



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

BOARD OF TRUSTEES MEETING AGENDA TUESDAY, JANUARY 7, 2020 7 p.m. MAPLE PARK CIVIC CENTER 302 WILLOW STREET, MAPLE PARK

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL/QUORUM ESTABLISHED**
- 4. PUBLIC COMMENTS** – *Any resident wishing to address the Board may do so according to the guidelines set forth in the “Rules for Public Comments at Public Meetings” handout. Please complete a speaker request form and submit it to the Village Clerk.*
- 5. MOTION TO APPROVE CONSENT AGENDA / ADDITIONS-DELETIONS**

CONSENT AGENDA – OMNIBUS VOTE

All items listed on the Consent Agenda will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board member, in which event the item(s) will be removed from the Consent Agenda. Prior to a vote on the Consent Agenda, members of the public may request that a Trustee have an item removed from the Consent Agenda.

a) Approval of Board Minutes

- Board Meeting – December 3, 2019

b) Receive and File

- Infrastructure Committee – November 12, 2019
- Personnel Committee – November 19, 2019
- Planning Commission – October 17, 2019; November 21, 2019

c) Acceptance of Cash and Investment Report as of November 30, 2019

d) Approval of Bills Payable and Manual Check Register #776

ACCOUNTS PAYABLE:	<u>\$52,017.09</u>
MANUAL CHECKS:	<u>\$2,685.09</u>
TOTAL:	<u>\$54,702.18</u>
	<u> </u>

e) Approval of Travel, Meals, Lodging for Elected Officials /Employees

None.

6. FINANCIAL REPORT

7. LEGAL REPORT

8. VILLAGE ADMINISTRATOR REPORT

9. POLICE DEPARTMENT REPORT

10. PUBLIC WORKS REPORT

11. ENGINEERING REPORT

12. COMMITTEE REPORTS

- Personnel & Communications – Suzanne Fahnestock, Chair
- Finance & Public Relations & Development – Chris Higgins, Chair
- Infrastructure – J.P. Dries, Chair

13. OLD BUSINESS

14. NEW BUSINESS

A. MOTIONS

- 1.Motion to Approve Updates to the Employee Handbook
- 2.Motion to Approve Cheryl Aldridge as Village Treasurer

B. CONSIDERATIONS

1.Village Board Discussion and Direction to Plan Commission

- i. Outdoor Lighting (Dark Sky) Ordinance
- ii. Swimming Pool Text Amendments

C. RESOLUTIONS

1. RESOLUTION 2020-01

AN ORDINANCE AUTHORIZING THE VILLAGE PRESIDENT TO EXECUTE A 5 YEAR LEASE AND SERVICE AGREEMENT WITH DE LAGE LANDEN PUBLIC FINANCE LLC FOR A 60-MONTH COPIER LEASE

This resolution authorizes the Village President to enter into a lease agreement with De Lage Landen Public Finance LLC for the copier in Village Hall, and authorizes the Village President to enter into a service agreement with Impact Networking.

D. ORDINANCES

1. ORDINANCE 2020-01 SMALL WIRELESS FACILITIES

AN ORDINANCE AMENDING TITLE 9, "UTILITIES," BY AMENDING THE TEXT TO CHAPTER 4, "SMALL WIRELESS FACILITIES."

This ordinance amends the Municipal Code establishing standards consistent with the Small Wireless Facilities Deployment Act for the design, permitting, location, construction, deployment, regulation, operation, maintenance, repair and removal of such small wireless facilities both within the public rights-of-way and in certain other locations within the Village.

2. ORDINANCE 2020-02 PERMITTED USES IN B-1 AND B-2

AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 11-7-1B., "PERMITTED USES," AND, 11-7-1C. "SPECIAL USES," AND 11-7-2B, "PERMITTED USES" AND 11-7-2C, "SPECIAL USES,"

This ordinance amends the text of the of the Municipal Code to address the type of business and special uses within the B-1 and B-2 Business Districts.

15. VILLAGE PRESIDENT REPORT

16. TRUSTEE REPORT

17. EXECUTIVE SESSION

Litigation 5 ILCS 120/2 (c)11

"Litigation, when an action against, effecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body

finds that an action is probable or imminent, in which case the basis for finding shall be recorded and entered into minutes.”

18. ADJOURNMENT



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PUBLIC HEARING MINUTES TUESDAY, DECEMBER 3, 2019 MAPLE PARK CIVIC CENTER 302 WILLOW STREET, MAPLE PARK 7:00 P.M.

1. CALL TO ORDER

Village President Kathy Curtis called the public hearing to order at 7:00 pm.

2. ROLL CALL/ESTABLISH A QUORUM

Deputy Clerk Cheryl Aldridge called the roll and the following Board members were present: Village President Kathy Curtis, Trustee Dries, Trustee Fahnstock, Trustee Harris, Trustee Higgins, and Trustee Rebone. Trustee Ward was absent.

Others present: Village Administrator Dawn Wucki-Rossbach, Village Engineer Jeremy Lin, Village Attorney Kevin Buick, Public Works Director Lou Larson, Police Chief Dean Stiegemeier, and Deputy Clerk Cheryl Aldridge.

3. DISCUSSION OF TAX LEVY

Village President Kathy Curtis read through the details of the 2019 Tax Levy. The total tax extension is \$226,450, the previous year was \$221,623. The tax rate for 2019 is 0.7099, the previous year was 0.7526. The largest factor of the decrease in the rate is the increase in the EAV (Equalized Assessed Value). The EAV increased by 8.33% over last year. She walked through an example property and there was an increase of \$10 from last year to this year.

There were no questions from the public regarding the tax levy.

4. ADJOURNMENT

Public Hearing adjourned at 7:02 pm.

**BOARD OF TRUSTEES MEETING MINUTES
TUESDAY, DECEMBER 3, 2019
7:00 p.m.
MAPLE PARK CIVIC CENTER
302 WILLOW STREET, MAPLE PARK**

1. CALL TO ORDER

Village President Kathy Curtis called the meeting to order at 7:02 pm.

2. PLEDGE OF ALLEGIANCE

President Curtis led everyone in the pledge of allegiance.

3. ROLL CALL/QUORUM ESTABLISHED

Deputy Clerk Cheryl Aldridge called the roll and the following Board members were present: Village President Kathy Curtis, Trustee Dries, Trustee Fahnestock, Trustee Harris, Trustee Higgins, and Trustee Rebene. Trustee Ward was absent.

Others present: Village Administrator Dawn Wucki-Rossbach, Village Engineer Jeremy Lin, Village Attorney Kevin Buick, Public Works Director Lou Larson, Police Chief Dean Stiegemeier, and Deputy Clerk Cheryl Aldridge.

4. PUBLIC COMMENTS – *Any resident wishing to address the Board may do so according to the guidelines set forth in the “Rules for Public Comments at Public Meetings” handout. Please complete a speaker request form and submit it to the Village Clerk.*

Cindy Paschal updated the Board on the Maple Park Neighborhood Watch signs that the Neighborhood Watch would like to have posted throughout the town. She brought an example of the sign and the decals that have been created to post.

JT Pelosi brought his concerns to the Board regarding the ordinance regarding sidewalk widths. He believes that the Board should vote no on this ordinance. He also asked for some clarification on the Developer Contribution ordinance and once he received this clarification he was in support of this ordinance.

Trustee Jen Ward arrived at 7:08 pm.

5. MOTION TO APPROVE CONSENT AGENDA/ADDITIONS-DELETIONS

CONSENT AGENDA – OMNIBUS VOTE

All items listed on the Consent Agenda will be enacted by one motion. There will be no separate discussion of these items unless requested by a Board member, in which event the item(s) will be removed from the Consent Agenda. Prior to a vote on the Consent Agenda,

members of the public may request that a Trustee have an item removed from the Consent Agenda.

a) Approval of Board Minutes

- Board Meeting – November 5, 2019

b) Receive and File

- Personnel Committee Minutes – October 15, 2019
- Infrastructure Minutes – October 8, 2019

c) Acceptance of Cash and Investment Report as of October 31, 2019

d) Approval of Bills Payable and Manual Check Register #786

ACCOUNTS PAYABLE:	<u>\$24,174.18</u>
MANUAL CHECKS:	<u>\$2,411.72</u>
TOTAL:	<u>\$26,585.90</u>

e) Approval of Travel, Meals, Lodging for Elected Officials /Employees

- Metro West Business Partner Dinner – Meal and Meeting on October 24, 2019 for Kathleen Curtis, \$50 for Metro West (included on December 3, 2019 warrant list).
- Metro West Business Partner Dinner – Meal and Meeting on October 24, 2019 for Dawn Wucki-Rossbach, \$50 for Metro West (included on December 3, 2019 warrant list).
- Metro West Board Meeting – Meal and Meeting on November 21, 2019 for Kathleen Curtis, \$35 for Metro West (included on December 3, 2019 warrant list).

Trustee Higgins made a motion to approve the consent agenda, seconded by Trustee Harris. Motion carried by roll call vote. Aye: Dries, Fahnestock, Harris, Higgins, Rebone, Ward. Nay: None. Absent: None. (6-0-0)

6. FINANCIAL REPORT

There were no questions on the Financial Report. President Curtis commented on the Pumped to Billed report.

7. LEGAL REPORT

There were no questions on the Legal Report.

8. VILLAGE ADMINISTRATOR'S REPORT

Village Administrator Dawn Wucki-Rossbach commented on the committee meetings for the month of December to ensure that we will know if we will have a quorum. She also

mentioned to the Board that there are 2 updated items at the meeting. The sidewalk memo has been updated the cannabis ordinance was updated as well.

9. POLICE DEPARTMENT REPORT

There were no questions on the Police report.

10. PUBLIC WORKS REPORT

There were no questions on the Public Works report.

11. ENGINEERING REPORT

a.) Heritage Hills Detention Pond Update

Village Engineer Lin's recommendation was to put together a rehabilitation plan to bring the pond back to the original design, as a survey was also completed. Attorney Buick will be drafting a letter to Mr. Akrabawi regarding the deficiencies of the pond in its current state and the execution of the deed to the village. Trustee Dries questioned the water pooling at the detention pond. Engineer Lin stated he will review the area. PW Director Larson indicated that there was an issue in the drainage ditch that they have been addressing.

b.) Center Street Paving Update

Because of the early snow, the project has been pushed back to early spring. Curran has listed this project as the 1st project in late March early April, weather permitting.

12. COMMITTEE REPORTS

- Personnel & Communications – Suzanne Fahnestock, Chair
No Report.
- Finance, Public Relations & Development – Chris Higgins, Chair
Still working on forecasting for Capital Plan, should be done by the end of the year. First of the year they will be working on next year's fiscal year budget.
- Infrastructure – JP Dries, Chair
Committee will be meeting December 10th. Still working on revised forecast, Capital Plan, and Zoning Review.

13. OLD BUSINESS

None heard.

14. NEW BUSINESS

A. ORDINANCES

1. ORDINANCE 2019-18 SIDEWALK WIDTH IN COMMERCIAL DISTRICTS

AN ORDINANCE AMENDING TITLE 12, "SUBDIVISION REGULATIONS," CHAPTER 3, "REQUIRED IMPROVEMENTS AND DESIGN STANDARDS," SECTION 12-3-7, "STREETS," SUBSECTION O, "SIDEWALKS AND PEDESTRIANWAYS REQUIREMENTS," SUBSECTION 2, "CONSTRUCTION AND SPECIFICATIONS," SUBSECTION a., "MATERIAL."

This ordinance amends the text of the Municipal Code of the Village to include wider sidewalks for pedestrian use within commercial (business) districts.

Motion by Trustee Higgins with 2nd by Trustee Fahnestock to approve as read. On a roll call vote Trustees Dries, Fahnestock, Harris, Higgins, Rebone, and Ward voted yes. Motion carried.

2. ORDINANCE 2019-19 SOLAR ENERGY

AN ORDINANCE AMENDING TITLE 11, ZONING REGULATIONS, BY ADDING A NEW CHAPTER ENTITLED CHAPTER 14, SOLAR ENERGY SYSTEMS, OF THE MAPLE PARK VILLAGE CODE

This ordinance addresses the need for regulations governing the construction, installation, and operation of solar energy systems.

Motion by Trustee Dries with 2nd by Trustee Rebone to approve as read. On a roll call vote Trustees Dries, Fahnestock, Harris, Higgins, Rebone, and Ward voted yes. Motion carried.

3. ORDINANCE 2019-21 OVER 21 CANNABIS

AN ORDINANCE AMENDING TITLE 6, POLICE REGULATIONS, OF THE MAPLE PARK VILLAGE CODE, BY ADDING A NEW CHAPTER 7 ENTITLED CANNABIS

This ordinance reflects new Illinois State law regarding cannabis use and possession.

Motion by Trustee Dries with 2nd by Trustee Harris to approve as read. On a roll call vote Trustees Dries, Fahnestock, Harris, Higgins, Rebone, and Ward voted yes. Motion carried.

4. ORDINANCE 2019-22 2019 TAX LEVY ORDINANCE

AN ORDINANCE FOR THE LEVY AND COLLECTION OF TAXES FOR THE VILLAGE OF MAPLE PARK, KANE AND DEKALB COUNTIES FOR 2019 TAX LEVY, PAYABLE IN 2020

This ordinance allows the Village to levy the village taxes.

Motion by Trustee Harris with 2nd by Trustee Fahnestock to approve as read. On a roll call vote Trustees Dries, Fahnestock, Harris, Higgins, Rebene, and Ward voted yes. Motion carried.

5. ORDINANCE 2019-23 TITLE 12, CHAPTER 17 DEVELOPMENT CONTRIBUTIONS

AN ORDINANCE AMENDING TITLE 12, CHAPTER 17 OF THE MAPLE PARK VILLAGE CODE TO EXTEND SUSPENSION OF CERTAIN DEVELOPMENT CONTRIBUTIONS UNTIL APRIL 30, 2020 AND TO PROVIDE NEW PROVISIONS FOR SUCH CONTRIBUTIONS AFTER MAY 1, 2020

This ordinance extends the date for which certain development contributions will be suspended and reinstates certain development contributions on May 1, 2020.

Motion by Trustee Harris with 2nd by Trustee Fahnestock to approve as read. On a roll call vote Trustees Dries, Fahnestock, Harris, Higgins, Rebene, and Ward voted yes. Motion carried.

B. ELECTING A PRESIDENT PRO TEM

Motion by Trustee Harris with 2nd by Trustee Ward to approve Trustee Dries as President Pro Tem effective immediately until May 5, 2020 Village Board Meeting. On a roll call vote Trustees Dries, Fahnestock, Harris, Higgins, Rebene, Ward voted yes. Motion carried.

15. VILLAGE PRESIDENT REPORT

Nothing to report.

16. TRUSTEE REPORTS

Trustee Harris reported that long time Maple Park resident Maxine Bruns passed away the day after Thanksgiving. Her service is Friday, December 6th.

President Curtis reported that resident Jeremiah Lynch has also passed away. His service will be Saturday, December 7th at noon at St. Mary's.

Trustee Dries wanted to recognize the Maple Park Police department for their work with the Special Olympics and raising \$108,000 for their organization.

17. ADJOURNMENT

Having no further business to hear before the board, President Curtis asked for a motion to adjourn.

Motion by Trustee Dries with 2nd by Trustee Rebone to adjourn. Motion carried by voice vote.

Meeting adjourned at 8:06 pm.

Cheryl Aldridge
Deputy Clerk



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Approved by the Infrastructure
Committee: 12/10/19

INFRASTRUCTURE COMMITTEE MEETING MINUTES
TUESDAY, November 12, 2019
Maple Park Civic Center
302 Willow Street, Maple Park, IL
7:00 p.m.

1. CALL TO ORDER / ESTABLISHMENT OF QUORUM

Chairman Dries called the meeting to order at 7:12 pm.

Acting Village Clerk called roll and the following Committee Members were present:
Trustee Rebone, Chairman Dries.

There were not enough members present for a quorum. Meeting was cancelled.

Also present were Village Administrator Dawn Wucki-Rossbach, Public Works Director Lou Larson, and Acting Village Clerk Terri D'Amato.

Committee Members:

Trustee Dries, Chair
Trustee Harris
Trustee Higgins
Trustee Rebone

Terri D'Amato

Terri D'Amato
Acting Village Clerk



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Approved by the Personnel Committee:
12/17/19

PERSONNEL COMMITTEE MINUTES

Tuesday, November 19, 2019

7:00 P.M.

Maple Park Civic Center

302 Willow Street, Maple Park, Illinois

1. CALL TO ORDER / ESTABLISHMENT OF QUORUM

Chairman Suzanne Fahnstock called the meeting to order at 7:01 pm.

Acting Village Clerk Terri D'Amato called the roll and the following committee members were present: Trustee Fahnstock, Trustee Dries, Trustee Harris, and Trustee Ward.

Also present were Village Administrator Dawn Wucki-Rossbach and Acting Village Clerk Terri D'Amato.

2. PUBLIC COMMENT – *Any resident wishing to address the Board may do so according to the guidelines set for in the “Rules for Public Comments at Public Meetings,”* *handout. Please complete a speaker request form and submit it to the Village Clerk.*

3. APPROVAL OF MEETING MINUTES

Motion by Trustee Harris with 2nd by Trustee Dries to approve with the following corrections:

3.) Approval of Minutes “Trustee Harris made a motion to approve the minutes from the September 17, 2019 meeting, seconded by Trustee “Ward”.

4.) Amending the description verbiage to read: “This ordinance adds language to the code to allow the Village Board to elect from amongst themselves on a yearly basis a Trustee to serve as “President Pro Tem” in the President’s absence”.

Motion carried by voice vote.

4. OTHER ITEMS

A. Discussion of Part-Time Code Enforcement Officer Position

Administrator Wucki-Rossbach presented to committee members the review of duties and survey results. Discussion that followed included:

- Inclusion in the 2020 Budget
- Having the Police Dept oversee versus the Code Enforcement Officer
- Having a vehicle to utilize to perform the job
- Possibly contracting job to outside staffing agency
- Seasonal employment vs annual employment
- Including/amending specific language in job description such as:
 1. Communication – Process for handling and pursuing adherence
 2. All other duties as assigned
 3. Specific language regarding working with the public

Consensus of committee was to have Administrator Wucki-Rossbach review all comments and suggestions with Chief Stiegemeier and Public Works Director Larson and report back to committee.

B. Discussion of Part-Time Village Clerk Position

Administrator Wucki-Rossbach presented to committee members the review of duties and survey results. Discussion that followed included:

Keep the position appointed rather than elected

Appoint village clerk FOIA officer for all requests (for continuity and accountability)

Consensus of committee was to give Administrator Wucki-Rossbach discretion and proceed with posting of position.

5. ADJOURNMENT

Having no further business to discuss, motion by Trustee Ward with 2nd by Trustee Dries to adjourn. Motion carried by voice vote.

Meeting adjourned at 7:50pm.

Terri D'Amato
Acting Village Clerk

Committee Members:
Suzanne Fahnstock, Chair
Trustee JP Dries
Trustee Brandon Harris
Trustee Jen Ward



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Approved by the Plan Commission: 12/19/19

PLANNING COMMISSION MEETING MINUTES

Thursday, October 17, 2019
Maple Park Civic Center
302 Willow Street, Maple Park
7:00 P.M.

1. CALL TO ORDER

Chairman Chuck Miller called the meeting to order at 7:05 p.m.

2. ROLL CALL

Village Clerk Liz Peerboom called the roll call and the following Commissioners were present: Commissioner Kimberly Sutherland, Commissioner Nick Davidson, Commissioner Jeff Ramirez, Commissioner Lorenzo Catanag, and Commissioner Kyle Foster. Absent: Chairman Chuck Miller* (arrived late), and Commissioner Bob Rowlett.

Others present: Trustee Chris Higgins, Village Administrator Dawn Wucki-Rossbach, and Village Clerk Liz Peerboom.

3. PUBLIC COMMENTS - *Any resident wishing to address the Board may do so according to the guidelines set forth in the "Rules for Public Comments at Public Meetings" handout. Please complete a speaker request form and submit it to the Village Clerk.*

Tracy Spillman and Chris Simon from Neighborhood Watch spoke about putting up signs for Neighborhood Watch.

Ronald Blum spoke about parking, driveways, RVs, and street parking.

Chairman Chuck Miller arrive at 7:10 p.m.

4. APPROVAL OF MEETING MINUTES

- October 3, 2019

Commissioner Davidson made a motion to approve the minutes from the October 3, 2019, seconded by Commissioner Sutherland. Motion carried by voice vote.

5. DISCUSSION OF LIGHTING REGULATIONS

Chairman Miller advised that this discussion would cover lighting designs, and lumens. He added that, in previous meetings, Trustee Higgins had discussed this item. Trustee Higgins then recapped the “Dark Sky” program and pole design for street lights.

Chairman Miller asked if there is a benefit to be Dark Sky certified. Trustee Higgins advised that he hasn’t heard of any benefits. Trustee Higgins said that he would like the Planning Commission to discuss whether or not this regulation would be added to residential. Commissioner Davidson asked about the expectation from the Commission. Trustee Higgins advised that step one would be to go over the sample ordinance, have the Commission give suggestions, then have a public hearing and send the ordinance to the Board for approval.

6. DISCUSSION OF SIGN REGULATIONS

Chairman Miller advised that there is information in the packet about changing the sign code.

Trustee Higgins distributed Cortland’s sign code. Trustee Higgins advised that the village does not define most of the sign types. He also discussed several types of signs that are not allowed in Maple Park, but are allowed in other communities. Chairman Miller said that the goal is to take the existing code and incorporate items that we like from other communities. Village Administrator Wucki-Rossbach discussed doing a sign inventory before this item is discussed. Trustee Higgins advised that this is meant to be more of a clean-up, then adding more restrictions.

Commissioner Ramirez advised that chairman that, before he arrived, the neighborhood watch asked to be able to add signs to their yard. Village Administrator Wucki-Rossbach advised that currently, they could apply for a temporary sign permit, but they would only be able to be left up for 30 days.

Chairman Miller advised that this item will carry forward to future meetings.

7. DISCUSSION OF POOLS

Chairman Miller advised that when the code was originally written, there was no consideration given to inflatable pools. Chairman Miller asked Trustee Higgins and the Commissioners to look for examples from other communities. Trustee Higgins advised that he would like to clarify what is required on pools.

8. DISCUSSION OF PARKING REGULATIONS

Chairman Miller advised that this comes from the public comment from tonight. He asked Trustee Higgins what he would like to focus on. Trustee Higgins advised that this is becoming an issue because it is starting to be enforced. He added that he would like to tweak this regulation to be clearer for residents. The Commission then discussed flyers for the most popular building permits applied for. Chairman Miller asked the Village

Clerk to ask the Police Chief to provide the different types of citations/warnings that are being issued. The Commission then discussed Home Owners Associations (HOA) and the requires and liability on the village. Village Clerk Peerboom advised that the village does not enforce covenants from a subdivision's HOA. Trustee Higgins discussed possible changes in the zoning code for parking spot size, and number of parking spots required. The Commission also discussed the width of streets requirement.

9. DISCUSSION OF MISC ZONING REGULATIONS

Trustee Higgins advised that originally, he had pools in this item, but pools need their own section. He also said that he would like to clean up the section of the code that talks about dumpster enclosures.

10. OTHER ITEMS

None.

11. NEXT MEETING NOVEMBER 21, 2019

Chairman Miller advised that the next meeting is scheduled for Thursday, November 21, 2019. Commissioner Davidson asked if that was Thanksgiving. Chairman Miller advised that it is the week before Thanksgiving.

12. ADJOURNMENT

Commissioner Sutherland made a motion to adjourn the meeting, seconded by Commissioner Davidson. Motion carried by voice vote.

Meeting adjourned at 8:01 p.m.

Liz Peerboom, CMC
Village Clerk

Planning Commission Members:
Chuck Miller, Chair
Lorenzo Catanag
George (Nick) Davidson
Robert Rowlett
Jeff Ramirez
Kimberly Sutherland
Kyle Foster
Chris Higgins (ex-officio member)



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Approved by the Plan Commission: 12/19/19

PLANNING COMMISSION MEETING MINUTES

Thursday, November 21, 2019

Maple Park Civic Center

302 Willow Street, Maple Park

7:00 P.M.

The Planning Commission meeting that was scheduled for Thursday, November 21, 2019, was not held because there was not a quorum.

The next meeting was scheduled for Thursday, December 19, 2019 at 7:00pm.

Terri D'Amato
Acting Village Clerk

Planning Commission Members:

Chuck Miller, Chair

Lorenzo Catanag

George (Nick) Davidson

Robert Rowlett

Jeff Ramirez

Kimberly Sutherland

Chris Higgins (ex-officio member)

VILLAGE OF MAPLE PARK, ILLINOIS
Schedule of Cash and Investments
November 30, 2019

Fund	Interest Rate	CDs	IPTIP Accounts	First Midwest Money Market	Old Second Checking	Total Cash & Investments
Operating Funds						
General Fund						
Old Second - Checking Acct	0.00%	-	-	-	(26,587.98)	(26,587.98)
Old Second - TIF Checking Acct	0.00%	-	-	-	-	-
Illinois Public Treasurer's Pool	2.12%	-	389,771.53	-	-	389,771.53
Total General Fund		-	389,771.53	-	(26,587.98)	363,183.55
Utility Tax Fund						
Old Second - Checking Acct	0.00%	-	-	-	(3,417.59)	(3,417.59)
First Midwest Bank	1.80%	-	-	334,623.63	-	334,623.63
Illinois Public Treasurer's Pool	2.12%	-	54,895.78	-	-	54,895.78
First Midwest Bank - CD (for vehicle loan)		37,000.00	-	-	-	37,000.00
Wells Fargo - CD (13 month 12/14/18)	2.75%	154,439.40	-	-	-	154,439.40
Total Utility Tax Fund		191,439.40	54,895.78	334,623.63	(3,417.59)	577,541.22
TIF District Fund						
Old Second - Checking Account	0.00%	-	-	-	-	-
Old Second - TIF Checking Acct	0.00%	-	-	-	173,873.43	173,873.43
Total Road & Bridge Fund		-	-	-	173,873.43	173,873.43
Road & Bridge Fund						
Old Second - Checking Account	0.00%	-	-	-	5,270.47	5,270.47
Illinois Public Treasurer's Pool	2.12%	-	58,709.16	-	-	58,709.16
Total Road & Bridge Fund		-	58,709.16	-	5,270.47	63,979.63
Motor Fuel Tax Fund						
Old Second - Checking Account	0.00%	-	-	-	-	-
Illinois Public Treasurer's Pool	2.12%	-	167,178.68	-	-	167,178.68
Total Motor Fuel Tax Fund		-	167,178.68	-	-	167,178.68
Water & Sewer Funds						
Operating Accounts						
Old Second - Checking Account	0.00%	-	-	-	20,894.62	20,894.62
Illinois Public Treasurer's Pool	2.12%	-	369,664.05	-	-	369,664.05
Total Operating Accounts		-	369,664.05	-	20,894.62	390,558.67
Water Improvement Account						
Old Second - Checking Account	0.00%	-	-	-	21,545.31	21,545.31
Illinois Public Treasurer's Pool	2.12%	-	199,078.10	-	-	199,078.10
Wells Fargo - CD (13 month 12/14/18)	2.75%	10,295.95	-	-	-	10,295.95
Total Water Improvement Accounts		10,295.95	199,078.10	-	21,545.31	230,919.36
Sewer Improvement Account						
Old Second - Checking Account	0.00%	-	-	-	8,777.51	8,777.51
Illinois Public Treasurer's Pool	2.12%	-	314,232.27	-	-	314,232.27
Wells Fargo - CD (13 month 12/14/18)	2.75%	92,663.63	-	-	-	92,663.63
Total Sewer Improvement Accounts		92,663.63	314,232.27	-	8,777.51	415,673.41
Total Water & Sewer Funds		102,959.58	882,974.42	-	51,217.44	1,037,151.44
Total Village Operating Funds		294,398.98	1,553,529.57	334,623.63	200,355.77	2,382,907.95
Escrow Funds						
School Land Cash						
Old Second - Checking Account	0.00%	-	-	-	10,800.00	10,800.00
Developer Escrow Fund						
Old Second - Checking Account	0.00%	-	-	-	52,338.25	52,338.25
Total Village Escrow Funds		-	-	-	63,138.25	63,138.25
Total Village Cash & Investments		294,398.98	1,553,529.57	334,623.63	263,494.02	2,446,046.20

DATE: 12/30/19

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PAYABLE TO INV NO	G/L NUMBER	DESCRIPTION	AMOUNT	DISTR
01 AEP ENERGY			2772.44	
3010527038 1119	52-10-5730	WELL		1653.70
3010527049 1119	52-20-5730	WWTP		978.77
3010527050 1119	52-20-5730	LIFT STATION		139.97
01 ALL AROUND PUMPING SERVICE, IN			900.00	
19926	52-20-5600	LIFT STATION MAINTENANCE		900.00
01 MICHELLE ANDERSON			13.00	
10212019	01-30-5250	REIMBURSEMENT OF CASEY'S GASOLINE		13.00
01 CASEY'S BUSINESS MASTERCARD			511.61	
12082019	01-30-5250	GASOLINE		520.83
12082019	01-30-5900	CREDITS FROM PRIOR BILLING		127.19-
12082019	01-30-5900	WAITING ON CREDIT		117.97
01 COAST TO COAST SOLUTIONS			170.37	
IVC0094294	01-30-5100	NITRILE GLOVES		170.37
01 COMMONWEALTH EDISON			1182.30	
0147077192 1119	01-50-5730	STREET LIGHTING		193.24
4665155040 1219	01-50-5730	STREET LIGHTING		959.37
5778015012 1119	01-20-5730	HERITAGE HILLS POND		29.69
01 C.O.P.S. INC.			124.28	
9101	01-30-5300	UNIFORM EXPENSE		124.28
01 CORE & MAIN LP			3748.31	
L546553	52-10-5390	METER TEST		38.99
L579750	52-10-5600	HYDRANT		3311.61
L610395	01-10-5900	CHARGING BASE REPAIR		397.71
01 DIXON ENGINEERING, INC.			3750.00	
19-6072	52-10-5600	ELEVATED TANK INSPECTION		3750.00
01 DANIELE EADY			25.00	
12142019	01-00-2103	DEPOSIT REFUND		100.00
12142019	01-00-4910	REPAIR OF TILE		75.00-
01 FOSTER, BUICK, CONKLIN & LUNDG			1487.50	
31082	01-10-5330	ONGOING SUBDIVISION ISSUES		175.00
31082	01-10-5330	GENERAL COUNSEL		962.50
31082	01-10-5330	LOCAL PROSECUTIONS		350.00
01 GOODENOUGH INC.			100.00	
61814	01-10-5420.02	PLUMBING INSPECTION		50.00
61818	01-10-5420.03	PLUMBING INSPECTION		50.00
01 GOVTEMPS USA, LLC			8843.80	
2914911	01-10-5390	VILLAGE ADMINISTRATOR		2969.40
2924371	01-10-5390	VILLAGE ADMINISTRATOR		2946.30
2934334	01-10-5390	VILLAGE ADMINISTRATOR		2928.10
01 SHAWN GRAY			149.14	
11212019	01-50-5621	TREE REMOVAL		450.00
11212019	01-00-4910	REPAIR LIGHTING		300.86-
01 ADAM KOZLOWSKI			233.40	
12052019	01-50-5620	GRAVEL MAIDEN & CENTER		233.40
01 GMJB INC.			8032.50	

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VILLAGE OF MAPLE PARK
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PAYABLE TO INV NO	G/L NUMBER	DESCRIPTION	AMOUNT	DISTR
11145	52-10-5600	REPAIR WATERMAIN LEAK		4168.50
11176	52-10-5600	REPLACE HYDRANT		3864.00
01 FRONTIER			187.70	
8158273710 1219	52-10-5700	WELL HOUSE		65.97
8158275039 1219	52-20-5700	WWTP		55.86
8158275069 1219	52-20-5700	LIFT STATION		65.87
01 HOLMGREN ELECTRIC INC.			1413.75	
7365	01-50-5600	STREET LIGHTING REPAIR		1038.75
7379	01-40-5600	HALL LIGHTING		375.00
01 ILLINOIS MUNICIPAL LEAGUE			35.00	
184	01-10-5900	JOB AD POSTING		35.00
01 ILLINOIS ASSOC. OF CHIEFS OF P			57.00	
5416	01-30-5560	TRAINING		57.00
01 IMPACT NETWORKING, LLC			677.79	
1640166	01-10-5200	COPY PAPER		159.95
1648081	01-10-5200	COPY COSTS		517.84
01 JANCO SUPPLY INC.			199.00	
280459	01-50-5900	SUPPLIES		199.00
01 JOSH JORDAN			25.00	
12312019	01-10-5700	CELL PHONE STIPEND		25.00
01 VULCAN MATERIALS COMPANY			29.10	
32167503	01-50-5620	STONE		29.10
01 LINTECH ENGINEERING, INC.			1955.00	
3586	01-10-5320	BOARD MEETINGS		255.00
3586	01-10-5320	HH DETENTION WORK		680.00
3586	01-10-5900	18663 CO LINE RD		680.00
3586	01-10-5320	CAPITAL IMPROVEMENTS		340.00
01 JULIE LITTLE			100.00	
12212019	01-00-2103	RENTAL DEPOSIT REFUND		100.00
01 BRAD MANNING FORD, INC.			50.87	
FOCS96689	01-30-5600	2017 FORD MAINTENANCE		50.87
01 MARK'S MACHINE SHOP INC.			7628.74	
32006	01-50-8215	SNOW DEFLECTOR		115.33
32006	52-10-8215	SNOW DEFLECTOR		115.33
32006	52-20-8215	SNOW DEFLECTOR		115.34
32007	01-50-8215	SNOW PLOW		2198.67
32007	52-10-8215	SNOW PLOW		2198.67
32007	52-20-8215	SNOW PLOW		2198.66
32010	01-50-5600	VEHICLE REPAIR		686.74
01 GAIL MCCARNEY			100.00	
12252019	01-00-2103	RENTAL DEPOSIT REFUND		100.00
01 MEDIACOM			136.90	
12212019	01-10-5700	INTERNET SERVICES		136.90
01 LINTECH ENGINEERING, INC.			2500.00	
3585	52-10-5390	OPERATION SERVICES		1250.00
3585	52-20-5390	OPERATION SERVICES		1250.00
01 MIKE MILLER			75.00	

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PAYABLE TO INV NO	G/L NUMBER	DESCRIPTION	AMOUNT	DISTR
11292019	52-10-5390	PUBLIC WORKS ASSISTANCE		50.00
12132019	52-10-5390	HYDRANT WORK		25.00
01 NIU CENTER FOR GOVERNMENTAL ST 1958	01-10-5900	JOB AD POSTING	50.00	50.00
01 NICOR			1209.12	
331314100041219	01-50-5730	GARAGE GAS		145.78
399087100051219	01-40-5730	CIVIC CENTER GAS		1063.34
01 SHAW SUBURBAN MEDIA			573.76	
1719685	01-10-5900	PUBLIC HEARING		88.66
1721124	01-10-5900	PUBLIC HEARING		96.10
1725271	01-10-5900	TAX LEVY NOTICE		389.00
01 QUILL CORPORATION			164.00	
1389704	01-10-5200	OFFICE SUPPLIES		71.91
1389704	01-10-5900	OFFICE SUPPLIES		83.98
1594051	01-10-5200	OFFICE SUPPLIES		37.47
1611380	01-10-5200	OFFICE SUPPLIES		24.51
1839476	01-10-5200	OFFICE SUPPLIES		54.28
3445985	01-30-5100	FAX MACHINE		115.87
3457307	01-10-5200	OFFICE SUPPLIES		62.58
3457307	01-30-5100	OFFICE SUPPLIES		31.36
3465323	01-10-5200	OFFICE SUPPLIES		17.18
3475102	01-10-5200	OFFICE SUPPLIES		54.26
711830	01-10-5200	OFFICE SUPPLIES RETURNED		389.40-
01 SENSUS USA INC.			1949.94	
ZA19019544	52-10-5550	SUPPORT 02/09/20-02/08/21		974.97
ZA19019544	52-20-5550	SUPPORT 02/09/20-02/08/21		974.97
01 STERLING CODIFIERS LLC			500.00	
800283	01-10-5390	ONLINE CODE HOSTING		500.00
01 SUBURBAN LABORATORIES, INC.			75.00	
171531	52-10-5335	WATER TESTING		75.00
01 VERIZON WIRELESS			280.77	
9844596709	01-10-5700	CELL PHONES		93.54
9844596709	01-30-5700	CELL PHONES		77.20
9844596709	01-30-5700	AIR CARDS		110.03
** TOTAL CHECKS TO BE ISSUED			52017.09	

SYS DATE:12/30/19

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FUND INV NO	G/L NUMBER	DESCRIPTION	AMOUNT	DISTR
=====				
01	GENERAL FUND		23795.91	
52	WATER & SEWER FUND		28221.18	
***	GRAND TOTAL ***		52017.09	
TOTAL FOR REGULAR CHECKS:			51,037.01	
TOTAL FOR DIRECT PAY VENDORS:			980.08	

A/P MANUAL CHECK POSTING LIST

POSTINGS FROM ALL CHECK REGISTRATION RUNS(NR) SINCE LAST CHECK VOUCHER RUN(NCR)

PAYABLE TO REG# INV NO	CHECK DATE G/L NUMBER	CHECK NO DESCRIPTION	AMOUNT	DISTR
01 THERESA A. D'AMATO 67 12072019	12/12/19 01-10-5390	21951 ACTING VILLAGE CLERK	534.13	534.13
01 THERESA A. D'AMATO 67 12212019	12/26/19 01-10-5390	21952 ACTING VILLAGE CLERK	878.73	878.73
01 AMERICAN BANK & TRUST 67 11272019H	12/03/19 01-30-5100	21950 GENERAL SUPPLIES	1272.23	125.00
67 11272019I	01-50-5600	MAINTENANCE & REPAIR		6.00
67 11272019I	01-50-5900	OTHER EXPENSE		48.49
67 11272019J	01-10-5700	TELEPHONE		24.99
67 11272019J	01-50-5600	MAINTENANCE & REPAIR		58.69
67 11272019J	01-50-5620	STREET MAINTENANCE		52.44
67 11272019J	01-50-5900	OTHER EXPENSE		45.95
67 11272019J	52-20-5600	MAINTENANCE & REPAIR		147.95
67 11272019K	01-10-5200	OFFICE SUPPLIES		5.99
67 11272019K	01-10-5390	OTHER PROFESSIONAL SERVICES		552.42
67 11272019K	01-10-5700	TELEPHONE		179.36
67 11272019K	01-40-5100	GENERAL SUPPLIES		24.95

** TOTAL MANUAL CHECKS REGISTERED 2685.09

REPORT SUMMARY

CASH FUND	CHECKS TO BE ISSUED	REGISTERED MANUAL	TOTAL
01	52017.09	2685.09	54702.18
TOTAL CASH	52017.09	2685.09	54702.18

DISTR FUND	CHECKS TO BE ISSUED	REGISTERED MANUAL	TOTAL
01	23795.91	2537.14	26333.05
52	28221.18	147.95	28369.13
TOTAL DISTR	52017.09	2685.09	54702.18



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

FINANCE REPORT TUESDAY, JANUARY 7, 2020

- Budget Report – Enclosed in this month's packet is the December Budget Report. The December Utility Billing was not completed when the report was done. Those figures will be included next month. Beginning this past summer, the state has given an additional MFT allotment as part of the Rebuild Illinois Capital Plan. Over the past 4 months Maple Park has received an additional \$7,600. Please let me know if you have any specific questions on accounts.
- Escrow Accounts – There was no activity for the month of December.
- Warrant List
 - A/P Check run of \$52,017.09, manual checks of \$2,685.09 for a total of \$54,702.18.
 - Core & Main LP - \$3,311.61 for a hydrant that was replaced in December.
 - Dixon Engineering, Inc. - \$3,750.00 for the elevated tank inspection.
 - GMJB Inc. (G Snow) – A total of \$8,032.50 - \$4,168.50 to repair a watermain leak and \$3,864.00 to replace the hydrant that was purchased through Core & Main LP.
 - Mark's Machine Shop Inc. – A total of \$7,628.74 - \$6,942.00 for additional work on the new public works vehicle and \$686.74 for a vehicle repair.
- Please let me know if you have any questions or concerns.

VILLAGE OF MAPLE PARK - BUDGET REPORT
May 1, 2019 - December 31, 2019

	FY 2019 Actuals	FY 2020 Budget	Budget May 19 - Dec 19	Actual Totals for May 19 - Dec 19	Variance to Budget
01 - GENERAL FUND					
TOTAL GENERAL FUND REVENUE	875,359	672,788	531,756	680,438	(148,681)
TOTAL ADMINISTRATION & FINANCE	375,700	286,918	210,531	285,863	(75,333)
TOTAL PARKS & GROUNDS	45,726	50,100	33,400	29,331	4,069
TOTAL POLICE DEPARTMENT	194,865	236,490	163,803	138,160	25,643
TOTAL CIVIC CENTER	20,272	72,234	48,156	6,999	41,157
TOTAL STREET DEPARTMENT	93,662	118,688	85,700	85,982	(282)
TOTAL GENERAL FUND EXPENDITURES	730,225	764,429	541,590	546,336	(4,746)
GENERAL FUND NET INCOME/LOSS	145,134	(91,642)	(9,834)	134,102	(143,936)
12 - UTILITY TAX FUND					
TOTAL REVENUE	104,863	86,500	62,667	97,668	(35,002)
TOTAL EXPENDITURES	61,994	114,160	76,576	69,740	6,836
UTILITY TAX FUND NET INCOME/LOSS	42,870	(27,660)	(13,910)	27,928	(41,838)
13 - TIF DISTRICT FUND					
TOTAL REVENUE	57,449	61,000	61,000	89,827	(28,827)
TOTAL EXPENDITURES	6,978	47,500	31,667	2,718	28,949
ROAD & BRIDGE FUND NET INCOME/LOSS	50,471	13,500	29,333	87,110	(57,776)
15 - ROAD & BRIDGE FUND					
TOTAL REVENUE	47,384	46,000	45,667	45,713	(46)
TOTAL EXPENDITURES	16,622	60,500	60,500	51,701	8,799
ROAD & BRIDGE FUND NET INCOME/LOSS	30,762	(14,500)	(14,833)	(5,988)	(8,845)
19 - MOTOR FUEL TAX FUND					
TOTAL REVENUE	35,955	35,340	23,560	31,271	(7,711)
TOTAL EXPENDITURES	-	140,000	140,000	-	140,000
MOTOR FUEL TAX FUND NET INCOME/LOSS	35,955	(104,661)	(116,440)	31,271	(147,711)
28 - DEVELOPER ESCROW FUND					
TOTAL REVENUE	34,125	10,000	-	-	-
TOTAL EXPENDITURES	34,125	10,000	-	-	-
DEVELOPER ESCROW FUND NET INCOME/LOSS	-	-	-	-	-
52 - WATER & SEWER FUND					
TOTAL REVENUE	399,294	463,379	300,159	237,381	62,778
TOTAL WATER EXPENDITURES	230,662	258,126	182,939	186,132	(3,193)
TOTAL SEWER EXPENDITURES	115,728	114,498	85,498	84,200	1,298
TOTAL WATER & SEWER FUND EXPENDITURES	346,390	372,624	268,438	270,332	(1,894)
WATER & SEWER FUND NET INCOME/LOSS	52,904	90,755	31,722	(32,951)	64,672
54 - WATER IMPROVEMENT ACCOUNT					
TOTAL REVENUE	85,384	56,687	51,520	49,075	2,445
TOTAL EXPENDITURES	52,851	22,237	22,237	13,512	8,725
WATER IMPROVEMENT NET INCOME/LOSS	32,533	34,449	29,283	35,563	(6,280)
56 -SEWER IMPROVEMENT ACCOUNT					
TOTAL REVENUE	84,932	39,574	33,741	30,249	3,492
TOTAL EXPENDITURES	-	-	-	-	-
SEWER IMPROVEMENT NET INCOME/LOSS	84,932	39,574	33,741	30,249	3,492
70 - SCHOOL LAND CASH					
TOTAL REVENUE	-	-	-	14,000	(14,000)
TOTAL EXPENDITURES	-	-	-	-	-
SEWER IMPROVEMENT NET INCOME/LOSS	-	-	-	14,000	(14,000)
GRAND TOTAL REVENUE	1,724,746	1,471,267	1,110,070	1,275,622	(165,552)
GRAND TOTAL EXPENSES	1,249,185	1,531,451	1,141,007	954,338	186,669
GRAND TOTAL NET INCOME / LOSS	475,561	(60,183)	(30,938)	321,284	(352,221)

VILLAGE OF MAPLE PARK - BUDGET REPORT
May 1, 2019 - December 31, 2019

		FY 2019 Actuals	FY 2020 Budget	Budget May 19 - Dec 19	Actual Totals for May 19 - Dec 19	Variance to Budget
01 - GENERAL FUND						
REVENUES						
01-00-4110	REAL ESTATE TAX - DEKALB CO.	114,254	117,148	117,148	117,431	(283)
01-00-4120	REAL ESTATE TAX - KANE CO.	101,319	104,476	104,476	103,279	1,197
01-00-4220	STATE OF IL - INCOME TAX	127,226	131,983	87,988	94,970	(6,982)
01-00-4240	STATE OF IL-MUNICIPAL SALES TAX	154,937	162,000	108,000	122,558	(14,558)
01-00-4250	STATE OF IL-REPLACEMENT TAX	2,168	2,500	1,667	2,326	(660)
01-00-4270	STATE OF IL-USE TAX	39,828	41,527	27,685	27,890	(206)
01-00-4280	STATE OF IL-VIDEO GAMING TAX	25,937	21,000	14,000	19,146	(5,146)
01-00-4310	GAME LICENSE	225	225	225	275	(50)
01-00-4325	GOLF CART LICENSE	525	500	500	430	70
01-00-4330	CIGARETTE LICENSE	20	20	20	20	-
01-00-4340	FRANCHISE FEE LICENSE	4,629	3,500	2,333	1,809	525
01-00-4341	RAFFLE LICENSE FEE	40	30	20	40	(20)
01-00-4350	LIQUOR LICENSE	10,010	10,000	10,000	10,000	-
01-00-4407	TEMPORARY OCCUPANCY PERMIT	1,000	-	-	400	(400)
01-00-4410	BUILDING PERMITS	9,457	7,500	5,833	6,205	(372)
01-00-4410.01	BUILDING PERMITS - SETTLEMENT	4,753	-	-	2,268	(2,268)
01-00-4410.02	BUILDING PERMITS - SQUIRE'S CROSSING	34,565	11,585	11,585	7,910	3,675
01-00-4410.03	BUILDING PERMITS - HERITAGE HILLS	-	-	-	2,239	(2,239)
01-00-4420	SOLICITOR PERMITS	-	-	-	100	(100)
01-00-4500	GARBAGE COLLECTION REVENUE	111,799	-	-	-	-
01-00-4505	GARBAGE PENALTIES	2,037	-	-	-	-
01-00-4535.01	THE SETTLEMENT - ENGINEERING	680	-	-	340	(340)
01-00-4535.02	SQUIRE'S CROSSING - ENGINEERING	5,100	1,700	1,700	1,360	340
01-00-4535.03	HERITAGE HILLS - ENGINEERING	-	-	-	340	(340)
01-00-4550	PARK RENT	1,170	1,500	1,500	1,400	100
01-00-4550.03	RENT - KANE COUNTY POLLING	-	40	40	-	40
01-00-4550.04	RENT - GYM USE	2,438	-	-	900	(900)
01-00-4550.07	RENT - M.P. LIBRARY	4,800	4,800	3,200	3,200	-
01-00-4550.11	RENT - KITCHEN	413	500	333	350	(17)
01-00-4550.17	RENT - EXERCISE ROOM	3,110	600	400	80	320
01-00-4560	FUTURE LINK RENT	4,200	4,410	2,940	2,940	-
01-00-4575	WATER & SEWER ADMIN CHARGE	32,500	32,500	21,667	21,664	3
01-00-4610	DEKALB COUNTY FINES	49	200	133	640	(507)
01-00-4620	KANE COUNTY FINES	1,141	500	333	917	(584)
01-00-4625		1,300	1,500	1,000	1,480	(480)
01-00-4800	INTEREST INCOME	5,454	4,000	2,667	18,039	(15,373)
01-00-4900	OTHER INCOME	3,590	500	333	104	230
01-00-4910	REIMBURSEMENT INCOME	64,685	6,045	4,030	107,387	(103,357)
** TOTAL GENERAL FUND REVENUE		875,359	672,788	531,756	680,438	(148,681)
10 - ADMINISTRATION & FINANCE EXPENDITURES						
01-10-5010	WAGES - FINANCE	52,827	61,706	41,137	29,784	11,354
01-10-5010.01	WAGES - REIMBURSED (POLICE)	371	-	-	623	(623)
01-10-5010.02	WAGES - FUN FEST (POLICE)	2,807	3,000	3,000	3,000	-
01-10-5010.03	WAGES - FUN FEST (PUBLIC WORKS)	888	1,000	1,000	1,000	-
01-10-5011	SALARIES - VILLAGE BOARD	19,000	12,000	-	-	-
01-10-5012	STATE UNEMPLOYMENT TAX	727	1,000	500	273	227
01-10-5020	SOCIAL SECURITY EXPENSE	5,507	5,765	3,231	2,588	643
01-10-5020.01	SOCIAL SECURITY EXPENSE - REIMBURSED	24	-	-	48	(48)
01-10-5030	PENSION EXPENSE	278	787	525	544	(19)
01-10-5040	EMPLOYEE MEDICAL INSURANCE	618	1,650	1,100	1,066	34
01-10-5120	POSTAGE	1,993	2,500	1,667	796	870
01-10-5155	GOLF CART LICENSE EXPENSE	90	100	100	-	100
01-10-5160	COPIER & POSTAGE MACHINE LEASE	335	335	168	168	-
01-10-5200	OFFICE SUPPLIES	8,160	8,000	5,333	7,349	(2,016)
01-10-5320	ENGINEERING SERVICES	7,948	7,500	5,000	4,335	665
01-10-5330	LEGAL SERVICES	18,256	20,000	13,333	11,506	1,827
01-10-5350	AUDIT EXPENSE	12,860	13,110	13,110	13,110	-
01-10-5390	OTHER PROFESSIONAL SERVICES	12,296	64,665	43,110	40,695	2,415
01-10-5400	GARBAGE COLLECTION EXPENSE	100,577	-	-	-	-
01-10-5420	PERMIT EXPENSE	400	200	200	100	100
01-10-5420.01	PERMIT EXPENSE - SETTLEMENT	100	-	-	300	(300)
01-10-5420.02	PERMIT EXPENSE - SQUIRE'S CROSSING	3,100	1,000	1,000	850	150
01-10-5420.03	PERMIT EXPENSE - HERITAGE HILLS	-	-	-	150	(150)
01-10-5500	INSURANCE EXPENSE	44,582	46,000	46,000	44,531	1,469
01-10-5550	SOFTWARE EXPENSE	24	250	167	-	167
01-10-5570	DUES AND MEMBERSHIPS	4,836	5,000	3,333	4,070	(737)
01-10-5700	TELEPHONE	4,859	5,000	3,333	4,533	(1,200)
01-10-5900	OTHER EXPENSES	65,207	6,000	4,000	92,034	(88,034)
01-10-5900.01	FUN FEST EXPENSES	782	750	750	1,727	(977)
01-10-5910	EMERGENCY NOTIFICATION SYSTEM	858	900	900	858	42
01-10-5920	CONFERENCES	390	500	333	270	63
01-10-5999	TRANSFER TO OTHER FUNDS	5,000	5,000	5,000	5,000	-
01-10-8210	COMPUTERS	-	13,200	13,200	14,556	(1,356)
** TOTAL ADMINISTRATION & FINANCE		375,700	286,918	210,531	285,863	(75,333)

