Draft Concept Sheets
2. Draft Concept Overall View Exhibit
3. Plat





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AECOM
650 WARRENVILLE ROAD
SUITE 350
LISLE, IL 60532
TEL. 312-373-7700

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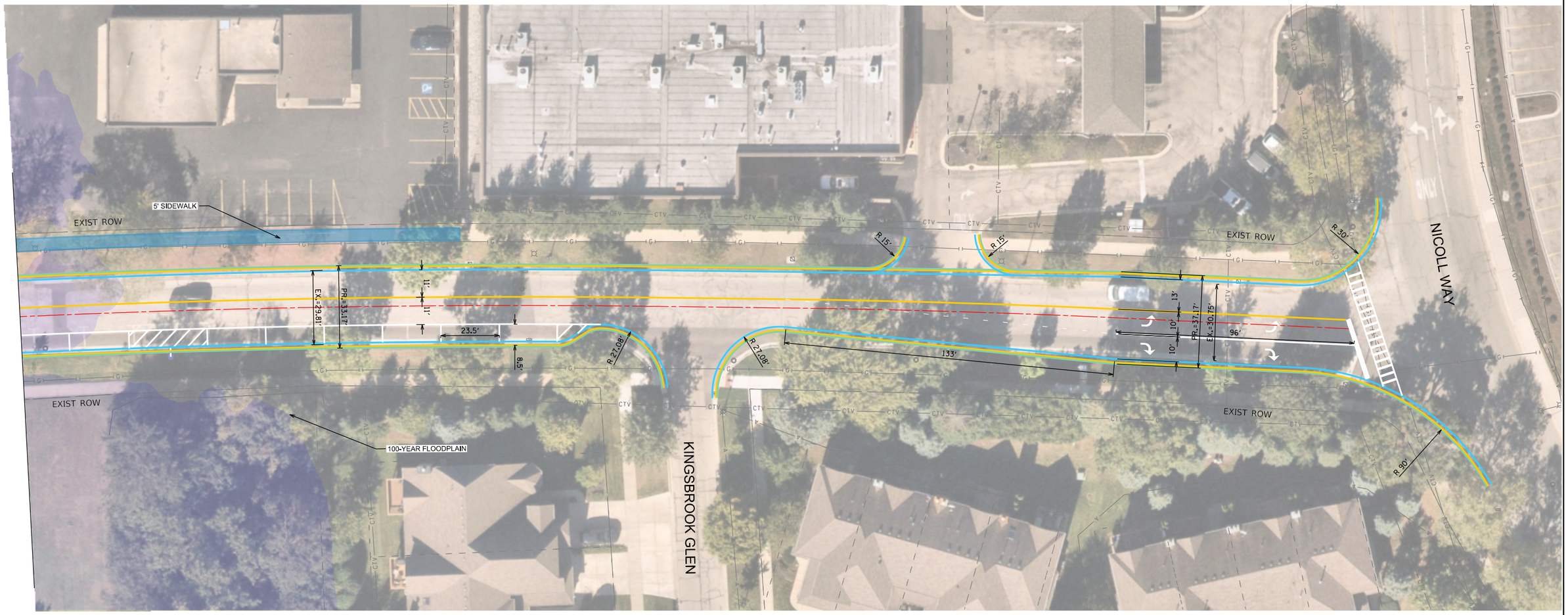
VILLAGE OF GLEN ELLYN, ILLINOIS
TAFT AVENUE & EXMOOR AVENUE
CONCEPT GEOMETRY

DRAFT

DATE: 04/14/2025
JOB NO:
SHEET 1 OF 3



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SUITE 350
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TEL. 312-373-7700

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VILLAGE OF GLEN ELLYN, ILLINOIS
TAFT AVENUE & EXMOOR AVENUE
CONCEPT GEOMETRY

DRAFT

DATE: 04/14/2025
JOB NO:
SHEET 2 OF 3

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LISLE, IL 60532
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VILLAGE OF GLEN ELLYN, ILLINOIS
TAFT AVENUE & EXMOOR AVENUE
CONCEPT GEOMETRY

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DATE: 04/14/2025
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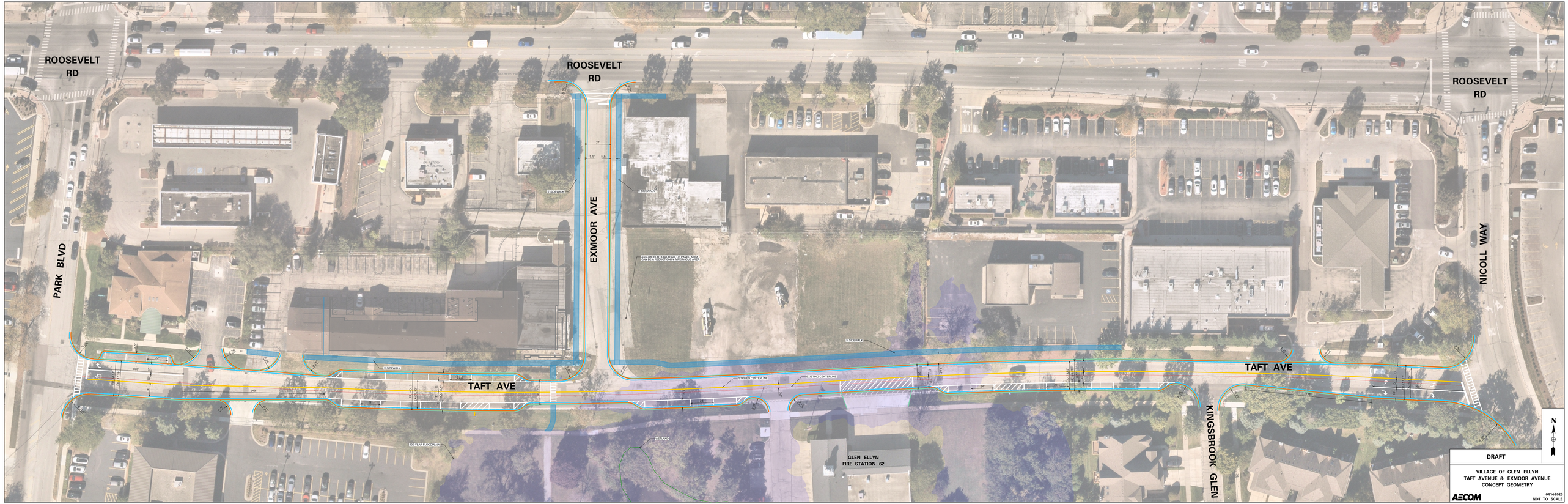
SHEET 3 OF 3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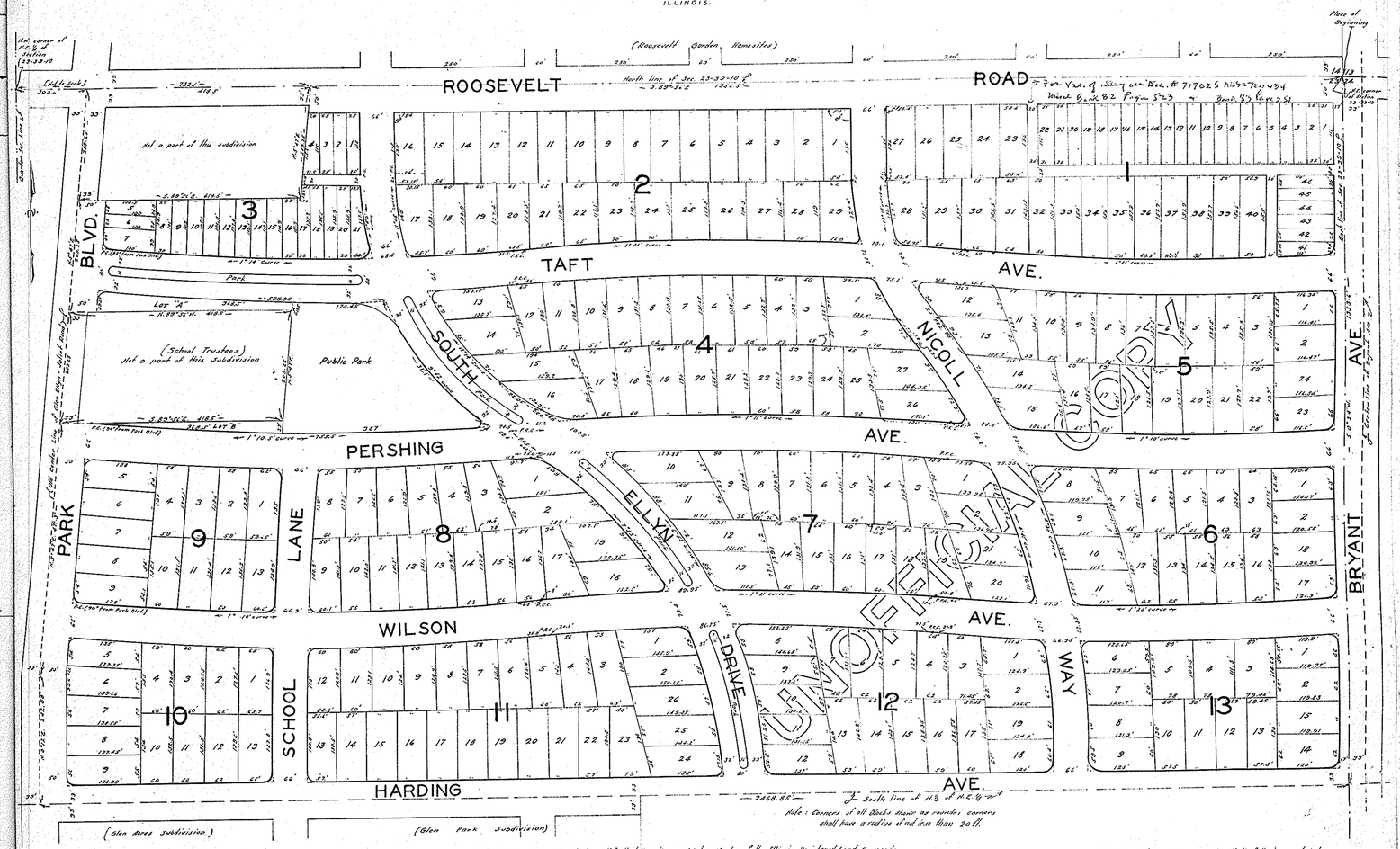
Page 6 of 10

ROOSEVELT HILLS

DU PAGE COUNTY, ILLINOIS.



Note: Corners of all blocks have no rounded corners shall have a radius of not less than 20 ft.

For Vacation Alley in Blk 1 See R63-36701
For Vac Ordn #1417 repealing ordn #1375 See doc R64-47400

For Vac Ordn #1638 See doc R69-19944
For Vac Ordn #1659 See doc R69-47550
For earnt (P + VOC S + B S) see R74-27916
For Pl vac Tenta (B18) see R78-51103 86/107
Ord 3273-2 (pt spk ave) (Lots 11-13 + pt Lot 14) = R89-1673 125/57
Vac Ord 3636 (pt Nelson Ave) = R90-13281 145/52
Ord 3922 pt spec use (Z6-1082) R92-12,2821
Vac Ord 4290 (Lots 1-13 & 10) (Alley in Blk) R95-17242.5 174/130

Doc # 268777

State of Illinois } ss.
County of Cook }

This is to certify that the Chicago Title and Trust Company, a corporation of Illinois, as trustee under the provisions of a deed or deeds in trust duly recorded and delivered to said company in pursuance of a trust agreement dated the 1st day of October A.D. 1922 and known as Trust No. 27122 is the owner of the land described above and has caused the same to be surveyed and subdivided as shown by the annexed plat, for the uses and purposes therein set forth, as authorized and provided by statute; and said Chicago Title and Trust Company hereby acknowledges and adopts the same under the style and title hereon shown. Dated this 1st day of November A.D. 1922.

CHICAGO TITLE AND TRUST COMPANY, as trustee.

C.C. Hackett — Vice President
Frieda Tax — Asst Secretary.

CORPORATE SEAL — CHICAGO TITLE & TRUST COMPANY — ILLINOIS

State of Illinois } ss.
County of Cook }

I, O. Heiltjohn a Notary Public in and for said County in the State aforesaid, do certify that C.C. Hackett Vice President of the Chicago Title and Trust Company and Frieda Tax Assistant Secretary of said Company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Secretary respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said company, for the uses and purposes therein set forth; and the said Assistant Secretary did also then and there acknowledge that she as custodian of the corporate seal of said company did affix the said corporate seal of said company to said instrument as her own free and voluntary act, and as the free and voluntary act of said company, for the uses and purposes therein set forth. Given under my hand and Notarial Seal this 1st day of November A.D. 1922.

O. Heiltjohn Notary Public.

O. HEILTJOHN — NOTARY PUBLIC — DU PAGE COUNTY, ILLINOIS

State of Illinois } ss.
County of DuPage }

I, Clarence V. Hagemann, County Clerk in and for said County in the State aforesaid, do hereby certify that there are no redeemable tax sales, nor unpaid forfeited taxes, nor unpaid special assessments against any of the real estate included on the annexed plat. Given under my hand and Seal at Wheaton, Illinois, this 2nd day of Nov. A.D. 1922.

Clarence V. Hagemann County Clerk.

COUNTY CLERK — DU PAGE COUNTY, ILLINOIS

State of Illinois } ss.
County of DuPage }

This is to certify that I, Arthur L. Wessler, member of the Illinois Registered Land Surveyors' Association, have surveyed and subdivided the Southeast Quarter of the Northeast Quarter and part of the Southwest Quarter of the Northeast Quarter of Section 23, Township 39 North, Range 10 East of the 3rd Principal Meridian, described in total as follows: Beginning at the Northeast corner of Section 23, Twp. 39 N., R. 10 E. of the 3rd P.M., and running thence S. 0°-34'-W. along the East line of said Section 23, 1333.5 feet to the South line of the North half of the Northeast Quarter of said Section; thence West along said South line 2624.85 feet to the center line of Park Boulevard (also known as the Glen Ellyn-Joliet Road); thence N. 0°-12'-E. along said center line 242.84 feet to an angle in said road; thence N. 5°-47'-E. along said center line 47.73 feet to the Southwest corner of the School lot; thence S. 89°-56'-E. parallel with the North line of Section 23, 418.5 feet to the Southeast corner of said School lot; thence N. 0°-34'-E. parallel with the East line of Section 23, 418.5 feet to the center line of said Park Boulevard; thence N. 5°-47'-E. along said center line 202.22 feet to the North line of said Section 23; thence N. 89°-56'-E. parallel with Park Boulevard 209.22 feet to the North line of Section 23 at a point 722.1 feet to the Northwest corner of the Northeast Quarter of said Section 23; thence S. 89°-56'-E. along said North line 1322.5 feet to the place of beginning; all as shown on the annexed plat, which is a correct representation of said survey and subdivision.

Every lot in this subdivision contains one-sixth of an acre, or more (Except lots 14-22, inclusive, and lots 41-46, inclusive in Block 1, and lots 1 & 21, inclusive, in Block 3, and lots 7 & 8 of Block 8). Distances are given in feet and decimal parts thereof. Scale: one inch equals 100 ft.

Houston, Illinois, October 31st, 1922.

Arthur L. Wessler
MEMBER OF ILLINOIS REGISTERED LAND SURVEYORS' ASSOCIATION.

State of Illinois } ss.
County of DuPage }

Approved by the Plan Commission of the Village of Glen Ellyn, Illinois, this 31st day of October A.D. 1922.

Harvey A. Lozier President
Abbie S. Kendall Secretary

State of Illinois } ss.
County of DuPage }

Approved by the Board of Supervisors of DuPage County this 2nd Day of Nov A.D. 1922.

N.H. Lins Chairman
Clarence V. Hagemann Clerk.

RESTRICTIONS: The owner agrees that this plat shall be approved with the following restrictions, to be in force until Jan. 1st, 1933.

(1) Business buildings constructed of brick, stone, tile or other similar fire proof material, and conforming to the zoning and building ordinances of the village of Glen Ellyn, Illinois, may be erected on lots 14 to 22 inclusive, and lots 41 to 46 inclusive, of Block 1, and on all lots in Block 3. One-story business buildings shall cost not less than $5000.00 and two-story business buildings not less than $8000.00.

(2) All lots in this subdivision (excepting lots 14 to 22 inclusive, and lots 41 to 46 inclusive in Block 1, all lots in Block 3, and lots 7 and 8) are restricted to residence buildings costing not less than $1000.00 and shall conform to the zoning and building ordinances of the village of Glen Ellyn. Only one single family residence building, together with garage and other minor building to be erected in connection therewith, shall be built on any one residence lot.

(3) A 30-foot building line is hereby established upon all residence lots in this subdivision, and no building or portion thereof shall be erected or maintained between this line and the street line as hereon platted.

(4) Lots 9 and 8 are hereby dedicated to the school Trustees and are restricted to school use.

(5) Except where alleys are provided, an easement is hereby reserved on the rear five feet of all lots in this subdivision for the placing and maintaining perpetually of electric light and telephone poles and other facilities necessary for other public or quasi-public service, together with the right of access thereto for such purposes.

State of Illinois } ss.
County of DuPage }

This instrument was filed for record in the Recorder's Office of DuPage County aforesaid, on the 2 day of November A.D. 1922, at 2 o'clock P.M., and was recorded in Book 19 of Plats on page 26 as Document No. 268777.

Lewis Ellsworth Recorder.

REDUCED 30%

Book #19
Page #26

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

Meeting 4/21/2025 7:00 PM
Department: Police
Department Head: Phil Norton
Category: Ordinance
Prepared By: Paul Stephanides

AGENDA ITEM (ID # 2025-351)

DOC ID: 2025-351

Review and Discussion of Draft Ordinance to Regulate the Use of Bicycles, Low-Speed Electric Bicycles, and Personal Mobility Devices in the Village

Statement of the Issue:
Pursuant to the discussions held at the December 9, 2024 and March 10, 2025 Village Workshops, a draft ordinance is attached for review and discussion. The ordinance proposes amendments to Title 9 ("Traffic"), Chapter 1 ("Traffic Regulations"), Section 9-1-11 ("Games and Toy Vehicles") of the Glen Ellyn Village Code and adds a new Chapter 8 ("Bicycles, Low-Speed Electric Bicycles, and Personal Mobility Devices") to Title 9 of the Code to address the regulation of bicycles, low-speed electric bicycles, and personal mobility devices.

Analysis:

The Village Board discussed mobility devices and their use in the Central Business District (CBD) and throughout the Village on December 9, 2024, and March 10, 2025. The Village Board provided some direction and staff were asked to draft an Ordinance for future consideration. Attached is the agenda item packet from the March 10, 2025 Special Workshop as well as the draft Ordinance for further discussion. Staff seeks final direction to allow time to educate the public on any policy changes as we shift to better weather this spring. Key Highlights of the Ordinance include:

- Prohibition of bicycle and low-speed electric bicycle use on sidewalks within the Central Business District
- Establishment of a penalty fine of $75.00 for violations
- Definitions related to bicycle, low-speed electric bicycle, personal mobility device, and electronic personal assistance mobility device
- Rules governing operation and use
- Specific location restrictions for riding
- Affirmation of Village immunity

- Provisions outlining parental responsibility for minor users

Key elements of this Ordinance reflect provisions found in the Illinois Compiled Statutes as well as comparable ordinances adopted by other communities.

Budget Impact:
Aside from any fines imposed under the Ordinance, no significant budget impact is anticipated as a result of this ordinance.

Contribution to Strategic Plan
This item contributes to Effective Governance, lending to improving the organization's understanding of resident/community needs.

Action Requested:
Staff requests Board guidance and feedback on the proposed Ordinance.

Attachments:
1. Draft Ordinance - Bicycles, Low-Speed Electric Bicycles, and Mobility Devices
2. Micromobility Agenda Memo and Attachments from 3-10-25 VB Special Workshop

Village Of Glen Ellyn

Ordinance No. xxxx-VC

An Ordinance Amending Title 9 ("Traffic"), Chapter 1 ("Traffic Regulations"), Section 9-1-11 ("Games and Toy Vehicles") of the Glen Ellyn Village Code And Adding a New Chapter 8 ("Bicycles, Low-Speed Electric Bicycles, and Personal Mobility Devices") to Title 9

Adopted by the
Acting Village President and the Board of Trustees
of the Village of Glen Ellyn
DuPage County, Illinois
This 28th Day of April, 2025.

Published in pamphlet form by the authority of the Acting Village President and Board of Trustees of the Village of Glen Ellyn, DuPage County, Illinois, this _____ day of April, 2025.

Ordinance No. xxxx-VC

An Ordinance Amending Title 9 ("Traffic"), Chapter 1 ("Traffic Regulations"), Section 9-1-11 ("Games and Toy Vehicles") of the Glen Ellyn Village Code And Creating a New Chapter 8 ("Bicycles, Low-Speed Electric Bicycles, and Personal Mobility Devices") to Title 9

WHEREAS, the Village of Glen Ellyn ("Village") is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the Village is expressly empowered to perform any function pertaining to its government and affairs, including, but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, Section 11-80-2 of the Illinois Municipal Code, 65 ILCS 5/11-80-2, grants to Village the power to regulate the use of streets or other municipal property; and

WHEREAS, Section 11-1518(a) of the Illinois Vehicle Code, 625 ILCS 5/11-1518(a), empowers the Village to authorize and regulate the operation of low-speed electric scooters within the Village on any or all highways, sidewalks, trails or other public right-of-way where the operation of bicycles is permitted; and

WHEREAS, it is the intent of this Ordinance to permit and regulate the operation of low-speed electric scooters under the broader category of personal mobility devices within the corporate limits of the Village as authorized by Section 11-1518(a) of the Illinois Vehicle Code.

WHEREAS, it is further the intent of this Ordinance to permit and regulation the operation of bicycles and low-speed electric bicycles in the Village pursuant to the above authority and the Village's home rule powers.

NOW, THEREFORE, BE IT ORDAINED BY THE ACTING VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF GLEN ELLYN,

DUPAGE COUNTY, ILLINOIS, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The foregoing recitals are incorporated as though fully set forth in this Section 1.

Section 2. Village Code Amended. Title 9 ("Traffic), Chapter 1 ("Traffic Regulations"), Section 9-1-11 ("Games and Toy Vehicles") of the Glen Ellyn Village Code is amended to add the underlined language and delete the overstricken language as follows:

9-1-11. Games, ~~and toy vehicles~~ skates and other similar devices.

(A) *Games:* It shall be unlawful to play games on any roadway.

(B) *Toy vehicles:* No person shall travel upon a roadway, other than a crosswalk, while using roller skates, ~~a coaster,~~ a skateboard, wagon, manually powered scooter, sled or other similar device~~, a skateboard, bicycle, or any other toy vehicle~~.

~~(C) *Skateboards and scooters:* No person shall use, operate, or be in control of any motorized skateboard or motorized scooter (defined by state law as motor vehicles but not currently licensed by the state) on a public or private street, parking lot, sidewalk, bike path or other area open to the public.~~

~~(D)~~ (C) *Central business district sidewalks:* No person shall travel upon a sidewalk in the ~~area known and defined~~ as the Central Business District while using any of the devices ~~delineated~~ set forth in subsection (B) of this section or as set forth in Section 9-8-3 of this Code, as amended.

(D) It shall be unlawful for any parent or guardian to permit any minor child seventeen (17) years of age or younger of which they are a parent or guardian to violate any provisions of this section.

~~(E)~~ (E) *Penalty:* Any person violating the provisions of this section shall be subject to a fine of ~~not less than $10.00 for the first offense and not less than $20.00 for the second or subsequent offense~~ shall be subject to a fine of not less than seventy-five dollars ($75.00) nor more than seven hundred fifty dollars ($750.00).

Section 3. Village Code Amended. Title 9 ("Traffic of the Glen Ellyn Village Code is amended to a new Chapter 8 ("Bicycles, Low-Speed Electric Bicycles, and Personal Mobility Devices") as follows:

Chapter 8 - BICYCLES, LOW-SPEED ELECTRIC BICYCLES, AND PERSONAL MOBILITY DEVICES

9-8-1. – Definitions.

Bicycle: Every device propelled by human power upon which any person may ride, having two (2) tandem wheels except scooters and similar devices.

Low-speed electric bicycle: A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts, and that meets the requirements of one of the three (3) classifications set forth in Section 1-140.10 of the Illinois Vehicle Code, 625 ILCS 5/1-140.10, as amended.