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		FY 2019 Actuals	FY 2020 Budget	Budget May 19 - Dec 19	Actual Totals for May 19 - Dec 19	Variance to Budget
20 - PARKS & GROUNDS EXPENDITURES						
01-20-5010	WAGES	30,914	32,197	21,465	19,365	2,100
01-20-5020	SOCIAL SECURITY EXPENSE	2,673	2,756	1,837	1,808	30
01-20-5030	PENSION EXPENSE	1,397	1,369	913	945	(33)
01-20-5040	EMPLOYEE MEDICAL INSURANCE	3,892	3,828	2,552	2,474	78
01-20-5250	GASOLINE & FUEL	732	1,000	667	518	149
01-20-5390	OTHER PROFESSIONAL SERVICES	-	-	-	1,475	(1,475)
01-20-5600	MAINTENANCE & REPAIR	5,216	7,500	5,000	2,000	3,000
01-20-5730	UTILITIES	857	1,200	800	746	54
01-20-5900	OTHER EXPENSE	46	250	167	-	167
** TOTAL PARKS & GROUNDS		45,726	50,100	33,400	29,331	4,069
30 - POLICE DEPARTMENT EXPENDITURES						
01-30-5010	WAGES – CHIEF	53,625	53,560	35,707	34,083	1,624
01-30-5015	WAGES – PATROL OFFICERS	53,869	69,768	46,512	35,826	10,686
01-30-5016	WAGES – TRAINING	5,423	7,431	4,954	9,743	(4,789)
01-30-5018	WAGES – SERGEANT	27,416	33,057	22,038	17,868	4,170
01-30-5020	SOCIAL SECURITY EXPENSE	11,418	13,037	8,691	8,540	151
01-30-5030	PENSION EXPENSE	2,410	2,406	1,604	1,662	(58)
01-30-5040	EMPLOYEE MEDICAL INSURANCE	6,023	6,600	4,400	4,265	135
01-30-5100	GENERAL SUPPLIES	3,192	5,000	3,333	2,144	1,189
01-30-5250	GASOLINE & FUEL	5,402	7,000	4,667	3,543	1,124
01-30-5300	UNIFORM EXPENSE	2,516	4,000	2,667	1,014	1,652
01-30-5330	LEGAL SERVICES	175	500	333	-	333
01-30-5550	SOFTWARE EXPENSE	-	900	-	-	-
01-30-5560	TRAINING	2,402	2,000	2,000	1,653	347
01-30-5570	DUES & MEMBERSHIPS	1,110	1,000	1,000	170	830
01-30-5600	MAINTENANCE & REPAIR	1,928	6,000	4,000	1,197	2,803
01-30-5700	TELEPHONE	3,769	5,000	3,333	2,478	855
01-30-5750	COMMUNICATIONS	12,616	13,240	13,240	13,190	50
01-30-5900	OTHER EXPENSE	1,571	2,000	1,333	783	550
01-30-8200	EQUIPMENT	-	3,990	3,990	-	3,990
** TOTAL POLICE DEPARTMENT		194,865	236,490	163,803	138,160	25,643
40 - CIVIC CENTER EXPENDITURES						
01-40-5100	GENERAL SUPPLIES	614	1,000	667	892	(225)
01-40-5390	OTHER PROFESSIONAL SERVICES	-	-	-	50	(50)
01-40-5600	MAINTENANCE & REPAIR	9,772	60,734	40,489	3,395	37,094
01-40-5730	UTILITIES	9,576	10,000	6,667	2,662	4,005
01-40-5900	OTHER EXPENSE	310	500	333	-	333
** TOTAL CIVIC CENTER		20,272	72,234	48,156	6,999	41,157
50 - STREET DEPARTMENT EXPENDITURES						
01-50-5010	WAGES	35,708	30,397	20,265	19,365	900
01-50-5020	SOCIAL SECURITY EXPENSE	3,039	2,618	1,746	1,808	(62)
01-50-5030	PENSION EXPENSE	1,588	1,369	913	945	(33)
01-50-5040	EMPLOYEE MEDICAL INSURANCE	3,892	3,828	2,552	2,473	79
01-50-5175	ROAD SALT	6,514	10,000	5,000	-	5,000
01-50-5250	GASOLINE & FUEL	1,884	2,500	1,667	487	1,179
01-50-5320	ENGINEERING	-	-	-	255	(255)
01-50-5390	OTHER PROFESSIONAL SERVICES	125	725	725	13,163	(12,438)
01-50-5600	MAINTENANCE & REPAIR	22,961	12,000	8,000	6,155	1,845
01-50-5620	STREET MAINTENANCE	1,445	12,000	8,000	8,700	(700)
01-50-5621	TREE MAINTENANCE	2,100	5,000	3,333	5,400	(2,067)
01-50-5622	STREET SIGN INSTALLATION	750	2,000	1,333	-	1,333
01-50-5730	UTILITIES	13,390	12,000	8,000	8,527	(527)
01-50-5900	OTHER EXPENSE	266	250	167	697	(530)
01-50-8215	VEHICLE PURCHASE	-	24,000	24,000	18,007	5,993
** TOTAL STREET DEPARTMENT		93,662	118,688	85,700	85,982	(282)
TOTAL GENERAL FUND REVENUES		875,359	672,788	531,756	680,438	(148,681)
TOTAL GENERAL FUND EXPENDITURES		730,225	764,429	541,590	546,336	(4,746)
GENERAL FUND NET INCOME/LOSS		145,134	(91,642)	(9,834)	134,102	(143,936)

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		FY 2019 Actuals	FY 2020 Budget	Budget May 19 - Dec 19	Actual Totals for May 19 - Dec 19	Variance to Budget
12 - UTILITY TAX FUND						
REVENUES						
12-00-4140.10	TELECOMMUNICATIONS TAX	21,216	17,000	11,333	13,644	(2,311)
12-00-4140.30	COM ED - UTILITY TAX	34,822	32,000	21,333	20,171	1,163
12-00-4140.40	NICOR GAS - UTILITY TAX	18,098	15,000	10,000	6,910	3,090
12-00-4746	POLICE GRANTS	3,960	-	-	8,557	(8,557)
12-00-4750	VEHICLE LOAN PROCEEDS	-	-	-	37,000	(37,000)
12-00-4751	DEKALB COUNTY COMMUNITY GRANT	10,500	10,000	10,000	-	10,000
12-00-4800	INTEREST INCOME	11,267	7,500	5,000	6,386	(1,386)
12-00-4992	TRANSFER FROM GENERAL FUND	5,000	5,000	5,000	5,000	-
	** TOTAL REVENUE	104,863	86,500	62,667	97,668	(35,002)
EXPENDITURES						
12-00-5992	TRANSFER TO WATER & SEWER FUND	-	59,000	29,500	29,500	-
12-00-5993	TRANSFER TO WATER IMPROVEMENT	-	12,237	12,237	12,237	-
12-00-5999	TRANSFER TO OTHER FUNDS	-	-	-	-	-
12-00-8102	CIVIC CENTER IMPROVEMENTS	12,552	10,000	10,000	7,361	2,639
12-00-8401	POLICE VEHICLE	-	-	-	-	-
12-00-8411	COMPUTERS & ACCESSORIES	3,716	-	-	-	-
12-00-8413	POLICE GRANT PURCHASES	516	-	-	8,989	(8,989)
12-00-8418	GIS	-	-	-	-	-
12-00-8420	POLICE VEHICLE LOAN - PRINCIPAL	7,640	7,935	5,256	5,257	(0)
12-00-8421	POLICE VEHICLE LOAN - INTEREST	668	374	283	282	0
12-00-8422	PUBLIC WORKS VEHICLE	19,776	-	-	-	-
12-00-8423	POLICE RECORDS MANAGEMENT SYSTEM	4,250	-	-	-	-
12-00-8424	POLICE IN CAR VIDEO SYSTEMS	2,356	-	-	-	-
12-00-8425	DEKALB COUNTY COMMUNITY GRANT EXPENSES	10,519	10,000	10,000	-	10,000
12-00-8426	POLICE VEHICLE LOAN - PRINCIPAL	-	13,183	8,333	5,755	2,578
12-00-8427	POLICE VEHICLE LOAN - INTEREST	-	1,432	967	359	608
	** TOTAL EXPENDITURES	61,994	114,160	76,576	69,740	6,836
	UTILITY TAX FUND NET INCOME/LOSS	42,870	(27,660)	(13,910)	27,928	(41,838)
13 - TIF DISTRICT FUND						
REVENUES						
13-00-4110	TIF TAX - DEKALB CO.	10,928	11,000	11,000	12,161	(1,161)
13-00-4120	TIF TAX - KANE CO.	46,521	50,000	50,000	77,666	(27,666)
	** TOTAL REVENUE	57,449	61,000	61,000	89,827	(28,827)
EXPENDITURES						
13-00-8417	TIF LEGAL FEES	6,978	7,500	5,000	2,718	2,283
13-00-8418	TIF IMPROVEMENTS	-	40,000	26,667	-	26,667
	** TOTAL EXPENDITURES	6,978	47,500	31,667	2,718	28,949
	TIF DISTRICT FUND NET INCOME/LOSS	50,471	13,500	29,333	87,110	(57,776)
15 - ROAD & BRIDGE FUND						
REVENUES						
15-00-4100	VEHICLE LICENSE FEES	20,625	20,000	20,000	19,870	130
15-00-4110	REAL ESTATE TAX-DEKALB COUNTY	5,060	5,000	5,000	4,731	269
15-00-4120	REAL ESTATE TAX-KANE COUNTY	20,094	20,000	20,000	20,904	(904)
15-00-4260	VIRGIL TWSP. REPLACE. TAX	390	250	167	208	(42)
15-00-4800	INTEREST INCOME	1,216	750	500	-	500
	** TOTAL REVENUE	47,384	46,000	45,667	45,713	(46)
EXPENDITURES						
15-00-5100	GENERAL SUPPLIES	322	500	500	190	310
15-00-5320	ENGINEERING SERVICES	-	-	-	6,715	(6,715)
15-00-5620	STREET MAINTENANCE	16,300	60,000	60,000	44,700	15,300
15-00-5900	OTHER EXPENSES	-	-	-	96	(96)
	** TOTAL EXPENDITURES	16,622	60,500	60,500	51,701	8,799
	ROAD & BRIDGE FUND NET INCOME/LOSS	30,762	(14,500)	(14,833)	(5,988)	(8,845)

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19 - MOTOR FUEL TAX FUND						
REVENUES						
19-00-4290	STATE OF IL-MOTOR FUEL TAX	33,254	33,340	22,226	29,326	(7,100)
19-00-4800	INTEREST INCOME	2,702	2,000	1,333	1,945	(612)
	** TOTAL REVENUE	35,955	35,340	23,560	31,271	(7,711)
EXPENDITURES						
19-00-5200	STREET IMPROVEMENTS	-	115,000	115,000	-	115,000
19-00-5320	ENGINEERING SERVICES	-	25,000	25,000	-	25,000
	** TOTAL EXPENDITURES	-	140,000	140,000	-	140,000
	MOTOR FUEL TAX FUND NET INCOME/LOSS	35,955	(104,661)	(116,440)	31,271	(147,711)

28 - DEVELOPER ESCROW FUND						
REVENUES						
28-00-4940	DEVELOPER RECEIPTS	34,125	10,000	-	-	-
	** TOTAL REVENUE	34,125	10,000	-	-	-
EXPENDITURES						
28-00-5320	DEVELOPER LEGAL EXPENDITURES	175	5,000	-	-	-
28-00-5330	DEVELOPER ENGINEERING & ADMIN	33,950	5,000	-	-	-
	** TOTAL EXPENDITURES	34,125	10,000	-	-	-
	DEVELOPER ESCROW FUND NET INCOME/LOSS	-	-	-	-	-

52 - WATER & SEWER FUND						
REVENUES						
52-00-4170	WATER REVENUE	201,342	207,558	138,372	106,674	31,698
52-00-4171	ALLOCATION OF WATER REVENUE	(13,506)	(13,000)	(8,667)	(7,146)	(1,521)
52-00-4180	SEWER REVENUE	199,175	207,901	138,601	107,484	31,116
52-00-4181	ALLOCATION OF SEWER REVENUE	(13,230)	(13,000)	(8,667)	(7,090)	(1,576)
52-00-4190	PENALTIES	6,756	6,000	4,000	4,369	(369)
52-00-4200	TURN ON/OFF REVENUE	425	500	333	250	83
52-00-4200.01	THE SETTLEMENT - TURN ON/OFF REVENUE	200	-	-	100	(100)
52-00-4200.02	SQUIRE'S CROSSING - TURN ON/OFF REVENUE	1,500	500	500	300	200
52-00-4200.03	HERITAGE HILLS - TURN ON/OFF REVENUE	-	-	-	100	(100)
52-00-4300.01	METER FEES - SETTLEMENT	688	-	-	344	(344)
52-00-4300.02	METER FEES - SQUIRE'S CROSSING	5,411	1,720	1,720	1,032	688
52-00-4300.03	METER FEES - HERITAGE HILLS	-	-	-	344	(344)
52-00-4460.01	SEWER INSPECT - SETTLEMENT	400	-	-	200	(200)
52-00-4460.02	SEWER INSPECT - SQUIRE'S CROSSING	3,000	1,000	1,000	600	400
52-00-4460.03	SEWER INSPECT - HERITAGE HILLS	-	-	-	200	(200)
52-00-4800	INTEREST INCOME	6,871	5,000	3,333	-	3,333
52-00-4900	OTHER REVENUE	262	200	133	120	13
52-00-4994	TRANSFER FROM UTILITY TAX	-	59,000	29,500	29,500	-
	** TOTAL REVENUE	399,294	463,379	300,159	237,381	62,778

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10 - WATER DIVISION EXPENDITURES						
52-10-5010	WAGES	23,037	25,588	17,059	15,705	1,354
52-10-5020	SOCIAL SECURITY EXPENSE	1,910	2,119	1,413	1,407	6
52-10-5030	PENSION EXPENSE	743	772	515	533	(18)
52-10-5040	EMPLOYEE MEDICAL INSURANCE	2,057	2,112	1,408	1,365	44
52-10-5100	GENERAL SUPPLIES	179	400	267	-	267
52-10-5105	METERS	4,399	5,000	3,333	1,838	1,496
52-10-5110	CHEMICALS	14,900	15,000	10,000	10,711	(711)
52-10-5120	POSTAGE	868	2,000	1,333	660	673
52-10-5250	GASOLINE & FUEL	1,257	1,500	1,000	687	314
52-10-5320	ENGINEERING	-	-	-	170	(170)
52-10-5330	LEGAL EXPENSE	44	250	167	-	167
52-10-5335	TEST EXPENSE	2,221	3,000	2,000	1,653	347
52-10-5375	ADMINISTRATIVE SERVICE CHARGE	16,250	16,250	10,833	10,832	1
52-10-5390	OTHER PROFESSIONAL SERVICES	15,125	16,000	10,833	10,401	432
52-10-5550	SOFTWARE EXPENSE	975	1,000	1,000	975	25
52-10-5600	MAINTENANCE & REPAIR	31,750	27,500	18,333	34,159	(15,826)
52-10-5700	TELEPHONE	726	700	467	518	(51)
52-10-5730	UTILITIES	18,194	18,000	12,000	9,818	2,182
52-10-5740	JULIE LOCATES	198	250	-	-	-
52-10-5870	IEPA LOAN - PRINCIPAL	52,076	53,478	26,561	26,561	-
52-10-5880	IEPA LOAN - INTEREST	6,815	5,602	2,979	2,979	-
52-10-5886	IEPA LOAN - WATERMAIN	26,501	27,112	27,112	27,112	-
52-10-5888	IEPA LOAN - WATERMAIN	10,328	9,992	9,992	9,992	-
52-10-5900	OTHER EXPENSE	112	500	333	48	285
52-10-8215	VEHICLE PURCHASE	-	24,000	24,000	18,007	5,993
** TOTAL WATER EXPENDITURES		230,662	258,126	182,939	186,132	(3,193)
20 - SEWER DIVISION EXPENDITURES						
52-20-5010	WAGES	21,597	21,983	14,655	13,409	1,246
52-20-5020	SOCIAL SECURITY EXPENSE	1,808	1,818	1,212	1,202	10
52-20-5030	PENSION EXPENSE	687	615	410	424	(15)
52-20-5040	EMPLOYEE MEDICAL INSURANCE	1,934	1,782	1,188	1,151	37
52-20-5100	GENERAL SUPPLIES	149	250	167	-	167
52-20-5110	CHEMICALS	-	250	167	-	167
52-20-5120	POSTAGE	630	900	600	540	60
52-20-5250	GASOLINE & FUEL	489	750	500	267	233
52-20-5320	ENGINEERING	510	-	-	-	-
52-20-5330	LEGAL EXPENSE	-	250	167	-	167
52-20-5335	TEST EXPENSE	243	1,600	1,067	-	1,067
52-20-5375	ADMINISTRATIVE SERVICE CHARGE	16,250	16,250	10,833	10,832	1
52-20-5390	OTHER PROFESSIONAL SERVICES	15,000	15,500	10,500	10,088	413
52-20-5400	PERMIT EXPENSE	2,500	2,500	2,500	2,500	-
52-20-5550	SOFTWARE EXPENSE	975	1,000	1,000	975	25
52-20-5600	MAINTENANCE & REPAIR	9,043	12,000	8,000	15,725	(7,725)
52-20-5700	TELEPHONE	1,350	1,300	867	953	(86)
52-20-5730	UTILITIES	12,506	11,000	7,333	8,078	(744)
52-20-5740	JULIE LOCATES	198	250	-	-	-
52-20-5870	IEPA LOAN - PRINCIPAL	29,532	-	-	-	-
52-20-5880	IEPA LOAN - INTEREST	28	-	-	-	-
52-20-5900	OTHER EXPENSE	299	500	333	48	285
52-20-8215	VEHICLE PURCHASE	-	24,000	24,000	18,007	5,993
** TOTAL SEWER EXPENDITURES		115,728	114,498	85,498	84,200	1,298
TOTAL WATER & SEWER FUND EXPENDITURES		346,390	372,624	268,438	270,332	(1,894)
WATER & SEWER FUND NET INCOME/LOSS		52,904	90,755	31,722	(32,951)	64,672

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54 - WATER IMPROVEMENT ACCOUNT						
REVENUES						
54-00-4171	ALLOCATION OF WATER REVENUE	13,506	13,000	8,667	7,146	1,521
54-00-4430.01	WATER CONNECTION - THE SETTLEMENT	5,000	-	-	2,500	(2,500)
54-00-4430.02	WATER CONNECTION - SQUIRE'S CROSSING	7,500	12,500	12,500	7,500	5,000
54-00-4430.03	WATER CONNECTION - HERITAGE HILLS	-	-	-	2,500	(2,500)
54-00-4650.01	IMPACT FEES - THE SETTLEMENT	7,186	-	-	3,593	(3,593)
54-00-4650.02	IMPACT FEES - SQUIRE'S CROSSING	48,554	16,449	16,449	9,798	6,652
54-00-4650.03	IMPACT FEES - HERITAGE HILLS	-	-	-	3,665	(3,665)
54-00-4800	INTEREST INCOME	3,638	2,500	1,667	136	1,530
54-00-4994	TRANSFER FROM UTILITY TAX FUND	-	12,237	12,237	12,237	-
** TOTAL REVENUE		85,384	56,687	51,520	49,075	2,445
EXPENDITURES						
54-00-5320	ENGINEERING SERVICES	-	10,000	10,000	1,275	8,725
54-00-5600	WATER IMPROVEMENT REPAIRS & MAINTENANCE	40,846	-	-	-	-
54-00-5900	OTHER EXPENSE	57	-	-	-	-
54-00-8205	WATERMAIN LOAN PAYMENT - PRINCIPAL	11,050	11,531	11,531	11,531	-
54-00-8207	WATERMAIN LOAN PAYMENT - INTEREST	898	706	706	706	-
54-00-8211	WATER READER UPGRADE	-	-	-	-	-
** TOTAL EXPENDITURES		52,851	22,237	22,237	13,512	8,725
WATER IMPROVEMENT NET INCOME/LOSS		32,533	34,449	29,283	35,563	(6,280)
56 - SEWER IMPROVEMENT ACCOUNT						
REVENUES						
56-00-4181	ALLOCATION OF SEWER REVENUE	13,230	13,000	8,667	7,090	1,576
56-00-4420.01	SEWER TAP - SETTLEMENT	1,500	-	-	750	(750)
56-00-4420.02	SEWER TAP - SQUIRE'S CROSSING	2,250	3,750	3,750	2,250	1,500
56-00-4420.03	SEWER TAP - HERITAGE HILLS	-	-	-	750	(750)
56-00-4650.01	IMPACT FEES - THE SETTLEMENT	7,186	-	-	3,593	(3,593)
56-00-4650.02	IMPACT FEES - SQUIRE'S CROSSING	53,804	18,324	18,324	10,923	7,402
56-00-4650.03	IMPACT FEES - HERITAGE HILLS	-	-	-	3,665	(3,665)
56-00-4800	INTEREST INCOME	6,961	4,500	3,000	1,228	1,772
** TOTAL REVENUE		84,932	39,574	33,741	30,249	3,492
EXPENDITURES						
56-00-5600	MAINTENANCE & REPAIR	-	-	-	-	-
** TOTAL EXPENDITURES		-	-	-	-	-
SEWER IMPROVEMENT NET INCOME/LOSS		84,932	39,574	33,741	30,249	3,492
70 - SCHOOL LAND CASH FUND						
REVENUES						
70-00-4100.01	SCHOOL CONTRIBUTION - SETTLEMENT	4,400	-	-	2,200	(2,200)
70-00-4100.02	SCHOOL CONTRIBUTION - SQUIRE'S CROSSING	48,000	16,000	16,000	9,600	6,400
70-00-4100.03	SCHOOL CONTRIBUTION - HERITAGE HILLS	-	-	-	2,200	(2,200)
70-00-4100.99	SCHOOL CONTRIBUTIONS RECLASSIFIED	(52,400)	(16,000)	(16,000)	-	(16,000)
** TOTAL REVENUE		-	-	-	14,000	(14,000)
EXPENDITURES						
70-00-5930	PAYMENT TO SCHOOLS	-	-	-	-	-
** TOTAL EXPENDITURES		-	-	-	-	-
SCHOOL LAND CASH NET INCOME/LOSS		-	-	-	14,000	(14,000)
GRAND TOTAL REVENUE		1,724,746	1,471,267	1,110,070	1,275,622	(165,552)
GRAND TOTAL EXPENSES		1,249,185	1,531,451	1,141,007	954,338	186,669
GRAND TOTAL NET INCOME / LOSS		475,561	(60,183)	(30,938)	321,284	(352,221)

Estimated Fund Balance
through December 31, 2019

	Beginning Balance 05/01/19	Revenues FY20	Expenditures FY20	Ending Balance	Est Balance Budget as of 04/30/20	Better/(Worse)
General Fund	\$288,187	\$680,438	\$546,336	\$422,289	\$192,989	229,300
Other Funds:						
Utility Tax Fund	560,784	97,668	69,740	588,712	507,128	81,584
TIF District Fund	86,764	89,827	2,718	173,873	100,221	73,652
Road & Bridge Fund	70,070	45,713	51,701	64,082	55,461	8,621
Motor Fuel Tax Fund	143,696	31,271	-	174,967	39,058	135,909
Totals	861,314	264,479	124,159	1,001,634	701,868	299,766
Water & Sewer Funds						
Water & Sewer Operating Fund	411,570	237,381	270,332	378,619	491,168	(112,549)
Water Improvement Fund	200,882	49,075	13,512	236,445	223,325	13,120
Sewer Improvement Fund	389,839	30,249	-	420,088	419,766	322
Totals	1,002,291	316,705	283,844	1,035,152	1,134,259	(99,107)
Village Totals	\$2,151,792	\$1,261,622	\$954,339	\$2,459,075	\$2,029,116	429,959

Estimated Cash Balances for December 31, 2019

	12/01/19 Balance	Misc	Transfers & Deposits	Manual Checks and Tax Pymts	Payroll	12/31/19 Check Run	Estimated 12/31/19 Balance	
Old Second Checking	89,620.59		44,966.67	(13,953.85)	(17,879.70)	(52,017.09)	50,736.62	0.00%
First Midwest	334,623.63						334,623.63	1.94%
TIF Funds	173,873.43						173,873.43	0.00%
Illinois Funds	1,553,529.57			37,338.87			1,590,868.44	2.12%
First Midwest CD	37,000.00						37,000.00	0.50%
13 Month CD	257,398.98						257,398.98	2.75%
	2,446,046.20	0.00	44,966.67	23,385.02	(17,879.70)	(52,017.09)	2,444,501.10	



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151


Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

MEMORANDUM

TO: Village President and Board of Trustees

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: December 27, 2019

SUBJECT: TEXT AMENDMENTS – EMPLOYEE HANDBOOK

BACKGROUND

Please refer to the December 11, 2019 Memorandum to the Personnel Committee, Attachment A. The Committee reviewed the proposed text changes at their December 17, 2019 Meeting. The Committee agreed with the proposed changes and suggested several additional changes. The additional changes are located on:

1. Page 4 – Your Village Government, first paragraph – Remove the language referring to the election of a Village Clerk and Village Treasurer and replace with language stating that the positions are appointed by the Village President with the advice and consent of the Board of Trustees. Mayor has been removed and replaced by Village President.
2. Page 31 – Village Reporting Structure – For the Code Enforcement Officer position, add a joint supervision line to the Police Chief.
3. Page 32 – Village Trustee Committees – Department Responsibility/Support – Update the Department Responsibility/Support to include the Village Treasurer position being added to the Village Accountant position box. Note, this change prompted Staff to review how the Village Treasurer position appears in the Municipal Code, Attachment B. The code requires that a Village Treasurer be appointed by the Village President with the advice and consent of the Board of Trustees. As a result of the review, the appointment Village Accountant Cheryl Aldridge as the Village Treasurer has been placed on the agenda. *

*The Village Accountant has been bonded through the Illinois Municipal League Risk Management Association and has been fulfilling all the duties of the Village Treasurer as identified in 1-6B3 of the Municipal Code.

Attachment C is a red-lined copy of the Employee Handbook that reflects the changes identified in the December 11, 2019 Memorandum and the changes recommended by the Personnel Committee at their December 17, 2019 Meeting.

RECOMMENDATION

That the Village Board motion to approve the updates to the Employee Handbook.

Once approved, all changes to the handbook will be accepted and the handbook will be distributed to all employees to read. Employees will also be required to complete the Acknowledgement Form at the back of the handbook. The acknowledgements will be kept on file.

Attachments

Attachment A - Memorandum Dated December 11, 2019 from the Village Administrator to the Personnel Committee – Text Amendments – Employee Handbook

Attachment B – Article A. Village Clerk and Article B. Village Treasurer from the Village of Maple Park Municipal Code

Attachment C – Red-Lined Version of the Employee Handbook



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MEMORANDUM

TO: Personnel Committee

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: December 11, 2019

SUBJECT: TEXT AMENDMENTS - EMPLOYEE HANDBOOK

BACKGROUND

The last update to the Village's Employee Handbook was approved by the Village Board on November 6, 2018. We need to update the handbook with text amendments for three (3) items and we need to update the organizational chart. The first amendment, is the expansion of the Drug Free Workplace language. The second amendment is the change in Immediate Supervisor reporting in the Job Classification language. The third amendment is the addition of the Americans with Disabilities section to the Handbook. The organizational chart update appears in Appendix 1 – Reporting Structure. Text Amendments are shown by old language being struck through and new language appearing in red underlined text. All paragraphs in the document have been justified.

The Village currently has three (3) Full-Time employees and 13 Part-Time employees. If an employee needs to take time off for medically related issues, the Federal Family Medical Leave Act (FMLA) regulations would need to be applied. FMLA is applicable to employees that work 1,250 or greater hours annually, full-time employees work a base of 2,080 hours annually. Part-time employees; however, are not eligible for FMLA based on working less than 1,000 hours annually; therefore, the Village needs to address the issue of part-time employees needing leave time to address their issues.

First Text Amendment to Address the Use of Recreational Cannabis

On January 1, 2020, the law permitting the use of recreational cannabis by individuals over 21 takes effect. To reflect this change in law, the Village Attorney has been consulted and the need for text amendments to Village's Employee Handbook are necessary. A text amendment associated with the change in State Statute is reflected in the following section of the handbook:

Drug Free Workplace – Page 13 – The old language is to be removed and new language added. The new language requires that all employees shall not to report to work under the influence of any intoxicants and they may not consume, use or possess intoxicants while on duty. Supervisors are required to undergo drug and alcohol awareness training and if a supervisor believes an employee has reported to work under the influence it must be reported to their supervisor or

department head and then employee is to submit to an alcohol or drug-screening. If employee use is detected this is grounds for disciplinary action up to and including termination. No employee shall be disciplined for the appropriate use of legal nonprescription or legally prescribed prescription drugs for treatment of an illness or injury. However, if the use of the nonprescription or prescribed drugs impair the employee's ability to perform their job should be immediately reported to the employee's supervisor and the employee may be subject to disciplinary action.

On December 4, 2020, the State Statute was amended to prohibit law enforcement officers from the consumption, possession, sales purchase or delivery of cannabis or cannabis-infused substances while on or off-duty. This has been added to our Handbook language.

Second Text Amendment to Address the Job Classifications Immediate Supervisor Reporting

This text is on page 15 and reflects the change in reporting structure identified when the Village Administrator position was created.

Third Text Amendment to Address the Americans with Disabilities Act

In order for the Village to be proactive in addressing the needs of a part-time employee and legally protect the Village from claims of discrimination, etc., the application of Federal regulations for the Americans with Disabilities Act (ADA) has been applied. In response to this need staff developed and implemented, as a Best Management Practice, an "Interactive Americans with Disability Act (ADA) Employee Guidebook," see attached. The reference of the application of this guidebook is being added to the Employee Handbook. The reference to this guidebook is reflected on Page 25 in the updated handbook.

Organizational Chart Update

Appendix 1 – Reporting Structure, Page 32, like the Job Classifications Immediate Supervisor Reporting, the chart needed to be updated to reflect the change in reporting for the Village Administrator position.

The footer at the bottom of the page will be adjusted to reflect the final total number of pages once the old sections of text have been removed and the new text inserted.

ATTACHMENT B

ARTICLE A. VILLAGE CLERK

1-6A-1: APPOINTMENT:

1-6A-2: BOND REQUIRED:

1-6A-3: ACT AS VILLAGE COLLECTOR:

1-6A-4: MONIES TURNED OVER TO TREASURER:

1-6A-5: SEAL AND ATTEST DOCUMENTS:

1-6A-6: MAINTAIN ACCOUNTS, RECORDS AND DOCUMENTS:

1-6A-7: ADDITIONAL DUTIES:

1-6A-8: COMPENSATION:

1-6A-1: APPOINTMENT:

The village clerk shall be appointed by the village president, with the advice and consent of the village board of trustees. (1982 Code § 2-04; amd. 2004 Code)

1-6A-2: BOND REQUIRED:

Before entering upon his duties of office, the village clerk shall execute a bond in the amount of one hundred thousand dollars (\$100,000.00), conditioned upon the faithful performance of his/her duties. Such bond shall be filed with the village treasurer. (1982 Code § 2-04; amd. 2004 Code)

1-6A-3: ACT AS VILLAGE COLLECTOR:

The village clerk shall act as and perform all duties of collector unless and until a separate collector is appointed. (1982 Code § 2-04)

1-6A-4: MONIES TURNED OVER TO TREASURER:

The village clerk shall turn over all monies received by him on behalf of the village to the village treasurer promptly upon receipt of the same, and with such monies he shall give a statement as to the source thereof. (1982 Code § 2-04)

1-6A-5: SEAL AND ATTEST DOCUMENTS:

A. Attest Contracts, Licenses: The village clerk shall seal and attest all contracts of the village, and all licenses, permits and such other documents as shall require this formality.

B. Custodian Of Seal: The clerk shall be the custodian of the village seal, and shall affix its impression on documents whenever this is required. (1982 Code § 2-04)

C. Form Of Seal: The seal of the village shall be a circular disc with the word "Seal" in the center, and the words "Village of Maple Park, Kane County, Illinois" on the periphery thereof. (1982 Code § 1-36)

1-6A-6: MAINTAIN ACCOUNTS, RECORDS AND DOCUMENTS:

A. Accounts Of Monies Received And Disbursed: The village clerk shall keep accounts showing all monies received by him and the source and disposition thereof, and such other accounts as may be required by statute or ordinance.

B. Keeping Records: In addition to the record of ordinances and other records which the clerk is required by statute to keep, he shall keep a register of all licenses and permits issued and the payments thereof; a record showing all of the officers and regular employees of the village; and such other records as may be required by the village board.

C. Custodian Of Documents:

1. The clerk shall be the custodian of all documents belonging to the village which are not assigned to the custody of some other officer.
2. The clerk shall keep and maintain a proper index to all documents and records kept by him, so that ready access thereto and use thereof may be had. (1982 Code § 2-04)

1-6A-7: ADDITIONAL DUTIES:

In addition to the duties herein provided, the village clerk shall perform such other duties and functions as may be required by statute or ordinance. (1982 Code § 2-04)

1-6A-8: COMPENSATION:

See section [1-6-5](#) of this chapter for compensation of the village clerk. (2004 Code)

ARTICLE B. VILLAGE TREASURER

1-6B-1: APPOINTMENT:

1-6B-2: BOND REQUIRED:

1-6B-3: DUTIES:

1-6B-1: APPOINTMENT:

The treasurer shall be appointed by the village president, with the advice and consent of the board of trustees, as are other village officials, and for compliance with 65 Illinois Compiled Statutes 5/3.1-30-5. (1982 Code § 2-08; amd. 2004 Code)

1-6B-2: BOND REQUIRED:

The village treasurer shall give bond conditioned upon the faithful performance of his/her duties and to indemnify the village for any loss due to neglect of duty or wrongful act on his/her part; and the amount of such bond shall be not less than three (3) times the latest federal census population or any subsequent census figure used for motor fuel tax purposes. Such bond shall be filed with the village clerk as required by statute, and in no event shall the amount of the bond be less than ten thousand dollars. (1982 Code § 2-08; amd. 2004 Code)

1-6B-3: DUTIES:

- A. Generally: The village treasurer shall perform such duties as may be prescribed for him by statute or by ordinance. He shall receive all monies paid to the village, either directly from the person paying it or from the hands of such other officer as may receive it, and he shall pay out money only on vouchers or orders properly signed by the village clerk and the village president.
- B. Deposit Funds In Village Depositories: He shall deposit the village funds in such depositories as may be selected from time to time as is provided by law, and he shall keep the village money separate and distinct from his own and shall not intermingle his own money with it or make private or personal use of the village funds.
- C. Records Of Financial Status: The treasurer shall keep records showing all money received by him, the source from which it was received, and the purpose for which it was paid out; and he shall keep a record showing at all times the financial status of the village.
- D. Books And Accounts: The treasurer shall keep such books and accounts as may be required by the board of trustees, and shall keep them in the manner required by the village board.
- E. Monthly And Annual Reports: The treasurer shall make monthly reports to the village board of trustees showing the state of the finances of the village and the amounts received and spent during the month, which reports shall be filed. And he shall make an annual report after the close of the fiscal year, as required by statute with the total amount of all receipts and expenditures of the village and his transactions as treasurer during the preceding year. (1982 Code § 2-08)

Village of Maple Park

Employee Handbook



2018

Update Approved by the Board of Trustees on ~~November 6, 2018~~
, 2020

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INTRODUCTION

The policies and procedures summarized in the manual are presented as information only and are not conditions of employment. The Village of Maple Park reserves the right to modify, suspend, revoke, terminate or change in whole or in part, any of its policies, procedures, practices or benefits at any time with or without notice. The language used in this manual is not intended to create, nor is it to be construed to constitute, a contract between the Village of Maple Park and any one or all of its employees. No representative of the Village of Maple Park other than the Village Council has any authority to enter into any agreement of employment for any specified period of time.

YOUR VILLAGE GOVERNMENT

The Village of Maple Park operates under a President and Village Board form of government. The Board consists of six Trustees who are elected to ~~4~~four-year terms, at-large. Elections are held on a non-partisan basis in April, every other year. Half of the Trustees are elected every other year to provide continuity to the board. Village voters also elect a Village President ~~Mayor, Clerk and Treasurer~~, every fourth year, each for a four-year term. Per the Municipal Code, the Village Clerk, (01-6A-1) and Village Treasurer (0-6B-1) are appointed by the Village President with the advice and consent of the Board of Trustees.

The Village Board is responsible for the general administration of all Village business and coordinates Department Heads. The Department Heads and all other Village employees assist in providing the services legislated by the Board for the citizens of Maple Park.

You are one of these important employees, without whom the Village would be unable to function. Your contribution to this organization is a major factor in the success of the Village to provide the great quality of life Maple Park residents have come to expect and appreciate.

OUR GOALS AND SERVICE PHILOSOPHY

The following long-term goals have been established to guide you in providing Village services. It is important that you understand why you are doing your job, you become familiar with these goals, and you always strive to provide services in a manner consistent with these goals.

- Provide quality, economical, efficient, and effective services in an equitable manner.
- Involve citizens in the decision-making process and be responsive to their input.
- Provide professional management in a fiscally responsive manner with the highest standard of integrity.

Similarly, we recognize a management philosophy that puts the citizen first. Citizens are the focus of all of our services. Therefore, it is important that you support the efforts of the Village Board and always maintain ethical conduct.

COMMITMENT TO CUSTOMER SERVICE

When you have contact with citizens, you are expected to promote the Village's best interest and build citizen goodwill. When you come in contact with a member of the public, you are "The Village," and the only employee with whom a citizen might talk. The citizen judges the character of the entire Village government based upon the way you perform, your attitude, and your appearance.

Please listen carefully to customer inquiries and complaints and then respond in a courteous, professional manner. Take a sincere interest in a customer's questions and never lose your temper, even if a customer should become inconsiderate with you.

If a controversy with a customer arises, attempt to explain Village policy clearly, yet respectfully. You cannot know all the answers, but you may refer the citizen seeking information to the right source. If a customer becomes unreasonable and you cannot resolve the problem, refer the customer to your Department Head or the Village President. This assures that both you and the customer remain satisfied.

The same customer relations policies that apply to in-person customer relations also apply to telephone contacts. Answer the telephone promptly and be courteous and friendly to the caller. If a call is misdirected to your phone, determine the correct destination of the call and arrange for its transfer.

EMPLOYMENT POLICIES

The Village of Maple Park is committed to providing equal opportunity and believes that people should be recruited, hired, trained and promoted according to their qualifications, ability and merit. In keeping with this goal, it is the policy of the Village of Maple Park as an Equal Opportunity Employer, to consider all applicants for employment without regard to race, color, religion, national origin, gender, age or disability except where age or physical standards are applicable bona fide occupational requirements.

Employment Policy

- The Village Board (or its designee) has the responsibility and authority for recruiting. Selecting, retaining, suspending and removing all Village employees other than those employees whose method of appointment or removal is fixed by statute or ordinance
- Applicants will be selected on the basis of merit, training, experience and other job-related factors
- The Village will attempt, as far as it deems possible, to fill vacancies from existing employees where it is deemed to be in the best interest of the Village. The Village shall not, however be required to fill a vacancy by transfer or promotion of an existing employee

Employment at Will

- Employment with the Village of Maple Park is considered “at-will” and has no definite term. The Village or the employee may terminate services at any time, with or without cause, and with or without notice. No representative of the Village, other than the Board acting in whole, or its designee, has the authority, at any time, to enter into an agreement of employment for any specified period of time, or to assume any other personnel action relating to the employee, or to assure any salary, benefits, or other terms or conditions of employment, or to make any agreement relating to an individual’s employment. This policy supersedes any other communication, assurance or promise which may have been made to an employee at any time, whether oral or written.

Immigration Reform Act Notice

- It is the policy of the Village of Maple Park not to employ persons who are not legally eligible to work in the United States.
- The Immigration Reform and Control Act of 1986 require that the Village verify the identity and the work eligibility of all persons hired after November 6, 1986. This law will be enforced by the Immigration and Naturalization Service and other appropriate government agencies. Any Village employee hired hereafter will be required to sign a verification form (currently Form 1-9) and furnish both proof of identity, (normally a driver's license or state identification card), and proof of eligibility to work in the United States, (normally a social security card or birth certificate) within 3 business days of the offer for employment.
- If you have any questions about the law or about this policy, please contact your Department Head or the Village President.

Physical Examination

- Upon offer of employment, the Village may require the selected candidate to undergo a physical examination, at the Village's expense conducted by a licensed physician. The purpose of the physical examination is to assure that the candidate is physically fit to perform the essential job duties and functions of the position as detailed in the job description.
- Further, at any time during the course of employment an employee may be required to undergo a medical examination by a licensed physician, whenever the Board (or its designee) reasonably believes that it is in the best interest of the Village and the employee to require such.
- Some employees whose responsibilities require them to possibly become exposed to infectious disease will be required to receive, prior to or in the course of their employment, inoculations for various types of diseases (e.g. TB, hepatitis, etc.)

Federal Controlled Substances and Alcohol Use and Testing Rules for Employees

- In accordance with Federal Register 49 CFR Part 382, the Village will request alcohol and controlled substances information from the previous employer of any employee who possesses and is expected to use for Village business a Commercial Driver's License (CDL).
- The Village extends its alcohol and controlled substance testing policy to cover any new employee.
- The Village will test all directly involved employees for alcohol and drugs when a work-related accident occurs resulting in injury (other than minor first aid) or property damage.

Background Investigations

- A complete background may be completed on new or prospective employees prior to employment, as determined by the Board. Prior to such an investigation, applicants must execute the necessary release information form.

- Applicants must be able to demonstrate that they possess, or qualify to possess, a valid driver's license if the nature of the position or assignment requires them to operate a Village-owned vehicle or use their own personal vehicle while conducting Village business.
- If required, a candidate, new employee, or current employee may be requested to provide the Village with proof of educational achievement or professional licenses obtained as stated in their employment application.

Probationary Period & Training

- The first six months of employment will be considered a probationary period for each new employee. This period will provide an opportunity for the Village to fairly evaluate the individual's progress and potential as a permanent employee with the Village. The Village reserves the right to accelerate or lengthen this probationary period in the event it is necessary.
- The Board (or its designee) shall provide orientation programs for new employees and to conduct or support training as deemed appropriate.
- The employee's work performance will be evaluated monthly during the probationary period. If satisfactory performance does not result at any time during an employee's probationary period, the employee shall be terminated immediately at the Board's (or its designee's) discretion. Upon successful completion of probation, a new employee shall be eligible for all benefits afforded to all other permanent employees.

Categories of Employment

- Salaried Employees – A large percentage of the employee's time is executive, administrative, managerial, supervisory, or professional in nature. These employees are paid on the basis of an annual salary, regardless of the number of hours they work. These employees may be entitled to fringe benefits as established by the Board.
- Hourly Full-Time Employees – An employee working a regular schedule of a least thirty-five (35) hours per week and not salaried is considered hourly full-time. These employees are entitled to fringe benefits as established by the Board.
- Regular Part-Time Employees – An employee working a regular schedule of twenty (20) to thirty-four (34) hours per week is considered part-time. These employees are not entitled to fringe benefits.
- Temporary Employees – An employee whose employment will not exceed six consecutive months either on a full or part time basis is considered temporary. These employees are not entitled to fringe benefits.
- Continuous Service - Continuous service refers to a full-time employee of the Village of Maple Park and shall continue until the retirement, resignation or dismissal of an employee. Time spent in part time employment or under an approved work training program, or in an elective position, shall not count towards the accumulation of continuous service. An absence granted by the Village Board under any of the Village's leave programs shall not constitute discontinuance of service. The term continuous service in relation to vacation earned will be based upon completion of each full year of service.

Job Descriptions

- Each person employed by the Village shall have a specific job title and shall perform specific duties that are established within a formal job description. Any additional terms of employment will be set on a job-by-job basis by the Board (or its designee). A copy of the current job description and any additional terms of employment shall be kept within the employee's personnel file.

Performance Evaluations

- The Department Manager shall establish yearly written goals and objectives for each full time and part time employee by which their job performance will be evaluated for that year. At the end of the year, the Department Manager shall prepare a written evaluation of the individual's work performance.
- Employees will be given a copy of all written reviews and will be provided an opportunity to respond to its contents. Copies of all written reviews and responses shall be kept within the employee's permanent file.
- A performance review does not guarantee an increase in pay. It is conducted for the purpose of assessing work performance and progress. If a pay adjustment is recommended, the employee will be informed of the recommended amount and the new salary will be provided to the Village Accountant for budgeting. Salary recommendations will be effective the passage of the new fiscal budget. All recommended salary increase will be effective 05/01 of the calendar year, the start of the new annual fiscal budget.
- During the individual's performance review, they will be advised of their performance progress and accomplishments, as well as any aspects of their performance which may need improvement. An employee's input during their performance review is strongly encouraged.
- Regular, informal conversations between the employee and the supervisor are strongly recommended to help assure regular feedback about work progress throughout the year. If an employee has a question or a problem, they should not wait until their scheduled review time, but should speak to their supervisor immediately.
- An employee's salary is based on a number of factors including, but not limited to, the relative contribution of their work, their experience, skill, ability, efficiency, knowledge, education, training, communication skills, attitude, leadership, dependability, teamwork, effort, attendance record, safety record and disciplinary record, as well as the Village's economic situation and needs.
- Salary recommendations will be limited to the range of 0% to 3% of their current annual salary. If a manager feels a higher recommendation is justified, the Department head can make the request to the Finance Committee.
- Employee performance evaluations shall be for the period of January 1st to December 31st of a single calendar year. Self-reviews will be provided to the employee in late December and due to the manager by January 1st or next business day of next calendar year. The manager will complete and meet with the employee during the month of January, but should be completed no later than February 15th.

Personnel Records

- Personnel records for all applicants, employees, and past employees shall be maintained to document employment related decisions, evaluate and assess policies, and comply with government recordkeeping and reporting requirements. Employees are responsible to make sure their personnel records are up to date and should notify the Board (or its designee) in writing of any changes in the following:
 - Name
 - Permanent Address
 - Telephone number
 - Marital status (for benefits and tax withholding purposes only)
 - Beneficiary designations for any of the Village's pension or similar type plans that may be offered
 - Persons to be notified in case of emergency
 - Change in the number of dependents or marital status (for benefits and tax withholding purposes only)
 - Any change in health condition which would impair the employee's ability to comply with any federal, state, or local regulations regarding personal protective equipment (for example, any requirement that the individual wear a respirator).
- All such information will be treated as highly confidential and will be available only to those people with a need or right to know the information. Any requests to review an employee's personnel file will be handled in accordance with Illinois law.

Ethical Standards/Conflict of Interest

- The Village of Maple Park strives to conduct its business activities with integrity, fairness, and in accordance with the highest ethical standards.
- Employees must bring overall ethical and professional behavior to the job. Our demands for excellence and the preservation of our integrity, objectivity, and complete fairness are distinguishing characteristics of the Village. The discovery of any questionable, fraudulent, or illegal activities, offers, or transactions should be reported to your Department Head, the Village President, or a member of the Board.
- The activities of the Village of Maple Park are based on the State Officials and Employees Ethics Act (5 ILCS 430/1-1 et seq.). The Act regulates ethical conduct, political activities, and the solicitation and acceptance of gifts by State officials and employees.

Open Door Policy

- Employees are encouraged to share their concerns, seek information, provide input, and resolve problems through their Department Head or the Village President and, as appropriate, consult with any member of the Board toward those ends. Department Heads or the Village President are expected to listen to employee concerns, to encourage their input, and to seek resolution to their problems or issues.

Suggestions

- If you have any suggestions or ideas that you feel would benefit the Village of Maple Park, we encourage you to tell your department head about them. We are always looking for suggestions that improve methods, procedures, and working conditions, reduce costs or errors, and benefit the Village and its employees.

Anti-Harassment Policy

- Both state and federal law prohibits sex discrimination in the workplace. The Village of Maple Park is committed to maintaining a work environment that is free of discrimination. In keeping this commitment, the Village will not tolerate harassment of its employees by anyone, including any supervisor or co-worker.
- Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's protected status, such as sex, color, race, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, sexual orientation, arrest record, conviction record, or other protected group status. The Village will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.
- You must be familiar with and comply with the Villages Anti-Harassment Policy, since all employees are responsible for assuring that the workplace is free from any unlawful form of harassment, including the types listed above.
- Prohibited harassment includes behavior which:
 - Creates an intimidating, hostile, or offensive work environment;
 - Unreasonably interferes with an individual's work performance; or
 - Otherwise adversely affects an individual's employment opportunity.
- If you believe that you are being unlawfully harassed, take the following steps:
 - Firmly tell the person who is harassing you to immediately stop the comments and/or behaviors which you find offensive.
 - If the harassment continues or if you believe employment consequences may result from your request that the behavior stop, report the matter as soon as possible to your Department Head or the Village President. The complaint should be in writing.
- Complaints are investigated by the Police and/or the Clerk for referral to the Board. The Village will listen to all reasonable complaints, verify complaints, and discipline appropriately.
- False accusations of harassment may have serious adverse effects. We expect all employees to act honestly and responsibly in complying with and enforcing this policy. It is the Village's desire to continue providing a pleasant work environment for all employees, free of harassment.

Sexual Harassment

Please refer to Ordinance 2019-01 for the administrative policy on sexual harassment.

- A specific type of harassment that is not tolerated by the Village is sexual harassment. Unwelcome sexual advances, requests for sexual favors, or other physical, verbal, or visual conduct based on sex constitute sexual harassment when:
 - Submission to such conduct is an explicit or implicit term or condition of continued employment;
 - An individual's submission to or rejection of such conduct becomes the basis for employment decisions affecting that individual; or
 - Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- Sexual harassment may include, but is not limited to, explicit propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, the display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another person's body.
- It is illegal and against the Village's policy for any worker, male or female, to harass another worker or to create a hostile working environment by either committing or encouraging any of the above, as well as:
 - Physical assaults on another employee including, but not limited to, rape, sexual battery, molestation, or attempts to commit these assaults;
 - Intentional physical conduct that is sexual in nature including, but not limited to, touching, pinching, patting, or brushing up against another employee's body; and
 - Unwanted sexual advances, propositions, or sexual comments, including making sexual gestures, jokes, or comments made in the presence of any employee who has indicated that such conduct in his or her presence is unwelcome; and
 - Posting or displaying pictures, posters, calendars, graffiti, objects, or other materials that are sexual in nature or pornographic.
- The creation of an intimidating, hostile, or offensive working environment may include such actions as persistent sexual comments or the display of obscene or sexually oriented photographs or drawings. However, conduct or actions that arise out of a personal or social relationship and that are not intended to have a discriminatory employment effect may not be viewed as harassment. The Board will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.
- The Village will not condone any sexual harassment of its employees. All workers, including Department Heads, will be subject to severe discipline up to, and including, discharge, for any act of sexual harassment they commit.
- All Village employees are responsible for helping to assure that harassment is avoided. If an employee advises you as to a belief that he or she has experienced or witnessed

harassment, you must immediately report the statement to the Department Head or the Village President. Thereafter, you will be provided with instructions as to the steps to be taken in the course of investigating the complaint. The Village forbids retaliation against anyone who has reported harassment.

- Employees who feel victimized by sexual harassment are encouraged to report the harassment to their:
 - Department Heads who receive a sexual harassment complaint should immediately report the complaint to the Village President, who will co-ordinate a careful investigation of the matter. As much as possible, confidentiality will be maintained with respect to a sexual harassment complaint and only those who need to know about such a complaint will be advised of its existence.
 - Employees who are dissatisfied with the initial resolution of a sexual harassment complaint may file a complaint with an appropriate outside agency. No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint.
- It is the Village of Maple Park's policy to investigate all such complaints thoroughly and promptly and to take all appropriate action that may be deemed necessary to end the harassment and to prevent this misconduct from recurring. To the fullest extent practicable, the Village will keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the Village will take corrective action, including such discipline up to, and including, immediate termination of employment, as is appropriate.

GENERAL POLICIES

Personal Appearance

- Village employees' dress and grooming must be appropriate to their position. Office employees often have contact with the public and therefore represent the Village. By dressing appropriately, you help to create a favorable image for the Village. Accordingly, you are expected to dress in a manner that is normally acceptable in business offices.
- If you work in the field, wear protective clothing that is appropriate for the work that you perform. If uniforms are provided it is expected that they be worn while on duty. Unkempt, torn and/or suggestive clothing are not appropriate work clothes for employees. Shirts must be worn at all times. In no circumstances may any Village employee wear any clothing upon which appears any type of message or any symbol or picture which is inappropriate, lewd, or offensive to any citizen or employee. The Village reserves the right to decide what is appropriate clothing.

Uniforms and Equipment

- Public Works employees are provided with appropriate personal protective equipment as needed for particular tasks. They are also expected to wear the appropriate personal protective equipment necessary for adequate safety when performing particular tasks. We want our employees to work safely. If you feel a

particular task requires additional personal protective equipment, notify your Department Head or the Village President.

- Police officers will be provided 2 pairs of trousers, 2 -short-sleeve shirts, 1-long-sleeve shirt, badge, tie, tie clip, 2 name badges, 1 winter coat, 1 dress cap, and 1 badge for dress cap. Cost of replacements are at the discretion of the department head.

Solicitation or Distribution

- No solicitations of any type are permitted by employees. You may only solicit for a nonprofit organization, and these solicitations are only permitted to be done during non-working hours.
- The only non-work-related materials or literatures that may be posted on the Village bulletin boards are personal notices (e.g., items for sale, party announcements, etc.). Such postings may only be posted within the Village office.

Smoking

- Public buildings are considered to be smoke-free. Smoking is not permitted in general access areas (such as doorways), in work areas where customers and visitors have access, and all other areas where an occupational safety or health hazard may exist. Smoking is only allowed outdoors at least fifteen (15) feet away from entrance doors or paths.

Drug Free Workplace

- ~~• In accordance with Federal law, employees may not unlawfully manufacture, distribute, dispense, possess, or use a controlled substance at work, while on Village property, at work locations, while on duty, or while scheduled to be on call.~~
- Employees are expected to report to work on time and in appropriate mental and physical condition. Employees are not to report to work under the influence of intoxicants (alcoholic beverages or illegal drugs) and shall not consume, use or possess intoxicants, including both recreational and medical cannabis at any time during their scheduled work day, on Village property, or in Village vehicles (while traveling to or from Village property while on duty). The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on municipal premises or while conducting Village business off premises is absolutely prohibited. Violations of this policy will result in disciplinary action up to and including termination and may have legal consequences.
- All supervisors shall be required to undergo the appropriate training regarding drug and alcohol awareness. If a supervisor has reasonable cause to believe that an employee has reported to work under the influence of intoxicants, the supervisor, with the approval of the department head, has the

right to request the employee to submit to an alcohol or drug-screening test that may be grounds for discipline including termination. The results of the alcohol or drug test shall not be used by the Village for any other purpose other than to determine adherence to Village policy, to discipline an employee whenever necessary, and to comply with applicable terms of this Section.

- No employee shall be subject to discipline for the appropriate use of legal nonprescription or prescribed legal drugs for the treatment of injury or illness. However, if an employee knows or should know that use of a non-prescribed or prescribed drug does or could impair the employee's ability to perform his or her job, such information should be reported to the employee's immediate supervisor. Violation of this Section of the policy may subject the employee to disciplinary action.
- Law enforcement officers are prohibited from the consumption, possession, sales, purchase or delivery of cannabis or cannabis-infused substances while on or off-duty. Violations of this policy will result in disciplinary action up to and including termination and may have legal consequences.

Anti-Nepotism

- Your family members may be considered for Village employment provided that they meet the qualifications and their employment does not create a conflict of interest or a conflicting Department Head-employee relationship.

No Violence in the Workplace

- The Village has a zero-tolerance policy against violence in the workplace or the threat of violence. Weapons are not allowed in the workplace or in Village vehicles, except by authorized public safety employees. You must immediately report any workplace violence that you have received or witnessed. The Village will investigate and attempt to verify such reports and discipline appropriately.

Job Classifications

- Police
- Public Works
- Village Accountant and Clerk

- Buildings
- Immediate Superiors: The immediate superior of a police officer shall be the Chief of Police, the Immediate superior of the Chief of Police shall be the Village ~~President~~ Administrator. The immediate supervisor of the public works employee shall be the ~~Director of Public Works~~ Public Works Director/Building Inspector, the immediate superior of the ~~Director of Public Works~~ Public Works Director/Building Inspector is the Village ~~President~~ Administrator. The immediate superior of a Village Clerk is the Village ~~Accountant~~ Administrator, the immediate superior of the Village Accountant is the Village ~~President~~ Administrator.
- Refer to Appendix 1

Punctuality and Attendance

You are responsible for being on time for work. When you are late or absent from work, - other schedules and public services are disrupted. When you know you are going to be late or absent, notify your Department Head or the Village President as soon as possible, preferably within thirty (30) minutes after your scheduled start time. If you do not notify your Department Head or the Village President, you may be disciplined.

Outside Employment

- In most cases, the Village approves its employee's requests for outside employment. However, such part-time work may not interfere with your Village duties, responsibilities, and normal hours of work or overtime, work performance, or compromise the Village's interests. Before accepting outside employment, check with your Department Head or the Village President so that there is no conflict of interest between your Village position and your outside work.

Meal & Break Periods

- The Village will provide a meal period of no less than thirty (30) minutes, beginning no later than five (5) hours after commencing work in each continuous eight (8) hour period worked by an employee. Employees shall also be entitled to two (2) paid fifteen (15) minute breaks each day.
- An employee who is to work 7 1/2 continuous hours or more shall be provided a meal period of at least 20 minutes. The meal period must be given to an employee no later than 5 hours after beginning work. Illinois has no law regarding breaks.

Compensatory Time

- Non-exempt hourly employees will receive compensatory time of one and one-half hours for all hours actually worked in excess of forty (40) hours worked per week. Accrual and use of compensatory time shall be subject to the following terms and conditions:
 - No employee shall work in excess of 40 hours per week without the express written consent of his or her supervisor, which shall be noted on the employee's timesheet.
 - Employees shall be eligible to accrue up to 80 hours of compensatory time in one fiscal year (May 1 through April 30).
 - Requests to use compensatory time must be approved in advance by an employee's Supervisor and may be denied based upon the needs of the Village at that time.

- Compensatory time shall not be used in increments of less than 4 hours nor more than 80 hours at one time.
- Compensatory time shall not be carried over from fiscal year to fiscal year nor shall the employee receive any monetary compensation for accrued compensatory time at termination of employment.

Salary, Payday and Payroll Deductions

- An employee's salary is based upon the job description, responsibilities, and/or supervisory duties as set down by the Board.
 - Unless otherwise designated, salaries and wages shall be paid every other Thursday, by noon (26 times per calendar year).
 - All employees must submit time cards/sheets by 12:00 p.m. on the Monday prior to pay day.
 - Time cards/sheets must be signed by the employee, and also signed and dated by the employee's supervisor to verify the hours worked.
 - In the event that payday falls on a holiday, checks shall be issued the day before.
- The employee is the only person who can receive their payroll check unless they have submitted a signed written request to the Village Clerk for another person to receive it. The person who receives the employee's paycheck may be asked to show picture proof of identity. Additionally, the employee may request to have his/her check direct deposited to any financial institution of his or her choosing. Forms authorizing this service shall be available from the Village Clerk.
- The Village does not make personal loans or extend credit to employees.
- Those persons who are hired or who terminate their employment in the middle of a pay period shall be paid at an hourly rate based on their current salary schedule for hours worked in that period after their hiring or prior to their termination.
- Overtime
 - The work week shall consist of seven (7) consecutive days. This section shall not be construed as a guarantee of any number of days per week or hours worked.
 - All work performed in excess of forty (40) hours in a single work week shall constitute overtime for hourly employees and shall be paid at a rate of one- and one-half times their hourly rate.
- Special Events
 - Special events are for coverage outside of the normal patrol duties. This would be for a special event to include bike races or other event where the community or event program requests a police officer or officers.
 - Events that request a police officer, the police officer can be paid at a rate of one and one-half hours worked, only when the cost of such expense is covered by the reimbursement to the village from the requestor.
 - Fun Fest over Labor Day weekend is exempt from this rule and any hourly police officers would be paid at their regular pay rate for time worked.

Employee Benefits

The following is a general description of current employee benefits. In the event of a conflict between the description of the benefits in this Handbook and the terms of any employment contract, the contract will control.

Health Care Stipend

- Full-time employees who have successfully completed their probationary periods are eligible to receive an annual stipend to offset medical and related health costs for themselves and their dependents. The amount of this stipend shall be established by the Board from time to time and will be distributed to employees on a bi-weekly basis with their regular paychecks
- The Village reserves the right to amend or terminate this stipend at any time, with or without notice.

Workers Compensation Insurance

- All employees are covered by workers' compensation which provides for benefits in case of on-the-job injury. It goes into effect on the first day of employment. Any medical or hospital expenses resulting from a work-related injury are covered by this insurance. In addition, if the injury prevents the individual from working, this coverage may also pay the individual a percentage of their average weekly earnings depending upon the nature and extent of the injury, in accordance with state laws.
- If an employee sustains a work-related injury, no matter how slight, they must immediately report it to their supervisor. If the supervisor is unavailable, it should be reported to any Board member (or its designee). Additionally, an accident report form must be completed by the employee and received by their supervisor within twenty-four (24) hours of the injury or accident. Failure to complete all required forms on a timely basis may result in an individual's claim for compensation being denied.

Holidays

- The Village recognizes certain paid holidays for its full-time and permanent part time employees Full-time and permanent part time employees will receive their regular rate of pay for the number of hours that they are normally scheduled to work on the day the holiday occurs. These holidays are:
 - New Year's Day
 - Presidents' Day
 - Good Friday
 - Memorial Day
 - Independence Day
 - Labor Day
 - Columbus Day
 - Veterans' Day
 - Thanksgiving
 - Day After
 - Christmas Eve
 - Christmas Day
- Holiday Pay – Hourly Police Officers

- Hourly police officers will receive holiday pay at an overtime rate of one- and one-half times their pay rate for any actual hours worked on village recognized holidays. These holidays include:
 - New Year's Day
 - Thanksgiving
 - Christmas Eve
 - Christmas Day
 - New Year's Eve Day
- Employees who want to take off a religious, ethnic, or political holiday not listed above may take the day off without pay or may use a vacation day or compensatory time. However, employees must have advance approval from their Supervisor before taking the day off.

Vacations

- Paid vacation is awarded to full time employees only in accordance with the following schedule:

1 Year of Service	5 Days
2 Years of Service	10 Days
5 Years of Service	15 Days
10 Years of Service	20 Days

- Vacation can be used in one-hour increments, not to exceed normally scheduled hours for that day.
- In no case shall employees be allowed to use more than two weeks of vacation at one time.
- Vacation earnings are based on the date of employment.
- Vacation earnings shall not be allowed to be carried over into the next succeeding year without express approval of the Board (or its designee).
- All vacation requests must be submitted in writing in advance, usually at least two weeks prior to the first day of vacation, and must be approved by the employee's supervisor. Under some circumstances, specific vacation requests may be denied because of Village needs.
- When an individual terminates employment with the Village, (s) he will be paid for unused vacation time not to exceed the allowed maximum.

Jury Duty/Court Appearances

- The Village encourages all employees to meet their civic responsibility by serving on a jury when called to do so. If an employee is summoned for jury duty or to appear as a witness, the employee may take time off from work for this purpose without penalty.

- Employees must provide written notification to their immediate supervisor as promptly as possible of the dates and expected duration of their jury duty. They also must present proof of jury duty service to their supervisor at its conclusion. Employees will be paid their regular salary minus any compensation received for the duty.

Funeral Leave

- Full Time Employees will be granted up to three days paid funeral time to attend the funeral of:
 - Your spouse, parents, step-parents, children, step children, legal guardian, grandchildren, grandparents, brother, sister;
 - Mother-in-law, father-in-law, brother-in-law, sister-in-law;
 - Your spouse's children, grandparents, and grandchildren.
 - You will be granted up to one day off with use of employee time to attend the funeral of an aunt, uncle, cousin, nephew, and niece of yours or your spouse.

Sick Leave

- Paid sick leave is granted to full time employees only who are suffering from an illness which prevents them from performing their usual duties and responsibilities or who require medical, dental, or optical consultation or treatment. Sick leave is also granted to an employee when their spouse, child, or parent is suffering from an illness defined in the Family Medical Leave Act (FMLA). A doctor's statement may be required at any time during the sick leave or upon return to work.
- Employees are entitled to sick leave according to the following guidelines:
 - Full-time employees accrue paid sick leave at the rate of 4 hours per month or a total of 6 working days per year.
 - Sick leave may accrue to a maximum of 160 hours or 20 working days.
 - Employees must notify their immediate supervisor at the earliest possible time regarding the need to use sick leave.
- Use of sick days for reasons other than those for which this benefit is intended is considered an abuse of this benefit, and may result in disciplinary action, up to, and including, discharge. Days of absence beyond all accrued time will be unpaid, and, if they are not covered under any of the Village's leave of absence policies, may be considered excessive absenteeism and grounds for disciplinary action including, but not limited to, discharge.
- It is the employee's responsibility to notify his/her supervisor when they must be absent because of sickness or other emergency. In the event the supervisor is not available, the employee is to contact any Board Trustee or its designee as soon as possible, at least one hour prior to the start of their scheduled work time, on each and every day of absence. If the telephone is not answered, the employee should leave a voice-mail message and then follow up with their supervisor at their earliest opportunity.
- If an employee needs to leave work prior to the end of their shift due to an illness or an emergency, they must first contact their supervisor, or a Board Trustee (or its designee) if the supervisor is unavailable.

- Employees are required to attempt to schedule medical appointments outside of their normal work days and hours. If it is not possible to schedule appointments outside of normal work days or hours, employees will be granted sick leave in the amount necessary for the appointment and travel time to and from the appointment.
- Employees not using their accrued sick leave shall have the option of being paid for it at the conclusion of each fiscal year. Unused sick days will not be paid out to employees upon separation of employment.

Other Leaves of Absences

Family and Medical Leave of Absence ("FMLA")

- The Village will provide up to twelve (12) weeks of a combination of paid and/or unpaid, job-protected leave to eligible employees for certain family and medical reasons. Employees are eligible if they have worked for the Village for at least 12 months, and have worked at least 1,250 hours during the previous 12-month period.
- Employees will be required to substitute any accrued vacation time and/or sick days for any unpaid leave time taken under this policy. Similarly, if the employee otherwise qualifies for any other type of leave of absence, (s) he must take that leave at the same time (s) he is taking FMLA Leave. All time missed from work that qualifies for both Family and Medical Leave, and for worker's compensation, will be counted toward the twelve (12) weeks of Family and Medical Leave.
- The administration of this policy will be in accordance with the Family and Medical Leave Act of 1993 and its applicable regulations.
- Leave will be granted for any of the following reasons:
 - Because of the birth of a child and to care for such child (within 12 months after the birth of the child);
 - Because of the placement of a child with the employee for adoption or foster care (within 12 months of the placement of the child);
 - To care for a spouse, child, or parent, who has a serious health condition;
 - For a serious health condition that makes the employee unable to perform their job.
- Employees shall be required to use any accrued vacation and/or sick time and shall not accrue additional sick or vacation time during an FMLA leave of absence.
- If the employee and their spouse both work for the Village and each qualify for a leave under Points 1 or 2 of this section, the number of workweeks of leave to which both employees may be entitled is limited to a combined total of 12 in any 12-month period.
- Employees who want to take FMLA leave must ordinarily provide the Village at least thirty (30) days' notice of the need for leave, if the need for leave is foreseeable. If the employee's need is not foreseeable, the employee should give as much notice as is practical. In addition, employees who need leave for their own or a family member's serious health condition must provide medical certification of the serious health condition.

- Medical Certification: Any request for a leave under Points 3 or 4 above must be supported by certification issued by the applicable health care provider. At its discretion, the Village may require a second medical opinion and periodic re-certification to support the continuation of a leave at the Village's expense. If the first and second opinions differ, a third opinion may be obtained from a health care provider jointly approved by both the employee and the Village at the Village's expense.
- The Village may deny leave to employees who do not provide proper advance leave notice or medical certification.

Serious Health Condition

For purposes of this policy, "serious health condition" means an illness, injury, impairment or physical or mental condition that involves one of the following:

- Hospital Care. Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity relating to the same condition;
- Absence Plus Treatment. A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves either: (1) treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services under orders of, or on referral by, a health care provider; or (2) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
- Pregnancy. Any period of incapacity due to pregnancy, or for prenatal care;
- Chronic Conditions Requiring Treatment. A chronic condition which: requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider; continues over an extended period of time; and may cause episodic rather than a continuing period of incapacity;
- Permanent/Long-Term Conditions Requiring Supervision. A period of incapacity which is permanent or long-term due to a condition for which treatment may be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider; or
- Multiple Treatments (non-chronic conditions). Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment.

Intermittent Leave

- If certified as medically necessary for the serious health condition of either the employee or their spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on this basis, however, the Village may require the employee to temporarily transfer to an alternative position which better accommodates

recurring periods of absence or to a part-time schedule, provided that the position offers equivalent pay and benefits.

Return from Family and Medical Leave

- Upon return from a Family and Medical Leave of Absence which has extended no longer than a total of 12 workweeks within a 12-month period, the employee will be restored to the same or an equivalent position to the one (s)he held when the leave started. The employee shall have no greater right to reinstatement or to other benefits and conditions of employment than if they had been continuously employed during the FMLA periods. If the leave was due to the employee's own serious health condition, (s) he will be required to submit a certification from their attending physician stating the employee is able to perform the essential functions of their job.
- Certain highly compensated "Key Employees" may be denied reinstatement when necessary to prevent "substantial and grievous injury" to the Village's operations. A "Key Employee" is a salaried employee who is among the highest paid ten (10) percent of employees at that location, or any location within a seventy-five (75) mile radius. Employees will be notified of their status as a Key Employee, when applicable, after they request a Family and Medical Leave.

Coordination with Other Policies

- The employee's use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

Victim's Economic Security and Safety Act Leave of Absence ("VESSA")

- Under the Victim's Economic Security and Safety Act ("VESSA"), an employee may take up to a total of twelve (12) workweeks of unpaid leave from work during any rolling twelve (12)-month period in order to address matters involving domestic violence.
- Eligibility: Generally, to be eligible for VESSA leave, the employee must either be a victim of domestic violence or a family or household member of such a victim. Leave may be taken for the following reasons:
 - To seek medical attention or treatment
 - To seek psychological counseling
 - To obtain victim services
 - To relocate for reasons of safety
 - To seek legal assistance
 - To participate in a related court proceeding
- Leave Time: If an employee is entitled to leave under both VESSA and FMLA, the leave time will run concurrently.
- Notice Required: The employee must provide their supervisor with advance notice of at least 48 hours of his/her intention to take the leave. If such notice is not possible, the

employee must notify their supervisor, any Board Trustee or its designee as soon as is practicable.

- Certification Required: If an employee seeks to use VESSA leave, (s) he must provide his/her supervisor with certification that: a) states that they or a family member is a victim of domestic violence; and, b) includes the employee's reason(s) for taking the leave. In certain circumstances, information such as documentation from victim services organizations, attorneys, clergy members, medical professionals, police or court records, or other corroborating evidence may be requested. The supporting documentation may be submitted as it becomes available. Certification must be provided within a reasonable time following the request by the Board (or its designee).
- Employment and Benefits: Time off that is approved under this policy is unpaid, and the time spent on VESSA leave will not be considered or counted as "time worked" for the purposes of accruing or earning employment benefits.
- Upon the employee's return from a VESSA leave, which has extended no longer than a total of twelve (12) workweeks within a rolling twelve (12) month period, the employee will be reinstated to the same or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment, to the one they held when the leave started. An employee has no greater right to reinstatement or to other benefits and conditions of employment than if (s) he had been continuously employed during the VESSA leave period.

School Visitation Leave

- The School Visitation Rights Act allows parents and guardians, who cannot meet with educators during the school year due to a work schedule conflict, an allotment of time to do so. Village employees who are parents and/or guardians of biological, adopted, foster, or step children, or a legal ward who is enrolled in a public or private primary or secondary school in Illinois or a state which shares a common boundary with Illinois are eligible for School Visitation Leave if they have worked fulltime for at least six consecutive months immediately preceding a request for school visitation.
- Employees may request up to a total of eight (8) hours of unpaid leave during a school year, of which no more than four (4) hours can be used on a given day, to attend school conferences or classroom activities, if the conference or activity cannot be scheduled during non-work hours. The total of eight (8) hours of school visitation time during the school year is available to an employee regardless of how many children they may have in school.
- School visitation time can only be requested after an employee has exhausted all accrued vacation, or other leave time other than sick time or disability leave. Employees must request the leave from their immediate supervisor at least seven (7) days prior to the leave unless it is an emergency situation, in which case, 24 hours' notice is allowed.

Military Leave of Absence

- An employee who is drafted for service in the armed forces or is a reservist called up for active duty is eligible for military leave of absence. Such military leave of absence is

governed by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and Illinois state law.

- An employee whose absence from work with the Village is required by reason of service in the uniformed services is entitled to re-employment rights and benefits under USERRA if the employee meets the following criteria for eligibility:
 - The employee gives the employer advance written or verbal notice of the service (no notice is required if military necessity prevents notice from being given or if, under all of the circumstances, giving such notice is impossible or unreasonable); and
 - The cumulative length of the absence and of all previous absences from work with the Village by reason of service in the uniformed services does not exceed five years; and
 - The employee has not been dishonorably discharged or separated from the uniformed service under other than honorable conditions; and
 - The employee reports to, or applies for reemployment to the Village within the time periods allowed by USERRA.
 - The time periods for applying for reemployment are based on the employee's length of military service. For service of less than thirty-one (31) days, the service member must return at the beginning of the next regularly scheduled work period on the first full day after release from service, considering sufficient time for safe travel home plus an eight-hour rest period. For service of more than thirty (30) days but less than one hundred eighty-one (181) days, the service member must apply for reemployment within fourteen (14) days of being released from service. For service of more than one hundred eighty (180) days, the member must apply for reemployment within 90 days of being released from service.
- Failure to apply for reemployment within the specified time periods does not automatically forfeit the service member's entitlement to reemployment, but subjects the person to the Village's general practices pertaining to explanations and discipline with respect to absence from scheduled work.
- An employee who is a member of the Armed Forces Reserve or the National Guard and who is required to attend annual active duty for training or other short-term (two weeks or less) reserve or Guard duty (i.e. forest fire fighting, police duty for natural disaster, etc.) is eligible for a military leave of absence. Such time off will not be considered vacation time.
- There are additional rights, responsibilities and benefits associated with federal and Illinois state law regarding military leave. Employees who are currently, or are likely to become, members of the uniformed services should contact the Village Finance Committee for more details.

Family Military Leave of Absence

- The Illinois Family Military Leave Act provides for unpaid leave for the families of military personnel. An employee is eligible for this leave if they are a spouse or the parent of an individual called to military service of at least 30 days in length by the State of Illinois or the United States, have been employed by the Village for at least 12 months, and have been scheduled to work at least 1,250 hours during the 12-month period immediately preceding the commencement of leave.

- Eligible employees will be provided with up to 30 days of protected, unpaid leave to visit with a spouse or child who has been called into military service for a period lasting longer than thirty (30) days. The leave must be taken during the time federal or state orders are in effect (the period in which the respective military personnel's unit has been mobilized and is preparing to leave its base to prepare for combat). Family Military Leave may also be taken intermittently. The Village may require certification from a proper military authority to verify an employee's eligibility for family military leave.
- Before taking family military leave, employees must exhaust all their accrued paid leave. The Village requires as much foreseeable notice of the leave as possible and reserves the right to schedule the leave so as not to unduly disrupt Village operations. If an employee's leave will extend over five (5) or more consecutive work days, the Village will require at least 14 days' notice of the intended leave.
- Employees will be restored to the position they held when the leave commenced or to a position with equivalent terms and conditions of employment.

Americans with Disabilities Act (ADA)

- Employees with disabilities shall be eligible to request reasonable work accommodations pursuant to the Federal Americans with Disabilities Act. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such an impairment.
- The Village will review all ADA reasonable accommodation requests on a case-by-case basis under the following criteria:
 - Reasonable: the accommodation is plausible or feasible in the ordinary course of things;
 - Effective: the accommodation enables the employee to perform the essential functions of the job; and
 - Undue Hardship: whether the accommodation creates a significant difficulty or expense.
- An employee wishing to request a reasonable accommodation under the ADA shall request the Village's Interactive Employee's ADA Guidebook and follow all procedures therein.

CONDUCT

Village employees are expected to behave in a proper, ethical manner at all times. Departments may have a comprehensive set of work rules that govern on-the-job behavior and manner of job performance. All employees should be familiar with your Department's work rules. The following guidelines are intended to serve as general examples of inappropriate behavior for which an employee may be disciplined. The list is not comprehensive of all improper behaviors.

- Incompetence or inefficiency.
- Offensive conduct.
- Insubordination or violation of any official order or regulation. Insubordination is defined as failure or deliberate refusal to obey an order by a superior, ridiculing a superior or a superior's orders, whether in or out of the presence of a superior.
- Accepting tips or gifts in the course of work.
- Conviction of a criminal offense involving moral turpitude or depravity.

- Negligent, or willful, damage or waste of public property.
- Inexcusable absences without being granted leave.
- Bringing, possessing, or being under the influence of intoxicants, or using intoxicants, or the consumption of alcoholic beverages or controlled substances while on duty or subject to duty.
- Harassment of any employee because of sex, race, religion, physical disability, or any other legally protected group status.
- Engaging in outside employment while on any leave of absence.
- Engaging in fraudulent use of a leave of absence.
- Claiming sick leave under false pretenses.
- Excessive or chronic absenteeism or tardiness.
- Failure to notify your supervisor in advance when you will be absent from work or are unable to report for work on time.
- Failure to comply with employee's specific department rules.
- Failure to conform to assigned work hours.
- Falsification or misuse of time cards, time sheets, records, or assisting in such falsification.
- Theft or misappropriation of Village property or another employee's property.

- Provoking, instigating, or involvement in fighting on the job, or on Village property. Threatening or carrying out acts of violence to an employee, supervisor, Village official, or visitor.
- Sleeping on the job.
- Violation of the Employee Handbook.
- Working unauthorized overtime.
- Possessing weapons or explosives of any type on Village property without Village authorization.
- Deliberately restricting work output or encouraging another employee to do so.
- Illegal, immoral, offensive or indecent conduct during the workday or on Village property.
- Failure to comply with the Village Safety Program.
- Using profanity or abusive language.
- Any other activity which is not compatible with good public service.
- Rude behavior toward a member of the general public or other Village employees.
- Lying or attempting to withhold information from a supervisor.
- Any other action or activity which results in a loss of public trust or affects any Village employee's ability to perform his/her duties as a Village employee.

Discipline and Discharge

- Employees are considered at-will employees and serve at the discretion of the Board. The Board's determination to discipline an employee, including discharge of employment, is final and may be without cause. The at-will policy shall not be modified by any statements made to you or materials given to you.
- Progressive discipline will be administered by the Village, at its sole discretion. The steps of progressive discipline include, in order of severity:
 - Oral warning
 - Written warning
 - Meeting with employee, Department Head, and others as determined by the Village President
 - Suspension
 - Recommendation to Village Board for termination of employee
 - Termination from employment

Access to Village Property

- You do not have a right to privacy when using Village offices, file cabinets, desks, lockers, and other Village property and facilities. Although the Village does not prohibit you from bringing personal items to work, (e.g., family pictures, plants, etc.) you should not bring them if you do not want them exposed to the public. You also do not have a right to privacy regarding the Internet sites you access or e-mails you write. E-mails are considered open, permanent records under the law. If you would not want them to be seen, then don't click on the web sites or write the e-mails. E-mails considered as public records shall not be deleted unless they have been archived on a CD or printed and properly filed and stored.

- Close and lock all doors, windows, and other Village property as identified by your supervisor (e.g., file cabinets, desks) in your work area at the end of the work day.

Use of Village Equipment and Supplies

- You are responsible for proper operation, care, and conservation of Village equipment, tools, and supplies. You must report any accidents, breakdowns, malfunctions, or thefts immediately so that necessary repairs or investigations may be made. You may not use Village equipment and supplies for unauthorized or personal purposes, including photocopying equipment. The guidelines below are intended to serve as a general example for which you may be disciplined regarding the use of Village equipment and supplies.
- The following are prohibited actions:
 - Negligent, or willful damage, waste, or loss of public property;
 - Theft or misappropriation of Village property or another employee's property;
 - Any other action or activity that results in a loss of public trust or affects any employee's ability to perform his/her duties as a Village employee.

Use of Village-Owned Vehicles

- Village vehicles will be provided to designated employees by the Village of Maple Park for work. They are not to be used for personal reasons or errands. It is the employee's responsibility to keep the vehicles in good working order and to report any problems immediately. The vehicles are to be neat and orderly, inside and out, at all times. It is the employee's responsibility to wash and clean the vehicle they are responsible for, as time allows. Each employee will be responsible for keeping the vehicle (they use the most) organized, stocked and fueled. Gas tanks are required to be more than one-quarter full and supplies are to be stocked.
- Village vehicles are to be driven in a responsible manner at all times. Speeding, reckless driving, etc., will not be tolerated. Remember that our name is on the vehicle. In the event an employee is stopped for a violation other than equipment safety, the employee shall be solely responsible for any fines and/or tickets. You should make regular visual checks of your truck for scratches, scrapes and dents. Any problems should be reported to your Department Head and or the Village President immediately. A police report must be filled out at the scene of an accident if there is substantial damage requiring repair. If damage is due to the employee's negligence, the employee shall be responsible for payment of the insurance deductible for repairs.
- Employees must wear seat belts at all times while using a Village vehicle.
- It is the employee's responsibility to make sure the vehicles are completely locked up. Village vehicles are valuable property and you may only drive them to conduct Village business. Personal use of a Village vehicle is never authorized, since such use creates unnecessary liability exposure to the Village and may hurt the reputation of the Village and other employees.

- Any employee driving a Village vehicle must have a valid state issued driver's license. If using a personal vehicle for Village-related travel, you must document mileage and reason for travel to receive a reimbursement at the Federal mileage rate.

Compliance with Laws

- Village employees will be responsible for respecting and adhering to local, state, and federal laws in conducting their work on Village computer networks. Any attempt to break those laws through the use of the networks may result in litigation against the offender by the proper authorities. If such an event should occur, the Village of Maple Park will fully cooperate with the appropriate authorities to provide any information necessary to assist the relevant law enforcement authorities during the investigation process.

SAFETY

- The Village is committed to provide a safe working environment for all employees. Employees in Public Works and Utilities and certain Administrative employees may participate in safety training. The purpose of the training is to educate in the prevention of accidents and injuries to you and others. Other general safety training may be provided to all Village employees from time to time (e.g., defensive driving, first aid, CPR).

VACATING YOUR POSITION

Layoff

- Layoffs may occur because of a decrease in services, change in work methods, or other conditions. To assure continued quality services, merit and length of service may be given consideration in determining the order in which employees are laid off
- You may be laid off if you lose a license or other requirement necessary for you to perform the duties of your position.

Resignation

- A written notice of 14 days is expected upon resignation from employment and you must work during the notice period. A Department Head or the Village President is not allowed to request or demand that you sign an undated resignation. An exit interview with the Department Head or the Village President may be scheduled to process your file for termination, authorize the release of your final paycheck, and review any final benefit payout.

EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT

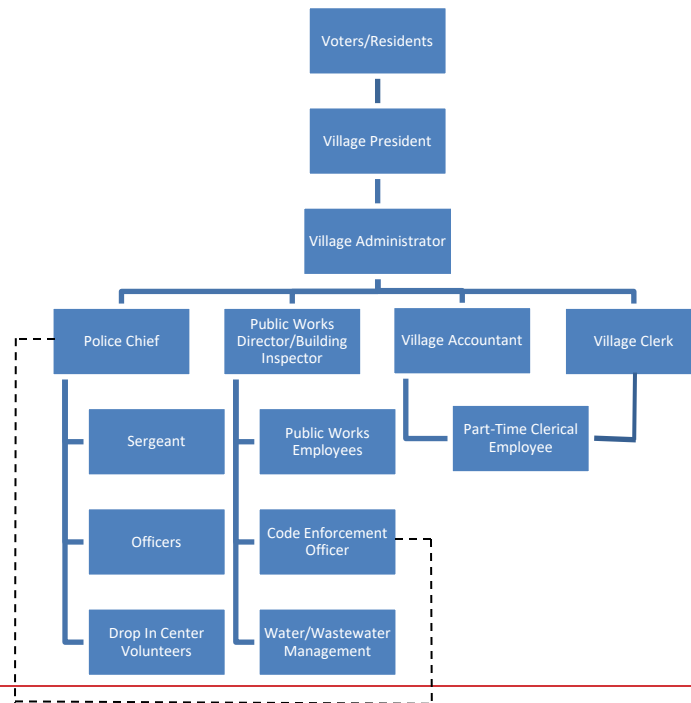
I have received a copy of the Village of Maple Park Employee Handbook. I understand that this Handbook is solely for the purpose of summarizing the Village's current policies, benefits and rules, and that it is not a contract, promise or guarantee of employment or of any specific terms or conditions of employment or procedural rights. I further understand that any or all portions of this Handbook may be amended or eliminated from time to time without advance notice. I also understand that my employment with the Village is at-will, and can be terminated either by me or by the Village at any time, for any reason, with or without notice.

Employee Name (Printed)

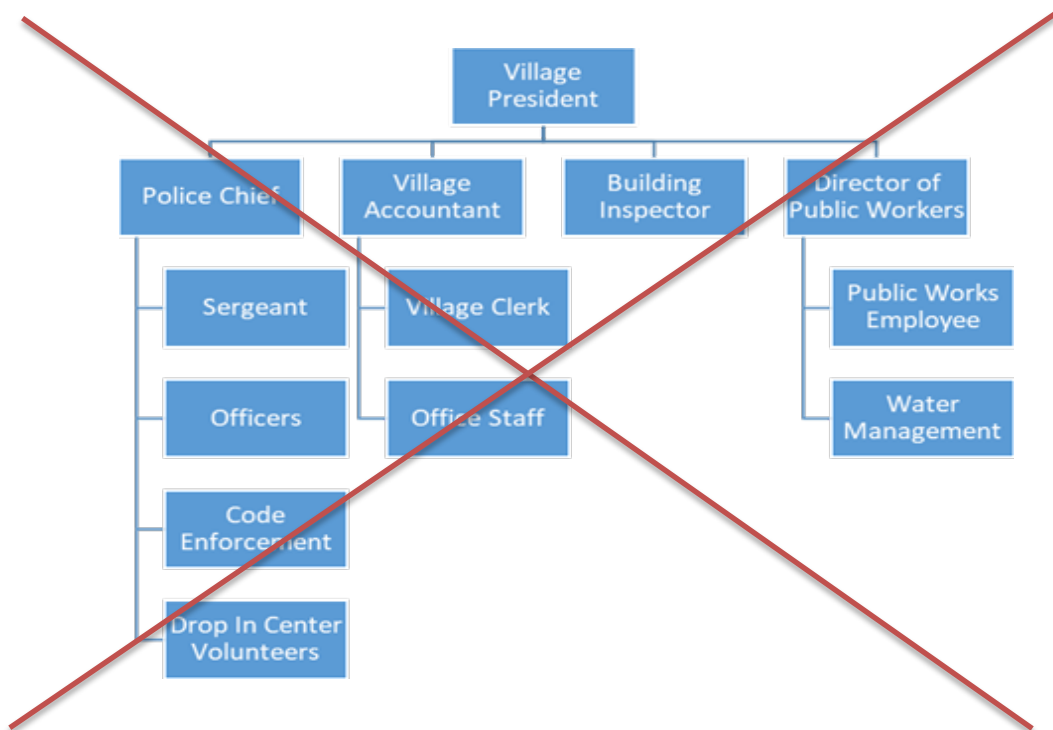
Employee Signature

Date

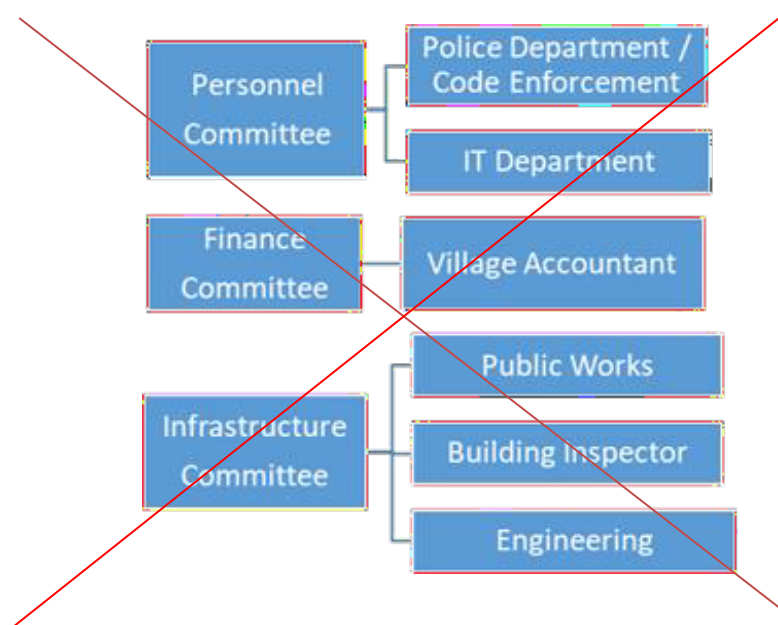
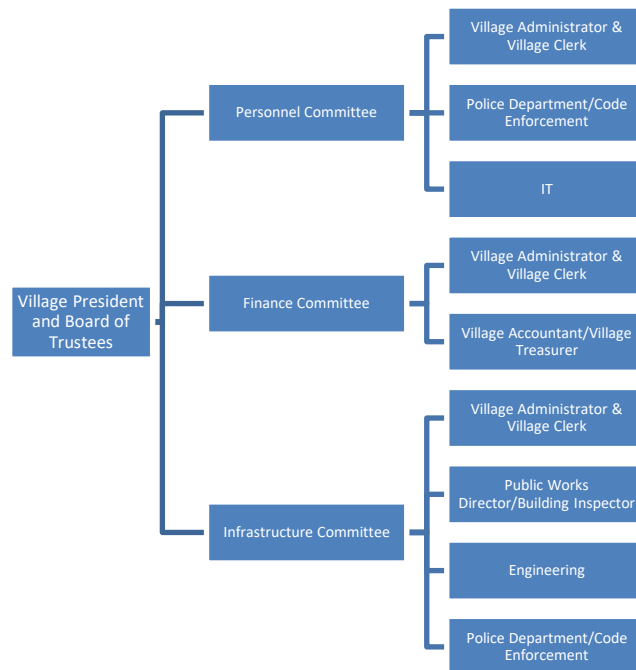
APPENDIX 1 – REPORTING STRUCTURE



----- This position is jointly supervised by the Public Works Director/Building Inspector and Police Chief.



VILLAGE TRUSTEE COMMITTEES – DEPARTMENT RESPONSIBILITY/SUPPORT





Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151


Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

MEMORANDUM

TO: Village President and Board of Trustees

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: December 26, 2019

SUBJECT: DISCUSSION OF AND DIRECTION TO PLAN COMMISSION AND VILLAGE STAFF – TEXT AMENDMENT FOR OUTDOOR LIGHTING (IMPLEMENTATION OF DARK SKY LIGHTING STANDARDS)

BACKGROUND

Please refer to the December 16, 2019 Memorandum to the Plan Commission, Attachment A. The memorandum includes an informational flyer introducing The International Dark Sky Association and the concept of night sky conservation and an Outdoor Lighting Ordinance that addresses exterior lighting within the Village.

The Plan Commission discussed the Dark Sky concept and agrees with reducing the amount of light pollution throughout the Village through the Outdoor Lighting Ordinance. They also agree with the idea that implementing these changes could assist in standardizing the types of streetlights within the Village. Further, the Commission discussed whether or not the proposed standards should be applied to residential zoning districts; the consensus was that due to the lack of availability of Dark Sky compliant lighting for residential use that residential compliance be removed from the ordinance.

Staff advised that the ordinance is currently not in Municipal Code format and may/will require additional text changes based on the other parts of the code that may be affected by adding outdoor lighting standards. Prior to moving forward on the proposed Outdoor Lighting Ordinance, the Village Board would need to be consulted because this concept/ordinance was not on the Village Board's Strategic Plan/priority list. Staff will prepare the information and place the discussion on the next Village Board agenda. The Village Board can then determine whether or not the Plan Commission should be given the direction to proceed.

The proposed "Dark Sky" text amendment will require that a Chapter of the Municipal Code be added and that ordinance revisions may/will need to be made to the following Municipal Code Titles:

1. Title 9 Utilities
2. Title 10 Building and Development
3. Title 11 Zoning Regulations
4. Title 12 Subdivision Regulations
5. Title 13 Stormwater Management Checklist

The Plan Commission's scope of responsibility is to provide guidance, hold a Public Hearing and issue Findings of Fact on Item #4 Title 11 Zoning Regulations only. Village Staff and the Village Engineer will provide guidance to the Village Board on Items #1 Title 9 Utilities, #2 Title 10 Building and Development, #4 Title 12 Subdivision Regulations and Item #5 Stormwater Management Checklist.