Multi-use path: A paved or gravel pathway for bicycles and pedestrians either paralleling a roadway and located within the right-of-way of said roadway or located within a public easement or right-of-way other than that or a roadway and designated by signage.

Personal mobility device: An electric-powered or electric-assisted device designed to transport only one person with an electric propulsion system of less than 750 watts and that limits the maximum speed of the device to ten (10) miles per hour or less, including a low-speed electric scooter as defined in Section 1-140.11 of the Illinois Vehicle Code, 625 ILCS 5/1-140.11, as amended, and a motorized or motor-assisted skateboard, or any other similar devices. The following shall be exempt from this definition: (1) electronic personal assistance mobility devices; personal mobility devices used by the United States Postal Services to deliver United States mail; and (3) personal mobility devices used by governmental entities for public safety purposes or by a Village employee in the performance of the employee's official duties.

Electronic personal assistance mobility device: Manual wheelchairs, power wheelchairs, and electric scooters and manually powered mobility aids such as a walkers, crutches, cane, braces, and other similar devices used by a person with a disability.

9-8-2. – Obedience to traffic-control devices.

Any person operating a bicycle, low-speed electric bicycle, or personal mobility device shall obey official traffic signals, signs and other control devices applicable to vehicles unless otherwise directed by a police officer.

Wherever authorized signs are erected indicating that no right or left or "U" turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except when such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

9-8-3. – Operation of bicycles, low-speed electric bicycles, and personal mobility devices.

(A) *Riding on bicycles, low-speed electric bicycles, and personal mobility devices*: A person

operating a bicycle or low-speed electric bicycle shall not ride other than upon or astride the permanent and regular seat attached thereto, nor carry any other person or persons upon such bicycle or low-speed electric bicycle other than upon a firmly attached and regular seat designed and intended for such purpose. No bicycle, low-speed electric bicycle, or personal mobility device shall be used to carry more than one (1) person unless specifically designed for more than one (1) person.

(B) *Speed*: No person shall operate a bicycle, low-speed electric bicycle, or personal mobility device at a speed greater than is reasonable and prudent under the then existing conditions. A person may not operate a bicycle, low-speed electric bicycle, or personal mobility device on a highway with a posted speed limit in excess of 35 miles per hour outside of a crosswalk.

(C) *Riding on right*: Every person operating a bicycle or low-speed electric bicycle upon a public street or roadway shall ride as near to the right side thereof as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

(D) *Emerging from alley or driveway*: The operator of a bicycle, low-speed electric bicycle, or personal mobility device emerging from an alley, driveway or building shall, upon approaching a sidewalk or sidewalk area extending across any alleyway, yield the right of way to all pedestrians and other persons operating a bicycle, low-speed electric bicycle, personal mobility device or electronic personal assistance mobility device approaching on said sidewalk area and upon entering the public street or roadway shall yield the right of way to all vehicles and other persons operating a bicycle, low-speed electric bicycle, personal mobility device or electronic personal assistance mobility device approaching on said street or roadway.

(E) *Emerging from multi-use paths*: Any person operating a bicycle, low-speed electric bicycle, or personal mobility device upon a multi-use path shall yield the right of way to all vehicles, pedestrians, and other persons operating a bicycle, low-speed electric bicycle, personal mobility device or electronic personal assistance mobility device prior to riding into a sidewalk area extending across any intersecting roadway or a roadway if there is no sidewalk area, as applicable.

(F) *Clinging to vehicles*: No person riding upon any bicycle, low-speed electric bicycle, or personal mobility device shall attach said bicycle, low-speed electric bicycle, or personal mobility device, or himself, by clinging or otherwise, to any other vehicle.

(G) *Riding in a group*: Persons operating bicycles, low-speed electric bicycles, or personal mobility devices shall ride in single file.

(H) *Carrying articles*: The use of handheld cell phones, or similar devices, while operating a low speed electric bike and/or personal mobility device is prohibited. The operator of a low speed electric bike and/or personal mobility device with handlebars shall always keep both hands on the handlebars.

(I) *Parking*: No person shall park a bicycle, low-speed electric bicycle, or personal mobility

device upon a public street, roadway, or on a sidewalk except as follows:

1. On a sidewalk in a rack designed and installed for that purpose.

2. On a sidewalk adjacent to a building with the bicycle, low-speed electric bicycle, or personal mobility device resting on its own standard, provided no part of the bicycle, low-speed electric bicycle, or personal mobility device shall be more than two and one-half feet (2 1/2') from the adjacent building.

(J) *Parking in Central Business District*: Bicycles, low-speed electric bicycle, or personal mobility device in the Central Business District may be parked only in bicycle racks provided by the Village. Any person who is in violation of this subsection shall be subject to a fine of twenty-five dollars ($25).

(K) *Other vehicles prohibited*: Electric bicycles other than low speed electric bicycles, or devices that do not meet the definition of personal mobility devices as defined in Section 9-8-1 above due to being equipped with a motor of 750 watts or more, or capable of a maximum speed in excess of fifteen (15) miles per hour, shall not be permitted to be operated on any public right-of-way or on any other public property within the Village.

(L) *Low-speed electric scooters prohibited on State highways*: A person may not operate a low-speed electric scooter any State public highway in the Village as set forth in Section 11-1518(k) of the Illinois Vehicle Code, 625 ILCS 5/11-1518(k), as amended.

(M) *Low-speed electric scooters age restriction*: A person under the age of eighteen (18) may not operate a low-speed electric scooter.

(N) *Class 3 low-speed electric bicycle age restriction*: A person who is under the age of sixteen (16) may not operate a Class 3 low-speed electric bicycle as set forth in Section 11-1517(h) of the Illinois Vehicle Code, 625 ILCS 5/11-1517(h), as amended.

9-8-4. – Location restrictions.

(A) *Bicycles, low-speed electric bicycles, and personal mobility devices*: Bicycles, low-speed electric bicycles and personal mobility devices may be operated on any street or sidewalk in the Village except on sidewalks in the Central Business District.

(B) *Duty to yield*: Whenever a person rides a bicycle, low-speed electric bicycle, or personal mobility device upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give an appropriate signal clearly audible to such pedestrian.

(C) *Village immunity*: Any person who rides or operates a bicycle, low-speed electric bicycle, or personal mobility device on a sidewalk in the Central Business District in violation of this section shall not be an intended and permitted user of such sidewalk pursuant to Section 3-102(a) of the

Local Governmental and Governmental Employees Tort Immunity Act, 745 ILCS 10/3-102(a), as amended.

9-8-5. – Equipment.

(A) *Lamps and reflectors*: Every bicycle, low-speed electric bicycle and personal mobility device operated at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet (500') to the front and with a red reflector on the rear which shall be visible from all distances from fifty feet (50') to three hundred feet (300') to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from five hundred feet (500') to the rear may be used in addition to the red reflector.

(B) *Brakes*: Every bicycle, low-speed electric bicycle and personal mobility device shall be equipped with a brake which will enable the operator to make the braked wheel skid on a dry, level, clean pavement.

9-8-6. – Duty of parent or guardian.

It shall be unlawful for any parent or guardian to permit any minor child eighteen (18) years of age or younger of which they are a parent or guardian to violate any provisions of this chapter.

9-8-7. – Penalty.

Any person who violates a provision of this Chapter shall be punished by a fine of not less than seventy-five dollars ($75.00) nor more than seven hundred fifty dollars ($750.00). A separate offense shall be deemed committed for each day on which a violation occurs or continues.

Section 4. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after the passage, approval, and publication in pamphlet form.

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Passed by the Acting Village President and Board of Trustees of the Village of Glen Ellyn, Illinois this 28th day of April, 2025.

Voting	**Ayes**	**Nays**	**Abstain**	**Absent**
Fasules				
Gould				
Thompson				
Kalinich				
Christiansen				
Simon				

Approved by the Acting Village President of the Village of Glen Ellyn, Illinois this _____ day of April, 2025.

_____
Donna Jean Simon, Acting Village President

ATTEST

_____
Caren Cosby, Village Clerk

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

Meeting 3/10/2025 6:00 PM
Department: Police
Department Head: Phil Norton
Category: Presentation
Prepared By: Phil Norton

AGENDA ITEM (ID # 2025-205)

DOC ID: 2025-205

Micromobility Devices/Electric Bicycles and Scooters Discussion (Police Chief - Phil Norton)

Statement of the Issue:
Micomobility devices and electric bicycles and scooters are becoming more prevalent and lack regulation. The Village Board is allowed by state statute to regulate much of the use of these items for the public health, safety and welfare.

Analysis:
INTRODUCTION
There has been a recent proliferation of electronic mobility devices of various types in Glen Ellyn and many other communities. Many of these devices are unregulated by local ordinances because of their newer technology and their use has not been previously experienced. Illinois state law provides some statutory direction for regulation and also allows local municipalities to regulate some of these devices, with certain limitations.

Village Attorney Paul Stephanides produced a comprehensive memo entitled "Micromobility Devices/Electric Bicycles and Scooters" dated December 5, 2024, which is attached to this item. In addition, attached to this item are the results of a survey of e-bike regulations from surrounding communities. This memorandum addresses the Village's possible regulation of such devices and matters the Village Board may consider to be contained in a potential ordinance. In this memo, micromobility devices refer to low-speed electric bicycles, low-speed electric scooters, low-speed gas bicycles, and other micromobility devices not currently defined by Illinois law.

DISCUSSION
The Illinois Vehicle Code specifically defines low-speed electric bicycles (625 ILCS 5/1-140.10) and low-speed gas bicycles (625 ILCS 5/1-140.15). The equipment requirements and rules of operation are also detailed in the Illinois Vehicle Code (625 ILCS 5/11-1517 and 625 ILCS 5/11-1516). Municipalities can further regulate the operation of low-speed electric bicycles and low-speed gas bicycles. The Village has previously adopted the Illinois Vehicle Code in its entirety without additional regulation.

Low-speed electric bicycles (625 ILCS 5/1-140.10). A bicycle with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following classes:

Class 1 e-bike – Low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches speeds of 20 mph.

Class 2 e-bike – Low-speed electric bicycle equipped with a motor that can be used exclusively to propel the bicycle and cannot provide assistance when the bicycle reaches speeds of 20 mph.

Class 3 e-bike – Low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches a speed of 28 mph.

Illinois Operating Rules for Low-speed electric bicycles (625 ILCS 5/11-1517).

1. Except as otherwise provided in this Section, the provisions of this Chapter that apply to bicycles also apply to low-speed electric bicycles.

2. Each low-speed electric bicycle operating in this State shall comply with equipment and manufacturing requirements adopted by the United States Consumer Product Safety Commission under 16 CFR 1512. Each Class 3 low-speed electric bicycle shall be equipped with a speedometer that displays the speed the bicycle is traveling in miles per hour.

3. Beginning on or after January 1, 2018, every manufacturer and distributor of low-speed electric bicycles shall apply a label that is permanently affixed to the bicycle in a prominent location. The label shall contain, in Arial font in at least 9-point type:

a. a classification number for the bicycle that corresponds with a class under Section 1-140.10 of this Code;
b. (2) the bicycle's top assisted speed; and
c. (3) the bicycle's motor wattage.

No person shall knowingly tamper or modify the speed capability or engagement of a low-speed electric bicycle without replacing the label required under this subsection (c).

4. A Class 2 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. A Class 1 low-speed electric bicycle and a Class 3 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling.

5. A person may operate a low-speed electric bicycle upon any highway, street, or roadway authorized for use by bicycles, including, but not limited to, bicycle lanes.

6. A person may operate a low-speed electric bicycle upon any bicycle path unless the municipality, county, or local authority with jurisdiction prohibits the use of low-speed electric bicycles or a specific class of low-speed electric bicycles on that path.

7. A person may not operate a low-speed electric bicycle on a sidewalk.

8. A person may operate a Class 3 low-speed electric bicycle only if he or she is 16 years of age or older. A person who is less than 16 years of age may ride as a passenger on a Class 3 low-speed electric bicycle that is designed to accommodate passengers.

In August 2024, Public Act 103-0899 became effective, providing a definition for low-speed electric scooters and rules for their operation.

Low-speed electric scooters (625 ILCS 5/1-140.10).

- Device weighing less than 100 pounds;
- With 2 or 3 wheels;
- Handlebars;
- Floorboard that can be stood upon while riding;
- Powered only by an electric motor and human power;
- Whose maximum speed, with or without human propulsion, is no more than 10 miles per hour; and
- Does not include moped or motor-driven cycle.
-

Illinois Operating Rules for low-speed electric scooters (625 ILCS5/11-1518).