RECOMMENDATION

That the Village Board discuss the Dark Sky Lighting/Outdoor Lighting Ordinance concepts and make a determination whether or not they agree with:

1. The concept of Dark Sky Lighting.
2. Adding an Outdoor Lighting Ordinance to the Municipal Code.
3. Removing residential zoning districts from Outdoor Lighting Ordinance compliance.
4. The Plan Commission proceeding on the Outdoor Lighting Ordinance.

If the Board agrees with the above listed items the Board would need to:

1. Provide direction to the Plan Commission to proceed with the Outdoor Lighting Ordinance. (The Plan Commission would discuss all proposed text amendments affected by the Outdoor Lighting Ordinance, but specifically would hold the public hearing on the title(s) within their scope of responsibility, meaning Title 11 Zoning Regulations. The Village Board would make the final determination of the text amendments for the other chapters of the Municipal Code outside of the Plan Commission's scope.)
2. In order for Item #1 to be successful, the Village Board would also need to provide direction to Staff to work with the Village Attorney to place the Outdoor Lighting Ordinance into Municipal Code format and to make all the necessary text changes to other parts of the code affected by Outdoor Lighting. It also means that the Public Works Director/Building Inspector and the Village Engineer will also be consulted as the ordinance is being drafted.

If the Village Board does not direct the Plan Commission to proceed the Outdoor Lighting Ordinance, the Village Administrator will inform the Plan Commission that the ordinance will not be moving forward and that the Board appreciates their input and may consider the ordinance at a later date.

Attachment

Attachment A – Memorandum from Village Administrator to Plan Commission – Discussion of Text Amendment Outdoor Lighting (Dark Sky Standards)



Village of Maple Park

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Website: <http://www.villageofmaplepark.com>

MEMORANDUM

TO: Planning Commission

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: December 16, 2019

SUBJECT: DISCUSSION OF TEXT AMENDMENT – OUTDOOR LIGHTING (DARK SKY STANDARDS)

BACKGROUND

At the September 24, 2019 Finance Committee Meeting, the topic of the introduction and possible use of the “Dark Sky” Lighting Standards, see Attachment A was discussed. “Dark Sky” refers to the initiative to protect the night sky from light pollution. Protection of the night sky is achieved through the use of fixtures that direct the light downward and to utilize the appropriate type of lighting and lumens based on the use in which the lighting resides.

At the October 17, 2019, Planning Commission Meeting, the Commission talked about the concept of implementing the use of a Dark Sky ordinance to control the amount of light pollution in Maple Park and the ability to utilize a text amendment to the ordinance to assist with standardize the types of streetlight poles that are located throughout Maple Park.

The International Dark Sky Association has created a Model Ordinance and the attached ordinance is a derivative of the ordinance. The Planning Commission shall consider the following:

1. Whether or not the Village would benefit from the application of a text amendment identified as the “Outdoor Lighting Ordinance;” and,
2. Whether or not residential lighting should also be included in the ordinance.

If the Planning Commission believes that pursuing the change in outdoor lighting standards would be of benefit to the Village, Staff will do the following:

1. Discuss with the Village Board if they feel this is something that the Village should pursue.
2. If the Board believes this is a concept that the Village should pursue the Village Administration and Public Works Director/Building Inspector will work with the Village Attorney to draft the text amendments to the Municipal Code to include the Outdoor Lighting text.
3. Once the text amendments have been drafted a Public Hearing will be scheduled with the Planning Commission. If the Village Attorney should advise that the Outdoor Lighting text

amendments are part of Title 12 Subdivision Regulations and not part of Title 11 Zoning Regulations, the Public Hearing will be scheduled before the Village Board.

RECOMMENDATION

That the Planning Commission determine whether or not they believe pursuing text amendments that change the Village's Outdoor Lighting standards are in the Village's best interests.

Attachments

Attachment A – IDA Promotional Brochure

Attachment B – Outdoor Lighting Ordinance

Light Pollution is destroying our night...

...but YOU can make a difference.

photo by Jim Richardson

What is Light Pollution?

Most of us are familiar with air, water and land pollution, but did you know that light can also be a pollutant?

The inappropriate or excessive use of artificial light – known as light pollution – can have serious environmental consequences for humans, wildlife and our climate.

By joining IDA you help us protect our planet, save billions of dollars in wasted energy and connect future generations to starry skies.



Light Pollution is Reversible!



Take Action!

Light Pollution affects us all. 5 ways you can make a difference!

1. Install lighting only when and where it's needed.
2. Use energy saving features such as timers, dimmers and motion sensors on outdoor lights.
3. Make sure your lighting is shielded so light shines down, not up. Encourage good lighting at your workplace, too.

4. Educate your friends and neighbors about the importance of good lighting for our health, economy and environment.

5. Join IDA and visit darksky.org for more information and free resources.



About IDA

The International Dark Sky Association, a 501(c)(3) nonprofit organization based in Tucson, Ariz., is dedicated to preserving the natural nighttime environment by educating policymakers and the public about night sky conservation and promoting eco-friendly outdoor lighting.

Our Mission

To preserve and protect the nighttime environment and our heritage of dark skies through environmentally responsible outdoor lighting.

Our Goals

- **Advocate** for the protection of the night sky
- **Educate** the public and policymakers about night sky conservation
- **Promote** environmentally responsible outdoor lighting
- **Empower** the public with tools and resources to help bring back the night

Protecting night skies for present and future generations



INTERNATIONAL
DARK-SKY
ASSOCIATION

International Dark-Sky Association
2022 N. First Avenue

5 Ways Light Pollution Hurts our Planet

Artificial light not only prevents city dwellers from seeing the stars, it also harms the environment and human health.



Light Pollution Devastates Wildlife

Plants and animals depend on Earth's daily light and dark cycle to govern life-sustaining behaviors. Research shows that artificial light at night has negative and even deadly effects on many species.



Light Pollution May Harm Your Health

Studies suggests that artificial light at night negatively affects human health by increasing our risks for obesity, sleep disorders, depression, diabetes, breast cancer and more.



Light Pollution Can Make You Less Safe

There is no clear scientific evidence that increased outdoor lighting deters crime. In fact, poor outdoor lighting can decrease personal safety by making victims and property more visible to criminals.



Light Pollution Wastes Energy and Money

As much as 50 percent of outdoor lighting is wasted, which increases greenhouse gas emissions, contributes to climate change, and renders us all more energy dependent.



Light Pollution Robs Us of Our Heritage

Our ancestors experienced a night sky that inspired science, religion, philosophy, art and literature. Now, millions of children across the globe will never know the wonder of the Milky Way.

Join Us in Protecting the Night!

Your dues and donations help us...

- **Protect Wildlife and Ecosystems**
We work with conservation experts and park officials to minimize the ecological impact of artificial lighting in natural areas, protecting habitats and wildlife.
- **Promote Eco-Friendly Outdoor Lighting**
Our Fixture Seal of Approval program certifies outdoor lighting fixtures that protect the night sky.

- **Recognize and Preserve Dark Sky Places**
The International Dark Sky Places conservation program recognizes and promotes excellent stewardship of the night sky. We have certified dozens of Places worldwide.
- **Foster Education and Outreach**
We educate communities and public officials about light pollution and provide specific solutions for minimizing its negative effects through our public outreach programs.
- **Assist Parks and Protected Areas**
IDA helps parks replace their bad lighting by providing eco-friendly options depending on need, and in some cases for free.

We need YOUR

IDA is working to press the night sky for future generations

Join IDA

Name: _____

Address: _____

City: _____ State: _____ Zip: _____ Country: _____

Email: _____

Phone: _____

Pay by: ☐ Check (payable to IDA) ☐ Credit Card

Card Number: _____

Expiration Date: _____ Security Code: _____

Card Holder: _____

Signature: _____

Membership Level:

☐ \$35 ☐ \$250

☐ \$50 ☐ \$500

☐ \$100 ☐ \$1,000

☐ I would like to make an additional donation. \$ _____

☐ I would like one-time dues _____

Your IDA membership is a tax-exempt

Together we can save the night sky

Outdoor Lighting Ordinance

Purpose

The purpose of this Ordinance is to provide regulations for outdoor lighting that will:

- a. Permit the use of outdoor lighting that does not exceed the minimum levels specified in IES recommended practices for night-time safety, utility, security, productivity, enjoyment, and commerce.
- b. Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.
- c. Curtail light pollution, reduce skyglow and maintain our rural community feel by preserving our dark skies.
- d. Promote driving safety by reducing light pollution that causes visibility issues while driving.
- e. Conserve energy and resources to the greatest extent possible.

II. LIGHTING ZONES

The Lighting Zone shall determine the limitations for lighting as specified in this ordinance. The Lighting Zones shall be as follows:

LZ1: Low ambient lighting

Areas where lighting might adversely affect flora and fauna or disturb the character of the area. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience but it is not necessarily uniform or continuous.

After curfew, most lighting should be extinguished or reduced as activity levels decline.

Zoning This shall include any parks, common areas or recreational areas

LZ2: Moderate ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience, but it is not necessarily uniform or continuous. After curfew, lighting may be extinguished or reduced as activity levels decline.

Zoning: This shall include any parcel zoned Business (B) or Industrial (I) that is adjacent to any residential districts

LZ3: Moderately high ambient lighting

Areas of human activity where the vision of human residents and users is adapted to moderately high light levels. Lighting is generally desired for safety, security and/or convenience and it is often uniform and/or continuous. After curfew, lighting may be extinguished or reduced in most areas as activity levels decline.

Zoning: This shall include any parcel zoned Business (B) or Industrial (I) that is not adjacent to any residential districts

III. GENERAL REQUIREMENTS

A. Conformance with All Applicable Codes

All outdoor lighting shall be installed in conformance with the provisions of this Ordinance, applicable Electrical and Energy Codes, and applicable sections of the Building Code.

B. Applicability

Except as described below, all outdoor lighting installed after the date of effect of this Ordinance shall comply with these requirements. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting whether attached to structures, poles, the earth, or any other location, including lighting installed by any third party.

Exemptions from III.(B.) The following are not regulated by this Ordinance

- a. Lighting within public right-of-way or easement for the principal purpose of illuminating streets or roads. No exemption shall apply to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside the public right of way or easement, unless regulated with a streetlighting ordinance.

Note to adopting agency: if using the street lighting ordinance (Section XI), this exemption should read as follows:

Lighting within the public right-of-way or easement for the principal purpose of illuminating roads and highways. No exemption shall apply to any street lighting and to any lighting within the public right of way or easement when the purpose of the luminaire is to illuminate areas outside of the public right of way or easement.

- b. Lighting for public monuments and statuary.
- c. Lighting solely for signs (lighting for signs is regulated by the Sign Ordinance).
- d. Repairs to existing luminaires not exceeding 25% of total installed luminaires.
- e. Temporary lighting for theatrical, television, performance areas and construction sites;
- f. Underwater lighting in swimming pools and other water features
- g. Temporary lighting and seasonal lighting provided that individual lamps are less than 10 watts and 70 lumens.
- h. Lighting that is only used under emergency conditions.
- i. i. In lighting zones 2, 3 and 4, low voltage landscape lighting controlled by an automatic device that is set to turn the lights off at one hour after the site is closed to the public or at a time established by the authority.

Exceptions to III. (B.) All lighting shall follow provisions in this ordinance; however, any special requirements for lighting listed in a) and b) below shall take precedence.

- a. Lighting specified or identified in a specific use permit.
- b. Lighting required by federal, state, territorial, commonwealth or provincial laws or regulations.

C. Lighting Control Requirements

1. Automatic Switching Requirements

Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

Exceptions to III.(C.) 1. Automatic lighting controls are not required for the following:

- a. Lighting under canopies.
- b. Lighting for tunnels, parking garages, garage entrances, and similar conditions.

2. Automatic Lighting Reduction Requirements

The Authority shall establish curfew time(s) after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished.

Exceptions to III.(C.) 2. Lighting reductions are not required for any of the following:

- a. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
- b. When the outdoor lighting consists of only one luminaire.
- c. Code required lighting for steps, stairs, walkways, and building entrances.
- d. When in the opinion of the Authority, lighting levels must be maintained.
- e. Motion activated lighting.
- f. Lighting governed by special use permit in which times of operation are specifically identified.

Businesses that operate on a 24-hour basis.

IV. NON-RESIDENTIAL LIGHTING -

For all non-residential properties, and for multiple residential properties of seven domiciles or more and having common outdoor areas, all outdoor lighting shall comply either with Part A or Part B of this section

A. Prescriptive Method

An outdoor lighting installation complies with this section if it meets the requirements of subsections 1 and 2, below.

1. Total Site Lumen Limit

The total installed initial luminaire lumens of all outdoor lighting shall not exceed the total site lumen limit. The total site lumen limit shall be determined using either the Parking Space Method (Table A) or the Hardscape Area Method (Table B).

Only one method shall be used per permit application, and for sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens is calculated as the sum of the initial luminaire lumens for all luminaires.

2. Limits to Off Site Impacts

All luminaires shall be rated and installed according to Table C.

3. Light Shielding for Parking Lot Illumination

All parking lot lighting shall have no light emitted above 90 degrees.

Exception:

a) Ornamental parking lighting shall be permitted by special permit only, and shall meet the requirements of Table C-1 for Backlight, Table C-2 for Upplight, and Table C-3 for Glare, without the need for external field-added modifications.

B. Performance Method

1. Total Site Lumen Limit

The total installed initial luminaire lumens of all lighting systems on the site shall not exceed the allowed total initial site lumens. The allowed total initial site lumens shall be determined using Tables D and E. For sites with existing lighting, existing lighting shall be included in the calculation of total installed lumens.

The total installed initial luminaire lumens of all is calculated as the sum of the initial luminaire lumens for all luminaires.

Limits to Off Site Impacts

All luminaires shall be rated and installed using either Option A or Option B. Only one option may be used per permit application.

Option A: All luminaires shall be rated and installed according to Table C.

Option B: The entire outdoor lighting design shall be analyzed using industry standard lighting software including inter-reflections in the following manner:

- 1) Input data shall describe the lighting system including luminaire locations, mounting heights, aiming directions, and employing photometric data tested in accordance with IES guidelines. Buildings or other physical objects on the site within three object heights of the property line must be included in the calculations.
- 2) Analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site. The top of the enclosure shall be no less than 33 feet (10 meters) above the tallest luminaire. Calculations shall include total lumens upon the inside surfaces of the box top and vertical sides and maximum vertical illuminance (foot candles and/or lux) on the sides of the enclosure.

The design complies if:

- a) The total lumens on the inside surfaces of the virtual enclosure are less than 15% of the total site lumen limit; and
- b) The maximum vertical illuminance on any vertical surface is less than the allowed maximum illuminance per Table F.

V. RESIDENTIAL LIGHTING

A. General Requirements

For residential properties including multiple residential properties not having common areas, all

outdoor luminaires shall be fully shielded and shall not exceed the allowed lumen output in Table G, row 2.

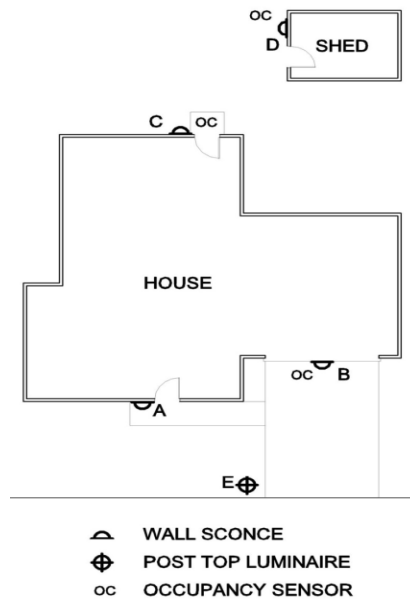
Exceptions

1. One partly shielded or unshielded luminaire at the main entry, not exceeding the allowed lumen output in Table G row 1.
2. Any other partly shielded or unshielded luminaires not exceeding the allowed lumen output in Table G row 3.
3. Low voltage landscape lighting aimed away from adjacent properties and not exceeding the allowed lumen output in Table G row 4.
4. Shielded directional flood lighting aimed so that direct glare is not visible from adjacent properties and not exceeding the allowed lumen output in Table G row 5.
5. Open flame gas lamps.
6. Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
7. Lighting exempt per Section III (B.).

B. Requirements for Residential Landscape Lighting

1. Shall comply with Table G.
2. Shall not be aimed onto adjacent properties.

Output (Lumens)	Power (Watt)		
	Incan	CFL	LED
500	40	8 - 10	9
850	60	13 - 18	12 - 15
1,200	75	18 - 22	15
1,700	100	23 - 28	18



Property Type: Residential Lighting Zone 1								
Luminaire Type	Location	Luminaire Description	Fully Shielded	Lamp Type	Initial Luminaire Lumens*	Maximum Allowed Initial Luminaire Lumens (Table G)	Controls	Compliant
A	Front Entry	Decorative wall sconce	No	9W CFL	420	420	None	Yes
B	Garage Door	Fully shielded wall pack	Yes	23W CFL	1050	1260	Occupancy Sensor	Yes
C	Back Entry	Decorative wall sconce	No	7W CFL	280	315	Occupancy Sensor	Yes
D	Shed Entry	Fully shielded wall pack	Yes	40W INC	343	1260	Occupancy Sensor	Yes
E	Driveway	Fully shielded post top	Yes	13W CFL	1260	1260	None	Yes

*Initial Luminaire Lumens are calculated by multiplying the total initial lamp lumens by the luminaire efficiency.

If the luminaire efficiency is not known, assume an efficiency of 70% and multiply the lamp lumen value by 0.7.

VI. LIGHTING BY SPECIAL PERMIT ONLY

A. High Intensity and Special Purpose Lighting

The following lighting systems are prohibited from being installed or used except by special use permit:

1. Temporary lighting in which any single luminaire exceeds 20,000 initial luminaire lumens or the total lighting load exceeds 160,000 lumens.
2. Aerial Lasers.
3. Searchlights.
4. Other very intense lighting defined as having a light source exceeding 200,000 initial luminaire lumens or an intensity in any direction of more than 2,000,000 candelas.

B. Complex and Non-Conforming Uses

Upon special permit issued by the Authority, lighting not complying with the technical requirements of this ordinance but consistent with its intent may be installed for complex sites or uses or special uses including, but not limited to, the following applications:

1. Sports facilities, including but not limited to unconditioned rinks, open courts, fields, and stadiums.
2. Construction lighting.

3. Lighting for industrial sites having special requirements, such as petrochemical manufacturing or storage, shipping piers, etc.
4. Parking structures.
5. Urban parks
6. Ornamental and architectural lighting of bridges, public monuments, statuary and public buildings.
7. Theme and amusement parks.
8. Correctional facilities.

To obtain such a permit, applicants shall demonstrate that the proposed lighting installation:

- a. Has sustained every reasonable effort to mitigate the effects of light on the environment and surrounding properties, supported by a signed statement describing the mitigation measures. Such statement shall be accompanied by the calculations required for the Performance Method. Employs lighting controls to reduce lighting at a Project Specific Curfew (“Curfew”) time to be established in the Permit.
- b. Complies with the Performance Method after Curfew.

The Authority shall review each such application. A permit may be granted if, upon review, the Authority believes that the proposed lighting will not create unwarranted glare, sky glow, or light trespass.

Lighting installed prior to the effective date of this ordinance shall comply with the following.

A. Amortization

On or before [amortization date], all outdoor lighting shall comply with this Code.

B. New Uses or Structures, or Change of Use

Whenever there is a new use of a property (zoning or variance change) or the use on the property is changed, all outdoor lighting on the property shall be brought into compliance with this Ordinance before the new or changed use commences.

C. Additions or Alterations

1. Major Additions.

If a major addition occurs on a property, lighting for the entire property shall comply with the requirements of this Code. For purposes of this section, the following are considered to be major additions

Additions of 25 percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions after the effective date of this Ordinance.

Single or cumulative additions, modification or replacement of 25 percent or more of installed outdoor lighting luminaires existing as of the effective date of this Ordinance.

2. Minor Modifications, Additions, or New Lighting Fixtures for Non-residential and Multiple Dwellings

For non-residential and multiple dwellings, all additions, modifications, or replacement of more than 25 percent of outdoor lighting fixtures existing as of the effective date of this Ordinance shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting.

Any new lighting shall meet the requirements of this Ordinance.

3. Resumption of Use after Abandonment

If a property with non-conforming lighting is abandoned for a period of six months or more, then

all outdoor lighting shall be brought into compliance with this Ordinance before any further use of the property occurs.

VIII. ENFORCEMENT & PENALTIES

(Reserved)

IX. TABLES -

Table A - Allowed Total Initial Luminaire Lumens per Site for Non-residential Outdoor Lighting, Per Parking Space Method May only be applied to properties up to 10 parking spaces (including handicapped accessible spaces).

LZ-1	LZ-2	LZ-3	LZ-4
490 lms/space	630 lms/space	840 lms/space	1,050 lms/space

Table B - Allowed Total Initial Lumens per Site for Non- residential Outdoor Lighting, Hardscape Area Method

May be used for any project. When lighting intersections of site drives and public streets or road, a total of 600 square feet for each intersection may be added to the actual site hardscape area to provide for intersection lighting.

LZ-1	LZ-2	LZ-3
• Base Allowance		
1.25 lumens per SF of Hardscape	2.5 lumens per SF of Hardscape	5.0 lumens per SF of Hardscape

	LZ-1	LZ-2	LZ-3
Additional allowances for sales and service facilities. No more than two additional allowances per site, Use it or Lose it.			
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non-sales areas. To use this allowance, luminaires must be within 2 mounting heights of sales lot area.	4 lumens per square foot	8 lumens per square foot	16 lumens per square foot
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area	1,000 per LF	1,500 per LF	2,000 per LF

Drive Up Windows. In order to use this allowance, luminaires must be within 20 feet horizontal distance of the center of the window.	2,000 lumens per drive up window	4,000 lumens per drive up window	6,000 lumens per drive up window
Vehicle Service Station. This allowance is lumens per installed fuel pump.	4,000 lumens per pump	8,000 lumens per pump	16,000 lumens per pump

Table B - Lumen Allowances, in Addition to Base Allowance

Table C - Maximum Allowable Backlight, Upplight and Glare (BUG) Ratings

May be used for any project. A luminaire may be used if it is rated for the lighting zone of the site or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

TABLE C-1	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3
Allowed Backlight Rating*			
Greater than 2 mounting heights from property line	B3	B4	B5
1 to less than 2 mounting heights from property line and ideally oriented**	B2	B3	B4
0.5 to 1 mounting heights from property line and ideally oriented**	B1	B2	B3
Less than 0.5 mounting height to property line and properly oriented**	B0	B0	B1

*For property lines that abut public walkways, bikeways, plazas, and parking lots, the property line may be considered to be 5 feet beyond the actual property line for purpose of determining compliance with this section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the center- line of the public roadway or public transit corridor for the purpose of determining compliance with this section. NOTE: This adjustment is relative to Table C-1 and C-3 only and shall not be used to increase the lighting area of the site.

** To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

TABLE C-2	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3
Allowed Upplight Rating	U1	U2	U3
Allowed % light emission above 90° for street or Area lighting	0%	0%	0%

Table C - 3 Maximum Allowable Glare (BUG) Ratings - Continued

TABLE C-3	Lighting Zone 1	Lighting Zone 2	Lighting Zone 3
Allowed Glare Rating	G1	G2	G3
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G0	G1	G1
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G1

Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0	G0	G0
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*** Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating in Table C-3.

Table D Performance Method Allowed Total Initial Site Lumens
May be used on any project.

Lighting Zone	LZ 1	LZ 2	LZ 3
Allowed Lumens Per SF	1.25	2.5	5.0
Allowed Base Lumens Per Site	3,500	7,000	14,000

Table E Performance Method Additional Initial Luminaire Lumen Allowances. All of the following are “use it or lose it” allowances.
All area and distance measurements in plan view unless otherwise noted.

Lighting Application	LZ 1	LZ 2	LZ 3
Building Entrances or Exits. This allowance is per door. In order to use this allowance, luminaires must be within 20 feet of the door.	1,000	2,000	4,000
Building Facades. This allowance is lumens per unit area of building façade that are illuminated. To use this allowance, luminaires must be aimed at the façade and capable of illuminating it without obstruction.	0	8/SF	16/SF

Lighting Application	LZ 1	LZ 2	LZ 3
Vehicle Service Station Canopies. This allowance is lumens per unit area for the total area within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.	8/SF	16/SF	32/SF
Additional Lumens Allowances for Outdoor Sales facilities only. Outdoor Sales facilities may not use any other additional allowances. NOTICE: lighting permitted by these allowances shall employ controls extinguishing this lighting after a curfew time to be determined by the Authority.			
Outdoor Sales Lots. This allowance is lumens per square foot of uncovered sales lots used exclusively for the display of vehicles or other merchandise for sale, and may not include driveways, parking or other non sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.	4/SF	8/SF	12/SF
Outdoor Sales Frontage. This allowance is for lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and un-obstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the frontage outdoor sales area.	0	1,000/ LF	1,500/ LF

Table F Maximum Vertical Illuminance at any point in the plane of the property line

Lighting Zone 1	Lighting Zone 2	Lighting Zone 3
0.1 FC or 1.0 LUX	0.3 FC or 3.0 LUX	0.8 FC or 8.0 LUX

Table G - Residential Lighting Limits

Lighting Application	LZ 1	LZ 2	LZ 3
Row 1 Maximum Allowed Luminaire Lumens* for Unshielded Luminaires at one entry only	420 lumens	630 lumens	630 lumens
Row 2 Maximum Allowed Luminaire Lumens* for each Fully Shielded Luminaire	1,260 lumens	1,260 lumens	1,260 lumens
Row 3 Maximum Allowed Luminaire Lumens* for each Unshielded Luminaire excluding main entry	315 lumens	315 lumens	315 lumens
Row 4 Maximum Allowed Luminaire Lumens* for each Landscape Lighting	Not allowed	1,050 lumens	2,100 lumens
Row 5 Maximum Allowed Luminaire Lumens* for each Shielded Directional Flood Lighting	Not allowed	1,260 lumens	2,100 lumens
Row 6 Maximum Allowed Luminaire Lumens* for each Low Voltage Landscape Lighting	Not allowed	525 lumens	525 lumens

X. DEFINITIONS

<i>Absolute Photometry</i>	Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79
<i>Architectural Lighting</i>	Lighting designed to reveal architectural beauty, shape and/or form and for which lighting for any other purpose is incidental.
<i>Authority</i>	The adopting municipality, agency or other governing body.
<i>Astronomic Time Switch</i>	An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.

<i>Backlight</i>	For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.
<i>BUG</i>	A luminaire classification system that classifies backlight (B), uplight (U) and glare (G).
<i>Canopy</i>	A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)
<i>Common Outdoor Areas</i>	One or more of the following: a parking lot; a parking structure or covered vehicular entrance; a common entrance or public space shared by all occupants of the domiciles.
<i>Curfew</i>	A time defined by the authority when outdoor lighting is reduced or extinguished.

*** Luminaire lumens equals Initial Lamp Lumens for a lamp, multiplied by the number of lamps in the luminaire**

<i>Emergency conditions</i>	Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.
<i>Foot candle</i>	The unit of measure expressing the quantity of light received on a surface. One foot candle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
<i>Forward Light</i>	For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.
<i>Fully Shielded Luminaire</i>	A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or re- fraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.
<i>Glare</i>	Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
<i>Hardscape</i>	Permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.
<i>Hardscape Area</i>	The area measured in square feet of all hard- scape. It is used to calculate the Total Site Lumen Limit in both the Prescriptive Method and Performance Methods. Refer to Hardscape definition.

<i>Hardscape Perimeter</i>	The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.
<i>IDA</i>	International Dark-Sky Association.
<i>IESNA</i>	Illuminating Engineering Society of North America.
<i>Impervious Material</i>	Sealed to severely restrict water entry and movement
<i>Industry Standard Lighting Software</i>	Lighting software that calculates point-by- point illuminance that includes reflected light using either ray-tracing or radiosity methods.
<i>Lamp</i>	A generic term for a source of optical radiation (i.e. “light”), often called a “bulb” or “tube”. Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.
<i>Landscape Lighting</i>	Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.
<i>LED</i>	Light Emitting Diode.
<i>Light Pollution</i>	Any adverse effect of artificial light including, but not limited to, glare, light trespass, sky- glow, energy waste, compromised safety and security, and impacts on the nocturnal environment.
<i>Light Trespass</i>	Light that falls beyond the property it is intended to illuminate.
<i>Lighting</i>	“Electric” or “man-made” or “artificial” lighting. See “lighting equipment”.
<i>Lighting Equipment</i>	Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
<i>Lighting Zone</i>	An overlay zoning system establishing legal limits for lighting for particular parcels, areas, or districts in a community.
<i>Lighting Equipment</i>	Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.
<i>Low Voltage Landscape Lighting</i>	Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.

<i>Lumen</i>	The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).
<i>Luminaire</i>	The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

<i>Luminaire Lumens</i>	For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.
<i>Lux</i>	The SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10-foot candle.
<i>Mounting height</i>	The height of the photometric center of a luminaire above grade level.
<i>New lighting</i>	Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.
<i>Object</i>	A permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.
<i>Object Height</i>	The highest point of an entity, but shall not include antennas or similar structures.
<i>Ornamental lighting</i>	Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or land- scaping, and installed for aesthetic effect.

<i>Ornamental Street Lighting</i>	<p>A luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:</p> <ul style="list-style-type: none"> · designed to mount on a pole using an arm, pendant, or vertical tenon; · opaque or translucent top and/or sides; · an optical aperture that is either open or enclosed with a flat, sag or drop lens; · mounted in a fixed position; and · with its photometric output measured using Type C photometry per IESNA LM-75-01.
<i>Outdoor Lighting</i>	Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.

<i>Relative photometry</i>	Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.
<i>Repair(s)</i>	The reconstruction or renewal of any part of an existing luminaire for the purpose of its on-going operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. “Repair” does not include normal relamping or replacement of components including capacitor, ballast or photocell.
<i>Replacement Lighting</i>	Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.
<i>Sales area</i>	Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.
<i>Seasonal lighting</i>	Temporary lighting installed and operated in connection with holidays or traditions.
<i>Shielded Directional Luminaire</i>	A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.
<i>Sign</i>	Advertising, directional or other outdoor promotional display of art, words and/or pictures.
<i>Partly shielded luminaire</i>	A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.
<i>Pedestrian Hardscape</i>	Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.
<i>Photoelectric Switch</i>	A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.
<i>Property line</i>	The edges of the legally defined extent of privately owned property.

<i>Sky Glow</i>	The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky
<i>Temporary lighting</i>	Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
<i>Third Party</i>	A party contracted to provide lighting, such as a utility company.
<i>Time Switch</i>	An automatic lighting control device that switches lights according to time of day.
<i>Translucent</i>	Allowing light to pass through, diffusing it so that objects beyond cannot be seen clearly (not transparent or clear).

<i>Unshielded Luminaire</i>	A luminaire capable of emitting light in any direction including downwards.
<i>Upplight</i>	For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.
<i>Vertical Illuminance</i>	Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

XI. STREETLIGHT

A. Preamble

The purpose of this Ordinance is to control the light pollution of street lighting, including all collectors, local streets, alleys, sidewalks and bike- ways, as defined by ANSI/IES RP-8 Standard Practice for Roadway and Street Lighting and in a manner consistent with the Lighting Ordinance.

B. Definitions

Roadway or Highway lighting is defined as lighting provided for freeways, expressways, limited access roadways, and roads on which pedestrians, cyclists, and parked vehicles are generally not present. The primary purpose of roadway or highway lighting is to help the motorist remain on the roadway and help with the detection of obstacles within and beyond the range of the vehicle's headlights.

Street lighting is defined as lighting provided for major, collector, and local roads where pedestrians and cyclists are generally present. The primary purpose of street lighting is to help the motorist identify obstacles, provide adequate visibility of pedestrians and cyclists, and assist in visual search tasks, both on and adjacent to the roadway.

Ornamental Street Lighting is defined as a luminaire intended for illuminating streets that serves a decorative function in addition to providing optics that effectively deliver street lighting. It has a historical period appearance or decorative appearance, and has the following design characteristics:

- designed to mount on a pole using an arm, pendant, or vertical tenon;
- opaque or translucent top and/or sides;
- an optical aperture that is either open or enclosed with a flat, sag or drop lens;
- mounted in a fixed position; and
- with its photometric output measured using Type C photometry per IESNA LM-75-01.

C. Scope

All street lighting not governed by regulations of federal, state or other superseding jurisdiction

D. Street Light Design Requirements

1. All streetlights must be black powder coated finish
2. All street lights must have an ornamental base and luminary
3. All streetlights must be LED and have a color temperature of 4200 kelvin or less
4. All treat lights must comply with all codes and village ordinances

E. Warranting

The Authority shall establish a warranting process to determine whether lighting is required. Such warranting process shall not assume the need for any lighting nor for continuous lighting unless conditions warrant the need. Lighting shall only be installed where warranted.

F. Light Shielding and Distribution

All street lighting shall have no light emitted above 90 degrees.

Exception: Ornamental street lighting for specific districts or projects shall be permitted by special permit only, and shall meet the requirements of Table H below without the need for external field-added modifications.

Table H - Upplight Control Requirements for Ornamental Street Lights - by Special Permit Only

Lighting Zone	Maximum Upplight Rating
LZ-1	U-1
LZ-2	U-2
LZ-3	U-3

Table I – Examples of Fully Shielded Lighting



Table J Examples of Ornamental Street lights





Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151


Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

MEMORANDUM

TO: Village President and Board of Trustees

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: December 18, 2019

SUBJECT: **TEXT AMENDMENTS - THE FOLLOW SECTIONS OF MUNICIPAL CODE - 11-2-3 ACCESSORY BUILDINGS AND USES; AND 11-2-4 ADDITIONAL REGULATIONS FOR UNIQUE USES; AND A DISCUSSION ON 10-1A-3 BUILDING PERMIT AND PLAN REVIEW FEES FOR SWIMMING POOLS**

BACKGROUND

The subject of swimming pools, including the inflatable ring temporary swimming pools, has arisen and the thought of addressing this type of pool, and making it easier for residents and contractors to find pool regulations by moving all the requirements into one location in the Municipal Code, has been discussed. Please refer to the December 16, 2019 Memorandum to the Plan Commission, Attachment A. The memorandum includes an analysis of the number of building permits issued for above ground and in-ground pools for 2017, 2018 and 2019, along with the proposed text amendments needed in order to address swimming pools setbacks, electrical requirements, etc.

At the December 19, 2019 Plan Commission Meeting, the Plan Commission discussed the text amendments outlined in the memorandum. The Plan Commission understood that their scope of responsibility is only for the Title 11 Zoning Regulation portion of the text amendments; however, the Commission felt that vetting all text amendments applicable to swimming pools and then sending a recommendation on Title 11 Zoning Regulations and Title 10 Building and Development text amendments would allow the Village Board to make an informed decision.

During the discussion, the Commission accepted a comment from a resident. The resident felt that requiring a licensed electrician to complete the electrical work for a pool is too cost prohibitive and would mean that residents would not be able to afford pool installation. Staff reviewed the text amendments and explained that a licensed electrician and the pool permit process serves as a protection to residents and to the Village. If the process just listed does not occur and a tragedy occurs, the first thing an attorney is going to do is file a lawsuit naming the resident and the Village as the responsible parties. The protection is generated when the pool installation is in compliance with the ordinance, received the required inspections and would show that it would be difficult for an unintended user of the pool from entering the pool. A majority of the Commission felt that a licensed electrician should be required and that the residents' comment would be noted and included with the text amendments when they were sent to the Village Board.

Staff advised that prior to moving forward on the proposed text amendments, the Village Board would need to be consulted because this ordinance was not on the Village Board's Strategic Plan/Priority list. Staff will prepare the information and place this discussion on the next Village Board agenda. The Village Board can then determine whether or not the Plan Commission should be given direction to proceed.

RECOMMENDATION

That the Village Board discuss and consider and make a determination of whether or not they agree with:

1. The Plan Commission proceeding on the text amendments to Title 11 Zoning Regulations, which is in the scope of responsibility for the Commission, for:
 - A. 11-2-3: Accessory Buildings and Uses, Table 11-2-3A;
 - B. 11-2-4: Additional Regulations for Unique Uses, A8
2. The Plan Commission offering a recommendation on the text amendment to Title 10 Building and Development, 10-1A-3A.1: Building Permit and Plan Review Fees.

If the Board agrees with the above listed items, the Board would need to:

1. Direct the Plan Commission to proceed with the text amendments to the Title 11 Zoning Regulations, hold a Public Hearing and issue a Findings of Fact on this Title and to offer a recommendation on Chapter 10, with no Public Hearing and Findings of Fact. (The Plan Commission would discuss all the proposed text amendments, and would specifically hold the public hearing on the title(s) within their scope of responsibility, meaning the Title 11 Zoning Regulations. The Village Board would make the final determination on the text amendments for Chapter 10.)
2. In order for Item #1 to be successful, the Village Board would also need to direct Staff to have the Village Attorney review the text amendments for Titles 10 and 11. Please note that the Public Works Director/Building Inspector and the Village Administrator have discussed the text amendments for building and zoning code compliance and made their changes to the text prior to Plan Commission distribution. The permit review time for an above-ground pool, including a temporary pool with an inflatable rim requires the same amount of review time as a regular above-ground swimming pool; therefore, Staff recommends having the permit fee associated with a temporary swimming pool be the same as a regular above-ground swimming pool.

Attachment

Attachment A – Memorandum from Village Administrator to the Plan Commission Dated December 16, 2019, Text Amendments to 11-2-3, 11-2-4 and 10-1A3



Village of Maple Park

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MEMORANDUM

TO: Planning Commission

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: December 16, 2019

SUBJECT: TEXT AMENDMENTS TO THE FOLLOW SECTIONS OF MUNICIPAL CODE - 11-2-3 ACCESSORY BUILDINGS AND USES; AND 11-2-4 ADDITIONAL REGULATIONS FOR UNIQUE USES; AND A DISCUSSION ON 10-1A-3 BUILDING PERMIT AND PLAN REVIEW FEES FOR SWIMMING POOLS

BACKGROUND

Currently, there are a number of different pool types that are available on the market for use by homeowners. Pool types include inground, above ground and most recently temporary pools. Temporary pools are usually constructed at the beginning of the summer season and removed at the end of the season. Temporary pools may be constructed of vinyl that make up the sides, walls and bottom and have an inflatable ring at the top that assist the structure in maintaining its shape or is constructed with a vinyl make up the sides, walls and bottom that is held up by a PVC pipe frame. Temporary pools should also be subject to the same building permit review process as an above ground and inground pool.

<u>Year</u>	<u>Above Ground Pool</u>	<u>Inground Pool</u>
2017	1	2*
2018	4	0
<u>2019</u>	<u>0</u>	<u>0</u>
TOTAL	5	2

*One (1) pool application was submitted, but was withdrawn.

The Public Works Director/Building inspector spends the same amount of time with the homeowner and an electrical contractor or a pool installation company for an inground and above ground pool as he does with a homeowner and an electrical contractor for a temporary pool for permit review; however, an inground pool requires additional inspections.

Most recently, homeowners have expressed frustration over understanding the permit requirements associated with installing a pool in their yard. In order increase transparency and homeowner awareness, a suggestion was made to move all pool related ordinances into one section of the Municipal Code.

There are two (2) sections of Municipal Code where Planning Commission has the ability to issue a Findings of Fact on, they include:

1. 11-2-3: Accessory Buildings and Uses, Table 11-2-3A – The text has been highlighted in yellow, Attachment A.
2. 11-2-4: Additional Regulations for Unique Uses, A8 – The text has been highlighted in yellow, Attachment B.

There is a third section of language associated with pools in the Municipal Code, but the Planning Commission does not have the ability to issue Findings of Fact on; but, may make a recommendation to the Village Board on, and that is a change to the permit and plan review fee language to include the addition of temporary pools in the Accessory Use/Swimming Pool Fee. The section is:

1. 10-1A-3: Building Permit and Plan Review Fees, A1 One-Family, Two-Family, and Multiple Single-Family (Townhouses) Residential Use Group, Attachment C.

The text amendments that are being proposed will be reviewed by the Village Attorney and may be slightly modified should it be deemed necessary. The proposed text amendments that the Planning Commission may issue Findings of Fact are as follows:

1. The first text amendment is for 11-2-3 Accessory Buildings and Uses, Table 11-2-3A, the text in green is the proposed language to be added to the code. We are adding to Accessory Uses, in the Swimming Pool Obstruction Locations table, the words “temporary pools.”
2. The second text amendment is for the removal and addition of language creating 11-2-4B Pools. The text that is to be removed is highlighted in yellow and is struck through. The new language has been underlined, Attachment B.

The text and fee amendment recommendation that the Planning Commission will make to the Village Board is as follows:

1. 10-1A-3A.1: Building Permit and Plan Review Fees, One-Family, Two-Family, and Multiple Single-Family (Townhouses) Residential Use Group, the words “temporary pools” has been added to the Above ground swimming pools language. The text to be added is highlighted in green and underlined, Attachment C.

RECOMMENDATION

If the Planning Commission is in support of the following text amendments to the following:

1. 11-2-3 Accessory Buildings and Uses, Table 11-2-3A, adding the words “temporary Pools; and, the
2. Removal and addition of language creating 11-2-4B Pools.

Staff will prepare a Public Hearing Notice for the Planning Commission meeting on January 16, 2019.

The recommendation to the Village Board on including the words “temporary pools,” in 10-1A-3A.1: Building Permit and Plan Review Fees, One-Family, Two-Family, and Multiple Single-Family (Townhouses) Residential Use Group will be forwarded to the Board meeting following the Public Hearing when and if the pool related text amendments are approved.

Attachments

Attachment A – 11-2-3 Accessory Buildings and Uses

Attachment B – 11-2-4 Additional Regulations for Unique Uses

Attachment C – 10-1A-3 Building Permit and Plan Review Fees

ATTACHMENT A

11-2-3: ACCESSORY BUILDINGS AND USES:

A. Permitted Obstruction: Accessory buildings, structures and uses as permitted in district regulations may be obstructions in required yards as follows:

TABLE 11-2-3A
PERMITTED OBSTRUCTION LOCATIONS

Obstruction	Front/Side Yards Adjoining Streets	Interior Side Yards	Rear Yards
Air conditioning equipment shelters	Not permitted	Permitted	Permitted
Arbors or trellises and trellises attached to principal building	Permitted	Permitted	Permitted
Architectural entrance structures on a lot not less than 2 acres in area or at entrance roadways into subdivisions containing 100 or more lots	Permitted	Permitted	Permitted
Awnings/canopies	Not more than 3 feet into required yard	Not more than 3 feet into required yard	Not more than 3 feet into required yard
Balconies	Permitted	Permitted	Permitted
Bay windows with maximum 3 foot penetration	Permitted	Permitted	Permitted
Chimneys with maximum 24 inch penetration	Permitted	Permitted	Permitted
Decks and unenclosed porches	Permitted ¹	Permitted	Permitted
Detached garages or carports	Not permitted	Permitted	Permitted
Eaves and gutters	Permitted	Permitted	Permitted
Fire escapes or fire towers with maximum penetration of 5 feet	Permitted	Permitted	Permitted

front/side yard and 3 ¹ / ₂ feet interior side yard or court			
Flagpoles	Permitted	Permitted	Permitted
Garden/household storage sheds/buildings and buildings/structures customarily incidental to agricultural pursuits provided such sheds/buildings shall have siding of the same style, materials, and color as the residence, unless the facade of the residence is primarily brick, in which case, the shed/building siding shall be the same style, materials, and color as the eaves of the residence	Not permitted	Permitted	Permitted
Generator	Not permitted	Permitted	Permitted
Growing farm/garden crops in open	Not permitted	Permitted	Permitted
Open off street loading spaces	Not permitted	Not permitted	Permitted
Open off street parking spaces at least 2 ¹ / ₂ feet from lot line/10 feet from building wall in court or as required ²	Not permitted	Permitted	Permitted
Playground and laundry drying equipment	Not permitted	Not permitted	Permitted
Satellite antenna: Diameter less than 2 feet Diameter 2 feet or greater	Permitted Not permitted	Permitted Permitted	Permitted Permitted
Sills, belt course, cornices, and ornamental features of principal buildings with maximum penetration of 18 inches	Permitted	Permitted	Permitted
Steps, open, maximum of 8 risers (principal or accessory building)	Permitted	Permitted	Permitted

Swimming pool, including temporary pools, private (must meet all codes)	Not permitted	Not permitted	Permitted
Terraces, patios, and outdoor fireplaces	Not permitted	Permitted	Permitted

Notes:

1. 10 foot maximum penetration of front yard.

2. In the industrial and all business districts, open off street parking spaces may be in a required side yard adjoining a street as hereinafter regulated.

B. Location: No part of an accessory building shall be located closer than five feet (5') to the side lot line along a required side yard. When a rear yard is required, no part of an accessory building shall be located closer than five feet (5') to the rear lot line or to those portions of the side lot lines abutting such required rear yard, except where there is an accessory building with doors opening onto an alley such building shall not be located closer than ten feet (10') to the rear lot line. In a residential district, no detached accessory building shall be closer than ten feet (10') to the principal building nor shall it be located closer to the front lot line than the distance the principal building is located to the front lot line and in no instance should it be located within a required front yard setback. No structure is permitted to be located in any required easement.

C. Time Of Construction: No accessory building shall be constructed on any lot prior to the start of construction of the principal building to which it is accessory.

D. Percentage Of Required Rear Yard Occupied: No accessory building or buildings shall occupy more than forty percent (40%) of the area of a required rear yard.

E. Height Of Accessory Buildings In Required Rear Yards: No accessory building or portion thereof located in a required rear yard shall exceed fifteen feet (15') in height.

F. Prohibited Accessory Buildings: The requirements of subsection F1 of this section, do not apply to trailers, recreational vehicles, or other similar vehicles, parked on a permitted sales lot:

1. Not more than one trailer, recreational vehicle, or other similar vehicle shall be parked on any one lot.
2. No trailer, recreational vehicle, or other similar vehicle shall be used as a dwelling.
3. No trailer, recreational vehicle, or other similar vehicle shall be used as an office or for any other commercial purpose except for approved construction offices.
4. No trailer, recreational vehicle, or other similar vehicle shall be used for the storing of personal or business related materials.
5. The parking of a trailer, recreational vehicle, or similar vehicle is allowed. The parking area must be paved.

6. The parking of a trailer, recreational vehicle, or similar vehicle, shall comply with the yard requirements for accessory buildings of the district in which it is located. No vehicle shall be parked or stored in a manner that inhibits or impedes travel on public streets and sidewalks.

G. Foundation Requirements For Certain Accessory Buildings: In addition to all other Municipal Building Code requirements, any accessory building having a floor area greater than two hundred (200) square feet or a door wider than six feet (6') shall be placed on a permanent concrete slab foundation having specifications approved by the Code official.

H. Number Of Accessory Uses: Only one detached accessory structure shall be permitted per lot.

I. Generators: Generators are an allowed interior side and rear yard obstruction, provided they comply with the side and rear yard setback requirements. (Ord. 2014-13, 7-1-2014)

ATTACHMENT B

11-2-4: ADDITIONAL REGULATIONS FOR UNIQUE USES:

A. Fences, Walls, And Hedges:

1. Except as provided elsewhere in this title, a fence or wall may be erected, placed or maintained along a lot line on residentially zoned property except that no such fence or wall which is located in a required front yard shall exceed a height of three feet (3').

A corner lot shall be considered to have two (2) front yards; example, the yards that face the public roadway. A fence installed on a corner lot may only be three feet (3') solid board or four feet (4') with fifty percent (50%) open slotting in the front yards.

A six foot (6') fence is not to exceed past the most exterior wall of the house on either yard.

Where such lot line is adjacent to non-residentially zoned property, there shall be an eight foot (8') limit on the height of a fence or wall along such lot lines, except that no such fence or wall which is located in a required front yard shall exceed a height of three feet (3').

2. No fence or wall shall be erected, placed or maintained along a lot line on any non-residentially owned property, adjacent to residentially owned property, to a height exceeding eight feet (8') except that no such fence or wall which is located in a required front yard shall exceed a height of three feet (3').
3. In any district, no fence, wall, hedge, or shrubbery shall be erected, constructed, maintained, or grown to height exceeding three feet (3') above the street curb nearest thereto, within twenty five feet (25') of the intersection of any street lines or of street lines projected.
4. Unless a written agreement signed by the adjacent owner of record is filed with the Village Clerk, a fence or wall must be erected, placed, or maintained at least six inches (6") inside the lot line.
5. No fence equipped with or having barbed wire, spikes, or any similar device, or any electrically charged fence sufficient to cause shock, shall be erected, placed, or maintained within six feet (6') of ground level. However, no such fence shall be allowed in residentially zoned districts¹.
6. Screening for daycare centers and nursery schools: The outdoor play area shall be completely screened from view from adjacent uses by solid wood fencing to a height of six feet (6') or by landscaping six feet (6') high by three feet (3') deep. All State regulations concerning outdoor play areas shall apply.
7. Fence poles and stakes shall be placed on the interior side of the fence so that the more attractive side of the fence faces the exterior of the yard.
8. Inground swimming pools/aboveground swimming pools and spas over twelve inches (12") deep, having a surface of at least two hundred fifty (250) square feet, or are permanently equipped with a water recirculating system:
 - a. Shall have any wall of a private swimming pool located at least ten feet (10') from the property line and from the principal structure.

b. Shall be located from septic tank/field or sewer line at least twenty five feet (25') for an inground pool; at least ten feet (10') for an aboveground pool.

c. Shall have erected and maintained an adequate enclosure either surrounding the property or pool/spa area. Such enclosure must not be less than four feet (4') high with latching gate. (Ord. 2017-15, 8-1-2017)

B. Pools

1. Definitions

Swimming Pool - Any structure intended for swimming or recreational bathing that contains water over 24 inches deep.

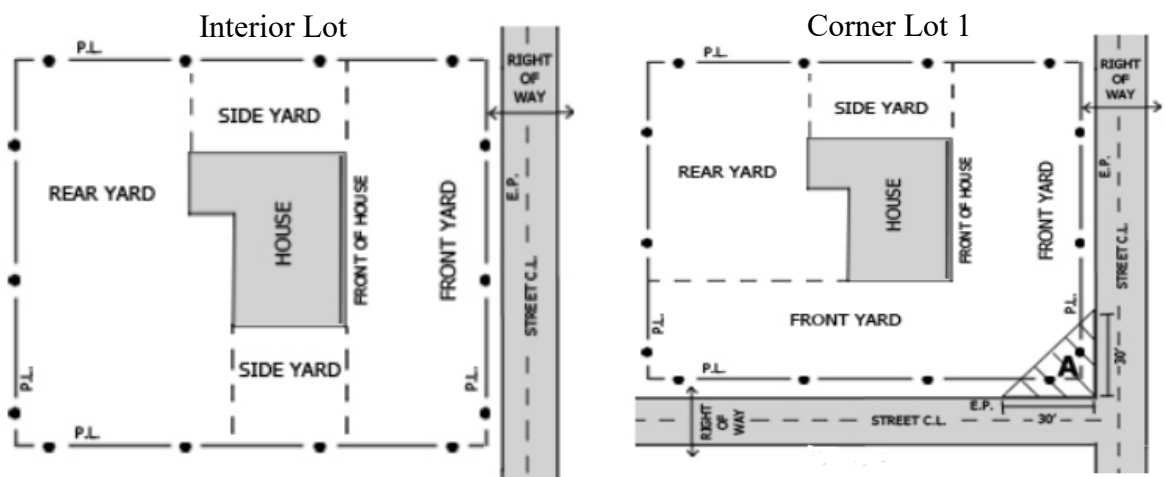
Temporary Pool - A swimming pool constructed to be disassembled and reassembled to its original integrity on a seasonal basis (6 months or less)

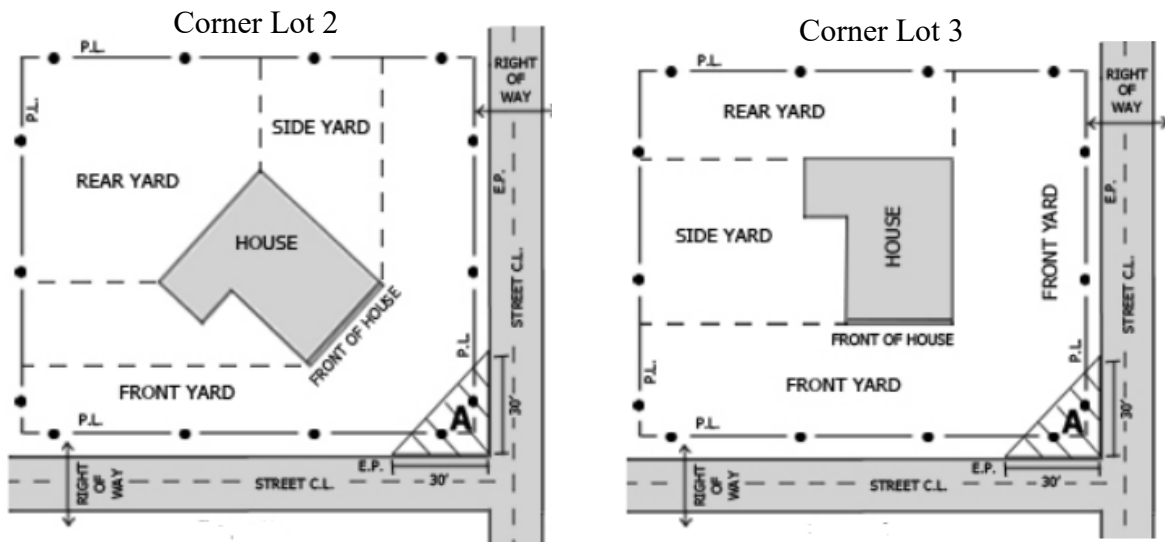
Spa – an above ground self-contained heated or jetted pool. Also known as Jacuzzi or hot tub.

Barrier – Barriers include a fence or wall, pool mounted systems and or a power safety cover over the pool. Barriers are not childproof but can provide one layer of protection from entry to pool while unattended.

2. Location

Swimming pools, temporary pools or spas, are not allowed in the front or side yard. If you are on a corner lot both street sides are considered front yards, see Interior and Corner Lot diagrams.)





- i. Swimming pools and temporary pools shall be located a minimum of 10 feet from the primary structure, measured from the wall of the swimming pool. Spa shall be located a minimum of 5 feet from the primary building.
- ii. Swimming pools, temporary pools and spas shall be located a minimum of 10 feet from any property line, including any decking or platform.
- iii. Swimming pools, temporary pools and spas shall not be located under any overhead utility wires.
- iv. Swimming pools, temporary pools and spas shall be located from septic tank/field or sewer line at least twenty-five feet (25') for an inground pool; at least ten feet (10') for an above ground pool.
- v. Swimming pools, temporary pools and spas may not be installed in any easement.

3. Barrier

- i. Pools that have a depth of 24" or less and left up for no more than 30 days do not require an enclosure or barrier. Pools of 24" or greater that are up for 30 days or more shall comply with all requirements of a temporary pool.
- ii. Above ground swimming pools with the top of the wall less than 48 inches above the surrounding grade must be enclosed with an approved barrier at least 48 inches in height and have a gate as an entry point with a latch that either locks or latch is over 42 inches above the ground, this is per International Code Council Outdoor Swimming Pool Barrier Requirements.
- iii. Above ground swimming pools, which have walls or a wall mounted barrier system that meet the height requirement, shall have steps or a ladder capable of being secured, locked or removed to prevent access.



- iv. In ground pools must have a barrier around the pool area that is a minimum of 48 inches.
 - v. Spa – may have a locking cover in lieu of a 48” tall barrier
 - vi. If the barrier connects to the primary structure
 - a. Above ground ladder capable of being secured, locked or removed to prevent access and secured when not in use.
 - b. In ground pools may either have an additional fixed or movable barrier around the pool and or an audible alarm on the door exiting out to the pool area.
4. Electrical – all pools with electronic pump or filter must be protected by ground fault circuit interrupters, which shall be GFCI receptacle outlets or GFCI circuit breakers
- i. Temporary Pools – Temporary pools may have a pump/filter with GFCI integrated or plugged into a GFCI outlet and follow manufacturer’s specifications for the pump.
 - ii. Swimming Pool or spa – must have underground outdoor electrical outlet.
 - a. All electric shall be in approved conduit and buried underground that meets all electrical code requirements.
 - b. All underground electric shall be inspected prior to burial.
 - c. All receptacles shall have a weatherproof enclosure whether or not the receptacle is being used.
 - d. All swimming pool equipment shall be properly grounded
 - e. Underground wiring shall be a minimum of 5 feet from the swimming pool walls.

- f. For in-ground swimming pools all metal parts on or in the ground within 5 feet of the swimming pool walls shall be bonded.
- g. Receptacles, not serving swimming pool equipment, shall be located a minimum of 10 feet from the swimming pool wall.
- h. All electrical work must be installed per the National Electric Code (NEC) and installed by a licensed electrician.

5. Permit

i. Permit application must include:

- a. Plat of Survey indicating the location of the pool and barrier, with setbacks marked for each.
- b. Location of electrical if required.
- c. Pool permit of any kind does not include the permit for the barrier. If you require a fence (barrier) permit a separate permit application must completed.

ii. Temporary pool permit

- a. Any pool that is either greater than 24" deep and/or left up more than 30 days requires a Temporary Pool permit.
- b. Temporary Pool Permit fee – See 10-1A.3.1.
- c. Electrical work must be inspected prior to filling pool.
- d. Pool location must be inspected prior to filling pool.

ATTACHMENT C

10-1A-3: BUILDING PERMIT AND PLAN REVIEW FEES:

A. Building Permit Fees

1. One-Family, Two-Family, And Multiple Single-Family (Townhouses) Residential Use Groups:

New construction (per unit for two-family and multiple single-family dwellings)	\$635.00 plus \$0.20 per square foot, \$0.198 per square foot over 3,200 square feet
Additions (per unit for two-family and multiple single-family dwellings)	\$0.198 per square foot, minimum \$200.00 fee
Alteration (replacing remodeling)	\$35.00 per required inspection
Temporary to start construction	10 percent of full permit fee, not to be applied to the full permit fee
Moving of existing one- or two-family structure	\$650.00
Inground swimming pools	\$140.00
Detached garage up to 600 square feet with electrical	\$140.00
Detached garage over 600 square feet with electrical	\$175.00
Demolition	\$60.00
Aboveground swimming pools, including temporary pools, with electric	\$70.00
Conditional certificate of occupancy when requested by the builder when circumstances do not warrant	\$95.00 (nonrefundable)



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MEMORANDUM

TO: Village President and Board of Trustees

FROM: Village Accountant Cheryl Aldridge

DATE: December 26, 2019

SUBJECT: NEW COPIER LEASE

BACKGROUND

As some of you may remember, the Village's copier had serious issues the night of last FY2020 Budget meeting. Since that time, it has been functional, but is nearing the end of life. The maintenance costs that the Village is paying is going up yearly because Impact Networking also knows that we are nearing that end of life.

DISCUSSION

Due to the timing of the copier failure, we did not have the cost of a new copier included in the budget. In review of the current budget, there is approximately \$6,000 budgeted for our annual copier lease and maintenance payments.

In addition to obtaining a quote from our current copier company, we did receive three (3) other quotes.

Impact*	RK Dixon	Marco	COTG
Konica C368	Xerox C7030	Sharp MX-3571	Xerox C8035
\$487.08	\$338.68	\$289.38	\$141.83
36 pages per minute	30 pages per minute	35 pages per minute	35 pages per minute

*Current Vendor

If we enter into a new lease and maintenance agreement with Impact Networking, we will increase our contract printing count for black and white copies to 6,000 and color copies to 3,400 from our previous counts of 4,400 and 1,500. This will allow for far less in overages; average monthly overage has been \$240 or \$2,880 annually. The total annual cost to operate the new copier, including lease and maintenance, will be \$6,240. This is a difference of approximately \$540, which is \$240 over budget.

Staff is proposing that the overage will be covered by Account #01-40-5600. When the budget was prepared, we had been concerned of overages in the truss repair for the gym and included \$45,000 in the budget to cover any overages. The \$45,000 was not needed, as the entire repair

was paid for through the claim filed with our risk management agency; and as a result, if the Village Board approves of its redirected use could be used to pay for the increase in cost for our new lease and annual maintenance costs. The amount needed to cover copier costs would then be included in the FY2021 Budget.

We are not trading in the existing copier and it is technically ours. We have the ability to declare it surplus and sell it through a sealed bid process or Staff is exploring the possibility of moving the copier over to the Police Department until the copier completely dies. By moving the copier over to the Police Department they won't lose productivity time, because they have to walk over and into the Administration Office, every time they need a color copy or run a higher page count document. We are looking at the cost of toner and the cost of time and material for a service call. Staff can report back to the Board on a recommendation regarding the copier.

In reviewing the quotes, copier operation needs, and a good working relationship with our regular technician, Staff is recommending that we remain with Impact Networking and a Konica Minolta copier. Although, the other quotes may appear to be lower in cost for the proposed copiers, they would reduce our current workflow, with a lower pages per minute count and require that we would have to spend additional staff time setting up the appropriate copier network and fax settings because the brand of copier would be different. While their initial pricing may look enticing, we do not want to work backwards and lower any productivity.

RECOMMENDATION

That the Village Board motion to approve the Village Administrator entering into a 60-month Agreement, for a Konica C368 copier, with De Lage Landen Public Finance LLC for an amount not to exceed \$5,844.96 annually, excluding copy overages.

Attachments

Attachment A – Lease agreement

RESOLUTION 2020-01

A RESOLUTION AUTHORIZING THE VILLAGE PRESIDENT OR THEIR DESIGNEE TO APPROVE A LEASE AGREEMENT WITH DE LAGE LANDEN PUBLIC FINANCE LLC, AND A SERVICE AGREEMENT WITH IMPACT NETWORKING LLC FOR A 60-MONTH TERM.

WHEREAS the Village of Maple Park ("The Village") is a municipality in accordance with the Constitution of the State of Illinois of 1970; and,

WHEREAS, Village has determined that it is to its advantage and best interest of the Village to avail itself of the services of Impact Networking and their lease finance company, De Lage Laden Public Finance LLC, in connection with its copier lease service; and,

WHEREAS, Impact Engineering is desirous of physically providing a Konica C368 copier for the Village; and,

WHEREAS, De Lage Laden Public Finance LLC is desirous in providing the 60-month lease for the Konica BizHub C368; and,

WHEREAS, Impact Networking is desirous in providing the 60-month service agreement for the Konica BizHub C368; and,

NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees for the Village of Maple Park, DeKalb and Kane Counties, Illinois, as follows:

- Section 1.** The Village President or a designee is hereby authorized to sign the attached agreement with Impact Networking for physically providing a Konica BizHub C368 copier and the service agreement for said copier.
- Section 2.** The Village President or a designee is hereby directed to sign the attached agreement with De Lage Landen Public Finance LLC for a 60-month lease agreement for the copier.
- Section 3.** These Agreements shall expire on November 30, 2024, unless extended in writing by the Village of Maple Park.
- Section 4.** The lease and service agreements are substantially the same form as attached to this Resolution and incorporated herein by reference, is adopted and accepted by the Village.

PASSED by the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois at its regular Board meeting held on _____.

Ayes: _____

Nays: _____

Absent: _____

(SEAL)

Kathleen Curtis, Village President

ATTEST:

Theresa D'Amato, Acting Village Clerk



Village of Maple Park

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MEMORANDUM

TO: Village President and Board of Trustees

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: December 23, 2019

SUBJECT: **TEXT AMENDMENT – TITLE 9, “UTILITIES,” CHAPTER 4, “SMALL WIRELESS FACILITIES”**

BACKGROUND

In April 2019, the Plan Commission originally began reviewing Chapter 9, Chapter 4 Small Wireless Facilities for aesthetic components associated with wireless facility installation. The discussion included requiring wireless facility poles be constructed of metal or composite material; and, if wireless facilities were attached to existing utility/light poles that all wires be shrouded at the upper end of the pole and encased in a cabinet at the lower end of the pole. The Commission also discussed the expansion of the revocation of permit process. It should be noted that there were no recommended changes to the Permit Application Fees.

At the October 3, 2019 meeting, the Plan Commission reviewed the proposed text amendments that had been generated in their prior meetings and felt that the amendments should be moved to the next step in the process. A Public Hearing was scheduled for November 19, 2019; however, the Plan Commission did not have a quorum and the hearing could not be held. Another Public Hearing was scheduled for December 19, 2019. At the December 19, 2019 Public Hearing, the Plan Commission received no public comments. At the regular Plan Commission meeting, the Commission confirmed, in a vote unanimous vote of 5 – 0 that the text amendments, which had been reviewed by the Village Attorney should move to the Village Board.

Because the recommendation from the Plan Commission is for Title 9, “Utilities,” Chapter 4, “Small Wireless Facilities,” and not Title 16, “Zoning,” there are no Findings of Fact from the Plan Commission. The formal decision regarding this text amendment for Title 9, Chapter 4 resides with the Village Board.

RECOMMENDATION

That the Village Board approve Ordinance 2020-01; the proposed text amendment replaces the existing language in its entirety for Chapter 9, Title 4, “Small Wireless Facilities.”

Attachments

Attachment A – Existing Ordinance Chapter 9, Title 4 Small Cell Wireless Facilities

Attachment B - Ordinance 2020-01 – Proposed Ordinance Amending Title 9, Chapter 4 Small Wireless Facilities

Attachment C – Memo to Plan Commission Dated November 13, 2019

Chapter 4

SMALL WIRELESS FACILITIES

9-4-1: PURPOSE AND SCOPE:

9-4-2: DEFINITIONS:

9-4-3: REGULATION OF SMALL WIRELESS FACILITIES:

9-4-4: DISPUTE RESOLUTION:

9-4-5: INDEMNIFICATION:

9-4-6: INSURANCE:

9-4-1: PURPOSE AND SCOPE:

- A. Purpose: The purpose of this chapter is to establish regulations, standards and procedures for the siting and collocation of small wireless facilities on rights-of-way within the Village's jurisdiction, or outside the rights-of-way on property zoned by the Village exclusively for commercial or industrial use, in a manner that is consistent with the Act.
- B. Conflicts With Other Ordinances: This chapter supersedes all ordinances or parts of ordinances adopted prior hereto that are in conflict herewith, to the extent of such conflict.
- C. Conflicts With State And Federal Laws: In the event that applicable Federal or State laws or regulations conflict with the requirements of this chapter, the wireless provider shall comply with the requirements of this chapter to the maximum extent possible without violating Federal or State laws or regulations. (Ord. 2018-15, 7-3-2018, eff. 7-13-2018)

9-4-2: DEFINITIONS:

For the purposes of this chapter, the following terms shall have the following meanings:

ANTENNA: Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

APPLICABLE CODES: Uniform Building, Fire, Electrical, Plumbing, or Mechanical Codes adopted by a recognized national code organization or local amendments to those codes, including the National Electric Safety Code.

APPLICANT: Any person who submits an application and is a wireless provider.

APPLICATION: A request submitted by an applicant to the Village for a permit to collocate small wireless facilities, and a request that includes the installation of a new utility pole for such

collocation, as well as any applicable fee for the review of such application.

COLLOCATE OR COLLOCATION: To install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole.

COMMUNICATIONS SERVICE: Cable service, as defined in 47 USC 522(6), as amended; information service, as defined in 47 USC 153(24), as amended; telecommunications service, as defined in 47 USC 153(53), as amended; mobile service, as defined in 47 USC 153(53), as amended; or wireless service other than mobile service.

COMMUNICATIONS SERVICE PROVIDER: A cable operator, as defined in 47 USC 522(5), as amended; a provider of information service, as defined in 47 USC 153(24), as amended; a telecommunications carrier, as defined in 47 USC 153(51), as amended; or a wireless provider.

FCC: The Federal Communications Commission of the United States.

FEE: A one-time charge.

HISTORIC DISTRICT OR HISTORIC LANDMARK: A building, property, or site, or group of buildings, properties, or sites that are either: a) listed in the National Register of Historic Places or formally determined eligible for listing by the keeper of the National Register, the individual who has been delegated the authority by the Federal agency to list properties and determine their eligibility for the National Register, in accordance with section VI.D.1.a.i through section VI.D.1.a.v of the Nationwide Programmatic Agreement codified at 47 CFR part 1, appendix C; or b) designated as a locally landmarked building, property, site, or historic district by an ordinance adopted by the Village pursuant to a preservation program that meets the requirements of the Certified Local Government Program of the Illinois State Historic Preservation Office or where such certification of the preservation program by the Illinois State Historic Preservation Office is pending.

LAW: A Federal or State Statute, common law, code, rule, regulation, order, or local ordinance or resolution.

MICRO WIRELESS FACILITY: A small wireless facility that is not larger in dimension than twenty four inches (24") in length, fifteen inches (15") in width, and twelve inches (12") in height and that has an exterior antenna, if any, no longer than eleven inches (11").

MUNICIPAL UTILITY POLE: A utility pole owned or operated by the Village in public rights-of-way.

PERMIT: A written authorization required by the Village to perform an action or initiate, continue, or complete a project.

PERSON: An individual, corporation, limited liability company, partnership, association, trust, or other entity or organization.

PUBLIC SAFETY AGENCY: The functional division of the Federal government, the State, a unit of local government, or a special purpose district located in whole or in part within this State, that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services to respond to and manage emergency incidents.

RATE: A recurring charge.

RIGHT-OF-WAY: The area on, below, or above a public roadway, highway, street, public sidewalk, alley, or utility easement dedicated for compatible use. Right-of-way does not include Village-owned

aerial lines.

SMALL WIRELESS FACILITY: A wireless facility that meets both of the following qualifications: a) each antenna is located inside an enclosure of no more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and b) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than twenty five (25) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

UTILITY POLE: A pole or similar structure that is used in whole or in part by a communications service provider or for electric distribution, lighting, traffic control, or a similar function.

WIRELESS FACILITY: Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: a) equipment associated with wireless communications; and b) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. Wireless facility includes small wireless facilities. Wireless facility does not include: a) the structure or improvements on, under, or within which the equipment is collocated; or b) wireline backhaul facilities, coaxial or fiber optic cable that is between wireless support structures or utility poles or coaxial, or fiber optic cable that is otherwise not immediately adjacent to or directly associated with an antenna.

WIRELESS INFRASTRUCTURE PROVIDER: Any person authorized to provide telecommunications service in the State that builds or installs wireless communication transmission equipment, wireless facilities, wireless support structures, or utility poles and that is not a wireless services provider but is acting as an agent or a contractor for a wireless services provider for the application submitted to the Village.

WIRELESS PROVIDER: A wireless infrastructure provider or a wireless services provider.

WIRELESS SERVICES: Any services provided to the general public, including a particular class of customers, and made available on a nondiscriminatory basis using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided using wireless facilities.

WIRELESS SERVICES PROVIDER: A person who provides wireless services.

WIRELESS SUPPORT STRUCTURE: A freestanding structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. Wireless support structure does not include a utility pole. (Ord. 2018-15, 7-3-2018, eff. 7-13-2018)

9-4-3: REGULATION OF SMALL WIRELESS FACILITIES:

A. Permitted Use: Small wireless facilities shall be classified as permitted uses and subject to administrative review, except as provided in subsection C9 of this section regarding height exceptions or variances, but not subject to zoning review or approval if they are collocated: 1) in rights-of-way in any zoning district, or 2) outside rights-of-way in property zoned exclusively for commercial or industrial use.

B. Permit Required: An applicant shall obtain one or more permits from the Village to collocate a small wireless facility. An application shall be received and processed, and permits issued shall be subject to the following conditions and requirements:

1. Application Requirements: A wireless provider shall provide the following information to the Village, together with the Village's Small Cell Facilities Permit Application, as a condition of any permit application to collocate small wireless facilities on a utility pole or wireless support structure:
 - a. Site specific structural integrity and, for a Municipal utility pole, make-ready analysis prepared by a structural engineer, as that term is defined in section 4 of the Structural Engineering Practice Act of 1989;
 - b. The location where each proposed small wireless facility or utility pole would be installed and photographs of the location and its immediate surroundings depicting the utility poles or structures on which each proposed small wireless facility would be mounted or location where utility poles or structures would be installed. This should include a depiction of the completed facility;
 - c. Specifications and drawings prepared by a structural engineer, as that term is defined in section 4 of the Structural Engineering Practice Act of 1989, for each proposed small wireless facility covered by the application as it is proposed to be installed;
 - d. The equipment type and model numbers for the antennas and all other wireless equipment associated with the small wireless facility;
 - e. A proposed schedule for the installation and completion of each small wireless facility covered by the application, if approved; and
 - f. Certification that the collocation complies with the collocation requirements and conditions contained herein, to the best of the applicant's knowledge.
 - g. In the event that the proposed small wireless facility is to be attached to an existing pole owned by an entity other than the Village, the wireless provider shall provide legally competent evidence of the consent of the owner of such pole to the proposed collocation.

2. Application Process: The Village shall process applications as follows:

- a. Priority Applications: The first completed application shall have priority over applications received by different applicants for collocation on the same utility pole or wireless support structure.
- b. Collocation On Existing Pole Or Structure: An application to collocate a small wireless facility on an existing utility pole or wireless support structure, or replacement of an existing utility pole or wireless support structure shall be processed on a nondiscriminatory basis and shall be deemed approved if the Village fails to approve or deny the application within ninety (90) days after the submission of a completed application.

However, if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than seventy five (75) days after the submission of a completed application.

The permit shall be deemed approved on the latter of the 90th day after submission of the complete application or the 10th day after the receipt of the deemed approved notice by the Village. The

receipt of the deemed approved notice shall not preclude the Village's denial of the permit request within the time limits as provided under this chapter.

- c. Collocation On New Pole: An application to collocate a small wireless facility that includes the installation of a new utility pole shall be processed on a nondiscriminatory basis and deemed approved if the Village fails to approve or deny the application within one hundred twenty (120) days after the submission of a completed application.

However, if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than one hundred five (105) days after the submission of a completed application.

The permit shall be deemed approved on the latter of the 120th day after submission of the complete application or the 10th day after the receipt of the deemed approved notice by the Village. The receipt of the deemed approved notice shall not preclude the Village's denial of the permit request within the time limits as provided under this chapter.

- d. Denial Of Application: The Village shall deny an application which does not meet the requirements of this chapter.

If the Village determines that applicable codes, ordinances or regulations that concern public safety, or the collocation requirements and conditions contained herein require that the utility pole or wireless support structure be replaced before the requested collocation, approval shall be conditioned on the replacement of the utility pole or wireless support structure at the cost of the provider.

The Village shall document the basis for a denial, including the specific code provisions or application conditions on which the denial is based, and send the documentation to the applicant on or before the day the Village denies an application.

The applicant may cure the deficiencies identified by the Village and resubmit the revised application once within thirty (30) days after notice of denial is sent to the applicant without paying an additional application fee. The Village shall approve or deny the revised application within thirty (30) days after the applicant resubmits the application or it is deemed approved. Failure to resubmit the revised application within thirty (30) days of denial shall require the applicant to submit a new application with applicable fees, and recommencement of the Village's review period.

The applicant must notify the Village in writing of its intention to proceed with the permitted activity on a deemed approved basis, which may be submitted with the revised application.

Any review of a revised application shall be limited to the deficiencies cited in the denial. However, this revised application does not apply if the cure requires the review of a new location, new or different structure to be collocated upon, new antennas, or other wireless equipment associated with the small wireless facility.

- e. Pole Attachment Agreement: Within thirty (30) days after an approved permit to collocate a small wireless facility on a Municipal utility pole, the Village and the applicant shall enter into a Master Pole Attachment Agreement, provided by the Village for the initial collocation on a Municipal utility pole by the application. For subsequent approved permits to collocate on a small wireless facility on a Municipal utility pole, the Village and the applicant shall enter into a license supplement of the Master Pole Attachment Agreement.

3. **Completeness Of Application:** Within thirty (30) days after receiving an application, the Village shall determine whether the application is complete and notify the applicant. If an application is incomplete, the Village must specifically identify the missing information. An application shall be deemed complete if the Village fails to provide notification to the applicant within thirty (30) days after all documents, information and fees specifically enumerated in the Village's permit application form are submitted by the applicant to the Village.

Processing deadlines are tolled from the time the Village sends the notice of incompleteness to the time the applicant provides the missing information.

4. **Tolling:** The time period for applications may be further tolled by:

- a. An express written agreement by both the applicant and the Village; or
- b. A local, State or Federal disaster declaration or similar emergency that causes the delay.

5. **Consolidated Applications:** An applicant seeking to collocate small wireless facilities within the jurisdiction of the Village shall be allowed, at the applicant's discretion, to file a consolidated application and receive a single permit for the collocation of up to twenty five (25) small wireless facilities if the collocations each involve substantially the same type of small wireless facility and substantially the same type of structure.

If an application includes multiple small wireless facilities, the Village may remove small wireless facility collocations from the application and treat separately small wireless facility collocations for which incomplete information has been provided or that do not qualify for consolidated treatment or that are denied. The Village may issue separate permits for each collocation that is approved in a consolidated application.

6. **Duration Of Permits:** The duration of a permit shall be for a period of not less than five (5) years, and the permit shall be renewed for equivalent durations unless the Village makes a finding that the small wireless facilities or the new or modified utility pole do not comply with the applicable Village Codes or any provision, condition or requirement contained in this chapter.

If the Act is repealed as provided in section 90 therein, renewals of permits shall be subject to the applicable Village Code provisions or regulations in effect at the time of renewal.

7. **Means Of Submitting Applications:** Applicants shall submit applications, supporting information and notices to the Village by personal delivery at the Village's designated place of business, by regular mail postmarked on the date due or by any other commonly used means, including electronic mail.

C. Collocation Requirements And Conditions:

1. **Public Safety Space Reservation:** The Village may reserve space on Municipal utility poles for future public safety uses, for the Village's electric utility uses, or both, but a reservation of space may not preclude the collocation of a small wireless facility unless the Village reasonably determines that the Municipal utility pole cannot accommodate both uses.
2. **Installation And Maintenance:** The wireless provider shall install, maintain, repair and modify its small wireless facilities in safe condition and good repair and in compliance with the requirements and conditions of this chapter. The wireless provider shall ensure that its employees, agents or contractors

that perform work in connection with its small wireless facilities are adequately trained and skilled in accordance with all applicable industry and governmental standards and regulations.

3. No Interference With Public Safety Communication Frequencies: The wireless provider's operation of the small wireless facilities shall not interfere with the frequencies used by a public safety agency for public safety communications.

A wireless provider shall install small wireless facilities of the type and frequency that will not cause unacceptable interference with a public safety agency's communications equipment.

Unacceptable interference will be determined by and measured in accordance with industry standards and the FCC's regulations addressing unacceptable interference to public safety spectrum or any other spectrum licensed by a public safety agency.

If a small wireless facility causes such interference, and the wireless provider has been given written notice of the interference by the public safety agency, the wireless provider, at its own expense, shall remedy the interference in a manner consistent with the abatement and resolution procedures for interference with public safety spectrum established by the FCC including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675.

The Village may terminate a permit for a small wireless facility based on such interference if the wireless provider is not in compliance with the Code of Federal Regulations cited in the previous section. Failure to remedy the interference as required herein shall constitute a public nuisance.

4. Collocation With Electric Distribution Or Transmission Systems: The wireless provider shall not collocate small wireless facilities on Village utility poles that are part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole.

However, the antenna and support equipment of the small wireless facility may be located in the communications space on the Village utility pole and on the top of the pole, if not otherwise unavailable, if the wireless provider complies with applicable codes for work involving the top of the pole.

For purposes of this subsection, the terms "communications space", "communication worker safety zone", and "electric supply zone" have the meanings given to those terms in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

5. Compliance With Codes: The wireless provider shall comply with all applicable codes and local code provisions or regulations that concern public safety.
6. Compliance With Design Standards: The wireless provider shall comply with written design standards that are generally applicable for decorative utility poles, or reasonable stealth, concealment and aesthetic requirements that are set forth in a Village ordinance, written policy adopted by the Village, a comprehensive plan or other written design plan that applies to other occupiers of the rights-of-way, including on a historic landmark or in a historic district.
7. Alternate Placements: Except as provided in this collocation requirements and conditions section, a wireless provider shall not be required to collocate small wireless facilities on any specific utility pole, or category of utility poles, or be required to collocate multiple antenna systems on a single utility pole. However, with respect to an application for the collocation of a small wireless facility associated with a new utility pole, the Village may propose that the small wireless facility be collocated on an

existing utility pole or existing wireless support structure within one hundred feet (100') of the proposed collocation, which the applicant shall accept if it has the right to use the alternate structure on reasonable terms and conditions, and the alternate location and structure does not impose technical limits or additional material costs as determined by the applicant.

If the applicant refuses a collocation proposed by the Village, the applicant shall provide written certification describing the property rights, technical limits or material cost reasons the alternate location does not satisfy the criteria in this section.

8. Height Limitations: The maximum height of a small wireless facility shall be no more than ten feet (10') above the utility pole or wireless support structure on which the small wireless facility is collocated.

New or replacement utility poles or wireless support structures on which small wireless facilities are collocated may not exceed the higher of:

- a. Ten feet (10') in height above the tallest existing utility pole, other than a utility pole supporting only wireless facilities, that is in place on the date the application is submitted to the Village, that is located within three hundred feet (300') of the new or replacement utility pole or wireless support structure and that is in the same right-of-way within the jurisdictional boundary of the Village, provided the Village may designate which intersecting right-of-way within three hundred feet (300') of the proposed utility pole or wireless support structures shall control the height limitation for such facility; or
- b. Forty five feet (45') above ground level.

9. Height Exceptions Or Variances: If an applicant proposes a height for a new or replacement pole in excess of the above height limitations on which the small wireless facility is proposed for collocation, the applicant shall apply for a variance in conformance with procedures, terms and conditions set forth in this Code.

10. Contractual Design Requirements: The wireless provider shall comply with requirements that are imposed by a contract between the Village and a private property owner that concern design or construction standards applicable to utility poles and ground-mounted equipment located in the right-of-way.

11. Ground-Mounted Equipment Spacing: The wireless provider shall comply with applicable spacing requirements in applicable codes and ordinances concerning the location of ground-mounted equipment located in the right-of-way if the requirements include a waiver, zoning or other process that addresses wireless provider requests for exception or variance and do not prohibit granting of such exceptions or variances.

12. Undergrounding Regulations: The wireless provider shall comply with local code provisions or regulations concerning undergrounding requirements that prohibit the installation of new or the modification of existing utility poles in a right-of-way without prior approval if the requirements include a waiver, zoning or other process that addresses requests to install such new utility poles or modify such existing utility poles and do not prohibit the replacement of utility poles.

13. Collocation Completion Deadline: Collocation for which a permit is granted shall be completed within one hundred eighty (180) days after issuance of the permit, unless the Village and the wireless provider agree to extend this period or a delay is caused by make-ready work for a Municipal utility pole or by the lack of commercial power or backhaul availability at the site, provided

the wireless provider has made a timely request within sixty (60) days after the issuance of the permit for commercial power or backhaul services, and the additional time to complete installation does not exceed three hundred sixty (360) days after issuance of the permit. Otherwise, the permit shall be void unless the Village grants an extension in writing to the applicant.

D. Application Fees: Application fees are imposed as follows:

1. Applicant shall pay an application fee of six hundred fifty dollars (\$650.00) for an application to collocate a single small wireless facility on an existing utility pole or wireless support structure, and three hundred fifty dollars (\$350.00) for each small wireless facility addressed in a consolidated application to collocate more than one small wireless facility on existing utility poles or wireless support structures.
2. Applicant shall pay an application fee of one thousand dollars (\$1,000.00) for each small wireless facility addressed in an application that includes the installation of a new utility pole for such collocation.
3. Notwithstanding any contrary provision of State law or local ordinance, applications pursuant to this section shall be accompanied by the required application fee. Application fees shall be non-refundable.
4. The Village shall not require an application, approval or permit, or require any fees or other charges, from a communications service provider authorized to occupy the rights-of-way, for:
 - a. Routine maintenance;
 - b. The replacement of wireless facilities with wireless facilities that are substantially similar, the same size, or smaller if the wireless provider notifies the Village at least ten (10) days prior to the planned replacement and includes equipment specifications for the replacement of equipment consistent with subsection B1d of this section; or
 - c. The installation, placement, maintenance, operation or replacement of micro wireless facilities suspended on cables that are strung between existing utility poles in compliance with applicable Safety Codes.
5. Wireless providers shall secure a permit from the Village to work within rights-of-way for activities that affect traffic patterns or require lane closures.

E. Exceptions To Applicability: Nothing in this chapter authorizes a person to collocate small wireless facilities on:

1. Property owned by a private party or property owned or controlled by the Village or another unit of local government that is not located within rights-of-way, or a privately-owned utility pole or wireless support structure without the consent of the property owner;
2. Property owned, leased, or controlled by a park district, forest preserve district, or conservation district for public park, recreation or conservation purposes without the consent of the affected district, excluding the placement of facilities on rights-of-way located in an affected district that are

under the jurisdiction and control of a different unit of local government as provided by the Illinois Highway Code; or

3. Property owned by a rail carrier registered under section 18c-7201 of the Illinois Vehicle Code, Metra Commuter Rail or any other public commuter rail service, or an electric utility as defined in section 16-102 of the Public Utilities Act, without the consent of the rail carrier, public commuter rail service, or electric utility. The provisions of this chapter do not apply to an electric or gas public utility or such utility's wireless facilities if the facilities are being used, developed and maintained consistent with the provisions of subsection (i) of section 16-108.5 of the Public Utilities Act.

For the purposes of this subsection, "public utility" has the meaning given to that term in section 3-105 of the Public Utilities Act. Nothing in this chapter shall be construed to relieve any person from any requirement: a) to obtain a franchise or a State-issued authorization to offer cable service or video service or b) to obtain any required permission to install, place, maintain, or operate communications facilities, other than small wireless facilities subject to this chapter.

- F. Pre-Existing Agreements: Existing agreements between the Village and wireless providers that relate to the collocation of small wireless facilities in the right-of-way, including the collocation of small wireless facilities on Village utility poles, that are in effect on June 1, 2018, remain in effect for all small wireless facilities collocated on the Village's utility poles pursuant to applications submitted to the Village before June 1, 2018, subject to applicable termination provisions contained therein. Agreements entered into after June 1, 2018, shall comply with this chapter.

A wireless provider that has an existing agreement with the Village on the effective date of the Act may accept the rates, fees and terms that the Village makes available under this chapter for the collocation of small wireless facilities or the installation of new utility poles for the collocation of small wireless facilities that are the subject of an application submitted two (2) or more years after the effective date of the Act by notifying the Village that it opts to accept such rates, fees and terms. The existing agreement remains in effect, subject to applicable termination provisions, for the small wireless facilities the wireless provider has collocated on the Village's utility poles pursuant to applications submitted to the Village before the wireless provider provides such notice and exercises its option under this section.

- G. Annual Recurring Rate: A wireless provider shall pay to the Village an annual recurring rate to collocate a small wireless facility on a Village utility pole located in a right-of-way that equals: 1) two hundred dollars (\$200.00) per year or 2) the actual, direct and reasonable costs related to the wireless provider's use of space on the Village utility pole.

If the Village has not billed the wireless provider actual and direct costs, the fee shall be two hundred dollars (\$200.00) payable on the first day after the first annual anniversary of the issuance of the permit or notice of intent to collocate, and on each annual anniversary date thereafter.

- H. Abandonment: A small wireless facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned. The owner of the facility shall remove the small wireless facility within ninety (90) days after receipt of written notice from the Village notifying the wireless provider of the abandonment.

The notice shall be sent by certified or registered mail, return receipt requested, by the Village to the owner at the last known address of the wireless provider. If the small wireless facility is not

removed within ninety (90) days of such notice, the Village may remove or cause the removal of such facility pursuant to the terms of its pole attachment agreement for Municipal utility poles or through whatever actions are provided for abatement of nuisances or by other law for removal and cost recovery.

A wireless provider shall provide written notice to the Village if it sells or transfers small wireless facilities within the jurisdiction of the Village. Such notice shall include the name and contact information of the new wireless provider. (Ord. 2018-15, 7-3-2018, eff. 7-13-2018)

9-4-4: DISPUTE RESOLUTION:

The Circuit Court of Kane or DeKalb County shall have exclusive jurisdiction to resolve all disputes arising under the Small Wireless Facilities Deployment Act. Pending resolution of a dispute concerning rates for collocation of small wireless facilities on Municipal utility poles within the right-of-way, the Village shall allow the collocating person to collocate on its poles at annual rates of no more than two hundred dollars (\$200.00) per year per Municipal utility pole, with rates to be determined upon final resolution of the dispute. (Ord. 2018-15, 7-3-2018, eff. 7-13-2018)

9-4-5: INDEMNIFICATION:

A wireless provider shall indemnify and hold the Village harmless against any and all liability or loss from personal injury or property damage resulting from or arising out of, in whole or in part, the use or occupancy of the Village improvements or right-of-way associated with such improvements by the wireless provider or its employees, agents, or contractors arising out of the rights and privileges granted under this chapter and the Act.

A wireless provider has no obligation to indemnify or hold harmless against any liabilities and losses as may be due to or caused by the sole negligence of the Village or its employees or agents. A wireless provider shall further waive any claims that they may have against the Village with respect to consequential, incidental, or special damages, however caused, based on the theory of liability. (Ord. 2018-15, 7-3-2018, eff. 7-13-2018)

9-4-6: INSURANCE:

The wireless provider shall carry, at the wireless provider's own cost and expense, the following insurance:

- A. Property insurance for its property's replacement cost against all risks;
- B. Workers' compensation insurance, as required by law; or
- C. Commercial general liability insurance with respect to its activities on the Village improvements or rights-of-way to afford minimum protection limits consistent with its requirements of other users of Village improvements or rights-of-way, including coverage for bodily injury and property damage.

The wireless provider shall include the Village as an additional insured on the commercial general liability policy and provide certification and documentation of inclusion of the Village in a commercial general liability policy prior to the collocation of any wireless facility.

A wireless provider may self-insure all or a portion of the insurance coverage and limit requirement required by the Village. A wireless provider that self-insures is not required, to the extent of the self-insurance, to comply with the requirement for the name of additional insureds under this section. A wireless provider that elects to self-insure shall provide to the Village evidence sufficient to demonstrate its financial ability to self-insure the insurance coverage limits required by the Village. (Ord. 2018-15, 7-3-2018, eff. 7-13-2018)

ORDINANCE NO. 20-01

**AN ORDINANCE AMENDING TITLE 9, "UTILITIES," BY
AMENDING THE TEXT TO CHAPTER 4, "SMALL
WIRELESS FACILITIES."**

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK
KANE AND DEKALB COUNTIES, ILLINOIS**

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this __ day of _____.

ORDINANCE NO. 20-01

AN ORDINANCE AMENDING TITLE 9, "UTILITIES," BY AMENDING THE TEXT TO CHAPTER 4, "SMALL WIRELESS FACILITIES."

WHEREAS, the Village of Maple Park ("Village") is a municipal corporation duly organized and existing under the laws of the State of Illinois; and

WHEREAS, the public rights-of-way within Village limits are used to provide essential public services to Village residents and businesses. The public rights-of-way within the Village are a limited public resource held by the Village for the benefit of its citizens and the Village has a custodial duty to ensure that the public rights-of-way are used, repaired and maintained in a manner that best serves the public interest; and

WHEREAS, growing demand for personal wireless telecommunications services has resulted in increasing requests nationwide and locally from the wireless industry to place small cell antenna facilities, distributed antenna systems, and other small wireless telecommunication facilities on utility and streetlight poles and other structures both within the public rights-of-way and in other locations; and

WHEREAS, the Village is authorized under the Illinois Municipal Code, 65 ILCS 5/11-1 *et seq.*, and Illinois law to adopt ordinances pertaining to the public health, safety and welfare; and

WHEREAS, the Village is further authorized to adopt the amendments contained herein pursuant to its authority to regulate the public right-of-way under Article 11, Division 80 of the Illinois Municipal Code (65 ILCS 5/11-80-1 *et seq.*); and

WHEREAS, the Village is authorized, under existing State and federal law, to enact appropriate regulations and restrictions relative to small cell antenna facilities, distributed antenna systems, and other small personal wireless telecommunication facility installations both within the public rights-of-way and in other locations within the jurisdiction of the Village; and

WHEREAS, Public Act 100-585, known as the Small Wireless Facilities Deployment Act, approved by the Governor on April 12, 2018, with an effective date of June 1, 2018, acts to impose certain additional requirements on municipalities, including the Village, regarding the permitting, construction, deployment, regulation, operation, maintenance, repair and removal of certain defined small wireless facilities both within public rights-of-way and in other locations within the jurisdiction of the Village; and

WHEREAS, in conformance with the requirements of the Small Wireless Facilities Deployment Act, and in anticipation of a continued increased demand for placement of small

wireless facilities of the type regulated by the Small Wireless Facilities Deployment Act both within the public rights-of-way and in other locations within the jurisdiction of the Village, the Village President and Village board finds that it is in the best interests of the public health, safety and general welfare of the Village to adopt the code amendments below in order to establish generally applicable standards consistent with the Small Wireless Facilities Deployment Act (Public Act 100-585) for the design, permitting, location, construction, deployment, regulation, operation, maintenance, repair and removal of such small wireless facilities both within the public rights-of-way and in certain other locations within the jurisdiction of the Village so as to, among other things: (i) prevent interference with the facilities and operations of the Village's electric and other Village utilities, and of other utilities lawfully located in public rights-of-way or in other locations within the Village; (ii) preserve the character of the neighborhoods in which such small wireless facilities are installed; (iii) minimize any adverse visual impact of small wireless facilities and prevent visual blight in the neighborhoods in which such facilities are installed; (iv) ensure the continued safe use and enjoyment of private properties adjacent to small wireless facilities; (v) provide appropriate aesthetic protections to designated areas and historic landmarks or districts within the Village; and (vi) ensure that the placement of small wireless facilities does not negatively impact public safety and the Village's public safety technology.

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND VILLAGE OF BOARD OF THE VILLAGE OF MAPLE PARK, DEKALB AND KANE COUNTIES, ILLINOIS:

SECTION 1: The recitals above shall be and are incorporated in this Section 1 as if fully restated herein.

SECTION 2: Title 9 (Utilities) of the Municipal Code of the Village of Maple Park is amending Chapter 4 (Small Wireless Facilities), to read in its entirety as follows:

Chapter 4

Small Wireless Facilities

9-4-1 – Purpose

9-4-2 – Interaction with Other Code Provisions and Laws

9-4-3 – Definitions

9-4-4 – Zoning

9-4-5 – Permits; Application Process

9-4-6 – Construction

9-4-7 – Permit Duration

9-4-8 – Height Limitations

9-4-9 – General Requirements

9-4-10 – Stealth, Concealment and Design Standards

9-4-11 – Reservation of Village of Utility Pole Space

9-4-12 – Applicability of Existing Agreements

9-4-13 – Collocation on Village of Owned Infrastructure

9-4-14 – Notice of Sale or Transfer

9-4-15 – Abandonment

9-4-16 – Dispute resolution

9-4-17 – Indemnification

9-4-18 – Insurance

9-4-19 – Maintenance of Small Wireless Facilities

9-4-20 – Revocation of Permit

9-4-21 – Exceptions to Applicability

9-4-22 - Ground-Mounted Equipment Spacing Requirements

9-4-1 - Purpose

Consistent with the requirements of the Small Wireless Facilities Deployment Act (Public Act 100-585), and in anticipation of a continued increased demand for placement of small wireless facilities of the type regulated by the Act both within the public rights-of-way and in other locations within the jurisdiction of the Village, the Village of Board has found it to be in the best interests of the public health, safety and general welfare of the Village of to adopt the code amendments set forth in this chapter in order to establish generally applicable standards for the design, permitting, location, construction, deployment, regulation, operation, maintenance, repair and removal of such small wireless facilities both within the public rights-of-way and in other locations within the jurisdiction of the Village of so as to, among other things:

- A. Prevent interference with the facilities and operations of the Village's electric and other Village utilities, and of other utilities lawfully located both within public rights-of-way and in other locations within the jurisdiction of the Village of Maple Park;
- B. Preserve the character of the neighborhoods in which such small wireless facilities are installed;
- C. Minimize any adverse visual impact of small wireless facilities and prevent visual blight in the neighborhoods in which such facilities are installed;
- D. Ensure the continued safe use and enjoyment of private properties adjacent to small wireless facilities;
- E. Provide appropriate aesthetic protections to any designated historic landmarks or districts within the Village of Maple Park; and
- F. Ensure that the placement of small wireless facilities does not negatively impact public safety and the Village's public safety technology.