1. A person may not operate a low-speed electric scooter on a highway with a posted speed limit in excess of 35 mph.

2. A person may not operate a low-speed electric scooter unless he or she is 18 years of age or older.

3. A low-speed electric scooter may be parked in the same manner and at the same locations as a bicycle may be parked.

4. Every low-speed electric scooter when in use at nighttime shall be equipped with a lamp on the front that emits a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear that is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle, except that a lamp emitting a steady or flashing red light visible from a distance of 500 feet to the rear may be SB1960 Enrolled LRB103 26928 MXP 53292 b Public Act 103-0899 used in addition to or instead of the red reflector.

5. A low-speed electric scooter shall not be equipped with nor shall any person use upon a low-speed electric scooter any siren. This subsection does not apply to a low-speed electric scooter that is a police vehicle or fire department vehicle.

6. Every low-speed electric scooter shall be equipped with a brake that will adequately control movement of and stop and hold the low-speed electric scooter.

7. A person may not operate a low-speed electric scooter while carrying any package, bundle, or article that prevents the operator from keeping at least one hand upon the handlebars.

8. A person may not use a low-speed electric scooter to carry more than one person at a time. A person operating a low-speed electric scooter may not attach himself or herself or the scooter to any other vehicle being operated on the public right-of-way.

9. A person may not operate a low-speed electric scooter upon any public highway in the State while under the influence of alcohol or any drug.

10. The use of low-speed electric scooters is not permitted on State highways.

11. Every low-speed electric scooter shall be well-maintained and in good operating condition.

Under Section 11-1518(a) of the Illinois Vehicle Code, *"The use of low-speed electric scooters within any municipality, park district, forest preserve district, or conservation district is allowed only if authorized by the municipality."* Currently, no allowances have been made for the operation of low-speed electric scooters in the Village.

There are several "other micromobility devices" that the Police Department has observed being operated in the Village that do not meet the definitions of low-speed electric bicycles or low-speed electric scooters. These devices, such as hoverboards, e-skateboards, e-dirt bikes, and e-unicycles, are not regulated by the Illinois Vehicle Code. Currently, the Village Code generally prohibits the use of motorized skateboards and scooters in areas open to the public, but the Village Code does not contain a definition of electric mobility devices outside the Illinois Vehicle Code definition of low-speed bicycles and low-speed scooters.

CONCLUSION

The Illinois Vehicle Code defines low-speed electric bicycles and low-speed electric scooters and applicable operating rules if they are allowed to be used in a municipality. The operating rules outlined above for low-speed electric bicycles and low-speed electric scooters are enforceable under the Village Code due to the Village's adoption of the Illinois Vehicle Code. **The operation of low-speed electric scooters is currently prohibited in the Village unless the Village Board decides to authorize their use.** The Illinois Vehicle Code and the Village Code do not specifically define the category of devices referred to as "other micromobility devices" which may create issues with enforcement.

Budget Impact:

There is no budget impact to the Village.

Contribution to Strategic Plan

N/A

Action Requested:

ACTION REQUESTED

The Police Department requests the Village Board review and provide guidance on the use of low-speed electric bicycles, low-speed electric scooters, and "other micromobility devices" within the Village. The Village's Board's feedback will be used to create a draft ordinance for the Board's review and possible adoption at a later date. The Department asks the Board to consider the following questions in its review of this matter.

1. Does the Village wish to allow the use of low-speed electric scooters in the Village?

If the Village Board decides to authorize their use, the following requirements apply to their operation under the Illinois Vehicle Code:

- They may be operated on any highway, street, or roadway; however, low-speed electric scooters may not be operated on a highway with a posted speed limit more than 35 mph or on any State highway.
- **The Village may authorize or prohibit them to be driven on sidewalks.**
- Illinois Secretary of State registration is not required.
- Insurance is not required.
- A driver's license is not required.
- Must be 18 or older to operate.

2. Does the Village Board wish to include parental responsibility for the use of low-speed electric bicycles, low-speed electric scooters, or "other micromobility devices"? This would provide an alternative to issuing a ticket to minors.

3. Does the Village Board wish to define and/or allow the use of "other micromobility devices" within the Village?

4. Does the Village Board wish to restrict the use of low-speed electric bicycles within the Village?

Incidentally, the Department has learned that Cushman manufactures a golf cart-like vehicle that is technically allowed to operated by Illinois statute. The city of Warrenville recently moved to prohibit the use such vehicles in Warrenville for safety reasons.

Attachments:

1. Memo - Electronic Transportation Devices
2. E-Bike Regulations Survey Results - 12.18.2024 DMMC

MEMORANDUM

TO: Acting Village President Donna Jean Simon and Board of Trustees
FROM: Paul L. Stephanides, Village Attorney Paul L. Stephanides
COPY: Mark Franz, Village Manager
Phil Norton, Police Chief
DATE: December 5, 2024
RE: **Micromobility Devices/Electric Bicycles and Scooters**

INTRODUCTION

This memorandum summarizes the laws concerning the operation of various forms of low-speed, alternative forms of transportation including low-speed electric bicycles, low-speed gas bicycles, and low-speed electric scooters, which are collectively referred to as "micromobility devices" in this memorandum. The Illinois Vehicle Code provides local governments limited authority to regulate the operation of micromobility devices within their corporate limits. This memorandum also provides background on the treatment of micromobility devices by other jurisdictions.

DISCUSSION

Illinois Vehicle Code Treatment of Micromobility Devices

The Illinois Vehicle Code sets forth definitions and laws relative to various micromobility devices which may be operated by way of human-powered propulsion and a small motor mounted to the micromobility device. A summary of the definitions and laws pertaining to the different forms of micromobility devices may be found below.

1. Low-Speed Electric Bicycles

A low-speed electric bicycle is defined by the Illinois Vehicle Code as follows:

> A bicycle equipped with fully operable pedals and an electric motor of less than 750 watts that meets the requirements of one of the following classes:
>
> (a) "Class 1 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches a speed of 20 miles per hour.
>
> (b) "Class 2 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle and that is not capable of providing assistance when the bicycle reaches a speed of 20 miles per hour.
>
> (c) "Class 3 low-speed electric bicycle" means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and

that ceases to provide assistance when the bicycle reaches a speed of 28 miles per hour.

A "low-speed electric bicycle" is not a moped or a motor driven cycle.

625 ILCS 5/1-140.10. The required equipment and rules for the operation of low-speed electric bicycles are set forth in Section 11-1517 of the Illinois Vehicle Code, 625 ILCS 5/11-1517, and are summarized as follows.

- Low-speed electrical bicycles can be operated on roadways, including but not limited to bicycle lanes and bicycle paths.
- They <u>are not</u> permitted on sidewalks.
- Illinois Secretary of State Registration is <u>not required.</u>
- Insurance is <u>not required.</u>
- A driver's license is not required.
- <u>Must be 16</u> or older to operate.

625 ILCS 5/11-1517. Low-speed electric bicycles may be driven on any bicycle path unless the local authority with jurisdiction prohibits their use. 625 ILCS 5/11-1517(f). Therefore, whether they can be used on the Prairie Path is a matter for DuPage County to determine.

Municipalities can further regulate the operation of low-speed electric bicycles. The Village Code does not currently have any provisions that regulate their operation beyond that of which is contemplated by the Illinois Vehicle Code other than prohibiting the operation of bicycles on sidewalks by persons in the central business district per Section 9-1-11(D) of the Village Code. The Village has adopted the Illinois Vehicle Code in its entirety pursuant to Section 9-1-12 of the Village Code meaning that the above regulations are applicable in the Village. Section 9-1-12 of the Village Code provides as follows:

9-1-2. Adoption of Illinois Vehicle Code.

(A) The Illinois Vehicle Code, 625 Illinois Compiled Statutes 5/1-100 et seq., as amended from time to time, is hereby adopted by reference to be applied within the corporate limits of the Village to the extent permitted by law and to the extent that its subject matter is not regulated by the Village Code or inconsistent with any lawful provisions of the Village Code. All actions or failure to act made unlawful in the Illinois Vehicle Code shall be made unlawful events under the provisions of the Village Code.

(B) All references in sections of the Illinois Vehicle Code to a state employee or official may be to a corresponding village employee or official where such a reference is applicable or necessary. Any provisions of the Illinois Vehicle Code adopted herein may be cited by placing "9-1-2" before the appropriate Illinois Vehicle Code Section (i.e. 9-1-2 5.0/11-501, Glen Ellyn Traffic Code).

(C) Citations for violations of the Illinois Vehicle Code adopted by reference herein may be issued by authorized personnel of the Village, using the appropriate Illinois Vehicle Code section which shall, by the effect of this section, represent identically and specially numbered sections of the Village Code.

2. Low-Speed Gas Powered Bicycles

A low-speed gas powered bicycle is defined by the Illinois Vehicle Code as "a 2-wheeled or 3-wheeled device with fully operable pedals and a gasoline motor of less than one horsepower or 15 cubic centimeter displacement that is operated at speeds of less than 20 miles per hour." 625 ILCS 5/1-140.15. The following requirements are applicable to low-speed gas powered bicycles per the Illinois Vehicle Code:

- They may be operated on any highway, street, or roadway; however, they may not be operated at a speed greater than 20 miles per hour.
- They <u>are not</u> permitted on sidewalks.
- Illinois Secretary of State Registration is <u>not required.</u>
- Insurance is <u>not required.</u>
- A driver's license is not required.
- Must be 16 or older to operate.

625 ILCS 5/11-1516. Similar to low-speed electric bicycles, the Village may further regulate the operation of low-speed gas bicycles beyond that of which is imposed by the Illinois Vehicle Code.

3. Low-Speed Electric Scooters

In August of this year, the Illinois legislature passed Public Act 103-0899, which amended the Illinois Vehicle Code to provide regulations specifically covering the use of low-speed electric scooters in Illinois. Public Act 103-0899 became effective on August 9, 2024. A low-speed electric scooter is defined by the Illinois Vehicle Code as "a device weighing less than 100 pounds, with 2 or 3 wheels, handlebars, and a floorboard that can be stood upon while riding, that is solely powered by an electric motor and human power, and whose maximum speed, with or without human propulsion, is no more than 10 miles per hour." 625 ILCS 5/1-140.11.

The use of low-speed electric scooters within the Village is allowed only if authorized by the Village. 625 ILCS 5/11-1518(a). As such, absent such explicit authorization, electric scooters may not be operated in the Village. The Village currently does not allow the operation of low-speed electric scooters in the Village per Section 9-1-11(C) of the Village Code, and should the Village decide to authorize their use, the following Illinois Vehicle Code requirements are applicable to their operation:

- They may be operated on any highway, street, or roadway; however, low speed electric scooters may not be operated on a highway with a posted speed limit more than 35 mph or any State highway
- The Village may authorize or prohibit them to be driven on sidewalks.
- Illinois Secretary of State Registration is <u>not required.</u>
- Insurance is <u>not required.</u>
- A driver's license is not required.
- Must be 18 or older to operate.

Low-speed, motor powered devices are not mopeds or motor-driven cycles, which are subject to the regulations set forth in the Illinois Vehicle Code.

4. Electric Motorcycles

Unlike the micromobility devices addressed above, there are no provisions in the Illinois Vehicle Code that specifically address the operation of electric motorcycles ("E-Motorcycles"). E-Motorcycles are vehicles with two (2) or three (3) wheels that are equipped with an electric motor that may be operated at speeds which exceed that established by the Illinois Vehicle Code for similar vehicles such as low-speed electric bicycles and low-speed electric scooters.

All E-Motorcycles are regulated in a manner that is consistent with that of regular motorcycles, motor-driven cycles and mopeds, which are defined by Sections 5/1-147, 5/1-145.001 and of the Illinois Vehicle Code, respectively. As such, the following requirements are applicable to E-Motorcycles:

- They may be operated on any highway, street, or roadway.
- They cannot be driven on sidewalks.
- Illinois Secretary of State Registration is required.
- Insurance is required.
- A driver's license is required.
- Must be 16 to operate with supervision, 18 without supervision.