9-4-2 - Interaction with Other Code Provisions and Laws

- A. Other Code Provisions. The provisions of this chapter are intended to supplement general requirements and standards relative to the siting of telecommunication facilities and generally

applicable requirements for construction within public rights-of-way set forth elsewhere within this code, including but not limited to the regulations set forth in Section 9-4-22 and Title 8 of the Maple Park Village Code. In the event of a conflict, however, the provisions of this chapter shall control in all matters involving small wireless facilities, as defined below.

B. State and Federal Laws. In the event that applicable federal or State laws or regulations conflict with the requirements of this chapter, a wireless provider shall comply with the requirements of this chapter to the maximum extent possible without violating such federal or State laws or regulations.

9-4-3 - Definitions

As used in this chapter, the following terms shall have the following meanings:

“Act” means the Small Wireless Facilities Deployment Act (Public Act 100-585).

"Antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

"Applicable codes" means uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes, including the National Electric Safety Code.

"Applicant" means any person who submits an application and is a wireless provider.

"Application" means a request submitted by an applicant to the Village of for a permit to collocate small wireless facilities, and a request that includes the installation of a new utility pole for such collocation, as well as any applicable fee for the review of such application.

"Authority" means the Village of or other unit of local government that has jurisdiction and control for use of public rights-of-way as provided by the Illinois Highway Code for placements within public rights-of-way or has zoning or land use control for placements not within public rights-of-way.

“Village of” means the Village of Maple Park, DeKalb and Kane Counties, Illinois.

"Village utility pole" means a utility pole within the Village of Maple Park in public rights-of way.

"Collocate" or "collocation" means to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole, whether existing or new.

"Communications service" means cable service, as defined in 47 U.S.C. 522(6), as amended; information service, as defined in 47 U.S.C. 153(24), as amended; telecommunications service,

as defined in 47 U.S.C. 153(53), as amended; mobile service, as defined in 47 U.S.C. 153(33), as amended; or wireless service other than mobile service.

"Communications service provider" means a cable operator, as defined in 47 U.S.C. 522(5), as amended; a provider of information service, as defined in 47 U.S.C. 153(24), as amended; a telecommunications carrier, as defined in 47 U.S.C. 153(51), as amended; or a wireless provider.

"FCC" means the Federal Communications Commission of the United States.

"Fee" means a one-time charge.

"Historic district" or "historic landmark" means a building, property, or site, or group of buildings, properties, or sites that are either (i) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i through Section VI.D.1.a.v of the Nationwide Programmatic Agreement codified at 47 CFR Part 1, Appendix C; or (ii) designated as a locally landmarked building, property, site, or historic district by an ordinance adopted by the Village of pursuant to a preservation program that meets the requirements of the Certified Local Government Program of the Illinois State Historic Preservation Office or where such certification of the preservation program by the Illinois State Historic Preservation Office is pending.

"Law" means a federal or State statute, common law, code, rule, regulation, order, or local ordinance or resolution.

"Micro wireless facility" means a small wireless facility that is not larger in dimension than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height and that has an exterior antenna, if any, no longer than eleven (11) inches.

"Permit" means a written authorization required by the Village or other permitting authority to perform an action or initiate, continue, or complete a project.

"Person" means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

"Public safety agency" means the functional division of the federal government, the State, a unit of local government, or a special purpose district located in whole or in part within this State, that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services to respond to and manage emergency incidents.

"Public Utility" shall have the same meaning as set forth in Section 3-105 of the Public Utilities Act, 220 ILCS 5/3-105.

"Rate" means a recurring charge.

"Right-of-way" means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, or utility easement dedicated for compatible use. "Right-of-way" does not include authority-owned aerial lines.

"Small wireless facility" means a wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than twenty-five (25) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

"Structural Engineer" means a person licensed under the laws of the State of Illinois to practice structural engineering.

"Utility pole" means a pole or similar structure that is used in whole or in part by a communications service provider or for electric distribution, lighting, traffic control, or a similar function.

"Wireless facility" means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. "Wireless facility" includes small wireless facilities. "Wireless facility" does not include: (i) the structure or improvements on, under, or within which the equipment is collocated; or (ii) wireline backhaul facilities, coaxial or fiber optic cable that is between wireless support structures or utility poles or coaxial, or fiber optic cable that is otherwise not immediately adjacent to or directly associated with an antenna.

"Wireless infrastructure provider" means any person authorized to provide cellular telecommunications service in the State that builds or installs wireless communication transmission equipment, wireless facilities, wireless support structures, or utility poles and that is not a wireless services provider but is acting as an agent or a contractor for a wireless services provider for the application submitted to the Village.

"Wireless provider" means a wireless infrastructure provider and/or a wireless services provider. This does not include, and expressly excludes, any person who is providing service to or for a private niche market.

"Wireless services" means any services provided to the general public, including a particular class of customers, and made available on a nondiscriminatory basis using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided using wireless facilities.

"Wireless services provider" means a person who provides wireless services.

"Wireless support structure" means a freestanding structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. "Wireless support structure" does not include a utility pole.

9-4-4 – Zoning

Small wireless facilities shall be classified as permitted uses and shall not be subject to zoning review, if collocated in rights-of-way in any zoning district, or outside rights-of-way in the following zoning districts:

Business and Industrial Districts.

In all other zoning districts, the Village's normal zoning approvals, processes and restrictions shall apply, if zoning approval, processes or restrictions are required by the Village's zoning ordinance.

9-4-5 - Permits; Application Process

Unless otherwise specifically exempted in this chapter, a permit to collocate a small wireless facility within the Village is required in all cases. Permits are subject to the following:

- A. Permit Applications: Permit applications for the collocation of small wireless facilities shall be made on a form provided by the Village of for such purpose. In addition to any generally applicable information required of other communications service providers or for other installations in the public right-of-way, applicants must, when requesting to collocate small wireless facilities on a utility pole or wireless support structure, provide the following information:
 - 1. Site specific structural integrity and, for a Village utility pole, make-ready analysis prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989;
 - 2. The location where each proposed small wireless facility or utility pole would be installed and digital photographs of the location and its immediate surroundings depicting the utility poles or structures on which each proposed small wireless facility would be mounted or location where utility poles or structures would be installed. The photographs shall include a digital photo simulation of the proposed location providing "before and

after” views demonstrating the true visual impact of the proposed small wireless facilities on the surrounding environment;

3. Specifications and drawings prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989, for each proposed small wireless facility covered by the application as it is proposed to be installed;

4. The equipment type and model numbers for the antennas and all other equipment associated with the small wireless facility;

5. A proposed schedule for the installation and completion of each small wireless facility covered by the application, if approved;

6. Certification that, to the best of the applicant’s knowledge, the collocation complies with the written design standards established by the Village, and with the various other requirements set forth in this chapter and code;

7. Copies of all licenses, permits and approvals required by or from the Village (i.e. zoning approval, where required), other agencies and units of government with jurisdiction over the design, construction, location and operation of said small wireless facility. The applicant shall maintain such licenses, permits and approvals in full force and effect and provide evidence of renewal or extension thereof when granted; and

8. In the event the small wireless facility is proposed to be attached to an existing utility pole or wireless support structure owned by an entity other than the Village, legally competent evidence of the consent of the owner of such pole or wireless support structure to the proposed collocation.

B. Means of Submission: Permit applications, along with all supporting information, for the collocation of small wireless facilities shall be submitted by personal delivery or by other means approved by the Village of Maple Park.

C. Multiple Applications for Same Location: Multiple applications for collocation on the same utility pole or wireless support structure shall be processed based on a first fully complete application, first-served basis.

D. Permit Application Fees: All applications for collocation of small wireless facilities shall be accompanied by a nonrefundable application fee in the following amounts:

Request to collocate a small wireless facility that includes the installation of a new utility pole	\$1,000.00
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Request to collocate a single small wireless facility on an existing utility pole or wireless support structure	\$650.00
Request to collocate multiple small wireless facilities on existing utility poles or wireless support structures addressed in a single application	\$350.00 per small wireless facility

E. Permit review timelines:

1. **Completeness of Application:** Requests for the collocation of small wireless facilities shall be reviewed for conformance with the requirements of the Act, this chapter, and other applicable provisions of this code. Within thirty (30) days after receiving an application, the Village must determine whether the application is complete and notify the applicant. If an application is incomplete, the Village must specifically identify the missing information. Processing deadlines are tolled from the time the Village sends a notice of incompleteness to the time the applicant provides the missing information.

An application shall be deemed complete if the Village fails to provide notification to the applicant within thirty (30) days of the date when all documents, information, and fees specifically enumerated in the Village's permit application form are submitted by the applicant to the Village.

2. **Existing Pole or Wireless Support Structure:** Requests for the collocation of small wireless facilities on an existing utility pole or wireless support structure shall be processed on a nondiscriminatory basis and either approved or denied within ninety (90) days of submission of a completed application. A permit application shall be deemed approved if the Village fails to approve or deny the application within ninety (90) days, subject to the following: if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than seventy-five (75) days after the submission of a completed application. The permit shall be deemed approved on the later of the ninetieth (90th) day after submission of the completed application, or the tenth (10th) day after receipt of the deemed approved notice by the Village. Receipt of a deemed approved notice by the Village shall not preclude the Village from denying the permit within the allowed time limit.

3. **New Utility Pole:** Requests for the collocation of small wireless facilities that include the installation of a new utility pole shall be processed on a nondiscriminatory basis and either approved or denied within one hundred and twenty (120) days of submission of

a completed application. A permit application shall be deemed approved if the Village fails to approve or deny the application within one hundred twenty (120) days, subject to the following: if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than one hundred five (105) days after the submission of a completed application. The permit shall be deemed approved on the later of the one hundred twentieth (120th) day after submission of the completed application, or the tenth (10th) day after receipt of the deemed approved notice by the Village. Receipt of a deemed approved notice by the Village shall not preclude the Village from denying the permit within the allowed time limit.

- F. Tolling: The time limitations for approval or denial of applications shall be tolled by notice to an applicant that its application is incomplete as set forth above, upon mutual agreement of the parties, or by a local, State or federal disaster declaration or similar emergency that causes a delay.
- G. Pole Replacement: Permit approval shall be conditioned on the replacement of a utility pole or wireless support structure at the applicant's sole cost where such replacement is deemed necessary for compliance with the requirements of this chapter or code relative to the siting of small wireless facilities, or other applicable codes and regulations that concern public safety.
- H. Denial: The Village shall deny an application that does not meet the requirements of this chapter. The reasons for any denial of a permit shall be provided in a written notice of denial sent to the applicant, and shall include the specific code provisions or application conditions on which the denial is based.
- I. Resubmittal After Denial: In the case of a permit denial, an applicant may cure the deficiencies identified in the notice of denial and resubmit a revised application once within thirty (30) days after the notice of denial is sent without payment of an additional application fee. The Village shall have thirty (30) days to approve or deny the resubmitted application or it is deemed approved, if the applicant has notified the Village its intention to proceed with the permitted activity on a deemed approved basis, which notification may be submitted with the resubmitted application. Review of a resubmitted application is limited to the deficiencies cited in the original notice of denial. This subsection does not apply if a revised application is not resubmitted within thirty (30) days, or curing any deficiencies in the original application requires review of a new location, new or different structure for collocation, new antennas, or other wireless equipment associated with the small wireless facility. In such cases, a new application and application fee are required.
- J. Consolidated Applications: Consolidated applications for small wireless facilities for the collocation of up to twenty-five (25) small wireless facilities shall be allowed if the collocations each involve substantially the same type of small wireless facility and

substantially the same type of structure. Each consolidated application shall provide all the information required by this chapter for each small wireless facility at each location. If such an application includes incomplete information for one or more small wireless facility collocations, or includes requests for small wireless facilities that do not qualify for consolidated treatment, or that are otherwise denied, the Village may remove such collocation requests from the application and treat them as separate requests. Separate permits may be issued for each collocation approved in a consolidated application.

- K. Alternate Locations: If an applicant is seeking to install a new utility pole as part of its application, the Village may propose that the small wireless facility be located on an existing utility pole or existing wireless support structure within one hundred (100) feet of the proposed collocation. The applicant shall accept the proposed alternate location so long as it has the right to use the location on reasonable terms and conditions, unless the alternate location imposes technical limits or additional material costs as determined by the applicant. If the applicant refuses an alternate location based on the foregoing, the applicant shall provide legally competent evidence in the form of a written certification, under oath, describing the property rights, technical limits or material cost reasons that prevent the alternate location from being utilized.
- L. Exemptions: No application, permit approval, or fee shall be required from a communications service provider authorized to occupy the right-of-way when the work in question is for:
 - 1. Routine maintenance not requiring replacement of wireless facilities if the wireless provider notifies the Village in writing at least forty-eight (48) hours prior to the planned maintenance;
 - 2. The replacement of wireless facilities with wireless facilities that are substantially similar, the same size, or smaller if the wireless provider notifies the Village in writing at least ten (10) days prior to the planned replacement and includes equipment specifications, including (i) equipment type and model numbers, for the replacement of equipment consistent with the equipment specifications information required on a permit application for original installation; and (ii) information sufficient to establish that the replacement is substantially similar. The wireless provider shall provide all information necessary and requested by the Village to establish that the replacement is substantially similar. The Village has the sole right and responsibility to determine if a proposed small wireless facility is substantially similar to the existing small wireless facility; or
 - 3. The installation, placement, maintenance, operation or replacement of micro wireless facilities that are suspended on cables that are strung between existing utility poles in compliance with applicable safety codes.

The foregoing shall not exempt communications service providers from Village permitting requirements where traffic patterns are affected, or lane closures are required.

9-4-6 – Construction

Collocations for which permits are approved shall be completed within one hundred eighty (180) days of issuance of the permit, unless the Village agrees to extend the period or a delay is caused by make-ready work for a Village utility pole or by the lack of commercial power or backhaul availability at the site, provided the applicant has made a timely request within sixty (60) days after the issuance of the permit for commercial power or backhaul services, and the additional time to complete installation does not exceed three hundred sixty (360) days after issuance of the permit. Permits that are not completed within applicable timelines shall be void absent an extension granted in writing by the Village.

9-4-7 - Permit Duration

Permits issued for small wireless facilities pursuant to this chapter shall be valid for a period of five (5) years. Permits are subject to renewal at the end of the five (5) year permit period for a successive five (5) year term so long as the installation complies with the applicable code provisions in force at the time of renewal. A finding by the Village at the time of a request for renewal that an installation does not comply with the applicable code provisions in force at the time of the renewal request shall be in writing. If the Act is repealed or found unconstitutional by a court of competent jurisdiction, all permits granted by the Village under this chapter shall terminate at the end of their current term.

9-4-8 - Height Limitations

A. Antenna Installations: The maximum permitted height of a small wireless facility is ten (10) feet above the utility pole or wireless support structure on which the small wireless facility is collocated.

B. New Poles: The maximum permitted height of new or replacement utility pole or wireless support structure on which a small wireless facility is collocated is the higher of:

1. Ten (10) feet in height above the tallest existing utility pole, other than a utility pole supporting only wireless facilities, that is in place on the date the application is submitted, and that is located within three hundred (300) feet of the new or replacement utility pole or wireless support structure and that is in the same right-of-way within the Village. The Village may designate which intersecting right-of-way within three hundred (300) feet of the proposed utility pole or wireless support structures shall control the height limitation for such facility; or
2. Forty-five (45) feet above ground level.

C. Waiver Process:

A Wireless provider may receive a waiver from the Director of Public Works from the maximum permitted height of a new pole set forth in this section, if the wireless provider can establish that:

1. Because of a particular unusual condition, a particular hardship or practical difficulty to the wireless provider would result, as distinguished from a mere inconvenience, and such hardship or difficulty has not been created by the wireless provider; and
2. Existing utility poles or wireless support structures, or a new utility pole at the maximum permitted height for a new pole allowed by this section cannot accommodate the wireless facility at a height necessary to function effectively, under reasonable terms and conditions; and
3. The use of existing utility poles or other wireless support structures, or a new utility pole at the maximum permitted height for a new pole allowed by this section, is not technically feasible.

9-4-9 - General Requirements

- A. Public Safety Technology: A wireless provider's operation of a small wireless facility may not interfere with the frequencies used by a public safety agency for public safety communications. A wireless provider must install small wireless facilities of the type and frequency that will not cause unacceptable interference with a public safety agency's communications equipment. Unacceptable interference is determined by and measured in accordance with industry standards and the FCC's regulations addressing unacceptable interference to public safety spectrum or any other spectrum licenses by a public safety agency. If a small wireless facility causes such interference, and the wireless provider has been given written notice of the interference by the public safety agency, the wireless provider, at its own expense, shall take all reasonable steps necessary to correct and eliminate the interference, including, but not limited to, powering down the small wireless facility and later powering up the small wireless facility for intermittent testing, if necessary. The Village may terminate a permit for a small wireless facility based on such interference if the wireless provider is not making a good faith effort to remedy the problem in a manner consistent with the abatement and resolution procedures for interference with public safety spectrum established by the FCC, including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675. The burden to establish the good faith effort shall be on the wireless provider, which shall timely deliver to the Village all information necessary to demonstrate its efforts to resolve the interference consistent with the Code of Federal Regulations sections cited above. Failure to remedy the interference

as required herein shall constitute a public nuisance and the small wireless facility may be abated through the procedures for abatement of such nuisances set forth in this code.

- B. A wireless provider shall not construct or maintain any small wireless facility that:
 - 1. Obstructs, impedes or hinders the usual travel or public safety on a right-of-way;
 - 2. Obstructs the legal use of right-of-way by utility users;
 - 3. Violates nondiscriminatory applicable codes;
 - 4. Violates or conflicts with Section 9-4-22 or other applicable regulations set forth in this code or otherwise adopted by the Village, except to the extent such chapters, sections or regulations may be modified by the provisions of this chapter; or
 - 5. Violates the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 *et seq.*)
- C. Contractual Requirements: Wireless providers shall comply with all requirements imposed by a contract between the Village and any private property owner that concern design or construction standards applicable to utility poles and ground-mounted equipment located in the right-of-way.
- D. Ground-Mounted Equipment: Wireless providers shall comply with the ground mounted equipment spacing requirements within rights-of-way as set forth in Section 9-4-22 and Title 8 of the Maple Park Village Code (Construction of Utility Facilities in the Rights-of-Way) of this code, including Section 9-4-22.
- E. Undergrounding:
 - 1. The wireless provider shall comply with Village code provisions or regulations concerning undergrounding requirements, if any, that prohibit the installation of new or the modification of existing utility poles or equipment in the right-of-way.
 - 2. A Wireless provider may receive a waiver from the Director of Public Works to allow small wireless facilities to be located above ground in an area where Village ordinances or regulations prohibit or restrict above ground facilities if the wireless provider can establish that:
 - a. Underground equipment is not technically feasible and there is no reasonable alternative or location that is more aesthetically favorable to adjacent property owners and to effective use and management of the right-of-way; and

- b. An above ground small wireless facility at the proposed location is necessary at the proposed location to provide coverage in a specified area; and
 - c. An above ground small wireless facility at the proposed location will not disrupt traffic or pedestrian circulation or constitute a safety hazard; and
 - d. An above ground small wireless facility at the proposed location will not interfere with public safety uses or frequencies; and
 - e. Space exists within the public right-of-way to accommodate the above ground small wireless facility at the proposed location; and
 - f. An above ground small wireless facility at the proposed location will not create a safety hazard; and
 - g. The above ground small wireless facility is located and designed in such a way so as to minimize its visual impact on adjacent properties; and
 - h. In any historical area, that the above ground small wireless facility will not detrimentally affect the historical nature of the area.
3. Screening for Ground Mounted Facilities. Where a ground-mounted facility is allowed, such equipment shall be screened around the perimeter in accordance with a landscape plan sealed by a professional landscape engineer. Plant materials shall include a mixture of deciduous and coniferous planting materials. The owner or wireless provider shall be responsible for maintenance of all landscaping as provided in the approved landscape plan.
4. Future Undergrounding: The Village may, from time to time, make a decision to eliminate above-ground utility poles of a particular type generally, such as electric utility poles, in all or a significant portion of the Village. In the event that such a utility pole has a collocated small wireless facility in place at the time of such a decision, the Village shall either:
- a. Continue to maintain the utility pole, or install and maintain a reasonable utility pole or wireless support structure for the collocation of the small wireless facility; or
 - b. Offer to sell the utility pole to the wireless provider at a reasonable cost, or allow the wireless provider to install its own utility pole so it can maintain service from that location.

F. Collocation Limits: Wireless providers shall not collocate small wireless facilities on Village utility poles that are part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole.

However, the antenna and support equipment of the small wireless facility may be located in the communications space on the Village utility pole and on the top of the pole, if not otherwise

unavailable, if the wireless provider complies with applicable codes for work involving the top of the pole.

For purposes of this subsection, the terms "communications space", "communication worker safety zone", and "electric supply zone" have the meanings given to those terms in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

G. Code Compliance: Wireless providers shall comply with applicable codes and local code provisions or regulations that concern public safety.

9-4-10 - Stealth, Concealment and Design Standards

Every small wireless facility installation shall comply with the following standards:

General Stealth, Concealment and Design Standards: Installations shall comply with any stealth, concealment, design and aesthetic standards applicable to utility installations in the public right-of-way, as set forth in Section 9-4-22, as well as any written design standards that are generally applicable for decorative utility poles, or reasonable stealth, concealment, design and aesthetic requirements that are otherwise identified by the Village in an ordinance, written policy adopted by the Village Board, in the Village's comprehensive plan, or in a written design plan that applies to other occupiers of the rights-of-way, including on a historic landmark or in a historic district.

A. All small cell carrier equipment shall be housed internal to the pole of a metal or composite pole.

B. Any new poles must be similar in color and design as other streetlights installed adjacent to the new pole. Excluding wooden poles and compliant with existing lighting requirements.

C. The small cell components shall also be sized to be visually pleasing. For a combination pole to be considered visually pleasing, the transition between the equipment cabinet and upper pole should be considered. A decorative transition shall be installed over the equipment cabinet upper bolts, or decorative base cover shall be installed to match the equipment cabinet size. The upper pole shall be scaled to 0.5 to 0.75 the size of the equipment cabinet, with a 10-inch minimum outer diameter. All hardware connections shall be hidden from view. No horizontal flat spaces greater than 1.5 inches shall exist on the equipment cabinet to prevent cups, trash, and other objects from being placed on the equipment cabinet. Each pole component shall be architecturally compatible to create a cohesive aesthetic. An example of an unacceptable small cell installation, and acceptable installation images can be found Figure 1-1.

Free Standing



Cantenna must include a smooth transition between upper pole and antenna

Conduit, mounting bracket, and other hardware must be hidden behind a cantenna or in a shroud

All conduit, wires, and other hardware shall be located internal to the upper pole

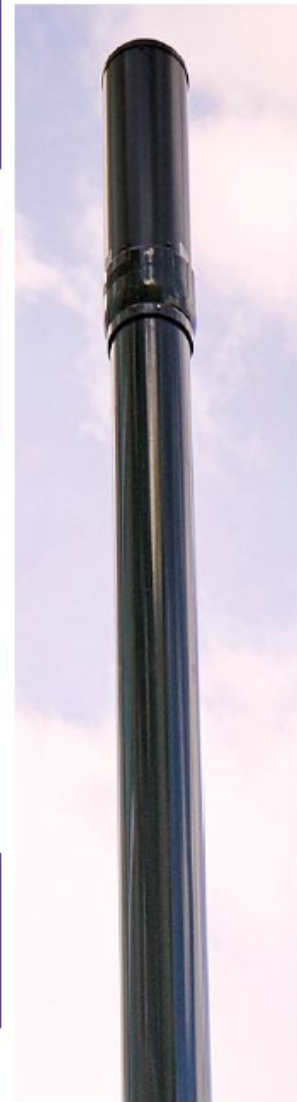
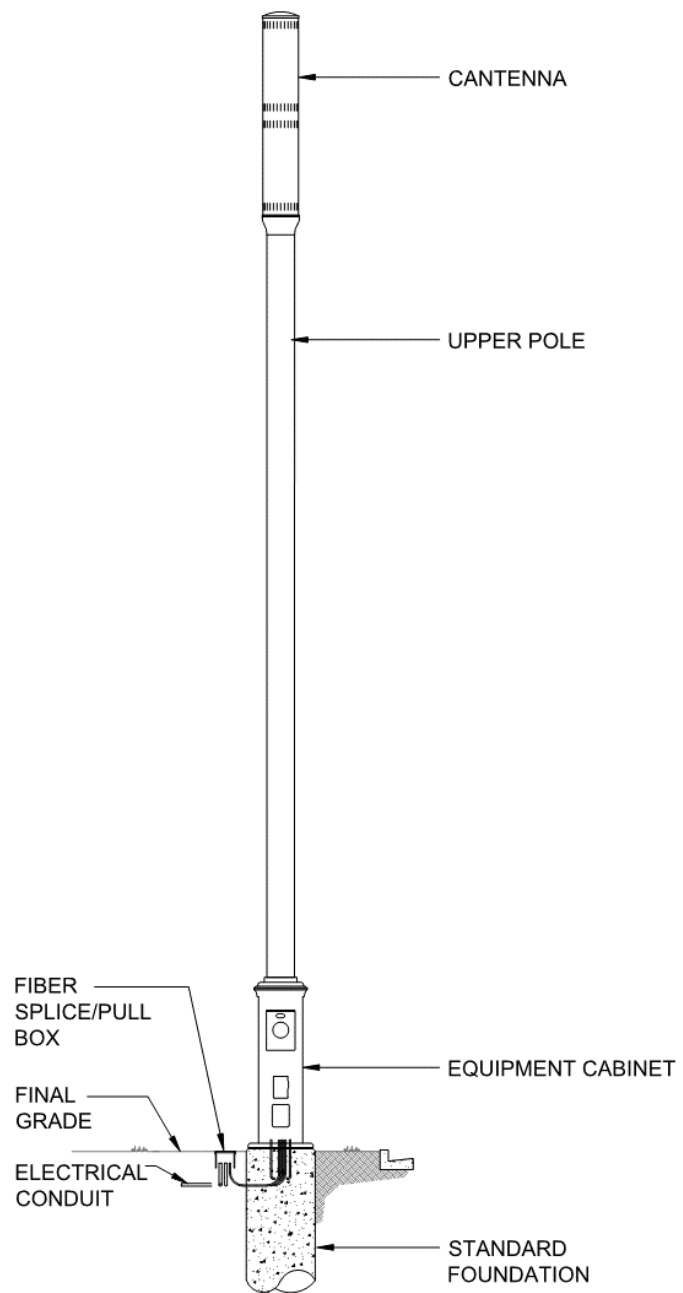


Figure 1-1 unacceptable Installation

Figure 1-2 Acceptable Installation

Free Standing

Figure 1-3



Combination Pole

Figure 2-1 unacceptable Installation



Conduit, mounting bracket, and other hardware must be hidden from view

Cantenna must include a smooth transition between upper pole and cantenna attachment



Upper pole shall be smooth and straight, with 1.5-inch (max.) of flat surface where mounted to the equipment cabinet

Equipment cabinet shall be round. 16-inch diameter is preferred, 20-inch diameter max.

Figure 2-2 Acceptable Installation



Figure 2-3 Combination Pole with Cantenna

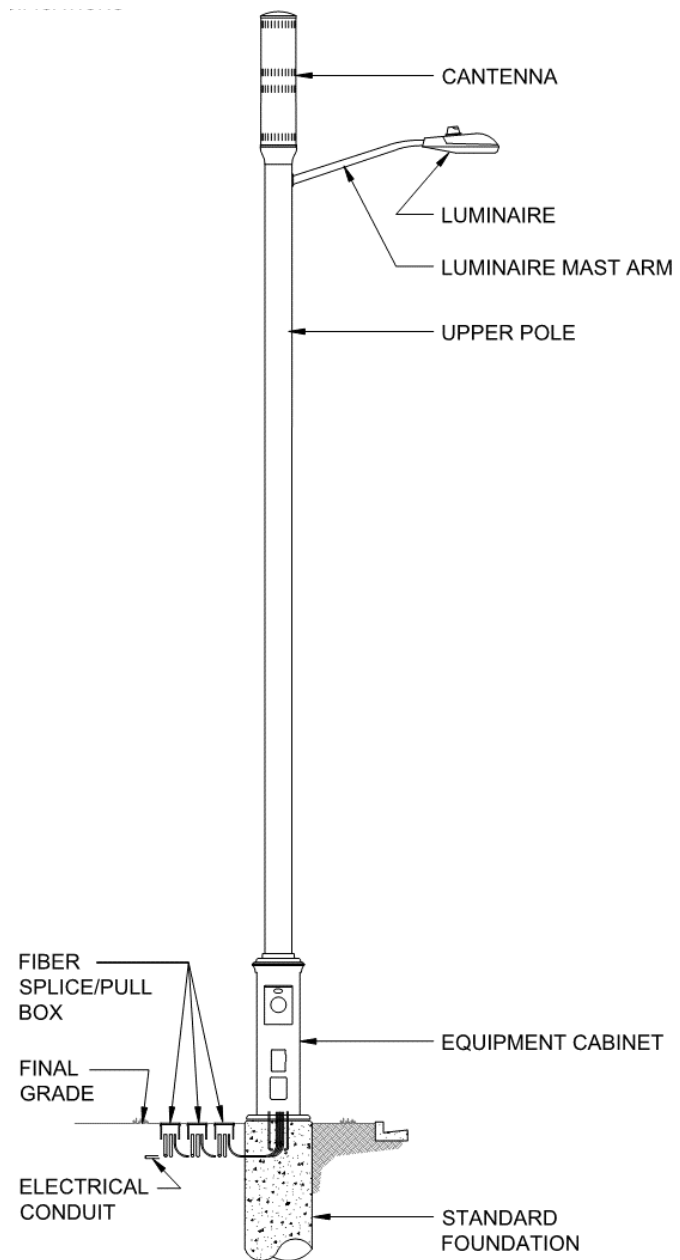
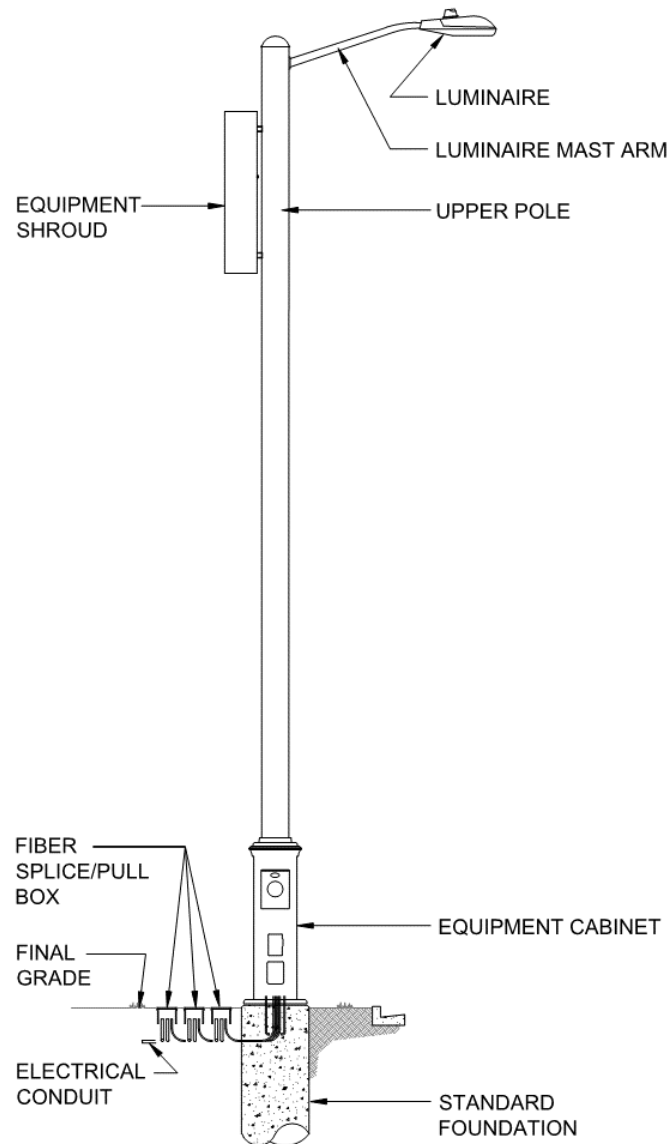


Figure 2-3 Combination Pole with Equipment Shroud



9-4-11 - Reservation of Village Utility Pole Space

The Village may reserve space on Village-owned utility poles for future public safety uses or for Village electric utility uses. Such reservation may preclude collocation of small wireless facilities if the Village reasonably determines that the Village's utility pole cannot accommodate both uses.

9-4-12 - Applicability of Existing Agreements

The Village of Maple Park has no existing agreements relative to small wireless facilities.

9-4-13 - Collocation on Village Owned Infrastructure

A. Fee: The annual fee to collocate a small wireless facility on a Village-owned utility pole located in a right-of-way shall be the higher of:

1. \$200/year per small wireless facility; or
2. The actual, direct, and reasonable costs related to the wireless providers use of space on the pole.

B. Exception: Small wireless facilities collocated on Village-owned utility poles located outside of public right-of-way are not subject to the rate limitations in this section.

C. Attachment Agreement: An attachment agreement in a form approved by the Village is required for any collocation upon any Village owned utility pole or wireless support structure.

In the event the village needs to replace or relocate the pole the wireless provider will be required to move the equipment at their own expense, or the village may move the equipment on their behalf at the cost of the wireless provider. The installation shall conform on the new location unless approved by the village. No new permit fee will be applied.

9-4-14 - Notice of Sale or Transfer

A wireless provider shall, prior to any sale or transfer of ownership or control of a small wireless facility located within the jurisdiction of the Village, provide written notice to the Village of such sale or transfer of control. Such notice shall include the name and contact information of the new wireless provider. Small wireless facilities shall be relabeled within three (3) months of sale or transfer with updated ownership and contact information.

9-4-15 - Abandonment

A. A small wireless facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of the facility shall remove the small wireless facility within ninety (90) days after receipt of written notice from the Village notifying it of the abandonment. The notice shall be sent by certified or registered mail, return receipt requested, by the Village to the owner at its last known address. Failure to remove the equipment within ninety (90) days after receipt of such notice, such wireless facility shall be deemed to be a nuisance and will incur a penalty a minimum of \$50 per day and a maximum of \$750 per day or the Village may remove or cause the removal of such facility, and recover or place a lien for its costs, pursuant to the terms of its pole attachment or other agreement for Village utility poles or through the procedures for abatement of nuisances set forth in this code.

B. In the event the Village suspects that the wireless provider is no longer using the small wireless facilities to provide wireless service, it may send the wireless provider written notice that requires the wireless provider to remove the small wireless facility or provide proof that the small wireless facility is operational and still being used within thirty (30) days, and informs the wireless provider that failure to provide proof or to remove the small wireless facility will result in the Village removing the small wireless facility at the wireless provider's cost.

9-4-16 - Dispute Resolution

The Circuit Courts of DeKalb and Kane Counties, depending on location of small wireless facilities being disputed, shall have exclusive jurisdiction to resolve all disputes arising under the Act. Pending resolution of a dispute concerning rates for collocation of small wireless facilities on Village utility poles within the right-of-way, the Village shall allow the collocating person to collocate on its poles at annual rates of no more than \$200 per year per pole, with rates to be determined upon final resolution of the dispute.

9-1-17 – Indemnification

Other than for liabilities and losses due to or caused by the sole negligence of the Village or its employees or agents, a wireless provider shall indemnify and hold the Village harmless against any and all liability or loss from personal injury or property damage resulting from or arising out of, in whole or in part, the use or occupancy of the Village infrastructure or improvements, or right-of-way associated with such infrastructure or improvements by the wireless provider or its employees, agents, or contractors arising out of the rights and privileges granted under this chapter and the Act. A wireless provider proceeding under this chapter waives any claims it may have against the Village with respect to consequential, incidental, or special damages, however caused, based on the theory of liability.

9-4-18 – Insurance

At all times during the period in which a wireless provider's facilities are located on Village infrastructure, improvements or in right-of-way, the wireless provider shall, at its own sole cost and expense, carry the following insurance coverages with limits in conformance with the Village's standard insurance requirements for all contractors:

- A. Property insurance for its property's replacement cost against all risks;
- B. Workers' Compensation insurance within statutory limits as required by law; and
- C. Commercial general liability insurance with respect to its activities on the Village infrastructure, improvements or rights-of-way, including coverage for bodily injury and property damage.

The wireless provider shall include the Village as an additional insured on the commercial general liability policy and shall provide certificates of insurance and proof of inclusion of the

Village in a commercial general liability policy to the Village prior to the collocation of any small wireless facility, and shall keep updated certificates and proof of inclusion on file with the Village at all times that the provider maintains small wireless facilities within the Village. Failure to provide updated certificates prior the expiration of the exiting certificates will incur a penalty a minimum of \$50 per day and a maximum of \$750 per day.

- D. A wireless provider may self-insure all or a portion of the insurance coverage and limits required by the Village. A wireless provider that self-insures is not required, to the extent of the self-insurance, to comply with the requirement that the Village be named an additional insured. A wireless provider that self-insures shall provide to the Village evidence sufficient to demonstrate its financial ability to self-insure the insurance limits required by the Village.

9-4-19 - Maintenance of Small Wireless Facilities

A. A wireless provider shall maintain all small wireless facilities installed within the Village in a condition that maintains the safety, integrity and aesthetics of such facilities. Small wireless facilities shall not appear to be unkempt. In the event of a failure to properly maintain such facilities, the Village shall notify the wireless provider, in writing, who shall have thirty (30) days to correct the identified maintenance violation. If not corrected within such period, the Village reserves the right to take such action as it deems necessary, to incur a penalty a minimum of \$50 per day and a maximum of \$750 per day or revocation of the permit. Maintenance and replacement of small wireless facilities shall be performed by the wireless provider at the wireless provider's sole cost and expense.

B. In the event of an emergency involving an imminent threat to life or property, the Village may take corrective action without prior notification to eliminate such emergency at the wireless provider's expense. Notice of any emergency corrective action will be made within 30 days after the emergency event.

9-4-20 - Revocation of Permit

A. A permit to collocate a small wireless facility may be revoked for one or more of the following reasons:

1. The wireless provider obtained approval by means of fraud or made misrepresentation of a material fact with respect to the permit application, or any required documentation or submittal.
2. The wireless provider failed to construct the small wireless facility in accordance with the approved plans.

3. The wireless provider failed to comply within any material condition of a permit issued.
4. The wireless provider substantially expanded or altered the use or the structure of the small wireless facility beyond what was requested in the permit application or approved, without the approval of the Village.
5. The wireless provider failed to notify the Village of the replacement of small wireless facilities as required by this chapter.
6. A substantial change of law has occurred affecting the wireless provider's authority to occupy or use the property upon which the small wireless facility is located.
7. The small wireless facility interferes with vehicular or pedestrian use of the public right of way.
8. The wireless provider has failed to make a safe and timely restoration of the right-of-way or the property upon which the small wireless facility is located.
9. The wireless provider has failed to properly maintain the small wireless facility as required by this chapter.
10. The wireless provider has failed to abate interference with public safety communications in a manner consistent with the abatement and resolution procedures for interference with public safety spectrum established by the FCC including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675.
11. The small wireless facility has been abandoned and the wireless provider has failed to remove the small wireless facility as provided in this chapter.

B. Written notification of the permit revocation shall be sent by certified mail or shall be personally delivered to the wireless provider setting forth the basis for the revocation. The wireless provider shall, within fourteen days of the notice of revocation, file a written response with the Director of Public Works setting forth the reasons why the permit should not be revoked along with such evidence in opposition to the revocation as the wireless provider determines necessary. Failure to file a response with the Director of Public Works shall be deemed an admission of the facts set forth in the notification of written notification and shall result in automatic revocation of the permit. The Director of Public Works shall render findings and a decision within twenty-one days of the date of receipt of the wireless provider's response, if any.

C. If the Director of Public Works revokes the permit, the wireless provider may file a written notice of appeal with the Village Clerk within twenty-one (21) days of notification of the permit

revocation. Such notice shall contain a response to the decision of the Director of Public Works. The Village Board shall hear the revocation appeal and render a decision on such appeal.

9-4-21 - Exceptions to Applicability

Nothing in this chapter authorizes the collocation of small wireless facilities on:

- A. Property owned by a private party without the written consent of the property owner;
- B. Property owned or controlled by a unit of local government that is not located within rights-of-way (local governments are, however, required to authorize the collocation of small wireless facilities on utility poles owned or controlled by the local government or located within rights-of-way to the same extent the local government permits access to utility poles for other commercial projects or uses);
- C. A privately-owned utility pole or wireless support structure, without the consent of the property owner;
- D. Property owned, leased or controlled by a park district, forest preserve district, or conservation district for public park, recreation or conservation purposes, without the consent of the affected district, excluding the placement of facilities on rights-of-way located in an affected district that are under the jurisdiction and control of a different unit of local government as provided by the Illinois Highway Code (605 ILCS 5/1-101 *et seq.*);
- E. Property owned by a rail carrier registered under Section 18c-7201 of the Illinois Vehicle Code (625 ILCS 5/18c-7201), Metra Commuter Rail or any other public commuter rail service, or an electric utility as defined in Section 16-102 of the Public Utilities Act (220 ILCS 5/16-102), without the consent of the rail carrier, public commuter rail service, or electric utility;
- F. Facilities of an electric or gas public utility or such utility's wireless facilities if the facilities are being used, developed and maintained consistent with the provisions of subsection (i) of Section 16-108.5 of the Public Utilities Act; or
- G. Small wireless facilities owned by the Village.

9-4-22 - Ground-Mounted Equipment Spacing Requirements.

Ground-mounted equipment, where necessary, shall be sited in locations approved by the Director of Public Works, in a manner that will most effectively minimize public impact, optimize safety, and incorporate aesthetic concerns.

- A. Freestanding small cells shall be located such that they in no way impede, obstruct, or hinder the usual pedestrian or vehicular travel, affect public safety, obstruct the legal access to or use of the public ROW, violate applicable law, violate or conflict with public ROW

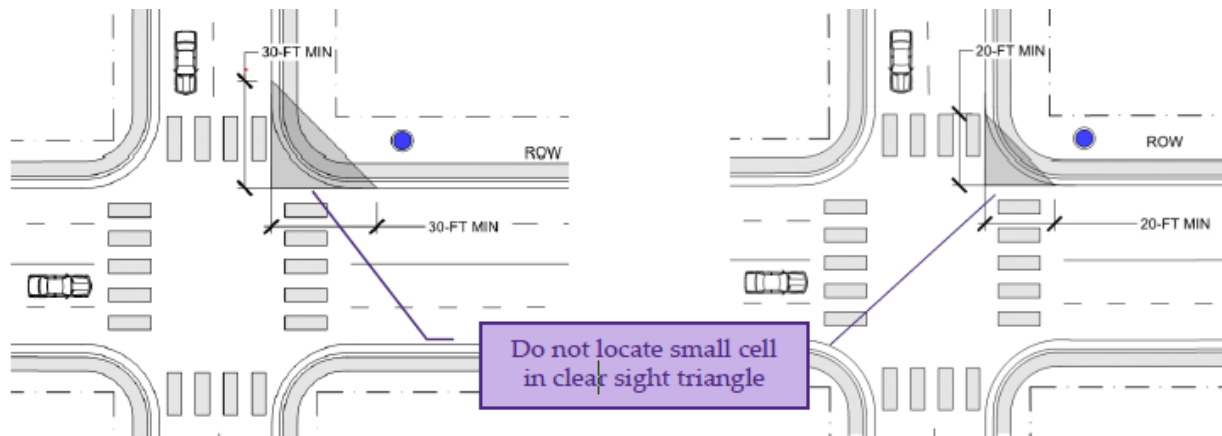
design standards, specifications, or design district requirements, violate the Federal Americans with Disabilities Act of 1990, or in any way create a risk to public health, safety, or welfare. Free standing small cells shall be located within the ROW and off set from the sidewalk as shown in Figure 3-1.

Figure 9-4-22(a)



- B. Freestanding small cells shall be located at intersecting property lines as much as possible. Whenever possible, the freestanding small cell shall be located on the secondary street. Small cells shall also be located Do not locate small cell in clear sight triangle a minimum of 15 feet away from trees to prevent disturbance within the critical root zone of any tree, as shown in Figure 3-2. The small cells shall not be installed between the perpendicular extension of the primary street-facing wall plane of any single or two-family residence as shown in figure 3-2.

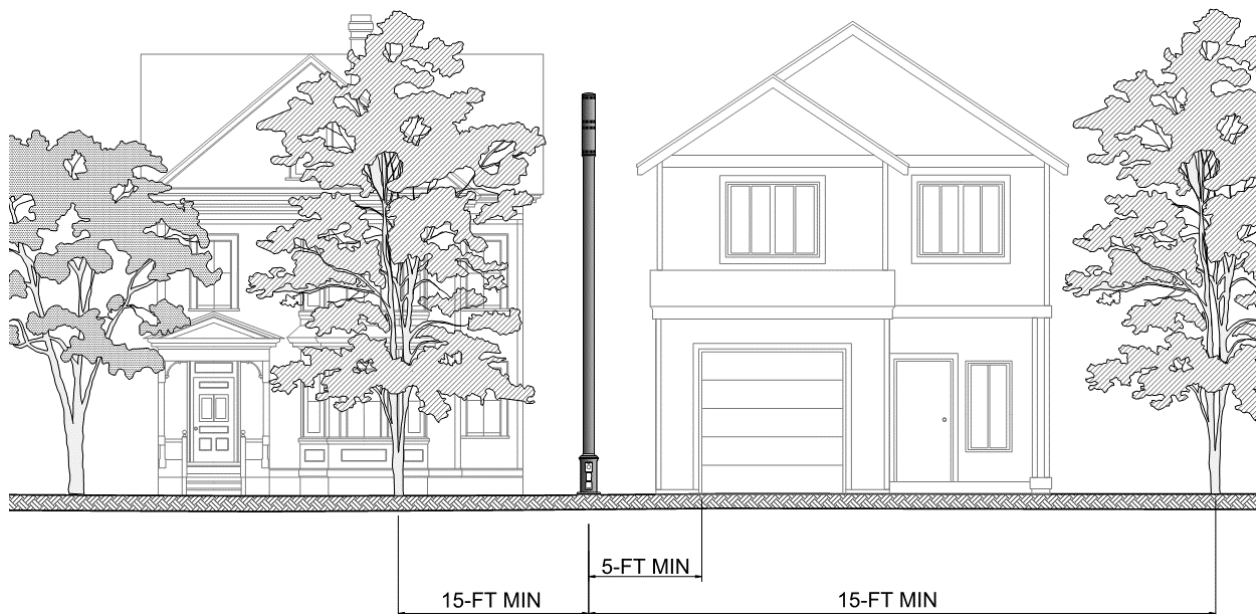
Figure 9-4-22(b)



C. Freestanding small cell location between property and trees.

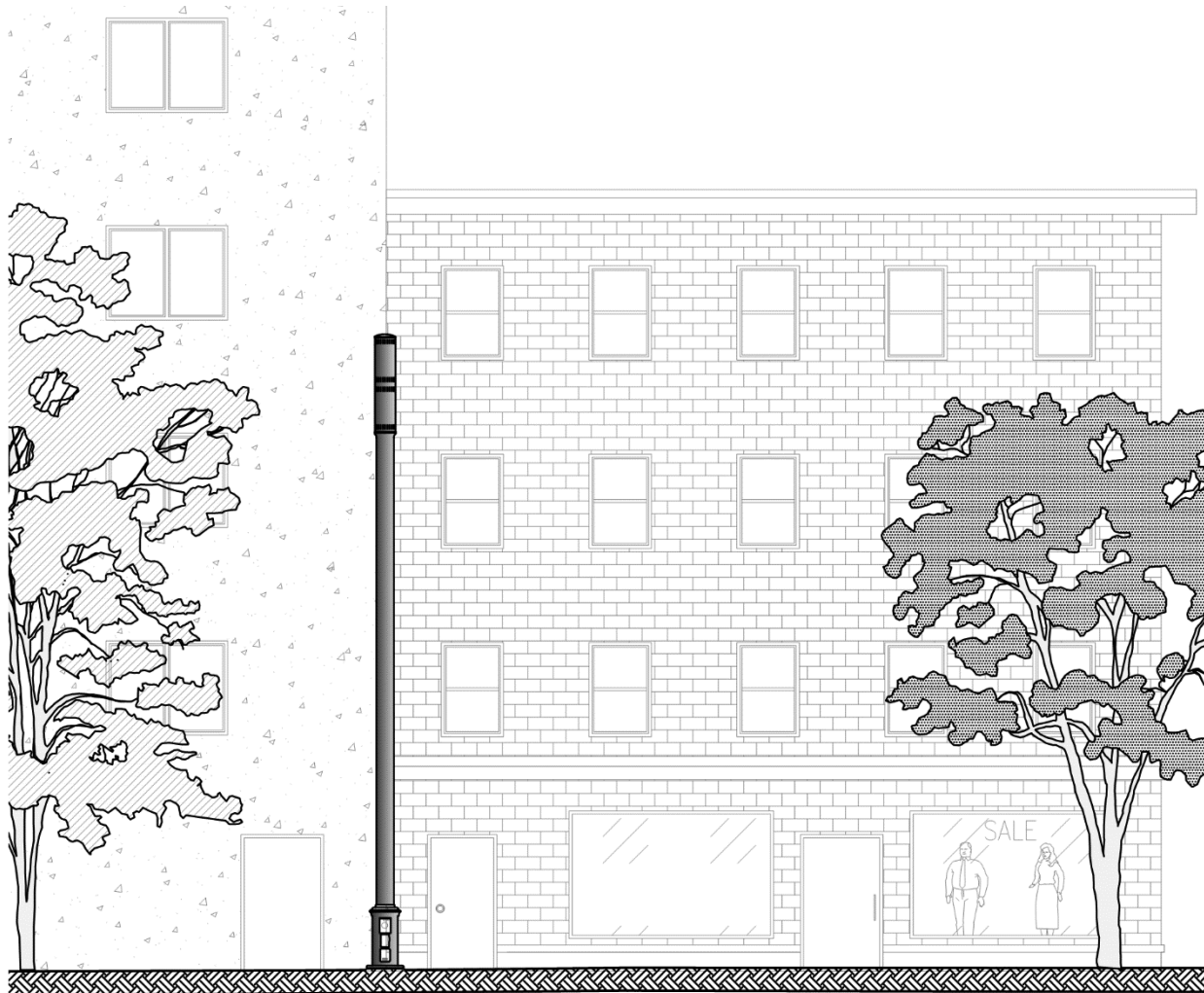
- a. Any new poles must be a minimum of 15 Ft from any existing tree and minimum 5 ft from the edge a driveway.