The following charts summarizes the Illinois Vehicle Code regulations regarding bicycles, micromobility devices and E-Motorcycles:

Type	Human Powered Propulsion	Max Assisted Speed	< 750 Watts	Follow Rules of Road	Min. Age	Driver's License	License Plate & Equipment
Bicycle	Yes	N/A	N/A	Yes	N/A	No	No
Class 1 E-Bike	Yes	20 mph	Yes	Yes	N/A	No	No
Class 2 E-Bike	Yes	20 mph	Yes	Yes	N/A	No	No
Class 3 E-Bike	Yes	28 mph	Yes	Yes	16	No	No
Low-Speed Gas Bicycle	Yes	20 mph	N/A	Yes	16	No	No
Low-Speed E- Scooter	Yes	10 mph	Yes	Yes	18	No	No
E-Motorcycle	Yes/No	N/A	No	Yes	16	Yes	Yes

5. REGULATION OF MICROMOBILITY DEVICES IN OTHER JURISDICTIONS

The City of Chicago Municipal Code 9-52-120 provides that low-speed electric bicycles shall be operated in the same way as bicycles are operated. Accordingly, low-speed electric bicycles are permitted to be operated only on the City's bike lanes or paths. Except as otherwise provided in Section 9-52-020 of Chicago's Code, low-speed electric bicycles cannot be operated on sidewalks. Riders of Class 3 electric bicycles are prohibited from riding in bike lanes per Section 9-40-060 of Chicago's Code. Below is a summary of Chicago's regulations:

Figure 1: Chicago Micromobility Regulations

	Defined Name in MCC	Specs	Ride in a Bike Lane?	Pass on the Right?	Need a Drivers License	Registered Vehicle	Park on Sidewalk/ Bike racks	Minimum age to ride	Children under 12 rider on sidewalks
Bike	Bicycle	100% human powered	✓	✓	✗	✗	✓	none	✓
Electric scooter or elec. skateboard	Low Speed Electric Mobility Device	<=26" wide No more than 15 mph	✓	✓	✗	✗	✓	Personal: none Shared: 18 or 16 w/ guardian	✓
Class 1 eBike	Low-Seed Electric Bicycle	Pedal-assist up to 20 mph	✓	✓	✗	✗	✓	none	✓
Class 2 eBike	Low-Speed Electric Bicycle	Throttle-assist up to 20 mph	✓	✓	✗	✗	✓	none	✓
Class 3 eBike	Low-Speed Electric Bicycle	Pedal-assist up to 28 mph	✗	✗	✗	✗	✓	16	n/a
Moped / Vespa	Motor-Driven Cycle	May have speed limitation	✗	✗	✓	✓	✗	16	n/a
Motorcycle	Motorcycle		✗	✗	✓	✓	✗	16	n/a

The City of Carbondale has enacted an ordinance that allows for both the operation of low-speed electric bicycles and micromobility devices. The ordinance prohibits the use of micromobility devices on sidewalks unless the operator is under the age of 16. *Carbondale City Code* at Sec. 18-14-10(A).

The City of Evanston enacted an ordinance in 2019 that allows for the operation of low-speed electric bicycles, including on Evanston sidewalks "to the extent permitted by Illinois law." *Evanston City Code* at Sec. 10-9-4(N). Evanston's ordinance prohibits the operation of any motorized or motor-assisted skateboard, motorized or motor-assisted roller skates, motorized scooter, or motor-assisted pedilcycle, or motor-assisted bicycle upon any sidewalk, street, or public way or in or upon any municipal parking area, parking lot, or upon any street, roadway, or public way within the corporate limits of the City. *Evanston City Code* at Sec. 10-1-9-6(B).

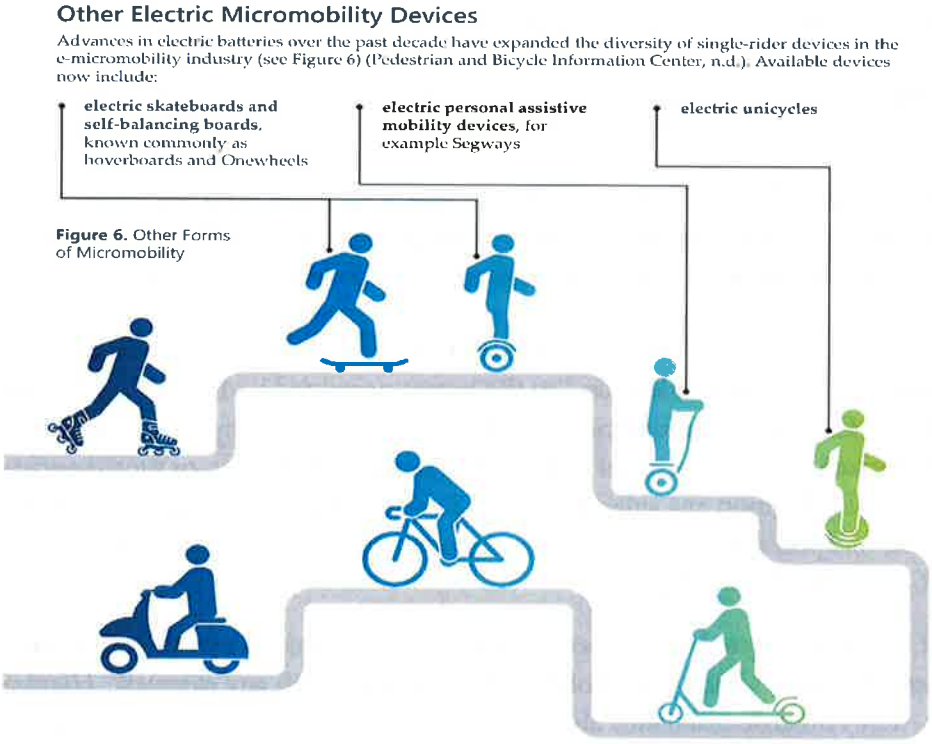
The Village of Hinsdale enacted an ordinance on July 16, 2024 that allows the operation of low-speed electric bicycles on Village streets and prohibits their operation on any sidewalk. *Hinsdale Village Code* at Sec. 6-13-5. The Hinsdale ordinance also addresses "personal mobility devices," which are defined

as an electric powered or electric-assisted device that travels at a speed of 15 miles per hour or less, "such as a motor-assisted scooter, motorized or motor-assisted skateboard, or any other similar devices." *Hinsdale Village Code* at Sec. 6-13-1. Such devices may be operated on any sidewalk in Hinsdale, except in Hinsdale's downtown business district, and they are prohibited from being operated "on any public street, roadway, or alley" unless they are being used to cross a street at a designated crosswalk. *Hinsdale Village Code* at Sec. 6-13-5(C). It unlawful for any parent or guardian to permit their minor child to violate these provisions and subjects them to a fine of not less $20 nor more than $750 for a violation. *Hinsdale Village Code* at Sec. 6-13-7; Sec. 6-13-9.

The Village of Carol Stream has adopted a ban on their operation except on private property with the permission of the property owner. *Carol Stream Village Code* at Sec. 8-7-1. Carol Stream has also adopted a parental responsibility provision similar to Hinsdale's. *Carol Stream Village Code* at Sec. 8-7-2. Carol Stream's Code contains an exemption for personal assistive mobility devices defined as motorized wheelchairs, power chairs or scooters for persons with limited mobility. *Carol Stream Village Code* at Sec. 8-7-3.

6. Other Micromobility Devices

"Other Micromobility Devices" describes an array of personal transportation devices, including hoverboards, e-unicycles, e-dirt bikes, e-skateboards, and e-roller skates, are not explicitly regulated by the Illinois Vehicle Code. The Village has the authority pursuant to its home-rule powers to regulate the operation of other micromobility devices on Village roadways, sidewalks, rights-of-way, and other property owned or operated by the Village.



CONCLUSION

The above summarizes existing law concerning micromobility devices/electric bicycles and scooters. The Police Department will provide a further presentation on this topic in the near future and staff will seek further Board direction at that time.

DMMC Survey - E-Bike Regulations		
12/18/2024		
	For communities with e-bike regulations:	
Municipality:	**1. What are your community's regulations for e-bikes on bicycle and multi-use paths?**	**2. What challenges, if any, have arisen in implementing and enforcing these regulations?**
Village of Burr Ridge	Prohibited at this time.	Numerous. Many people, including mainly kids and families, don't realize that there is a blanket ban of these uses on sidewalks.
Village of Hinsdale	e-bikes are not allowed on the sidewalks and any device with an electric motor greater than 750w is prohibited in the public way. Scooters must be under 750w and are only allowed on sidewalks. Electric standup scooters are not allowed on the sidewalks in the Central Business District nor allowed in the roadway.	The following was provided by the Village's Police Department – The State law fails to address the diversity of devices (devices without pedals, devices over 750w, devices with 1 wheel, etc.). Each community is enacting regulations to address the issues that face each individual community, which means regulations change from community to community. The Village of Hinsdale's implementation and enforcement has been effective due to the public outreach and education regarding the Village's regulations. The challenges involve riders from other communities that enter Hinsdale (usually middle school aged) who are not familiar with our ordinance.
Village of Itasca	In 2023, the Village of Itasca updated its traffic code to define various types of unlicensed motorized vehicles and regulate their use. The ****attached**** ordinance outlines these changes. Our Police Department is currently working on proposed amendments to this ordinance.	
	According to the ordinance, electric bicycles are classified as Class 3 personal motorized vehicles, capable of exceeding 10 miles per hour. They are only allowed to operate on public streets within the Village of Itasca.	Our biggest challenge has been enforcement. Many riders do not stop for officers, and without observing where the rider starts or ends their journey, identifying them becomes difficult as there are no visible identifiers to track.
Village of Oak Brook	We are presently in the in-between, the proposed E-bike (in fact all vehicle) regulation is on for adoption tomorrow evening. We are proposing a 20 mph speed limit for all devices (manual, electric, gas) on bike paths. We have had a only a small handful of complaints, focused more on incompatibility of speeds more than the devices themselves. The Park District and Village have been collaborating on the new proposal.	

DMMC Survey - E-Bike Regulations		
12/18/2024		
	For communities without e-bike regulations:	
Municipality:	**1. Have there been discussions about implementing e-bike regulations? If so, how were these discussions received by officials?**	**2. Have challenges related to implementation and enforcement been raised during these discussions? If so, how were they addressed?**
Village of Burr Ridge	Yes. Officials continue to want them banned wherever possible. Some discussion about appropriateness of letting kids use sidewalks.	Yes. We will need to create very clear and specific policies, such as a total ban on pursuit, warnings, education, etc.
City of Darien	The City of Darien does not have an ordinance on e-bikes and/or scooters.	
	Yes from the PD to Elected Officials. Willing to hear options.	No, just wanted details on the extent of the problem.
Village of Glen Ellyn	Regulations for e-bikes/micromobility devices were discussed collaboratively at a recent Village Board workshop. A draft ordinance may be considered in the near future.	Concerns regarding enforcement options and what elements to include in a potential ordinance have been discussed. One of the items to consider is the element of parental responsibility. Ordinances from various communities have been reviewed to determine what options may be available.
City of Naperville	No separate regulations.	
Village of Schaumburg	We are currently working on drafting a code amendment to regulate the use of e-bikes. Those discussions have been among staff and nothing has been presented to our board yet.	We are working through those challenges. In coordination with our police department we've identified a few potential stumbling blocks that would make enforcement difficult, namely how we classify an intended versus an unintended user of a bike facility (who's prohibited and who isn't). It seems to be easiest to regulate based on e-bike classes because they are required by State law to have a sticker on their frame identifying class, top speed, and wattage. Thus we are pursuing an amendment to our code to enforce based on that criteria. That remains with staff at this point and has not yet been presented to our board.
City of West Chicago	WC officials have had no public discussions about e-bike regulations.	
Village of Willowbrook	N/A	N/A
City of Wood Dale	We don't have anything on books, nor have we had any issues or complaints.	

ORDINANCE NO. 2050-23

AN ORDINANCE AMENDING TITLE VII OF THE TRAFFIC CODE, CHAPTER 80 UNLICENSED PERSONAL VEHICLES

WHEREAS, the Village Board wishes to amend Title VII: TRAFFIC CODE to include Chapter 80, to regulate the use of unlicensed personal vehicles within the Village of Itasca at all times.