Figure 9-4-22(c)



- D. When located adjacent to a commercial establishment, such as a shop or restaurant, care should be taken to locate the small cell such that it does not negatively impact the business. Small cells shall not be located in-front of store front windows, primary walkways, primary entrances or exits, or in such a way that it would impede a delivery to the building. Small cells should be located between properties as much as possible as shown in Figure 4-4

Figure 9-4-22(d)



SECTION 3: All ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 4: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Village Code, as amended, shall remain in full force and effect.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this _____ day of _____, 2020, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2020, and attested to by the Village Clerk this same day.

Kathleen Curtis, Village President

ATTEST:

Theresa D'Amato, Acting Village Clerk

Certificate of the Publisher

Daily Chronicle

Description: SMALL CELL WIRELESS
1719685

VILLAGE OF MAPLE PARK
P.O. BOX 220
MAPLE PARK IL 60151

Shaw Media certifies that it is the publisher of the Daily Chronicle. The Daily Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of DeKalb, County of DeKalb, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Daily Chronicle, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 11/04/2019

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at DeKalb, Illinois, on 4th day of November, A.D. 2019

Shaw Media By:



Laura Shaw, Publisher

Account Number 10024917

Amount \$88.66



PUBLIC NOTICE
NOTICE OF PUBLIC HEARING

A Public Hearing will be held before the Maple Park Planning Commission on November 21, 2019 at 7:00 p.m. in Board Room in the Village Hall, 302 Willow Street, Maple Park, Illinois 60151. The purpose of this public hearing is to hear testimony and receive evidence regarding amendments to the text of Title 9 of the Village Code (Utilities), specifically as regulated in Chapter 4 (Small Wireless Facilities).

Documentation for this request is available for inspection in the Maple Park Village Hall, from 9:00 a.m. to 12:00 p.m., Monday, Wednesday, Thursday and Fridays and from 3:00 p.m. to 7:00 p.m. on Tuesdays. The Village of Maple Park, in compliance with the Americans with Disabilities Act, requests that persons requiring accommodations contact the Village's ADA Coordinator, at (815) 827-3309, 24-hours before the meeting. All persons in attendance at the hearing shall have an opportunity to be heard regarding the proposed amendments. The public hearing may be adjourned to another date by the Planning Commission of the Village without further notice other than a notice entered upon the minutes of said meeting fixing the time and place of its adjournment and reconvening.

Chuck Miller, Chairman
Planning Commission
Village of Maple Park

(Published in the Daily Chronicle, November 4, 2019.) 1719685

Certificate of the Publisher

Daily Chronicle

Description: PLAN COMM 12/19/19
LEGAL NOTICE NOTICE OF PU
PLAN COM 12/19/19

VILLAGE OF MAPLE PARK
P.O. BOX 220
MAPLE PARK IL 60151

Shaw Media certifies that it is the publisher of the Daily Chronicle. The Daily Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of DeKalb, County of DeKalb, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Daily Chronicle, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 12/07/2019

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at DeKalb, Illinois, on 7th day of December, A.D. 2019

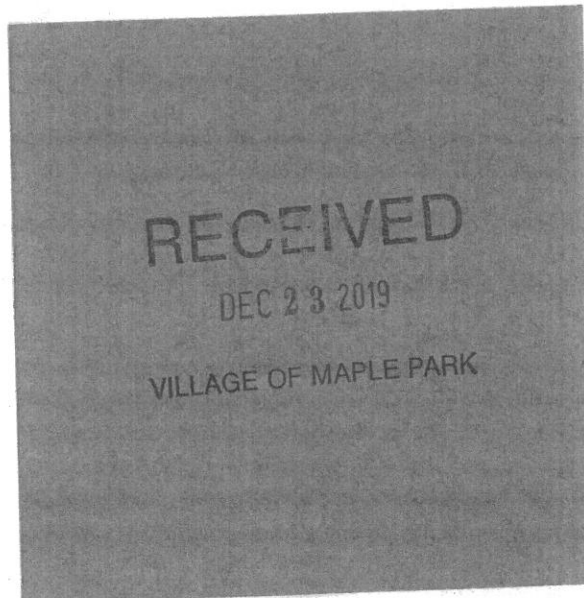
Shaw Media By:

Laura Shaw

Laura Shaw, Publisher

Account Number 10024917

Amount \$102.30



LEGAL NOTICE
NOTICE OF PUBLIC HEARING

A Public Hearing will be held before the Maple Park Planning Commission on December 19, 2019 at 7:00 p.m. in Board Room in the Village Hall, 302 Willow Street, Maple Park, Illinois 60151. The purpose of this public hearing is to hear testimony and receive evidence regarding amendments to the text of Title 7 of the Village Code (Business Districts), specifically as regulated in 11-7-1 B. (B-1 Central Business District Permitted uses) and 11-7-1 C. (B-1 Central Business District Special Uses) and 11-7-2 B. (B-2 Commercial District Permitted Uses) and 11-7-2 C. (B-2 General Commercial District Special Uses.), and: Receive evidence regarding amendments to the text of Title 9 of the Village Code (Utilities), specifically as regulated in Chapter 4 (Small Wireless Facilities).

Documentation for this request is available for inspection in the Maple Park Village Hall, from 9:00 a.m. to 12:00 p.m., Monday, Wednesday, Thursdays and Fridays and from 3:00 p.m. to 7:00 p.m. on Tuesdays.

The Village of Maple Park, in compliance with the Americans with Disabilities Act, requests that persons requiring accommodations contact the Village's ADA Coordinator, at (815) 827-3309, 24-hours before the meeting. All persons in attendance at the hearing shall have an opportunity to be heard regarding the proposed amendments. The public hearing may be adjourned to another date by the Planning Commission of the Village without further notice other than a notice entered upon the minutes of said meeting fixing the time and place of its adjournment and reconvening.

Chuck Miller, Chairman
Planning Commission
Village of Maple Park



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

MEMORANDUM

TO: Planning Commission

FROM: Village Administrator Dawn Wucki-Rossbach

DATE: November 13, 2019

SUBJECT: AN ORDINANCE AMENDING TITLE 9, “UTILITIES,” BY AMENDING THE TEXT TO CHAPTER 4, “SMALL WIRELESS FACILITIES.”

BACKGROUND

On April 12, 2018, Senate Bill 1451 (Public Act 100-0585), the Small Wireless Facilities Deployment Act was signed by the Governor. The Act provides the regulations and the process for permitting and deploying small cell wireless facilities throughout Illinois. The Village Attorney recommended that the Village adopt the Small Cell Wireless Facilities Ordinance. The Act’s intent is to streamline the process for wireless carriers to deploy 5G through the State by establishing a common set of rules for installation of the antennas in the public rights-of-way. At the July 3, 2018 Village Board Meeting, Ordinance 2018-15, adding Chapter 4, Small Cell Wireless Facilities to the Village Code. Attachment A is the existing ordinance.

At the April 18, 2019 Planning Commission Meeting, the Commission began reviewing the newly added Chapter to Title 9. The discussion focused on aesthetics of the proposed small cell facility installations on existing light and wooden poles and for stand-alone poles. Further, the discussion focused on establishing the type of metal pole that should be installed in the rights-of-way and that any wiring be hidden.

At the October 3, 2019, after all the comments from Commissioners had been received, the Planning Commission recommended that the proposed text amendment be approved. The text amendment replaces the existing Title 9, Chapter 4 in its entirety. A copy of the Planning Commission’s version of the text amendment is Attachment B.

STAFF RECOMMENDATIONS

At this time, the Planning Commission is holding a public hearing so that people have an opportunity to comment on the proposed text amendments to this chapter. The document is currently being revised by the Village Attorney in order to reorganize the text, ensure there are no conflicts with the State Statute and to provide the code references made to the other chapters and titles within the existing Municipal Code; a copy of the revised documentation will be sent to you as soon as it is available.

The Planning Commission may/will recommend the proposed text amendment associated with the following concepts be approved by the Village Board:

- The aesthetics associated with the poles, including:
 - Concealment of wiring and hardware within the pole
 - The poles be constructed of metal or composite material
 - The poles be of the same color and design
- Notice of sale or transfer of ownership or control of small wireless facilities located in the right-of-way
- Provide the Village with a mechanism to enforce maintenance of small wireless facilities and if maintenance violations occur and are not corrected a penalty may be applied

VILLAGE OF MAPLE PARK

ORDINANCE NO. 2020-01

**AN ORDINANCE AMENDING TITLE 9, “UTILITIES,” BY
AMENDING THE TEXT TO CHAPTER 4, “SMALL
WIRELESS FACILITIES.”**

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK
KANE AND DEKALB COUNTIES, ILLINOIS**

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this __ day of _____.

ORDINANCE NO. 2020-01

**AN ORDINANCE AMENDING TITLE 9, "UTILITIES," BY
AMENDING THE TEXT TO CHAPTER 4, "SMALL
WIRELESS FACILITIES."**

WHEREAS, the Village of Maple Park ("Village") is a municipal corporation duly organized and existing under the laws of the State of Illinois; and

WHEREAS, the public rights-of-way within Village limits are used to provide essential public services to Village residents and businesses. The public rights-of-way within the Village are a limited public resource held by the Village for the benefit of its citizens and the Village has a custodial duty to ensure that the public rights-of-way are used, repaired and maintained in a manner that best serves the public interest; and

WHEREAS, growing demand for personal wireless telecommunications services has resulted in increasing requests nationwide and locally from the wireless industry to place small cell antenna facilities, distributed antenna systems, and other small wireless telecommunication facilities on utility and streetlight poles and other structures both within the public rights-of-way and in other locations; and

WHEREAS, the Village is authorized under the Illinois Municipal Code, 65 ILCS 5/11-1 *et seq.*, and Illinois law to adopt ordinances pertaining to the public health, safety and welfare; and

WHEREAS, the Planning Commission conducted a Public Hearing on December 19, 2019 on the proposed amendments to Title 9, "Utilities," by Amending the Text to Chapter 4, "Small Wireless Facilities; and

WHEREAS, at the regular Planning Commission Meeting on December 19, 2019, the Planning Commission; and

WHEREAS, the Village is further authorized to adopt the amendments contained herein pursuant to its authority to regulate the public right-of-way under Article 11, Division 80 of the Illinois Municipal Code (65 ILCS 5/11-80-1 *et seq.*); and

WHEREAS, the Village is authorized, under existing State and federal law, to enact appropriate regulations and restrictions relative to small cell antenna facilities, distributed antenna systems, and other small personal wireless telecommunication facility installations both within the public rights-of-way and in other locations within the jurisdiction of the Village; and

WHEREAS, Public Act 100-585, known as the Small Wireless Facilities Deployment Act, approved by the Governor on April 12, 2018, with an effective date of June 1, 2018, acts to impose certain additional requirements on municipalities, including the Village, regarding the permitting,

construction, deployment, regulation, operation, maintenance, repair and removal of certain defined small wireless facilities both within public rights-of-way and in other locations within the jurisdiction of the Village; and

WHEREAS, in conformance with the requirements of the Small Wireless Facilities Deployment Act, and in anticipation of a continued increased demand for placement of small wireless facilities of the type regulated by the Small Wireless Facilities Deployment Act both within the public rights-of-way and in other locations within the jurisdiction of the Village, the Village President and Village board finds that it is in the best interests of the public health, safety and general welfare of the Village to adopt the code amendments below in order to establish generally applicable standards consistent with the Small Wireless Facilities Deployment Act (Public Act 100-585) for the design, permitting, location, construction, deployment, regulation, operation, maintenance, repair and removal of such small wireless facilities both within the public rights-of-way and in certain other locations within the jurisdiction of the Village so as to, among other things: (i) prevent interference with the facilities and operations of the Village's electric and other Village utilities, and of other utilities lawfully located in public rights-of-way or in other locations within the Village; (ii) preserve the character of the neighborhoods in which such small wireless facilities are installed; (iii) minimize any adverse visual impact of small wireless facilities and prevent visual blight in the neighborhoods in which such facilities are installed; (iv) ensure the continued safe use and enjoyment of private properties adjacent to small wireless facilities; (v) provide appropriate aesthetic protections to designated areas and historic landmarks or districts within the Village; and (vi) ensure that the placement of small wireless facilities does not negatively impact public safety and the Village's public safety technology.

BE IT ORDAINED BY THE VILLAGE PRESIDENT AND VILLAGE OF BOARD OF THE VILLAGE OF MAPLE PARK, DEKALB AND KANE COUNTIES, ILLINOIS:

SECTION 1: The recitals above shall be and are incorporated in this Section 1 as if fully restated herein.

SECTION 2: Title 9 (Utilities) of the Municipal Code of the Village of Maple Park is amending Chapter 4 (Small Wireless Facilities), to read in its entirety as follows:

Chapter 4

Small Wireless Facilities

9-4-1 – Purpose

9-4-2 – Interaction with Other Code Provisions and Laws

9-4-3 – Definitions

9-4-4 – Zoning

9-4-5 – Permits; Application Process

9-4-6 – Construction

9-4-7 – Permit Duration

9-4-8 – Height Limitations

9-4-9 – General Requirements

9-4-10 – Stealth, Concealment and Design Standards

9-4-11 – Reservation of Village of Utility Pole Space

9-4-12 – Applicability of Existing Agreements

9-4-13 – Collocation on Village of Owned Infrastructure

9-4-14 – Notice of Sale or Transfer

9-4-15 – Abandonment

9-4-16 – Dispute resolution

9-4-17 – Indemnification

9-4-18 – Insurance

9-4-19 – Maintenance of Small Wireless Facilities

9-4-20 – Revocation of Permit

9-4-21 – Exceptions to Applicability

9-4-22 - Ground-Mounted Equipment Spacing Requirements

9-4-1 - Purpose

Consistent with the requirements of the Small Wireless Facilities Deployment Act (Public Act 100-585), and in anticipation of a continued increased demand for placement of small wireless facilities of the type regulated by the Act both within the public rights-of-way and in other locations within the jurisdiction of the Village, the Village of Board has found it to be in the best interests of the public health, safety and general welfare of the Village of to adopt the code amendments set forth in this chapter in order to establish generally applicable standards for the design, permitting, location, construction, deployment, regulation, operation, maintenance, repair and removal of such small wireless facilities both within the public rights-of-way and in other locations within the jurisdiction of the Village of so as to, among other things:

- A. Prevent interference with the facilities and operations of the Village's electric and other Village utilities, and of other utilities lawfully located both within public rights-of-way and in other locations within the jurisdiction of the Village of Maple Park;
- B. Preserve the character of the neighborhoods in which such small wireless facilities are installed;
- C. Minimize any adverse visual impact of small wireless facilities and prevent visual blight in the neighborhoods in which such facilities are installed;
- D. Ensure the continued safe use and enjoyment of private properties adjacent to small wireless facilities;
- E. Provide appropriate aesthetic protections to any designated historic landmarks or districts within the Village of Maple Park; and

- F. Ensure that the placement of small wireless facilities does not negatively impact public safety and the Village's public safety technology.

9-4-2 - Interaction with Other Code Provisions and Laws

A. Other Code Provisions. The provisions of this chapter are intended to supplement general requirements and standards relative to the siting of telecommunication facilities and generally applicable requirements for construction within public rights-of-way set forth elsewhere within this code, including but not limited to the regulations set forth in Section 9-4-22 and Title 8 of the Maple Park Village Code. In the event of a conflict, however, the provisions of this chapter shall control in all matters involving small wireless facilities, as defined below.

B. State and Federal Laws. In the event that applicable federal or State laws or regulations conflict with the requirements of this chapter, a wireless provider shall comply with the requirements of this chapter to the maximum extent possible without violating such federal or State laws or regulations.

9-4-3 - Definitions

As used in this chapter, the following terms shall have the following meanings:

"Act" means the Small Wireless Facilities Deployment Act (Public Act 100-585).

"Antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

"Applicable codes" means uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes, including the National Electric Safety Code.

"Applicant" means any person who submits an application and is a wireless provider.

"Application" means a request submitted by an applicant to the Village of for a permit to collocate small wireless facilities, and a request that includes the installation of a new utility pole for such collocation, as well as any applicable fee for the review of such application.

"Authority" means the Village of or other unit of local government that has jurisdiction and control for use of public rights-of-way as provided by the Illinois Highway Code for placements within public rights-of-way or has zoning or land use control for placements not within public rights-of-way.

"Village of" means the Village of Maple Park, DeKalb and Kane Counties, Illinois.

"Village utility pole" means a utility pole within the Village of Maple Park in public rights-of way.

"Collocate" or "collocation" means to install, mount, maintain, modify, operate, or replace wireless facilities on or adjacent to a wireless support structure or utility pole, whether existing or new.

"Communications service" means cable service, as defined in 47 U.S.C. 522(6), as amended; information service, as defined in 47 U.S.C. 153(24), as amended; telecommunications service, as defined in 47 U.S.C. 153(53), as amended; mobile service, as defined in 47 U.S.C. 153(33), as amended; or wireless service other than mobile service.

"Communications service provider" means a cable operator, as defined in 47 U.S.C. 522(5), as amended; a provider of information service, as defined in 47 U.S.C. 153(24), as amended; a telecommunications carrier, as defined in 47 U.S.C. 153(51), as amended; or a wireless provider.

"FCC" means the Federal Communications Commission of the United States.

"Fee" means a one-time charge.

"Historic district" or "historic landmark" means a building, property, or site, or group of buildings, properties, or sites that are either (i) listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i through Section VI.D.1.a.v of the Nationwide Programmatic Agreement codified at 47 CFR Part 1, Appendix C; or (ii) designated as a locally landmarked building, property, site, or historic district by an ordinance adopted by the Village of pursuant to a preservation program that meets the requirements of the Certified Local Government Program of the Illinois State Historic Preservation Office or where such certification of the preservation program by the Illinois State Historic Preservation Office is pending.

"Law" means a federal or State statute, common law, code, rule, regulation, order, or local ordinance or resolution.

"Micro wireless facility" means a small wireless facility that is not larger in dimension than twenty-four (24) inches in length, fifteen (15) inches in width, and twelve (12) inches in height and that has an exterior antenna, if any, no longer than eleven (11) inches.

"Permit" means a written authorization required by the Village or other permitting authority to perform an action or initiate, continue, or complete a project.

"Person" means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

"Public safety agency" means the functional division of the federal government, the State, a unit of local government, or a special purpose district located in whole or in part within this State,

that provides or has authority to provide firefighting, police, ambulance, medical, or other emergency services to respond to and manage emergency incidents.

“Public Utility” shall have the same meaning as set forth in Section 3-105 of the Public Utilities Act, 220 ILCS 5/3-105.

"Rate" means a recurring charge.

"Right-of-way" means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, or utility easement dedicated for compatible use. "Right-of-way" does not include authority-owned aerial lines.

"Small wireless facility" means a wireless facility that meets both of the following qualifications: (i) each antenna is located inside an enclosure of no more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and (ii) all other wireless equipment attached directly to a utility pole associated with the facility is cumulatively no more than twenty-five (25) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services.

“Structural Engineer” means a person licensed under the laws of the State of Illinois to practice structural engineering.

"Utility pole" means a pole or similar structure that is used in whole or in part by a communications service provider or for electric distribution, lighting, traffic control, or a similar function.

"Wireless facility" means equipment at a fixed location that enables wireless communications between user equipment and a communications network, including: (i) equipment associated with wireless communications; and (ii) radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. "Wireless facility" includes small wireless facilities. "Wireless facility" does not include: (i) the structure or improvements on, under, or within which the equipment is collocated; or (ii) wireline backhaul facilities, coaxial or fiber optic cable that is between wireless support structures or utility poles or coaxial, or fiber optic cable that is otherwise not immediately adjacent to or directly associated with an antenna.

"Wireless infrastructure provider" means any person authorized to provide cellular telecommunications service in the State that builds or installs wireless communication transmission equipment, wireless facilities, wireless support structures, or utility poles and that is

not a wireless services provider but is acting as an agent or a contractor for a wireless services provider for the application submitted to the Village.

"Wireless provider" means a wireless infrastructure provider and/or a wireless services provider. This does not include, and expressly excludes, any person who is providing service to or for a private niche market.

"Wireless services" means any services provided to the general public, including a particular class of customers, and made available on a nondiscriminatory basis using licensed or unlicensed spectrum, whether at a fixed location or mobile, provided using wireless facilities.

"Wireless services provider" means a person who provides wireless services.

"Wireless support structure" means a freestanding structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. "Wireless support structure" does not include a utility pole.

9-4-4 – Zoning

Small wireless facilities shall be classified as permitted uses and shall not be subject to zoning review, if collocated in rights-of-way in any zoning district, or outside rights-of-way in the following zoning districts:

Business and Industrial Districts.

In all other zoning districts, the Village's normal zoning approvals, processes and restrictions shall apply, if zoning approval, processes or restrictions are required by the Village's zoning ordinance.

9-4-5 - Permits; Application Process

Unless otherwise specifically exempted in this chapter, a permit to collocate a small wireless facility within the Village is required in all cases. Permits are subject to the following:

- A. Permit Applications: Permit applications for the collocation of small wireless facilities shall be made on a form provided by the Village of for such purpose. In addition to any generally applicable information required of other communications service providers or for other installations in the public right-of-way, applicants must, when requesting to collocate small wireless facilities on a utility pole or wireless support structure, provide the following information:
 - 1. Site specific structural integrity and, for a Village utility pole, make-ready analysis prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989;

2. The location where each proposed small wireless facility or utility pole would be installed and digital photographs of the location and its immediate surroundings depicting the utility poles or structures on which each proposed small wireless facility would be mounted or location where utility poles or structures would be installed. The photographs shall include a digital photo simulation of the proposed location providing “before and after” views demonstrating the true visual impact of the proposed small wireless facilities on the surrounding environment;
 3. Specifications and drawings prepared by a structural engineer, as that term is defined in Section 4 of the Structural Engineering Practice Act of 1989, for each proposed small wireless facility covered by the application as it is proposed to be installed;
 4. The equipment type and model numbers for the antennas and all other equipment associated with the small wireless facility;
 5. A proposed schedule for the installation and completion of each small wireless facility covered by the application, if approved;
 6. Certification that, to the best of the applicant’s knowledge, the collocation complies with the written design standards established by the Village, and with the various other requirements set forth in this chapter and code;
 7. Copies of all licenses, permits and approvals required by or from the Village (i.e. zoning approval, where required), other agencies and units of government with jurisdiction over the design, construction, location and operation of said small wireless facility. The applicant shall maintain such licenses, permits and approvals in full force and effect and provide evidence of renewal or extension thereof when granted; and
 8. In the event the small wireless facility is proposed to be attached to an existing utility pole or wireless support structure owned by an entity other than the Village, legally competent evidence of the consent of the owner of such pole or wireless support structure to the proposed collocation.
- B. Means of Submission: Permit applications, along with all supporting information, for the collocation of small wireless facilities shall be submitted by personal delivery or by other means approved by the Village of Maple Park.
- C. Multiple Applications for Same Location: Multiple applications for collocation on the same utility pole or wireless support structure shall be processed based on a first fully complete application, first-served basis.

- D. Permit Application Fees: All applications for collocation of small wireless facilities shall be accompanied by a nonrefundable application fee in the following amounts:

Request to collocate a small wireless facility that includes the installation of a new utility pole	\$1,000.00
Request to collocate a single small wireless facility on an existing utility pole or wireless support structure	\$650.00
Request to collocate multiple small wireless facilities on existing utility poles or wireless support structures addressed in a single application	\$350.00 per small wireless facility

- E. Permit review timelines:

1. Completeness of Application: Requests for the collocation of small wireless facilities shall be reviewed for conformance with the requirements of the Act, this chapter, and other applicable provisions of this code. Within thirty (30) days after receiving an application, the Village must determine whether the application is complete and notify the applicant. If an application is incomplete, the Village must specifically identify the missing information. Processing deadlines are tolled from the time the Village sends a notice of incompleteness to the time the applicant provides the missing information.

An application shall be deemed complete if the Village fails to provide notification to the applicant within thirty (30) days of the date when all documents, information, and fees specifically enumerated in the Village's permit application form are submitted by the applicant to the Village.

2. Existing Pole or Wireless Support Structure: Requests for the collocation of small wireless facilities on an existing utility pole or wireless support structure shall be processed on a nondiscriminatory basis and either approved or denied within ninety (90) days of submission of a completed application. A permit application shall be deemed approved if the Village fails to approve or deny the application within ninety (90) days, subject to the following: if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than seventy-five (75) days after the submission of a completed application. The permit shall be deemed approved on the later of the ninetieth (90th) day after submission of the completed application, or the tenth (10th) day after receipt of the deemed approved notice by the Village. Receipt of a deemed approved

notice by the Village shall not preclude the Village from denying the permit within the allowed time limit.

3. New Utility Pole: Requests for the collocation of small wireless facilities that include the installation of a new utility pole shall be processed on a nondiscriminatory basis and either approved or denied within one hundred and twenty (120) days of submission of a completed application. A permit application shall be deemed approved if the Village fails to approve or deny the application within one hundred twenty (120) days, subject to the following: if an applicant intends to proceed with the permitted activity on a deemed approved basis, the applicant shall notify the Village in writing of its intention to invoke the deemed approved remedy no sooner than one hundred five (105) days after the submission of a completed application. The permit shall be deemed approved on the later of the one hundred twentieth (120th) day after submission of the completed application, or the tenth (10th) day after receipt of the deemed approved notice by the Village. Receipt of a deemed approved notice by the Village shall not preclude the Village from denying the permit within the allowed time limit.
- F. Tolling: The time limitations for approval or denial of applications shall be tolled by notice to an applicant that its application is incomplete as set forth above, upon mutual agreement of the parties, or by a local, State or federal disaster declaration or similar emergency that causes a delay.
- G. Pole Replacement: Permit approval shall be conditioned on the replacement of a utility pole or wireless support structure at the applicant's sole cost where such replacement is deemed necessary for compliance with the requirements of this chapter or code relative to the siting of small wireless facilities, or other applicable codes and regulations that concern public safety.
- H. Denial: The Village shall deny an application that does not meet the requirements of this chapter. The reasons for any denial of a permit shall be provided in a written notice of denial sent to the applicant, and shall include the specific code provisions or application conditions on which the denial is based.
- I. Resubmittal After Denial: In the case of a permit denial, an applicant may cure the deficiencies identified in the notice of denial and resubmit a revised application once within thirty (30) days after the notice of denial is sent without payment of an additional application fee. The Village shall have thirty (30) days to approve or deny the resubmitted application or it is deemed approved, if the applicant has notified the Village its intention to proceed with the permitted activity on a deemed approved basis, which notification may be submitted with the resubmitted application. Review of a resubmitted application is limited to the deficiencies cited in the original notice of denial. This subsection does not apply if a revised application is not resubmitted within thirty (30) days, or curing any deficiencies in the original application requires review of a new location, new or different

structure for collocation, new antennas, or other wireless equipment associated with the small wireless facility. In such cases, a new application and application fee are required.

- J. Consolidated Applications: Consolidated applications for small wireless facilities for the collocation of up to twenty-five (25) small wireless facilities shall be allowed if the collocations each involve substantially the same type of small wireless facility and substantially the same type of structure. Each consolidated application shall provide all the information required by this chapter for each small wireless facility at each location. If such an application includes incomplete information for one or more small wireless facility collocations, or includes requests for small wireless facilities that do not qualify for consolidated treatment, or that are otherwise denied, the Village may remove such collocation requests from the application and treat them as separate requests. Separate permits may be issued for each collocation approved in a consolidated application.
- K. Alternate Locations: If an applicant is seeking to install a new utility pole as part of its application, the Village may propose that the small wireless facility be located on an existing utility pole or existing wireless support structure within one hundred (100) feet of the proposed collocation. The applicant shall accept the proposed alternate location so long as it has the right to use the location on reasonable terms and conditions, unless the alternate location imposes technical limits or additional material costs as determined by the applicant. If the applicant refuses an alternate location based on the foregoing, the applicant shall provide legally competent evidence in the form of a written certification, under oath, describing the property rights, technical limits or material cost reasons that prevent the alternate location from being utilized.
- L. Exemptions: No application, permit approval, or fee shall be required from a communications service provider authorized to occupy the right-of-way when the work in question is for:
 - 1. Routine maintenance not requiring replacement of wireless facilities if the wireless provider notifies the Village in writing at least forty-eight (48) hours prior to the planned maintenance;
 - 2. The replacement of wireless facilities with wireless facilities that are substantially similar, the same size, or smaller if the wireless provider notifies the Village in writing at least ten (10) days prior to the planned replacement and includes equipment specifications, including (i) equipment type and model numbers, for the replacement of equipment consistent with the equipment specifications information required on a permit application for original installation; and (ii) information sufficient to establish that the replacement is substantially similar. The wireless provider shall provide all information necessary and requested by the Village to establish that the replacement is substantially similar. The Village has the sole right and responsibility to determine if a proposed small wireless facility is substantially similar to the existing small wireless facility; or

3. The installation, placement, maintenance, operation or replacement of micro wireless facilities that are suspended on cables that are strung between existing utility poles in compliance with applicable safety codes.

The foregoing shall not exempt communications service providers from Village permitting requirements where traffic patterns are affected, or lane closures are required.

9-4-6 – Construction

Collocations for which permits are approved shall be completed within one hundred eighty (180) days of issuance of the permit, unless the Village agrees to extend the period or a delay is caused by make-ready work for a Village utility pole or by the lack of commercial power or backhaul availability at the site, provided the applicant has made a timely request within sixty (60) days after the issuance of the permit for commercial power or backhaul services, and the additional time to complete installation does not exceed three hundred sixty (360) days after issuance of the permit. Permits that are not completed within applicable timelines shall be void absent an extension granted in writing by the Village.

9-4-7 - Permit Duration

Permits issued for small wireless facilities pursuant to this chapter shall be valid for a period of five (5) years. Permits are subject to renewal at the end of the five (5) year permit period for a successive five (5) year term so long as the installation complies with the applicable code provisions in force at the time of renewal. A finding by the Village at the time of a request for renewal that an installation does not comply with the applicable code provisions in force at the time of the renewal request shall be in writing. If the Act is repealed or found unconstitutional by a court of competent jurisdiction, all permits granted by the Village under this chapter shall terminate at the end of their current term.

9-4-8 - Height Limitations

A. Antenna Installations: The maximum permitted height of a small wireless facility is ten (10) feet above the utility pole or wireless support structure on which the small wireless facility is collocated.

B. New Poles: The maximum permitted height of new or replacement utility pole or wireless support structure on which a small wireless facility is collocated is the higher of:

1. Ten (10) feet in height above the tallest existing utility pole, other than a utility pole supporting only wireless facilities, that is in place on the date the application is submitted, and that is located within three hundred (300) feet of the new or replacement utility pole or wireless support structure and that is in the same right-of-way within the Village. The Village may designate which intersecting right-of-way within three hundred (300) feet of the proposed utility pole or wireless support structures shall control the height limitation for such facility; or

2. Forty-five (45) feet above ground level.

C. Waiver Process:

A Wireless provider may receive a waiver from the Director of Public Works from the maximum permitted height of a new pole set forth in this section, if the wireless provider can establish that:

1. Because of a particular unusual condition, a particular hardship or practical difficulty to the wireless provider would result, as distinguished from a mere inconvenience, and such hardship or difficulty has not been created by the wireless provider; and
2. Existing utility poles or wireless support structures, or a new utility pole at the maximum permitted height for a new pole allowed by this section cannot accommodate the wireless facility at a height necessary to function effectively, under reasonable terms and conditions; and
3. The use of existing utility poles or other wireless support structures, or a new utility pole at the maximum permitted height for a new pole allowed by this section, is not technically feasible.

9-4-9 - General Requirements

- A. Public Safety Technology: A wireless provider's operation of a small wireless facility may not interfere with the frequencies used by a public safety agency for public safety communications. A wireless provider must install small wireless facilities of the type and frequency that will not cause unacceptable interference with a public safety agency's communications equipment. Unacceptable interference is determined by and measured in accordance with industry standards and the FCC's regulations addressing unacceptable interference to public safety spectrum or any other spectrum licenses by a public safety agency. If a small wireless facility causes such interference, and the wireless provider has been given written notice of the interference by the public safety agency, the wireless provider, at its own expense, shall take all reasonable steps necessary to correct and eliminate the interference, including, but not limited to, powering down the small wireless facility and later powering up the small wireless facility for intermittent testing, if necessary. The Village may terminate a permit for a small wireless facility based on such interference if the wireless provider is not making a good faith effort to remedy the problem in a manner consistent with the abatement and resolution procedures for interference with public safety spectrum established by the FCC, including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675. The burden to establish the good faith effort shall be on the wireless provider, which shall timely deliver to the Village all information necessary to demonstrate its efforts to resolve the interference consistent with the Code of Federal Regulations sections cited above. Failure to remedy the interference

as required herein shall constitute a public nuisance and the small wireless facility may be abated through the procedures for abatement of such nuisances set forth in this code.

- B. A wireless provider shall not construct or maintain any small wireless facility that:
 - 1. Obstructs, impedes or hinders the usual travel or public safety on a right-of-way;
 - 2. Obstructs the legal use of right-of-way by utility users;
 - 3. Violates nondiscriminatory applicable codes;
 - 4. Violates or conflicts with Section 9-4-22 or other applicable regulations set forth in this code or otherwise adopted by the Village, except to the extent such chapters, sections or regulations may be modified by the provisions of this chapter; or
 - 5. Violates the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 *et seq.*)
- C. Contractual Requirements: Wireless providers shall comply with all requirements imposed by a contract between the Village and any private property owner that concern design or construction standards applicable to utility poles and ground-mounted equipment located in the right-of-way.
- D. Ground-Mounted Equipment: Wireless providers shall comply with the ground mounted equipment spacing requirements within rights-of-way as set forth in Section 9-4-22 and Title 8 of the Maple Park Village Code (Construction of Utility Facilities in the Rights-of-Way) of this code, including Section 9-4-22.
- E. Undergrounding:
 - 1. The wireless provider shall comply with Village code provisions or regulations concerning undergrounding requirements, if any, that prohibit the installation of new or the modification of existing utility poles or equipment in the right-of-way.
 - 2. A Wireless provider may receive a waiver from the Director of Public Works to allow small wireless facilities to be located above ground in an area where Village ordinances or regulations prohibit or restrict above ground facilities if the wireless provider can establish that:
 - a. Underground equipment is not technically feasible and there is no reasonable alternative or location that is more aesthetically favorable to adjacent property owners and to effective use and management of the right-of-way; and

- b. An above ground small wireless facility at the proposed location is necessary at the proposed location to provide coverage in a specified area; and
 - c. An above ground small wireless facility at the proposed location will not disrupt traffic or pedestrian circulation or constitute a safety hazard; and
 - d. An above ground small wireless facility at the proposed location will not interfere with public safety uses or frequencies; and
 - e. Space exists within the public right-of-way to accommodate the above ground small wireless facility at the proposed location; and
 - f. An above ground small wireless facility at the proposed location will not create a safety hazard; and
 - g. The above ground small wireless facility is located and designed in such a way so as to minimize its visual impact on adjacent properties; and
 - h. In any historical area, that the above ground small wireless facility will not detrimentally affect the historical nature of the area.
3. Screening for Ground Mounted Facilities. Where a ground-mounted facility is allowed, such equipment shall be screened around the perimeter in accordance with a landscape plan sealed by a professional landscape engineer. Plant materials shall include a mixture of deciduous and coniferous planting materials. The owner or wireless provider shall be responsible for maintenance of all landscaping as provided in the approved landscape plan.
4. Future Undergrounding: The Village may, from time to time, make a decision to eliminate above-ground utility poles of a particular type generally, such as electric utility poles, in all or a significant portion of the Village. In the event that such a utility pole has a collocated small wireless facility in place at the time of such a decision, the Village shall either:
- a. Continue to maintain the utility pole, or install and maintain a reasonable utility pole or wireless support structure for the collocation of the small wireless facility; or
 - b. Offer to sell the utility pole to the wireless provider at a reasonable cost, or allow the wireless provider to install its own utility pole so it can maintain service from that location.

F. Collocation Limits: Wireless providers shall not collocate small wireless facilities on Village utility poles that are part of an electric distribution or transmission system within the communication worker safety zone of the pole or the electric supply zone of the pole.

However, the antenna and support equipment of the small wireless facility may be located in the communications space on the Village utility pole and on the top of the pole, if not otherwise

unavailable, if the wireless provider complies with applicable codes for work involving the top of the pole.

For purposes of this subsection, the terms "communications space", "communication worker safety zone", and "electric supply zone" have the meanings given to those terms in the National Electric Safety Code as published by the Institute of Electrical and Electronics Engineers.

G. Code Compliance: Wireless providers shall comply with applicable codes and local code provisions or regulations that concern public safety.

9-4-10 - Stealth, Concealment and Design Standards

Every small wireless facility installation shall comply with the following standards:

General Stealth, Concealment and Design Standards: Installations shall comply with any stealth, concealment, design and aesthetic standards applicable to utility installations in the public right-of-way, as set forth in Section 9-4-22, as well as any written design standards that are generally applicable for decorative utility poles, or reasonable stealth, concealment, design and aesthetic requirements that are otherwise identified by the Village in an ordinance, written policy adopted by the Village Board, in the Village's comprehensive plan, or in a written design plan that applies to other occupiers of the rights-of-way, including on a historic landmark or in a historic district.

A. All small cell carrier equipment shall be housed internal to the pole of a metal or composite poll.

B. Any new poles must be similar in color and design as other streetlights installed adjacent to the new pole. Excluding wooden poles and compliant with existing lighting requirements.

C. The small cell components shall also be sized to be visually pleasing. For a combination pole to be considered visually pleasing, the transition between the equipment cabinet and upper pole should be considered. A decorative transition shall be installed over the equipment cabinet upper bolts, or decorative base cover shall be installed to match the equipment cabinet size. The upper pole shall be scaled to 0.5 to 0.75 the size of the equipment cabinet, with a 10-inch minimum outer diameter. All hardware connections shall be hidden from view. No horizontal flat spaces greater than 1.5 inches shall exist on the equipment cabinet to prevent cups, trash, and other objects from being placed on the equipment cabinet. Each pole component shall be architecturally compatible to create a cohesive aesthetic. An example of an unacceptable small cell installation, and acceptable installation images can be found Figure 1-1

Free Standing

Figure 1-1 unacceptable Installation

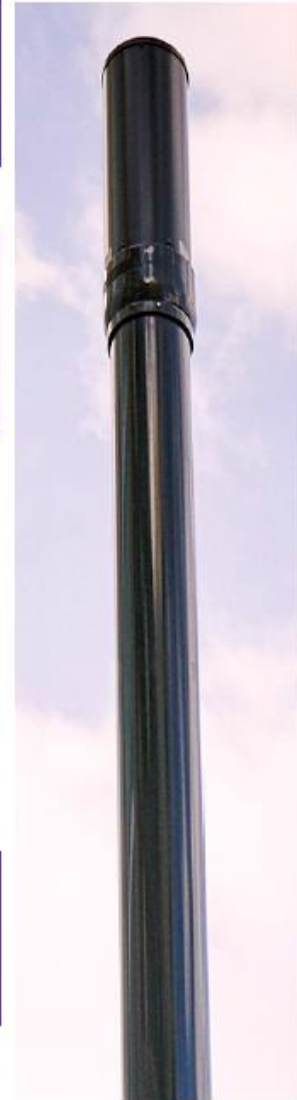


Cantenna must include a smooth transition between upper pole and antenna

Conduit, mounting bracket, and other hardware must be hidden behind a cantenna or in a shroud

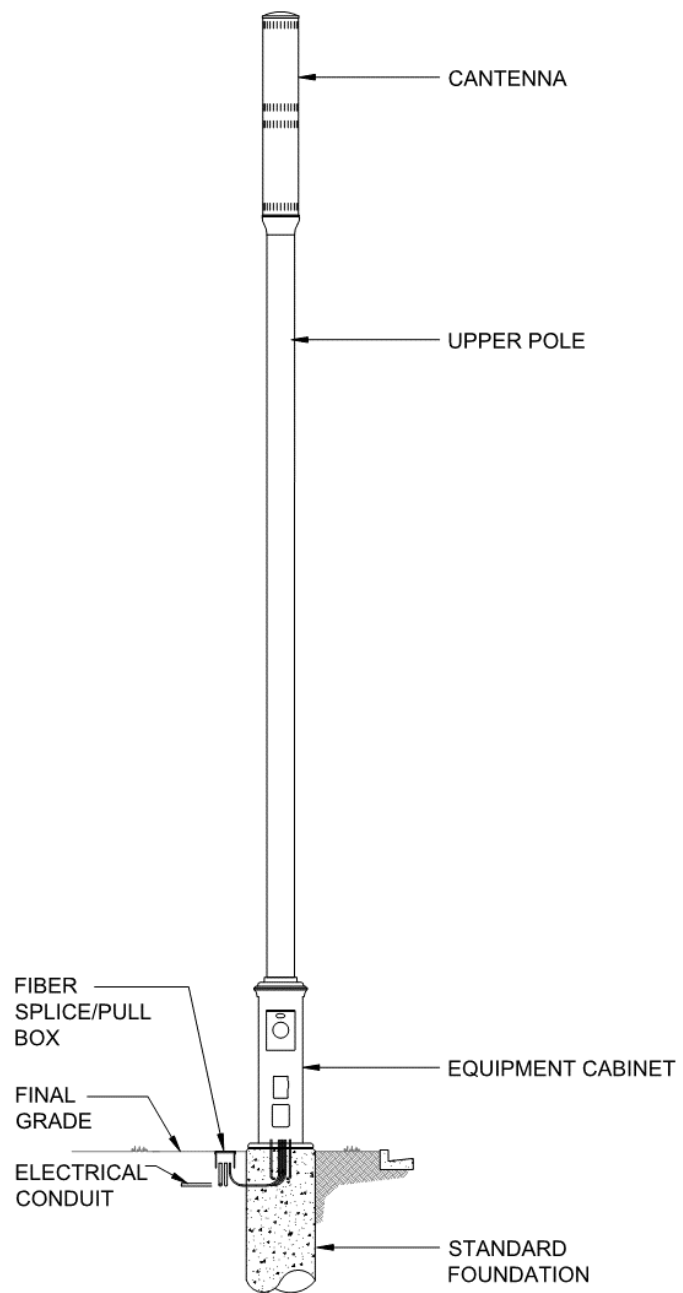
All conduit, wires, and other hardware shall be located internal to the upper pole

Figure 1-2 Acceptable Installation



Free Standing

Figure 1-3



Combination Pole

Figure 2-1 unacceptable Installation



Conduit, mounting bracket, and other hardware must be hidden from view

Cantenna must include a smooth transition between upper pole and cantenna attachment



Upper pole shall be smooth and straight, with 1.5-inch (max.) of flat surface where mounted to the equipment cabinet

Equipment cabinet shall be round. 16-inch diameter is preferred, 20-inch diameter max.

Figure 2-2 Acceptable Installation



Figure 2-3 Combination Pole with Cantenna

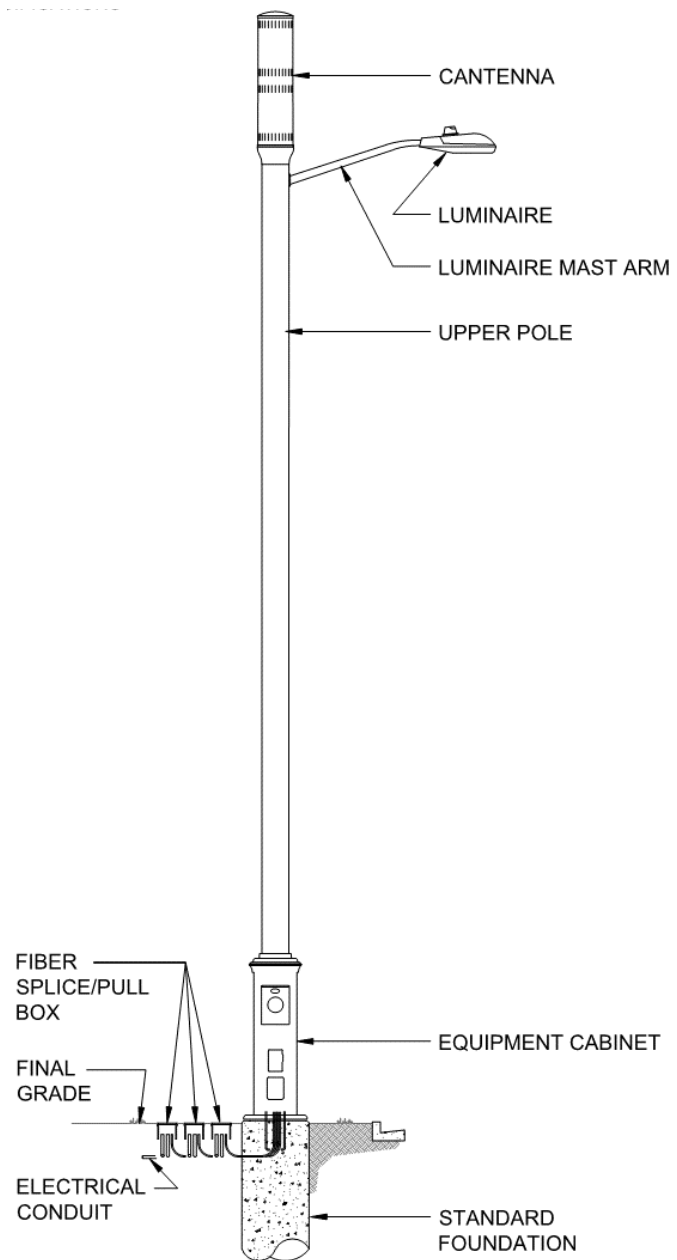
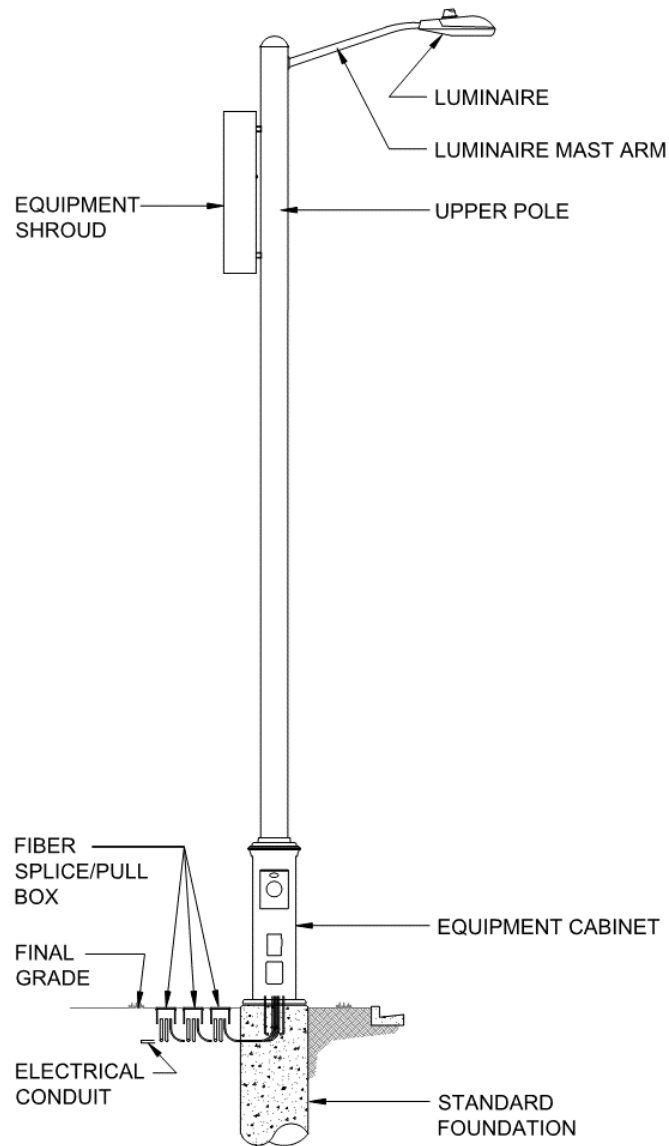


Figure 2-3 Combination Pole with Equipment Shroud



9-4-11 - Reservation of Village Utility Pole Space

The Village may reserve space on Village-owned utility poles for future public safety uses or for Village electric utility uses. Such reservation may preclude collocation of small wireless facilities if the Village reasonably determines that the Village's utility pole cannot accommodate both uses.