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

SECTION ONE: Itasca Code of Ordinances Title VII, Chapter 80 Unlicensed Personal Vehicles, is amended as shown in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION TWO: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION THREE: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FOUR: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

	Trustee Aiani	Trustee Daly	Trustee Gavanes	Trustee Leahy	Trustee Madaras	Trustee Powers	Mayor Pruyn
Aye	☒	☒	☒	☒	☒	☒	☐
Nay	☐	☐	☐	☐	☐	☐	☐
Absent	☐	☐	☐	☐	☐	☐	☐
Abstain	☐	☐	☐	☐	☐	☐	☐

APPROVED and ADOPTED by the Village President and Board of Trustees of the Village of Itasca this 7th day of February, 2023.

APPROVED:

[redacted]

Village President Jeffery J. Pruyn

ATTEST:

[redacted]

Village Clerk Jody Conidi

VILLAGE OF ITASCA ORDINANCE

TITLE VII TRAFFIC CODE

Chapter 80 UNLICENSED PERSONAL VEHICLES

Chapter §80.01 Definitions:

a. An unlicensed personal motorized vehicle is defined as any wheeled vehicle which is operated by a rider in any position thereon and for which the State of Illinois does not issue a title document, license plates, or registration documents.

b. For the purposes of this Chapter, unlicensed "personal motorized vehicles" includes any motor driven scooter, mini-bike, pocket bike, mini-motorcycle, hoverboard, electric or gas-powered bicycle, electric skateboard, golf cart, all-terrain-vehicle, and go-cart, all of which are subject to the classifications of Chapter §80.01(c).

Chapter §80.02 Personal Motorized Vehicle Classes and Operation Restrictions:

c. The operation of any personal motorized vehicle, as defined in Chapter §80.01(a), is prohibited on any walkways of the Springbrook Nature Center, located at 130 Forest Ave, Itasca, Illinois 60143

d. Electric-assisted bicycles and gas-assisted bicycles, with assistance that supplements but does not supplant the primary motive force, shall be subject to the provisions of §§ 73.01 through 73.06, and §§ 80.01 through 80.04.

e. Class 1 personal motorized vehicles are defined as any gas-powered vehicle and includes any golf cart, snowmobile, all-terrain-vehicle, or go-cart, regardless of whether such Class 1 vehicle is powered by gas or electricity.

    i. No person shall operate a Class 1 personal motorized vehicle upon any public street, sidewalk, public parking lot, bike path, park, park path, reservoir, parkway, or any other public property in the Village of Itasca.

f. Class 2 personal motorized vehicles are defined as any unlicensed personal vehicle, other than an electric bicycle, with a motorization capable of a maximum speed exceeding 10 miles per hour and not otherwise prohibited by Class 1.

    i. No person shall operate a Class 2 personal motorized vehicle upon any public street, sidewalk, public parking lot, bike path, park, park path, reservoir, parkway, or any other public property in the Village of Itasca.

g. Class 3 personal motorized vehicles are defined as electric bicycles which have the capacity to exceed 10 miles per hour and:

i. shall only be permitted to be operated on public streets in the Village of Itasca, subject to requirements of safe operation that is not knowingly performed in an unreasonable manner as to alarm, endanger, or disturb another and to provoke a breach of the peace;

ii. shall be operated at all times with due care to avoid colliding with any pedestrian, any adjacent property, or any person operating a bicycle, personal vehicle, or other device propelled by human power, and shall give warning when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person;

iii. shall not be operated by a driver under the age of 16;

iv. and shall not be operated at a speed exceeding 20 miles per hour in the Village of Itasca.

f. Class 4 personal motorized vehicles are defined as those that are not prohibited under Class 1 or Class 2 and are not capable of exceeding a speed of 10 miles per hour.

i. Class 4 personal motorized vehicles are only permitted to be operated subject to safe operation that is not knowingly performed in an unreasonable manner as to alarm, endanger, or disturb another and to provoke a breach of the peace.

ii. Class 4 personal motorized vehicles shall be operated at all times with due care to avoid colliding with any pedestrian, any adjacent property, or any person operating a bicycle, personal vehicle, or other device propelled by human power, and shall give warning when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person.

iii. Class 4 includes motorized slow-speed children's play vehicles, without any customary speed modifications of the manufacturer's settings, operated by toddlers and small children shall be operated only in the immediate vicinity and supervision of a parent or guardian.

Chapter §80.03 Exemptions and Additional Restriction:

The following shall be exempt from the restrictions contained in this Chapter unless otherwise stated:

a. Any local, state, or federal police vehicle, fire vehicle, EMS vehicle, special district vehicle, County vehicle, Forest Preserve District vehicle, or official Village of Itasca vehicle including but not limited to public works that is operated by an employee in the course of his or her duties.

b. Motorized wheelchairs, which for the purpose of this Chapter, means any motorized vehicle or power-driven mobility devices designated for and used by a person with disabilities.

c. Electric personal assistance mobility devices, as defined in section 5/1-117.7 of the Illinois Vehicle Code (625 ILCS 5-100 et. Seq.).

b. Personalized motorized vehicles used in areas that have been otherwise closed to normal public access for and during events that have been awarded a permit by the Village of Itasca, which remain subject to the following restrictions:

   i. shall be subject to requirements of safe operation that is not knowingly performed in an unreasonable manner as to alarm, endanger, or disturb another and to provoke a breach of the peace;

   ii. shall be operated at all times with due care to avoid colliding with any pedestrian, any adjacent property, or any person operating a bicycle, personal vehicle, or other device propelled by human power, and shall give warning when necessary and shall exercise proper precaution upon observing any child or any obviously confused, incapacitated or intoxicated person;

   iii. shall not be operated by a driver under the age of 16;

   iv. and shall not be operated at a speed exceeding 20 miles per hour in the Village of Itasca.

Chapter §80.04 Penalty

a. Any person found guilty of violating any provision of this Chapter shall be fined not less than thirty dollars ($30.00) and no more than seven-hundred fifty ($750.00).

b. An offense committed by a minor under the direct control of or with the consent of a parent or guardian may subject the parent or guardian to the penalties provided in this Section. The police shall have the authority to either impound or immediately release the personal vehicle to a parent or guardian.

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

Meeting 4/21/2025 7:00 PM
Department: Finance
Department Head: Patrick Brankin
Category: Discussion Item
Prepared By: Patrick Brankin

AGENDA ITEM (ID # 2025-342)

DOC ID: 2025-342

Discussion of Lead Service Line Replacement Plan and Water/Sewer Fees

Statement of the Issue:
The following is a high-level overview of the current status of lead service line replacement (LSLR) requirements and decision points the Village Board has regarding funding an LSLR Plan.

Analysis:
As the Board is aware, the Village is subject to both federal and state mandates to replace all lead service lines within the Village. This is further mandated through the United States Environmental Protection Agency's Lead and Copper Rule Improvements (LCRI), which require the Village to begin replacement of lead lines by 2027 and to complete replacement of all lead lines within ten (10) years thereafter. Village staff currently estimate that there are a total of 1,136 lead lines requiring replacement within the Village, and that the total cost of replacing all lines will be approximately $11 million over the ten-year period.

The Illinois Environmental Protection Agency (IEPA) has a program in place to assist local governments with the cost of compliance with lead service line removal requirements. This program involves 30-year loans at a 0% interest rate and requires the borrowing community to pay for 100% of the costs of replacing privately-owned lead service lines to be eligible. However, there is extraordinary demand for these loans and Village staff believe it unlikely that Glen Ellyn would qualify for this program due to the scoring model used by the IEPA. Staff also believe that hiring a consultant will be necessary to maximize the potential of receiving any IEPA loans.

Currently, the Village has no revenue or funding mechanism in place to pay for the costs of replacing lead service lines. While the Water & Sewer Fund currently maintains healthy reserves, the Finance Department's current modeling shows that the entirety of those reserves, in addition to annual future increases to the Village's existing water and sewer rates, will be required to ensure the solvency of the Fund.

Staff feel that given the accelerated time period imposed by the LCRI, the high cost of lead service line replacement, and the expected difficulties in obtaining financing for these costs, there is an urgent need to begin generating revenue dedicated to lead service line replacement. The primary funding option previously discussed with the Village Board is a fixed monthly fee charged to every water account within the Village, which would generate approximately $100,000 in annual revenue

for every $1 of monthly fee imposed.

The topic of lead service line replacement was brought to the Finance Commission twice, including most recently at the Commission's April 11, 2025 meeting. At that meeting, the Commission voted 6-1 to recommend that the Village pay 100% of the costs of replacing privately-owned portions of lead service lines. A draft "Lead Water Service Line Replacement Agreement" that would be entered into between the Village and private property owners to allow the Village to perform lead line replacements on private property is attached per this recommendation. Additionally, the Commission voted 5-1 to recommend that the Village Board approve a $6 monthly fee on all accounts effective July 1, 2025, and transfer $500,000 in excess General Fund reserves to begin paying for the cost of lead service line replacement. As part of the Commission's recommendation, the proposed fee would sunset once enough funds have been generated to meet the Village's financial obligations related to lead service line replacement, including debt service, if any.

An additional area where staff seek guidance from the Board is the potential adoption of a look-back reimbursement policy for lead service line replacements previously completed and paid for by Village residents, dating back to January 1, 2022. This date was chosen as it aligns with the adoption of Public Act 102-0613, the Lead Service Line Replacement and Notification Act, by the State of Illinois. Staff recommend a policy that would be adopted by the Board pursuant to an ordinance under which property owners who previously replaced their lead service lines after January 1, 2022 would be eligible for reimbursement as follows: 100% of the replacement cost will be covered if the service line was replaced with the same size piping; or 50% of the cost will be reimbursed if the service was upsized beyond the original dimensions. No funding will be provided for new construction or teardown properties, as these do not constitute existing service replacements. This structure ensures fair support for residents addressing inherited infrastructure issues.

Budget Impact:
Lead service line replacement is expected to cost approximately $11 million through 2037, with the total amount split approximately evenly between public and private portions of lead service lines. If the Village Board were to adopt the Finance Commission's recommendation, the proposed fee would generate roughly $600,000 in revenues dedicated to lead service line replacement annually.

Contribution to Strategic Plan
Strategic Priority: Financial Stability, **Initiative**: Maintain financial stability and create a financial decision-making framework

Action Requested:
Staff seeks guidance from the Village Board on the following few key items:

- Whether to engage a consultant to improve the Village's opportunity to obtain funding through the IEPA's program referenced above or other funding.
- Whether the Village should pay for the cost of replacing privately-owned lead service lines, as well as the potential adoption of a "look-back" policy dating back to January 1, 2022.
- Implementing a monthly fee assessed on all utility accounts to begin generating revenue dedicated to lead service line replacement.

Based on direction from the Board, staff will bring a draft ordinance for Board consideration at a future Board meeting regarding a monthly fee and a program to replace private lead service lines.

Attachments:

1. LSLR memo 4-11-25 for Finance Commission
2. Lead Service Line Replacement memo 9-27-24
3. LSLR Presentation 4-21-25
4. Lead Water Service Line Replacement Agreement

MEMORANDUM

TO: Finance Commission

FROM: Patrick Brankin, Finance Director

DATE: April 11, 2025

RE: Lead Service Line Replacement Costs

As the Commission is aware, the Village is subject to a Federal and State mandate to replace all lead service lines within the Village. This mandate was recently amended through the Environmental Protection Agency's Lead and Copper Rule Improvements (LCRI), which require the Village to begin replacement of lead lines by 2027 and to complete replacement of all lead lines within ten years. Village staff currently estimates that there are a total of 1,136 lead lines requiring replacement within the Village, and that the total cost of replacing all lines will be approximately $11 million over the ten-year period.

The Illinois Environmental Protection Agency (IEPA) does have a program in place to assist local governments with the cost of compliance with lead service line removal requirements. This program involves 30-year loans at a 0% interest rate and requires the borrowing community to pay for 100% of the costs of replacing privately-owned lead service lines to be eligible. However, there is extraordinary demand for these loans and Village staff believes it to be unlikely that Glen Ellyn would qualify for this funding due to the scoring model used by the IEPA.

Currently, the Village has no revenue or funding mechanism in place to pay for the costs of replacing lead service lines. While the Water & Sewer fund does currently maintain healthy reserves, the Finance Department's current modeling shows that the entirety of those reserves, in addition to annual future increases to our existing water and sewer rates, will be required to ensure the solvency of the Fund.

Staff feels that given the accelerated time period imposed by the LCRI, the high cost of lead service line replacement, and the expected difficulties in obtaining financing for these costs, that there is an urgent need to begin generating revenue dedicated to lead service line replacement. The primary funding option previously discussed with the Village Board is a fixed monthly fee charged to every water account within the Village, which would generate approximately $100,000 in annual revenue for every $1 of monthly fee imposed.

Additionally, the Village Board has been considering different options on this topic over the last year in conjunction with the water rates discussion. The consensus appeared to be to pay 100% of the privately-owned portions of lead service lines, and staff is drafting an ordinance for the Board to formalize that decision. Furthermore, staff believes that to maximize the potential of receiving any IEPA loans, that hiring a consultant will be necessary. At this time, we are in a position to make an initial recommendation to the Village Board on how to address this unfunded mandate and manage this most effectively.

Staff respectfully seeks consensus from the Finance Commission in these areas in order to bring forward a recommendation to the Village Board at an upcoming Board Workshop.

MEMORANDUM

DATE: September 27, 2024

TO: Mark Franz, Village Manager

FROM: Dave Buckley, Public Works Director; John Hubsky, Assistant Public Works Director

RE: Lead Water Service Line Replacement (LSLR) Plan - Update

CC: Nick Burgoni, Utilities Superintendent; Rich Daubert, Village Engineer; Patrick Brankin, Finance Director,

The following is a high-level overview of the current status of LSLR requirements and what decision points the Village Board has with regard to funding a LSLR Plan.

In August of 2021, the State of Illinois signed into law the Lead Service Line Replacement and Notification Act. Effective January of 2022, the Act established requirements for owners of commuter water supplies to develop, implement, and maintain a comprehensive water service line material inventory and lead service line replacement plan. Other requirements related to notification and prohibition of partial lead service line replacements are also contained within the Act.

The State of Illinois' Act is contained within 415 ILCS5/17.12. The Statute required that each community water supplier submit a complete inventory of water service lines by material type along with a draft LSLR plan by April, 2024, with suppliers having until April of 2027 to finalize the plan and start replacement of all lead service lines. The plan includes a required timeline (based on population and number of lead service lines) to remove all lead service lines per the requirements of the Act. Based on the Village's current service line inventory and population, Glen Ellyn would have 17 years from April of 2027 to replace all lead water service lines.

Glen Ellyn contracted with Baxter & Woodman to create a draft LSLR plan along with the number of lead service lines (inventory consisting of known lead, galvanized and any unknown material). That draft plan was created and submitted to the Illinois EPA in April 2024. For reference, there are two sections of water service lines in Glen Ellyn, the public side that runs from the water main to the B-Box (water turn on/off), including the B Box, and the private side that runs from the B-box to the water meter in the building/residence.

In November of 2023, the U.S. EPA announced proposed Lead and Copper Rule Improvements (LCRI). Among other requirements, the proposed LCRI would require most water systems to replace their lead water service lines within 10 years. There is debate over many aspect of the LRCI with some uncertainty as to whether or not the more stringent requirements will go into effect.

Over the last 3 years, Glen Ellyn has been working towards implementing a LSLR plan starting in April 2027 (consistent with the Illinois Act requirements), but with the U.S. EPA's proposed LCRI, the timeline may be significantly accelerated. An October, 2024 deadline is in effect for the LCRI rules to either be adopted or for the U.S. EPA to defer to existing LSLR requirements.

The variables of a lead service line replacement plan are many and are complex when considered as a whole:

1. Identifying unknown materials (currently 1931) to confirm the number of LSLR segment lines
    - In house hydro-excavating – cost effective but slower rate of identification
    - Contractor hydro-excavating – high cost but quicker rate of identification
    - 5 years to identify all current unknown service lines with the expectation of finding another ~500 segments to replace (~1,000 total to replace)
2. Sending out an RFP for a Hydraulic water model to identify water main replacement and align that with high concentration of LSLR (identified in GIS)
    - The Water Model will not be available for 12-15 months once the firm is selected (December 2024)
    - The model will impact CIP with additional infrastructure needs
    - Need to match up roadway PCI with water main replacement plan that could alter the order of specific roadway work
3. Financial considerations
    - Costs
        - Single service replacement present (2024) cost estimate (~500 service segments)
            - Customer side only (288) - ~$8,000/line
            - Public side only (172)~$7,000/line
            - Full replacement (20) - ~$15,000
            - Total cost of current known lead - ~$3.8M
            - Estimate number of lead service to double after all unknowns are identified - ~$7.6M
            - Actual cost dependent on confirmed number of lead services, annual escalation, and time of service replacement but estimated on the order of $11M to replace all lead services over a 10-year period starting in 2025 and ending in 2035.
        - Water main replacement cost can vary but need to consider effective replacement of older (100+ years) and smaller diameter mains, specifically 4" in conjunction with areas of high lead service concentration and planned roadway work
        - Baxter & Woodman draft plan estimated costs but this was the first-year draft plan with a final plan due in 2027
        - More information is available on the Village website regarding Lead in Drinking Water and a copy of the draft replacement plan Draft LSLR Plan

- Funding
  - Grant & Public Water Supply Loan Program
    - Recently reviewed grant funding opportunities yielded that Glen Ellyn doesn't currently qualify due to median household income. Staff shall continue to monitor for outside funding opportunities.
    - The State of Illinois offers a Public Water Supply Loan Program which provides 0% 30 years loans for public water supply projects including lead service line replacement. There is limited funding for the program and as such, it is competitive in nature. Applications are scored and ranked based on 7 evaluation criteria with projects ultimate put on a priority list for loan assistance. A reasonably high order of project planning and engineering needs to be completed to have a complete and competitive application or the program.
  - Water fixed rate increase for all customers
    - Consider a $7.50/mo fixed fee increase per water service line for the life of the LSLR program provides ~$652K per year (the fee could be increased each year in line with construction cost escalation); this fee would sunset when there was enough money to complete LSLR (or for the life of the debt if loans were taken out).
  - Require customers to pay for private side of service line plus a reduce water fixed rate increase for all customers
    - See item 4; the Village could also require that customers with lead services pay for replacing the private portion of lead services as to reduce the fixed rate increase for all customers which would then solely cover the cost of the public side replacements.

4. Other considerations for funding LSLR including imposing the cost of the private side replacement on solely those customers with lead service lines, a potential reimbursement program for services replaced outside of the LSLR Plan, parameters for when and how LSLR can be performed with reimbursement, etc. Once a service line is disturbed (construction or service line replacement) the whole service line needs to be addressed for removing lead.
   - Here is an infographic explaining LSLR Scenarios: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://eeiweb.com/wp-content/uploads/2022/04/EEI_220317_LSLR_Scenario.pdf

   - Three potential options for a reimbursement program
     - 0% - Pay for the public portion only and require the property owner to pay for the private side. This would be the least expensive approach for the Village and would have to be in conjunction with the private side being done. The property owner would simply have the contractor doing the work split the invoice between the public side and the private side and bill it

accordingly. Possibility of resident signing a waiver that Glen Ellyn will need to manage.

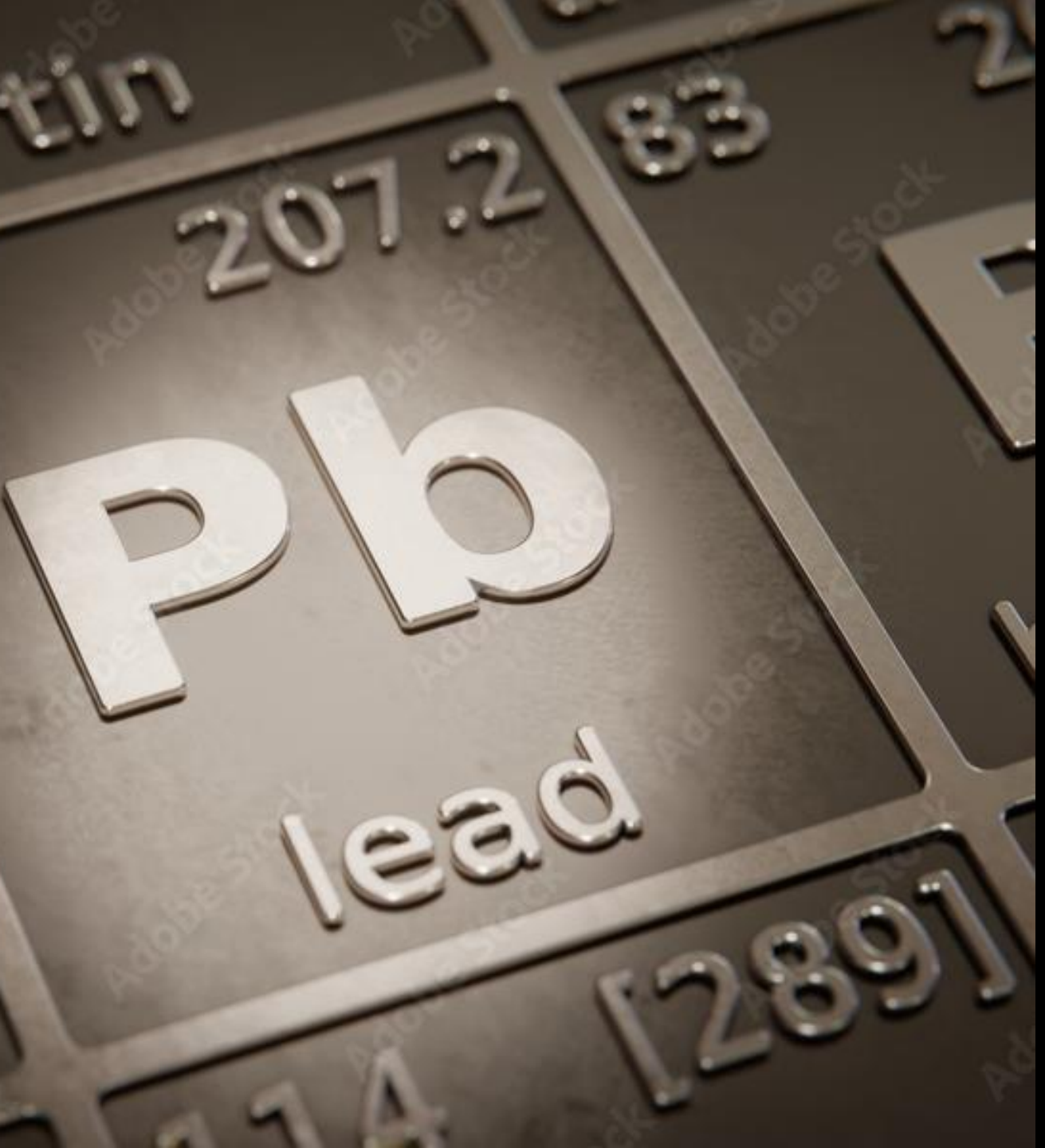
- 50% - Pay for the public side and do a 50/50 cost share on the private side. The contractor could break out the public side cost plus 50 percent of the private side and send the Village an invoice for that portion. The homeowner would than pay the remaining balance to the contractor.
- 100% (to a set limit) - Pay a flat amount to be reimbursed for the work done. Some municipalities have been offering $6-8,000 amounts for reimbursement. Total cost of a replacement varies depending upon site conditions, length of service and internal plumbing that will need to be done. This would resemble the current cost share program and residents would provide the village 1-3 quotes and the village would approve the contractor and pay up to the reimbursable amount. Any cost over the reimbursable maximum amount would be the responsibility of the resident. Long term liability is reduced with this option.
- Letters and waivers are needed for any resident deciding not to replace their lead service line. These documents need to be managed on a yearly basis.

- Timeline factors:
  - If roadway is scheduled for water main and/or service line replacement before 2035, how will GE manage requests for LSLR before the roadway/water main work is scheduled?
  - If roadway work is not scheduled for water main replacement before 2035, how will GE manage requests for LSLR that are beyond the budgeted dollars for a specific year?
  - Retro payback? Option of Glen Ellyn paying back residents who replaced lead line services outside the parameters or time frame of this program. Date when Lead Service Line Replacement was enacted would be the cutoff for replacement.

- Other community LSLR programs in place
  - Lombard – Max $5,000 or up to 75% of the cost on private side covered by Village
  - Wheaton – 100% of costs on private side covered by City
  - Downers Grove – Private side costs responsibility of homeowner but seeking alternative funding options to assist with costs
  - West Chicago – Matrix of options based on scenario from 100% on homeowner to 100% of city

The Village Board will need to make a number of decisions on funding lead water service line replacement. Staff respectfully requests that the village board, if possible, provide questions on LSLR in advance of the November workshop in order to have a productive and decisive discussion. A full presentation will be made at the workshop.

LEAD SERVICE LINE REPLACEMENT



Current Requirements

Lead and Copper Rule Improvements

- Final Inventory – October 16, 2026
- Replacement Plan – November 1, 2027
  - Completion – November 2037

Current Situation

What will it cost?

- Current estimate of ~1,136 lines to replace
- ~$11 million replacement cost (incl. inflation)
- ~$1.5 million in 2025 & 2026

How will it be paid for?

- No existing revenue or funding mechanism
- IEPA Loan uncertainty
- Consultant could improve application chances
    - Manage compliance post-closing

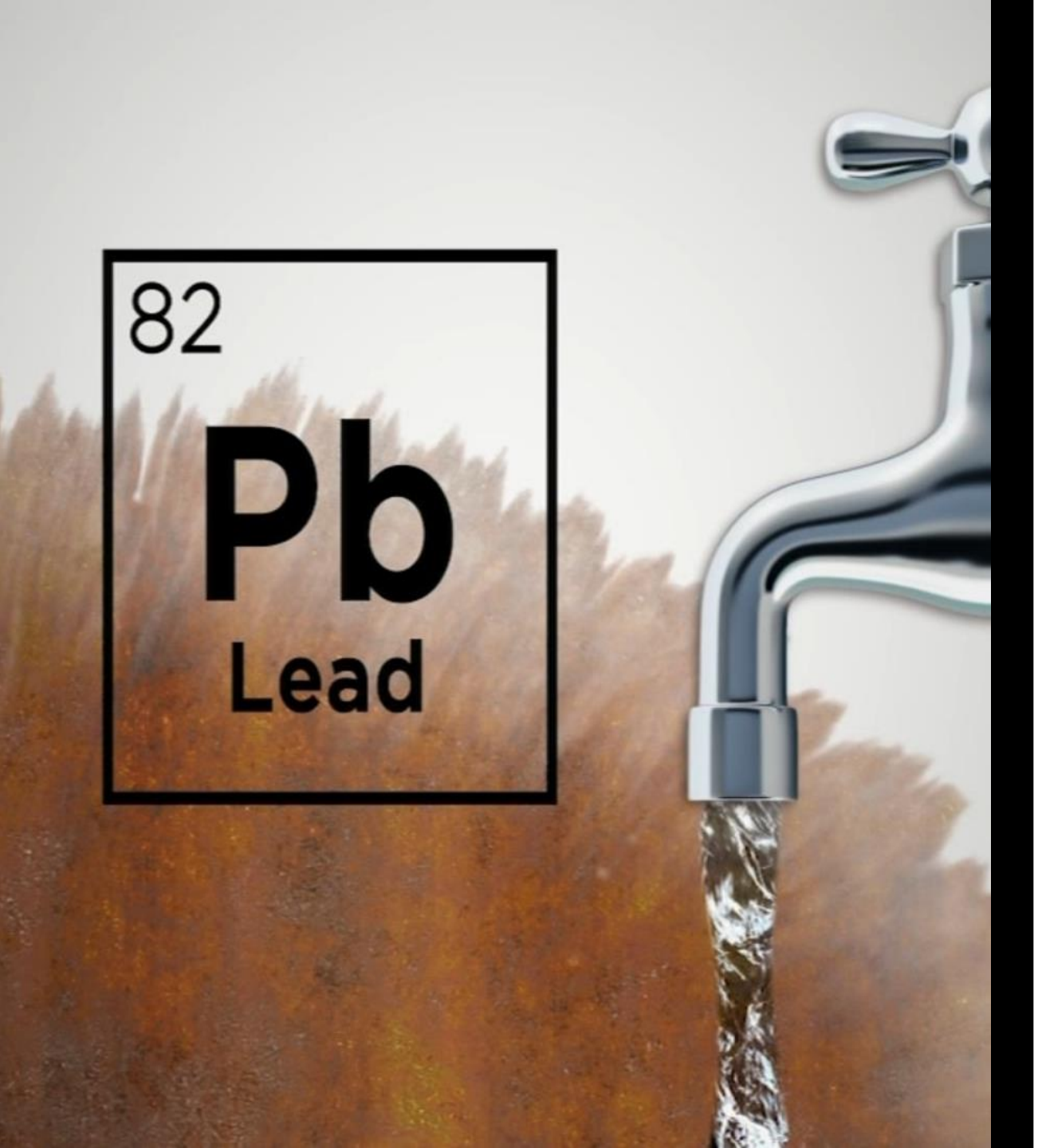
Monthly Fee

How would it work?

- ~$100,000 in revenue per $1/month
- Potential start date: July 1, 2025
- Built-in “sunset” date

How much?

- $6/month vs $9/month



Finance Commission

April 11, 2025

- Voted 6-1 to recommend that the Village pay 100% of the cost of private-side replacement
- Voted 5-1 to recommend that the Village Board implement a monthly fee in the amount of $6
  - Effective July 1, 2025
  - $500,000 in reserves from General Fund
- Recommended fee would sunset once financial obligations have been met

Decision Points

- Engaging a consultant
- Privately-owned service lines
- “Look-Back” period
- Monthly fee

LEAD WATER SERVICE LINE REPLACEMENT AGREEMENT

THIS LEAD WATER SERVICE LINE REPLACEMENT AGREEMENT (hereinafter referred to as the "Contract" or "Agreement") is entered into on the effective date as defined herein by and between the Village of Glen Ellyn, an Illinois home rule municipal corporation (hereinafter referred to as the "Village"), and _____ (hereinafter referred to as the "Owner"), the owner of the real property located at _____, Glen Ellyn, Illinois 60137 (hereinafter referred to as the "Property") (the parties to this Agreement may also be referred to as a "Party" or collectively as the "Parties").

WHEREAS, the Village replaces lead water service lines as part of Village road or utility replacement projects (hereinafter referred to as the "Program"); and

WHEREAS, the Owner shall participate in the Program for the purpose of replacing the portion of the lead water service line (hereinafter referred to as the "Work") located between the water shutoff valve, *a.k.a.*, "buffalo box" or "b-box," located on or adjacent to the Property and the water meter located on or within the structure located on the Property (hereinafter referred to as the "Service Line") subject to the terms of this Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual promises contained in this Contract, and other good and valuable consideration received and to be received, it is mutually agreed by and between the parties as follows:

1. RECITALS INCORPORATED.

1.1. Recitals Incorporated. The above recitals are incorporated herein as though fully set forth.

2. VILLAGE PAYMENT RESPONSIBILITY.

2.1. Village Payment Responsibility. The Village shall replace the lead water service line at no cost to the Owner from the water shut-off valve located on or adjacent to the Property to eighteen (18') inches inside the residence located at the Property.

3. TEMPORARY CONSTRUCTION LICENSE.

3.1. License During Service Work. Owner hereby grants the Village, its contractors, and designees a temporary license (hereinafter referred to as the "License") on, over, under, and through the Property for the purpose of accessing, surveying, observing, staking, and undertaking the Service Work, together with any other work necessary and incident to the replacement of the Service Line. Village hereby agrees that after the Service Work is complete, the Village will restore the Property's ground surface to substantially its prior condition, reasonable wear and tear excepted, to the extent and within a timeframe that is practicable, in the Village's sole and absolute discretion, and will repair and/or replace any fencing damaged or demolished because of any Service Work occurring on the Property. Restoration or replacement of any shrubbery, flowers, plantings, ground covering, or mulch shall be the responsibility of the Owner.

3.2. Termination of License. The License shall terminate upon the first of the following to occur: (1) completion of the Service Work and the Village's inspection and approval of the same; or (2) the Effective Date's one (1) year anniversary. The Owner shall not revoke the License after the Effective Date.

4. RELEASE; NO WARRANTY; RESPONSIBILITY.

4.1. Owner's Acknowledgements. The Owner hereby acknowledges and agrees that:

4.1.1. The Village is not the contractor and is not responsible for any Service Work.

4.1.2. The Village is not the contractor's agent.

4.1.3. The Village has made no warranty or representation, either express or implied, as to the fitness, design or condition, the merchantability of the Service Work or the Service Line, or its fitness for any particular purpose, or the quality or capacity of the materials or workmanship in the Service Work.

4.1.4. Except as expressly stated in this Agreement, the Village shall have no obligation to make any Service Line repairs or undertake any Service Work whatsoever.

4.2. Indemnification and Release. To the fullest extent permitted by law, Owner hereby covenants not to sue and agrees to release, indemnify, defend and hold harmless the Village, its elected and appointed officials, officers, agents, contractors, and employees (hereinafter collectively referred to as the "Village Parties"), from and against all claims, demands, investigations, damages, suits, actions, judgment, liabilities, proceedings, penalties, fines, costs, or expenses of whatsoever kind or character, including, without limitation, reasonable attorneys' fees and expenses, arising out of or related in any manner to the Owner's participation in the Program, the Service Line, the Service Work, and the License, including, without limitation, injury or death to persons or damage to property, exposure to or mitigation

of toxic or hazardous substances, directly or indirectly arising out of or related to the Program. This agreement shall be construed as a release and waiver of all claims and as a covenant not to sue the village parties.

4.3. Ongoing Maintenance Responsibility. The Owner shall be responsible for the maintenance, operation, repair, and replacement as necessary of the Service Line and all related improvements, infrastructure, and improvements on and after the date of the Village's inspection and approval of the Service Work. This Agreement does not alter Service Line ownership or maintenance obligations as set forth in the Glen Ellyn Village Code.

5. GENERAL TERMS.

5.1. Limitation of Liability. Except as expressly provided in this Agreement, in no event shall the Village be liable to the Owner for any incidental, indirect, special, consequential, or punitive damages, regardless of the nature of the claim, including, without limitation, costs of delay, any failure of delivery, or liabilities to third parties arising from any source, even if such party has been advised of the possibility of such damages. The limitation upon damages and claims is intended to apply without regard to whether other provisions of this Agreement have been breached or have proven ineffective.

5.2. Entire Agreement. No oral agreement, guaranty, promise, condition, representation, or warranty, concerning this Agreement's subject matter shall be binding. This Agreement constitutes the entire agreement between the Parties and supersedes all prior conversations, agreements, or representation related to the Program, the Service Line, the Service Work, and the License.

5.3. Authority. All individuals signing this Agreement represent they have the full legal power, right, and actual authority to bind their respective Parties and, in the Owner's case, the Property, to the terms and conditions hereof.

5.4. Third Parties. No claim as a third-party beneficiary under this Agreement by any person or entity may be made, or be valid, against the Village Parties.

5.5. Non-Waiver of Rights; Amendments. Neither the Village's failure to nor delay in enforcing this Agreement's terms shall be deemed a waiver by the Village of its rights under this Agreement. This Agreement may only be modified or amended in a writing signed by the Parties.

5.6. Notices. Any notice required by this Agreement shall be deemed properly given to the Party to be notified at the time it is personally delivered or mailed by certified mail, return receipt requested, to the Party's address set forth on page 1 of this Agreement. Notices to the Village shall be provided as follows:

Utilities Superintendent
Village of Glen Ellyn
30 South Lambert Road
Glen Ellyn, Illinois 60137

Mailing of such notice as and when above provided shall be equivalent to personal notice and shall be deemed to have been given at the time of mailing.

5.7. Effective Date. The effective date of this Contract as reflected above shall be the last date of its execution by one of the Parties as set forth below.

5.8. Governing Law; Venue. This Contract shall be governed by the laws of the State of Illinois both as to interpretation and performance. Venue for any action pursuant to this Contract shall be in the Circuit Court of DuPage County, Illinois.

5.9. Headings and Titles. The headings and titles provided in this Contract are for convenience only and shall not be deemed a part of this Contract.

5.10. Counterparts; Facsimile or PDF/Email Signatures. This Contract may be executed in counterparts, each of which shall be considered an original and together shall be one and the same Contract. A facsimile or pdf/email copy of this Contract and any signatures thereon will be considered for all purposes as an original.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK –
SIGNATURE PAGE FOLLOWS]**

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be signed by their duly authorized representatives on the days and dates set forth below.

VILLAGE OF GLEN ELLYN

_____
By: Mark Franz
Its: Village Manager

Date: _____, 20__

OWNER

_____
By:
Its:

Date: _____, 20__