9-4-12 - Applicability of Existing Agreements

The Village of Maple Park has no existing agreements relative to small wireless facilities.

9-4-13 - Collocation on Village Owned Infrastructure

A. Fee: The annual fee to collocate a small wireless facility on a Village-owned utility pole located in a right-of-way shall be the higher of:

1. \$200/year per small wireless facility; or
2. The actual, direct, and reasonable costs related to the wireless providers use of space on the pole.

B. Exception: Small wireless facilities collocated on Village-owned utility poles located outside of public right-of-way are not subject to the rate limitations in this section.

C. Attachment Agreement: An attachment agreement in a form approved by the Village is required for any collocation upon any Village owned utility pole or wireless support structure.

In the event the village needs to replace or relocate the pole the wireless provider will be required to move the equipment at their own expense, or the village may move the equipment on their behalf at the cost of the wireless provider. The installation shall conform on the new location unless approved by the village. No new permit fee will be applied.

9-4-14 - Notice of Sale or Transfer

A wireless provider shall, prior to any sale or transfer of ownership or control of a small wireless facility located within the jurisdiction of the Village, provide written notice to the Village of such sale or transfer of control. Such notice shall include the name and contact information of the new wireless provider. Small wireless facilities shall be relabeled within three (3) months of sale or transfer with updated ownership and contact information.

9-4-15 - Abandonment

A. A small wireless facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of the facility shall remove the small wireless facility within ninety (90) days after receipt of written notice from the Village notifying it of the abandonment. The notice shall be sent by certified or registered mail, return receipt requested, by the Village to the owner at its last known address. Failure to remove the equipment within ninety (90) days after receipt of such notice, such wireless facility shall be deemed to be a nuisance and will incur a penalty a minimum of \$50 per day and a maximum of \$750 per day or the Village may remove or cause the removal of such facility, and recover or place a lien for its costs, pursuant to the terms of its pole attachment or other agreement for Village utility poles or through the procedures for abatement of nuisances set forth in this code.

B. In the event the Village suspects that the wireless provider is no longer using the small wireless facilities to provide wireless service, it may send the wireless provider written notice that requires the wireless provider to remove the small wireless facility or provide proof that the small wireless facility is operational and still being used within thirty (30) days, and informs the wireless provider that failure to provide proof or to remove the small wireless facility will result in the Village removing the small wireless facility at the wireless provider's cost.

9-4-16 - Dispute Resolution

The Circuit Courts of DeKalb and Kane Counties, depending on location of small wireless facilities being disputed, shall have exclusive jurisdiction to resolve all disputes arising under the Act. Pending resolution of a dispute concerning rates for collocation of small wireless facilities on Village utility poles within the right-of-way, the Village shall allow the collocating person to collocate on its poles at annual rates of no more than \$200 per year per pole, with rates to be determined upon final resolution of the dispute.

9-1-17 – Indemnification

Other than for liabilities and losses due to or caused by the sole negligence of the Village or its employees or agents, a wireless provider shall indemnify and hold the Village harmless against any and all liability or loss from personal injury or property damage resulting from or arising out of, in whole or in part, the use or occupancy of the Village infrastructure or improvements, or right-of-way associated with such infrastructure or improvements by the wireless provider or its employees, agents, or contractors arising out of the rights and privileges granted under this chapter and the Act. A wireless provider proceeding under this chapter waives any claims it may have against the Village with respect to consequential, incidental, or special damages, however caused, based on the theory of liability.

9-4-18 – Insurance

At all times during the period in which a wireless provider's facilities are located on Village infrastructure, improvements or in right-of-way, the wireless provider shall, at its own sole cost and expense, carry the following insurance coverages with limits in conformance with the Village's standard insurance requirements for all contractors:

- A. Property insurance for its property's replacement cost against all risks;
- B. Workers' Compensation insurance within statutory limits as required by law; and
- C. Commercial general liability insurance with respect to its activities on the Village infrastructure, improvements or rights-of-way, including coverage for bodily injury and property damage.

The wireless provider shall include the Village as an additional insured on the commercial general liability policy and shall provide certificates of insurance and proof of inclusion of the

Village in a commercial general liability policy to the Village prior to the collocation of any small wireless facility, and shall keep updated certificates and proof of inclusion on file with the Village at all times that the provider maintains small wireless facilities within the Village. Failure to provide updated certificates prior the expiration of the exiting certificates will incur a penalty a minimum of \$50 per day and a maximum of \$750 per day.

- D. A wireless provider may self-insure all or a portion of the insurance coverage and limits required by the Village. A wireless provider that self-insures is not required, to the extent of the self-insurance, to comply with the requirement that the Village be named an additional insured. A wireless provider that self-insures shall provide to the Village evidence sufficient to demonstrate its financial ability to self-insure the insurance limits required by the Village.

9-4-19 - Maintenance of Small Wireless Facilities

A. A wireless provider shall maintain all small wireless facilities installed within the Village in a condition that maintains the safety, integrity and aesthetics of such facilities. Small wireless facilities shall not appear to be unkempt. In the event of a failure to properly maintain such facilities, the Village shall notify the wireless provider, in writing, who shall have thirty (30) days to correct the identified maintenance violation. If not corrected within such period, the Village reserves the right to take such action as it deems necessary, to incur a penalty a minimum of \$50 per day and a maximum of \$750 per day or revocation of the permit. Maintenance and replacement of small wireless facilities shall be performed by the wireless provider at the wireless provider's sole cost and expense.

B. In the event of an emergency involving an imminent threat to life or property, the Village may take corrective action without prior notification to eliminate such emergency at the wireless provider's expense. Notice of any emergency corrective action will be made within 30 days after the emergency event.

9-4-20 - Revocation of Permit

A. A permit to collocate a small wireless facility may be revoked for one or more of the following reasons:

1. The wireless provider obtained approval by means of fraud or made misrepresentation of a material fact with respect to the permit application, or any required documentation or submittal.
2. The wireless provider failed to construct the small wireless facility in accordance with the approved plans.

3. The wireless provider failed to comply within any material condition of a permit issued.
4. The wireless provider substantially expanded or altered the use or the structure of the small wireless facility beyond what was requested in the permit application or approved, without the approval of the Village.
5. The wireless provider failed to notify the Village of the replacement of small wireless facilities as required by this chapter.
6. A substantial change of law has occurred affecting the wireless provider's authority to occupy or use the property upon which the small wireless facility is located.
7. The small wireless facility interferes with vehicular or pedestrian use of the public right of way.
8. The wireless provider has failed to make a safe and timely restoration of the right-of-way or the property upon which the small wireless facility is located.
9. The wireless provider has failed to properly maintain the small wireless facility as required by this chapter.
10. The wireless provider has failed to abate interference with public safety communications in a manner consistent with the abatement and resolution procedures for interference with public safety spectrum established by the FCC including 47 CFR 22.970 through 47 CFR 22.973 and 47 CFR 90.672 through 47 CFR 90.675.
11. The small wireless facility has been abandoned and the wireless provider has failed to remove the small wireless facility as provided in this chapter.

B. Written notification of the permit revocation shall be sent by certified mail or shall be personally delivered to the wireless provider setting forth the basis for the revocation. The wireless provider shall, within fourteen days of the notice of revocation, file a written response with the Director of Public Works setting forth the reasons why the permit should not be revoked along with such evidence in opposition to the revocation as the wireless provider determines necessary. Failure to file a response with the Director of Public Works shall be deemed an admission of the facts set forth in the notification of written notification and shall result in automatic revocation of the permit. The Director of Public Works shall render findings and a decision within twenty-one days of the date of receipt of the wireless provider's response, if any.

C. If the Director of Public Works revokes the permit, the wireless provider may file a written notice of appeal with the Village Clerk within twenty-one (21) days of notification of the permit

revocation. Such notice shall contain a response to the decision of the Director of Public Works. The Village Board shall hear the revocation appeal and render a decision on such appeal.

9-4-21 - Exceptions to Applicability

Nothing in this chapter authorizes the collocation of small wireless facilities on:

- A. Property owned by a private party without the written consent of the property owner;
- B. Property owned or controlled by a unit of local government that is not located within rights-of-way (local governments are, however, required to authorize the collocation of small wireless facilities on utility poles owned or controlled by the local government or located within rights-of-way to the same extent the local government permits access to utility poles for other commercial projects or uses);
- C. A privately-owned utility pole or wireless support structure, without the consent of the property owner;
- D. Property owned, leased or controlled by a park district, forest preserve district, or conservation district for public park, recreation or conservation purposes, without the consent of the affected district, excluding the placement of facilities on rights-of-way located in an affected district that are under the jurisdiction and control of a different unit of local government as provided by the Illinois Highway Code (605 ILCS 5/1-101 *et seq.*);
- E. Property owned by a rail carrier registered under Section 18c-7201 of the Illinois Vehicle Code (625 ILCS 5/18c-7201), Metra Commuter Rail or any other public commuter rail service, or an electric utility as defined in Section 16-102 of the Public Utilities Act (220 ILCS 5/16-102), without the consent of the rail carrier, public commuter rail service, or electric utility;
- F. Facilities of an electric or gas public utility or such utility's wireless facilities if the facilities are being used, developed and maintained consistent with the provisions of subsection (i) of Section 16-108.5 of the Public Utilities Act; or
- G. Small wireless facilities owned by the Village.

9-4-22 - Ground-Mounted Equipment Spacing Requirements.

Ground-mounted equipment, where necessary, shall be sited in locations approved by the Director of Public Works, in a manner that will most effectively minimize public impact, optimize safety, and incorporate aesthetic concerns.

- A. Freestanding small cells shall be located such that they in no way impede, obstruct, or hinder the usual pedestrian or vehicular travel, affect public safety, obstruct the legal access to or use of the public ROW, violate applicable law, violate or conflict with public ROW

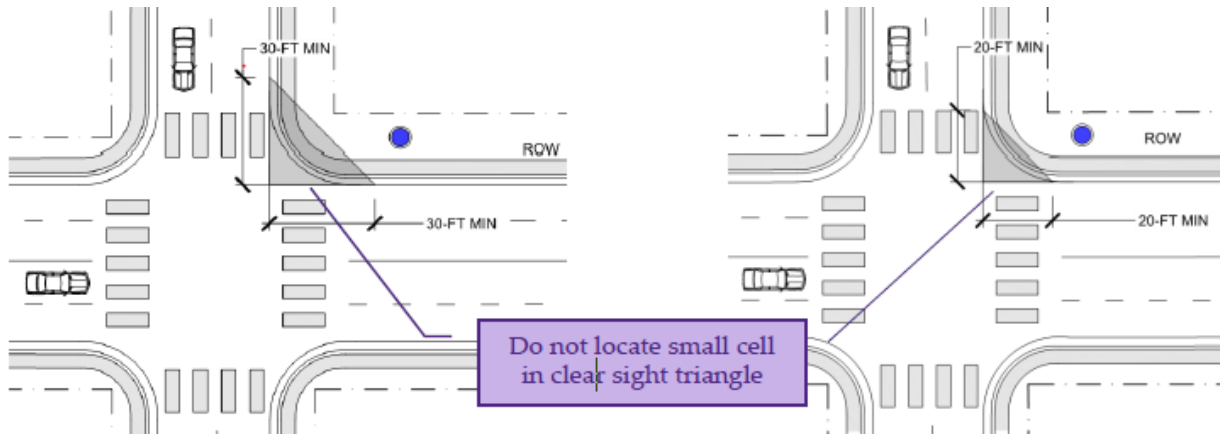
design standards, specifications, or design district requirements, violate the Federal Americans with Disabilities Act of 1990, or in any way create a risk to public health, safety, or welfare. Free standing small cells shall be located within the ROW and off set from the sidewalk as shown in Figure 3-1.

Figure 9-4-22(a)



- B. Freestanding small cells shall be located at intersecting property lines as much as possible. Whenever possible, the freestanding small cell shall be located on the secondary street. Small cells shall also be located Do not locate small cell in clear sight triangle a minimum of 15 feet away from trees to prevent disturbance within the critical root zone of any tree, as shown in Figure 3-2. The small cells shall not be installed between the perpendicular extension of the primary street-facing wall plane of any single or two-family residence as shown in figure 3-2.

Figure 9-4-22(b)



C. Freestanding small cell location between property and trees.

- a. Any new poles must be a minimum of 15 Ft from any existing tree and minimum 5 ft from the edge a driveway.

Figure 9-4-22(c)



- D. When located adjacent to a commercial establishment, such as a shop or restaurant, care should be taken to locate the small cell such that it does not negatively impact the business. Small cells shall not be located in-front of store front windows, primary walkways, primary entrances or exits, or in such a way that it would impede a delivery to the building. Small cells should be located between properties as much as possible as shown in Figure 4-4

Figure 9-4-22(d)



SECTION 3: All ordinances or parts of ordinances in conflict with this Ordinance are hereby expressly repealed.

SECTION 4: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Village Code, as amended, shall remain in full force and effect.

SECTION 5: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 6: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

ADOPTED this _____ day of _____, 2020, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2020, and attested to by the Village Clerk this same day.

Kathleen Curtis, Village President

ATTEST:

Theresa D'Amato, Acting Village Clerk



Village of Maple Park

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151

Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

MEMORANDUM

TO: Village President and Board of Trustees

FROM: Village Administrator Dawn Wucki-Rossbach

DATE: December 26, 2019

SUBJECT: TEXT AMENDMENT – CHAPTER 7, SECTIONS 11-7-1 B., “PERMITTED USES,” AND 11-7-1 C. “SPECIAL USES,” AND 11-7-2 B., “PERMITTED USES” AND 11-7-2 C., “SPECIAL USES”

BACKGROUND

Please refer to the November 13, 2019 Memorandum to the Plan Commission, Attachment A. The memorandum includes a marked-up version of Chapter 7 and reviews the history of the text amendments and recommends Findings of Fact to the Commission.

On November 21, 2019, the Plan Commission was to hold a Public Hearing, Attachment B, on the proposed text amendments; however, there was no quorum and therefore, the matter was moved to the Plan Commission Meeting date of December 19, 2019.

The Plan Commission held a Public Hearing, Attachment C, on December 19, 2019, at that time no public comments were received; the Commission then reviewed at their regular meeting the proposed additional permitted and special uses and the removal of one (1) outdated use. The Commission determined that the proposed text amendments would benefit the Village of Maple Park and unanimously issued a Findings of Fact on said amendments, Attachment D.

RECOMMENDATION

That the Village Board approve Ordinance 2020-02; the proposed text amendment that will replace the existing language in its entirety for Chapter 11, Sections 11-7-1 B, 11-7- C, 11-7-2B and 11-7-2C.

Attachments

Attachment A – Memorandum Dated November 18, 2019 from the Village Administrator to the Plan Commission and Marked-Up Version of Chapter 7

Attachment B – Public Hearing Notice Confirmation from the Daily Chronicle for November 21, 2019 Plan Commission Meeting

Attachment C – Public Hearing Notice from the Daily Chronicle for the December 19, 2019 Plan Commission Meeting

Attachment D - Plan Commission Findings of Fact dated December 26, 2019

Attachment E – Ordinance 2020-02 An Ordinance Amending Chapter 7, Section 11-7-1 B., “Permitted Uses,” And, 11-7-1 C., “Special Uses,” And 11-7-2 B., “Permitted Uses,” And 11-7-2 C. “Special Uses.”



Village of Maple Park

ATTACHMENT A

302 Willow Street ♦ P.O. Box 220 ♦ Maple Park, Illinois 60151


Village Hall: 815-827-3309

Fax: 815-827-4040

Website: <http://www.villageofmaplepark.com>

MEMORANDUM

TO: Planning Commission

FROM: Village Administrator Dawn Wucki-Rossbach 

DATE: November 13, 2019

SUBJECT: **AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 11-7-1 B., "PERMITTED USES," AND, 11-7-1 C. "SPECIAL USES," AND 11-7-2 B., "PERMITTED USES" AND 11-7-2 C., "SPECIAL USES"**

BACKGROUND

The Village's Zoning chapter of the Municipal Code is a permissive one, meaning if the business use was not listed in the code that use would not be permitted. The business owner and/or Staff would then have to recommend a text amendment to allow that use in the Village. At present, the list of permitted and special uses permitted in the B-1 Central Business District and the B-2 General Commercial Districts had not been updated in a number of years, see Attachment A for the Existing Ordinance.

At the August 27, 2019 Finance Committee Meeting, Committee members examined the existing permitted and special uses for the B-1 Central Business District and the B-2 General Commercial Business District and:

1. Determined that additional permitted and special uses be added; and,
2. Old and outdated uses should be removed; and,
3. That qualifications be made regarding the certain type of permitted and special uses.

Attached is a copy of the proposed amendments to the B-1 Central Business District Permitted and Special Uses and the B-2 General Commercial District Permitted and Special Uses. Staff concurs with the proposed permitted and the special uses for these districts. The Village Attorney has reviewed the proposed and concurs with the proposed text amendments.

FINDINGS

The commissioners shall arrive at findings relevant to the proposed text amendments, including:

1. These text amendments shall only be approved if they are consistent with the intent to classify, regulate, restrict the location of trades, industries, and commercial enterprises:

The proposed text amendments are consistent with Zoning Regulations of the Village.

2. These text amendments shall only be approved if they are consistent with the intent to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity and general welfare of the citizens of Maple Park, whereas, four (4) of eight (8) code objectives are applicable to these text amendments:
 - a. Encourage the development of buildings and uses on appropriate sites in order to maximum community wide social and economic benefits while accommodating the particular needs of all residents, and to discourage development in inappropriate sites; and,
 - b. Seek to protect and enhance the character and stability of existing commercial areas, and to gradually eliminate non-conforming uses and structures; and,
 - c. Seek to conserve and increase the value of taxable property throughout this municipality; and,
 - d. Seek to provide for efficient administration and fair enforcement of all regulations set forth herein; and,

The four (4) of eight (8) code objectives are not applicable to these text amendments:

- a. To ensure the provisions of adequate light, air and privacy for the occupants of all buildings; and,
- b. To provide adequate and well-designed parking and loading space for all buildings and uses, and to reduce vehicular congestion on the public streets and highways; and,
- c. To lessen or avoid the hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.
- d. Clearly and concisely explain the procedures for obtaining special uses, amendments, and the like.

The proposed text amendments are consistent with the Zoning Regulations of the Village.

MOTION

The Planning Commission approves the Text Amendments for Chapter 7, Sections 11-7-1 B., “Permitted Uses,” and, 11-7-1 C. “Special Uses,” and 11-7-2 B., “Permitted Uses” and 11-7-2 c., “Special Uses” as presented.

Attachments:

1. Attachment A – Existing Ordinance for 11-7-1: B-1 Central Business District and 11-7-2: General Commercial District
2. Attachment B – Proposed Amendments to 11-7-1: B-1 Central Business District and 11-7-2: General Commercial District

Chapter 7 BUSINESS DISTRICTS

11-7-1: B-1 CENTRAL BUSINESS DISTRICT: 11-7-2: B-2 GENERAL COMMERCIAL DISTRICT:

11-7-1: B-1 CENTRAL BUSINESS DISTRICT:

A. General Conditions: The B-1 central business district is designed to accommodate those retail uses that are characteristic of the "Main Street" commercial center.

B. Permitted Uses:

1. Antique shops.
2. Automobile parts and accessory stores.
3. Bakeries.
4. Banks and financial institutions.
5. Barber and beauty shops.
6. Bicycle sales, rental and repair shops.
7. Bookstores.
8. Candy, ice cream and confectionery.
9. Camera and photography supply shops.
10. Card and stationery shops.
11. Catering establishments, including pizza delivery.
12. Clothing stores.
13. Custom dressmaking, tailoring or shoe repair shops, when conducted for retail sale on the premises only.
14. Drugstores.
15. Dry cleaning and laundries.
16. Dry goods stores.

EXISTING ORDINANCE

17. Florists.
18. Furniture stores, with repair and reupholstery only as an accessory use.
19. Gift shops.
20. Hardware stores.
21. Hobby shops.
22. Household appliance stores and repair.
23. Jewelry and watch repair shops.
24. Libraries.
25. Locksmiths.
26. Museums.
27. Musical instrument sales and service.
28. Offices.
29. Optical sales and service.
30. Package liquor stores.
31. Parking lots, as a principal use.
32. Parks.
33. Pet stores.
34. Photography and art studios, including the development of film and pictures when done as part of the retail business on the premises.
35. Post office.
36. Printing, photocopying and blueprinting establishments.
37. Private or fraternal clubs or lodges.
38. Public buildings.
39. Record stores.
40. Residential uses as regulated in [chapter 6](#) of this title.

EXISTING ORDINANCE

41. Restaurants and taverns, when the establishment is not of the drive-in type where food is served to occupants remaining in motor vehicles.
42. Retail sale of cabinets and countertops.
43. Secondhand stores.
44. Shoe stores.
45. Sporting goods stores.
46. Television, radio and recording studios.
47. Television and radio stores, sales and service.
48. Toy stores.
49. Travel agencies.
50. Videotape sales and rental stores.
51. Accessory uses in accordance with [chapter 2](#) of this title, except the following accessory uses identified in section [11-2-3](#), table [11-2-3A](#) of this title: air conditioning equipment shelters, architectural entrance structures, balconies, decks and unenclosed porches, detached garages or carports, farm and garden crops, lawn furniture, open off street loading spaces, open off street parking spaces, playground and laundry drying equipment, satellite antennas, sheds and storage buildings, swimming pools, terraces, patios and outdoor fireplaces.

C. Special Uses:

1. Automobile gasoline stations, but not repair garages.
2. Banquet halls.
3. Car washes.
4. Convalescent and nursing homes.
5. Drive-in window service facilities.
6. Food stores.
7. Funeral homes, mortuaries, and crematoriums.
8. Hospitals and clinics.
9. Churches, rectories and parish houses.
10. Planned unit developments.

EXISTING ORDINANCE

11. Public utility and service uses.
12. Schools for business, professional and technical training.
13. Theaters, indoor other than adult business use.

D. Yard Requirements:

1. Front Yard: Not less than ten feet (10') in depth.
2. Side Yard: If a side yard is provided it shall not be less than five feet (5') wide; except, where a side lot line coincides with a side lot line in an adjacent residential district, a yard shall be provided along such lot line in accordance with transitional requirements. A side yard adjoining a street shall be not less than ten feet (10') in width.
3. Transitional Yards: In the B-1 district the minimum transitional yard requirements shall not be less than those specified below:
 - a. Where a side lot line coincides with a side or rear lot line in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard required under this title for a residential use on the adjacent residential lot.
 - b. Where a rear lot line coincides with a side lot line in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard required under this title for a residential use on the adjacent residential lot.
 - c. Where a rear lot line coincides with a rear lot line in an adjacent lot located in a residential district, a yard equal in depth to the minimum yard required by this title on such adjacent residential lot shall be provided along such rear lot.
 - d. Where the extension of a front or side lot line coincides with a front lot line of an adjacent lot located in a residential district, a yard equal in depth to the minimum yard required by this title on such adjacent residential lot shall be provided along such front or side lot lines.
 - e. All side and rear yards adjacent to an existing residentially zoned lot shall be screened by placing at the lot line a solid, sightproof fence or wall having a height not less than six feet (6'). Within this yard, there shall be a landscaped area planted with one 2¹/₂-inch caliper tree for every thirty (30) linear feet of common property line, and shall be a minimum height of six feet (6') at the time of planting. The use of earthen berms may be allowed in place of fencing provided they are designed to provide the same screening effect.

E. Lot Requirements: The zoning lot for each structure shall be a minimum of five thousand (5,000) square feet.

F. Maximum Building Height: The maximum height for any structure is thirty five feet (35').

EXISTING ORDINANCE

G. Off Street Parking And Loading Facilities: Off street parking and loading facilities shall be provided as permitted or required in this title, except for that area of Main Street bounded by County Line Road on the west and Liberty Street on the east.

H. Residential Dwelling Units Sharing Zoning Lot With Permitted B-1 Use:

1. Dwelling Standards:

- a. Any dwelling unit hereafter established within the B-1 district must be located within the principal structure on the B-1 zoning lot.
 - b. No dwelling unit hereafter established shall be permitted to occupy the basement or ground floor of the principal structure within the B-1 district.
 - c. Any dwelling unit hereafter established in any B-1 district shall have a minimum single-story floor area of nine hundred (900) square feet. Every dwelling of more than one story shall have a total floor area of not less than one thousand fifty (1,050) square feet.
2. Off Street Parking: Additional parking spaces shall be required for any dwelling unit hereafter established in any B-1 district in accordance with [chapter 9](#) of this title. The required number of spaces for dwelling units shall be separately identified and shall be in addition to the required spaces for all other uses on the zoning lot. Setbacks for spaces identified for residential use shall conform to the regulations of [chapter 9](#) of this title.

I. Conditions Of Use: Outdoor display of items intended for direct sale to the public shall be permitted as an accessory use only. Outdoor storage of items not intended for direct sale to the public shall not be permitted. (Ord. 2014-13, 7-1-2014)

11-7-2: B-2 GENERAL COMMERCIAL DISTRICT:

A. General Conditions: The B-2 general commercial district is designed to accommodate both retail and service businesses required for the day to day needs of persons in the village and other uses that serve a larger market area. This district should be located along major traffic corridors.

B. Permitted Uses:

1. Any use permitted in the B-1 district.
2. Amusement establishments, including: bowling alleys, pool halls, skating rinks, and video game rooms.
3. Automobile car washes.
4. Automobile gasoline stations, with repair garages.
5. Banquet halls.
6. Churches.

EXISTING ORDINANCE

7. Convalescent and nursing homes.
8. Drive-in window service facilities.
9. Department stores.
10. Feed and seed stores.
11. Food stores.
12. Funeral homes, mortuaries, and crematoriums.
13. Hospitals and clinics.
14. Hotels and motels.
15. Motorized vehicle sales with service departments.
16. Newspaper distribution agencies for home deliveries and retail trade.
17. Physical culture and health services.
18. Restaurants with drive-through facilities.
19. Schools for business, professional or technical training.
20. Theaters, indoor other than an adult business use.
21. Tire stores, sales and service.
22. Trailer, camper or recreational vehicle sales and rental.
23. Trailer or automobile or other equipment rental.
24. Accessory uses in accordance with [chapter 2](#) of this title, except the following accessory uses identified in section [11-2-3](#), table [11-2-3A](#) of this title: air conditioning equipment shelters, architectural entrance structures, balconies, decks and unenclosed porches, detached garages or carports, farm and garden crops, lawn furniture, open off street loading spaces, open off street parking spaces, playground and laundry drying equipment, satellite antennas, sheds and storage buildings, terraces, patios and outdoor fireplaces.

C. Special Uses:

1. Animal hospitals and kennels.
2. Blacksmith and welding shops.
3. Building materials sales yards and storage.
4. Building contractor's office and material storage.

EXISTING ORDINANCE

5. Farm equipment sales and service.
6. Golf driving ranges.
7. Plant nurseries or greenhouses.
8. Plumbing and heating service and equipment stores.
9. Outdoor sales areas.
10. Residential hotels or motels.
11. Self-service storage facilities.
12. Vehicle repair and service facilities.

D. Yard Requirements:

Front	Side	Transitional	Rear
30 ft.	10 ft. or 10% whichever is greater	Where a B-2 district property adjoins a residential district, as required in B-1 district	20 ft.

E. Lot Requirements: The zoning lot for each structure shall be a minimum of five thousand (5,000) square feet.

F. Maximum Building Height: The maximum height for any structure is thirty five feet (35').

G. Off Street Parking And Loading Facilities: Off street parking and loading facilities shall be provided as permitted or required in [chapter 9](#) of this title.

H. Conditions Of Use: Outdoor display of items intended for direct sale to the public shall be permitted as an accessory use only. Outdoor storage of items not intended for direct sale to the public shall also be permitted as an accessory use as long as the storage area is completely screened from the public view and located behind the front building line of the principal building, except that automobiles and other vehicles that have been serviced, or are awaiting service, may be temporarily stored for a period of forty eight (48) hours in front of the building line of the principal building. (Ord. 2014-13, 7-1-2014)

PROPOSED AMENDMENTS

Chapter 7 BUSINESS DISTRICTS

Attachment B

11-7-1 : B-1 CENTRAL BUSINESS DISTRICT:

11-7-2 : B-2 GENERAL COMMERCIAL DISTRICT:

11-7-1 : B-1 CENTRAL BUSINESS DISTRICT:  

A. General Conditions: The B-1 central business district is designed to accommodate those retail uses that are characteristic of the "Main Street" commercial center.

B. Permitted Uses:

1. Antique shops.

2. Automobile parts and accessory stores.

2-3. Bait shops

3-4. Bakeries.

4-5. Banks and financial institutions.

5-6. Barber and beauty shops.

6-7. Bicycle sales, rental and repair shops.

7-8. Bookstores.

8-9. Candy, ice cream and confectionery.

9-10. Camera and photography supply shops.

10-11. Card and stationery shops.

11-12. Catering establishments, including pizza delivery.

12-13. Clothing stores.

13-14. Custom dressmaking, tailoring or shoe repair shops, when conducted for retail sale on the premises only.

14-15. Drugstores.

15-16. Dry cleaning and laundries, receiving stations only, no processing on-site;

16-17. Dry goods stores.

PROPOSED AMENDMENTS

~~17,18.~~ Florists.

~~18,19.~~ Furniture stores, with repair and reupholstery only as an accessory use.

~~19,20.~~ Gift shops.

~~20,21.~~ Hardware stores.

~~21,22.~~ Hobby shops.

~~22,23.~~ Household appliance stores and repair.

~~23,24.~~ Jewelry and watch repair shops.

~~24,25.~~ Libraries.

~~26.~~ Locksmiths.

~~25,27.~~ Medical, chiropractic and dental offices.

~~26,28.~~ Museums.

~~27,29.~~ Musical instrument sales and service.

~~28,30.~~ Offices, including the following: accounting and bookkeeping, advertising agency, broadcast studios, business machine services, consulting agency, employment agency, engineering, planner, architect or designer office, informational technology (IT)/computer support services, insurance agency, investment agency, legal services, public and private utility companies, real estate services, securities and commodities broker services.

~~29,31.~~ Optical sales and service.

~~30,32.~~ Package liquor stores.

~~31,33.~~ Parking lots, as a principal use.

~~32,34.~~ Parks.

~~33,35.~~ Pet stores.

~~34,36.~~ Photography and art studios, including the development of film and pictures when done as part of the retail business on the premises.

~~35,37.~~ Post office.

~~36,38.~~ Printing, photocopying and blueprinting establishments.

~~39.~~ Private or fraternal clubs or lodges.

~~37,40.~~ Public buildings.

~~38,41.~~ Record stores.

~~39,42.~~ Residential uses as regulated in chapter 6 of this title.

PROPOSED AMENDMENTS

~~40-43.~~ Restaurants and taverns, including carry-out establishments, fast food, quick-service, fast-casual, full-service, sit-down, cafeterias, delis, diners, coffee shops and uses of similar nature when the establishment is not of the drive-in type where food is served to occupants remaining in motor vehicles.

~~41-44.~~ Retail ~~sale—business uses not otherwise regulated by this Code including, but not limited to:~~ books, cell phone sales/service, newspapers, stationary, bicycles, baked goods, dairy products, gifts, groceries, flowers, of cabinets and countertops and other uses of similar nature.

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~~42-45.~~ Secondhand stores.

~~43-46.~~ Shoe stores.

~~44-47.~~ Sporting goods stores.

~~45-48.~~ Television, radio and recording studios.

~~46-49.~~ Television and radio stores, sales and service.

~~47-50.~~ Toy stores.

~~48-51.~~ Travel agencies.

~~49-52.~~ Videotape sales and rental stores.

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52. Accessory uses in accordance with chapter 2 of this title, except the following accessory uses identified in section 11-2-3, table 11-2-3A of this title: air conditioning equipment shelters, architectural entrance structures, balconies, decks and unenclosed porches, detached garages or carports, farm and garden crops, lawn furniture, open off street loading spaces, open off street parking spaces, playground and laundry drying equipment, satellite antennas, sheds and storage buildings, swimming pools, terraces, patios and outdoor fireplaces.

C. Special Uses:

1. Automobile gasoline stations, but not repair garages.

2. Banquet halls.

3. Car washes.

~~3-4.~~ Clinics – Medical and veterinary.

~~4-5.~~ Convalescent and nursing homes.

~~5-6.~~ Drive-in and drive through window service facilities.

~~6-7.~~ Food stores.

~~7-8.~~ Funeral homes, mortuaries, and crematoriums.

~~8-9.~~ Hospitals and clinics.

10. Churches, rectories and parish houses.

PROPOSED AMENDMENTS

[11.](#) Planned unit developments.

[9.12.](#) Public utility and service uses.

[10.13.](#) Schools for business, professional and technical training.

[14.](#) Theaters, indoor other than adult business use.

11-7-2 : B-2 GENERAL COMMERCIAL DISTRICT:

A. General Conditions: The B-2 general commercial district is designed to accommodate both retail and service businesses required for the day to day needs of persons in the village and other uses that serve a larger market area. This district should be located along major traffic corridors.

B. Permitted Uses:

1. Any use permitted in the B-1 district.
2. Amusement establishments, including: bowling alleys, pool halls, skating rinks, and video [amusement \(non-gambling\)](#) game rooms.
3. Automobile car washes.
4. Automobile gasoline stations, with repair garages.
5. Banquet halls.
6. Churches.
7. Convalescent and nursing homes.
8. Drive-in window service facilities.
9. Department stores.
10. Feed and seed stores.
11. Food stores.
12. Funeral homes, mortuaries, and crematoriums.
13. Hospitals and clinics.
14. Hotels and motels.
15. Motorized vehicle sales with service departments.
- [16.](#) Newspaper distribution agencies for home deliveries and retail trade.
- [16.17.](#) [Nursery, pre-kindergarten, play, day care, special and other private school.](#)

PROPOSED AMENDMENTS

17.18. Physical culture and health services.

18.19. Restaurants with drive-through facilities.

19.20. Schools for business, professional or technical training.

20.21. Theaters, indoor other than an adult business use.

21.22. Tire stores, sales and service.

22.23. Trailer, camper or recreational vehicle sales and rental.

23.24. Trailer or automobile or other equipment rental.

24.25. Accessory uses in accordance with [chapter 2](#) of this title, except the following accessory uses identified in section [11-2-3](#), table [11-2-3A](#) of this title: air conditioning equipment shelters, architectural entrance structures, balconies, decks and unenclosed porches, detached garages or carports, farm and garden crops, lawn furniture, open off street loading spaces, open off street parking spaces, playground and laundry drying equipment, satellite antennas, sheds and storage buildings, terraces, patios and outdoor fireplaces.

C. Special Uses:

1. Animal hospitals and kennels.

2. Blacksmith and welding shops.

3. Building materials sales yards and storage.

4. Building contractor's office and material storage.

4.5. [Clinics – Medical and veterinarian.](#)

5.6. Farm equipment sales and service.

6.7. Golf driving ranges.

7.8. Plant nurseries or greenhouses.

8.9. Plumbing and heating service and equipment stores.

9.10. Outdoor sales areas.

10.11. Residential hotels or motels.

11.12. Self-service storage facilities.

12.13. Vehicle repair and service facilities.

Daily Chronicle

Description: PUBLIC HEARING
1721124

VILLAGE OF MAPLE PARK
P.O. BOX 220
MAPLE PARK IL 60151

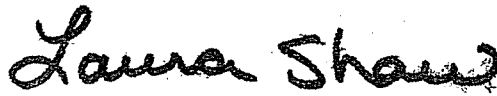
Shaw Media certifies that it is the publisher of the Daily Chronicle. The Daily Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of DeKalb, County of DeKalb, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Daily Chronicle, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 11/06/2019

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at DeKalb, Illinois, on 6th day of November, A.D. 2019

Shaw Media By:



Laura Shaw, Publisher

Account Number 10024917

Amount \$96.10

PUBLIC NOTICE
NOTICE OF PUBLIC HEARING

A Public Hearing will be held before the Maple Park Planning Commission on November 21, 2019 at 7:00 p.m. in Board Room in the Village Hall, 302 Willow Street, Maple Park, Illinois 60151. The purpose of this public hearing is to hear testimony and receive evidence regarding amendments to the text of Title 7 of the Village Code (Business Districts), specifically as regulated in 11-7-1 B. (B-1 Central Business District Permitted uses) and 11-7-1 C. (B-1 Central Business District Special Uses) and 11-7-2 B. (B-2 Commercial District Permitted Uses) and 11-7-2 C. (B-2 General Commercial District Special Uses.)

Documentation for this request is available for inspection in the Maple Park Village Hall, from 9:00 a.m. to 12:00 p.m., Monday, Wednesday, Thursday and Friday and from 3:00 p.m. to 7:00 p.m. on Tuesdays. The Village of Maple Park, in compliance with the Americans with Disabilities Act, requests that persons requiring accommodations contact the Village's ADA Coordinator, at (815) 827-3309, 24-hours before the meeting. All persons in attendance at the hearing shall have an opportunity to be heard regarding the proposed amendments. The public hearing may be adjourned to another date by the Planning Commission of the Village without further notice other than a notice entered upon the minutes of said meeting fixing the time and place of its adjournment and reconvening.

Chuck Miller, Chairman
Planning Commission
Village of Maple Park
(Published in the Daily Chronicle, November 6, 2019.)1721124

Daily Chronicle

Description: PLAN COMM 12/19/19
 LEGAL NOTICE NOTICE OF PU
 PLAN COM 12/19/19

VILLAGE OF MAPLE PARK
 P.O. BOX 220
 MAPLE PARK IL 60151

Shaw Media certifies that it is the publisher of the Daily Chronicle. The Daily Chronicle is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of DeKalb, County of DeKalb, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in the Daily Chronicle, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 12/07/2019

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Laura Shaw, its publisher, at DeKalb, Illinois, on 7th day of December, A.D. 2019

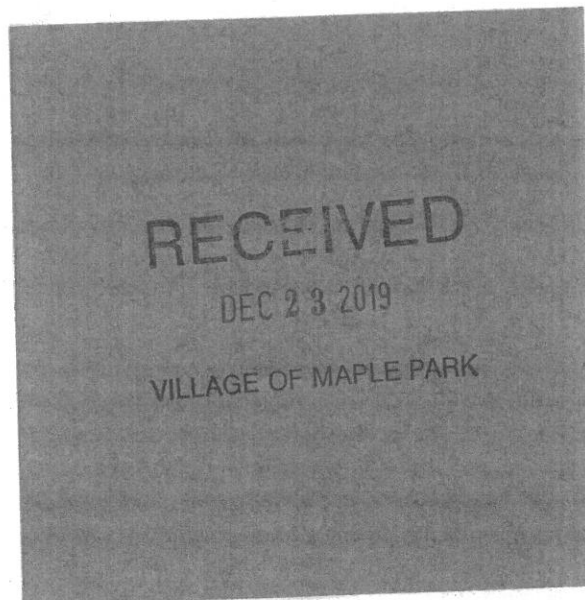
Shaw Media By:

Laura Shaw

Laura Shaw, Publisher

Account Number 10024917

Amount \$102.30



LEGAL NOTICE
 NOTICE OF PUBLIC HEARING

A Public Hearing will be held before the Maple Park Planning Commission on December 19, 2019 at 7:00 p.m. in Board Room in the Village Hall, 302 Willow Street, Maple Park, Illinois 60151. The purpose of this public hearing is to hear testimony and receive evidence regarding amendments to the text of Title 7 of the Village Code (Business Districts), specifically as regulated in 11-7-1 B. (B-1 Central Business District Permitted uses) and 11-7-1 C. (B-1 Central Business District Special Uses) and 11-7-2 B. (B-2 Commercial District Permitted Uses) and 11-7-2 C. (B-2 General Commercial District Special Uses.), and: Receive evidence regarding amendments to the text of Title 9 of the Village Code (Utilities), specifically as regulated in Chapter 4 (Small Wireless Facilities).

Documentation for this request is available for inspection in the Maple Park Village Hall, from 9:00 a.m. to 12:00 p.m., Monday, Wednesday, Thursdays and Fridays and from 3:00 p.m. to 7:00 p.m. on Tuesdays.

The Village of Maple Park, in compliance with the Americans with Disabilities Act, requests that persons requiring accommodations contact the Village's ADA Coordinator, at (815) 827-3309, 24-hours before the meeting. All persons in attendance at the hearing shall have an opportunity to be heard regarding the proposed amendments. The public hearing may be adjourned to another date by the Planning Commission of the Village without further notice other than a notice entered upon the minutes of said meeting fixing the time and place of its adjournment and reconvening.

Chuck Miller, Chairman
 Planning Commission
 Village of Maple Park

**BEFORE THE PLAN COMMISSION OF
THE VILLAGE OF MAPLE PARK, ILLINOIS
DECEMBER 19, 2019**

FINDINGS OF FACT AND RECOMMENDATION

This matter came before the Plan Commission of Maple Park, at a Public Hearing on December 19, 2019 at 7:00p.m., for amending Chapter 7, Sections 11-7-1B Permitted Uses in a B-1 Central Business District and 11-7-1C Business District Special Uses; and for 11-7-2-B General Commercial District Permitted Uses and 11-7-2C Permitted Uses.

It should be noted that the Public Hearing Notice was originally published for this matter on November 4, 2019 for the Plan Commission meeting scheduled on November 21, 2019; however, there was no quorum of the Plan Commission on November 21, 2019. Therefore, the matter was moved to the next scheduled meeting of the Plan Commission on December 19, 2019.

On December 19, 2019, the Acting Village Clerk Theresa D'Amato advised the Plan Commission that the Public Hearing for this matter had been properly noticed in the Daily Chronicle, as required by Section 11-11-4.A of the Maple Park Municipal Code, on December 7, 2019. The Plan Commission had a quorum at the December 19, 2019 meeting.

Chairman Miller asked if there were any comments from the public. There were no public comments received.

Chairman Miller closed the public hearing at 7:08 p.m.

The Plan Commission reviewed the matter at hand at the regular Plan Commission meeting and determined that the proposed text amendments adding additional business and special use types to Sections 11-7-1B Permitted Uses in a B-1 Central Business District and 11-7-1C Business District Special Uses; and for 11-7-2-B General Commercial District Permitted Uses and 11-7-2C Permitted Uses were accepted; and, met the following objectives:

1. To encourage the development of buildings and uses on appropriate sites in order to maximize community wide social and economic benefits while accommodating the particular needs of all residents, and to discourage development on inappropriate sites: *That the removal of an outdated business use and the addition of modern business uses are consistent in maximizing the different types of businesses that may wish to locate in the Village of Maple Park and thus are of benefit to the community overall.*
2. To protect and enhance the character and stability of existing residential, commercial and industrial areas, and to gradually eliminate nonconforming uses and structures. *That the proposed text amendments ensure that the recommended permitted and special uses protect and enhance the character and stability of the Village of Maple Park by encouraging permitted uses to apply for and operate in the Village; and, that a non-permitted or special use wishing to locate in the Village would require either text amendment or a zoning variation in order to receive a permit to operate in the Village.*

3. To conserve and increase the value of taxable property throughout this municipality. *That by increasing the types of permitted and special uses the Village will continue to conserve and increase the value of existing property within its boundaries.*
4. To provide for efficient administration and fair enforcement of all regulations set forth in the Title 11 Zoning Regulations. *That having a detailed list of business and special uses within the B-1 Central Business District and the B-2 Commercial Business District will increase Staff's ability to properly and fairly enforce the types of business and special uses permitted in the Village.*

Chairman Miller asked the Planning Commission members if they would like to vote on the proposed text amendments: Chapter 7, Sections 11-7-1 B., "Permitted Uses," and, 11-7-1 C. "Special Uses," and 11-7-2 B., "Permitted Uses" and 11-7-2 C., "Special Uses."

Commissioner Ramirez motioned to approve the proposed text amendments for: Chapter 7, Sections 11-7-1 B., "Permitted Uses," and, 11-7-1 C. "Special Uses," and 11-7-2 B., "Permitted Uses" and 11-7-2 C., "Special Uses; the motion was seconded by Commissioner Catanag. The motion carried by roll call vote.

Aye: Chuck Miller, Lorenzo Catanag, George Davidson, Jeff Ramirez, Kyle Foster

Nay: None

Absent: Kimberly Sutherland, Robert Rowlett

Recommendation of **APPROVAL** of the proposed zoning ordinance change shall be forwarded to the Village of Maple Park Board of Trustees for approval on Tuesday, January 7, 2020.

Dated: 23 December 2019

Respectfully submitted,



Chuck Miller, Chairman
Maple Park Planning Commission

VILLAGE OF MAPLE PARK

ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 11-7-1 B., “PERMITTED USES,” AND, 11-7-1 C. “SPECIAL USES,” AND 11-7-2 B., “PERMITTED USES” AND 11-7-2 C., “SPECIAL USES.”

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK
KANE AND DEKALB COUNTIES, ILLINOIS**

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this __ day of _____.

ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 11-7-1 B., “PERMITTED USES,” AND, 11-7-1 C. “SPECIAL USES,” AND 11-7-2 B., “PERMITTED USES” AND 11-7-2 C. “SPECIAL USES.”

WHEREAS, the Village of Maple Park, DeKalb and Kane Counties, Illinois is a duly organized and existing municipality created under the provisions of the laws of the State of Illinois; and,

WHEREAS, the President and Board of Trustees of the Village of Maple Park believe it is in the best interest of the Village to amend the text of the Municipal Code to address the type of uses business and special uses within the B-1 and B-2 Business districts.

WHEREAS, at the August 27, 2019 Finance Committee Meeting, the Committee reviewed and discussed existing business and special uses and suggested amendments to the B-1 Central Business District and B-2 General Commercial Business District Permitted and Special Uses; and

WHEREAS, the Planning Commission conducted a Public Hearing on December 19, 2019 on the proposed amendments to the Permitted and Special Uses in the B-1 Central Business District and B-2 General Commercial Business Districts; and

WHEREAS, at the regular Planning Commission Meeting on December 19, 2019, the Planning Commission; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Maple Park as follows:

SECTION 1. Recitals. The facts and statements contained in the preamble to this Ordinance are hereby adopted as part of this Ordinance.

SECTION 2. That, Title 7, BUSINESS DISTRICTS, Section 11-7-1 B. PERMITTED USES is amending to read in its entirety as follows:

A. Permitted Uses:

1. Antique shops.
2. Automobile parts and accessory stores.
3. Bait shops
4. Bakeries.
5. Banks and financial institutions.
6. Barber and beauty shops.
7. Bicycle sales, rental and repair shops.
8. Bookstores.
9. Candy, ice cream and confectionery.
10. Camera and photography supply shops.
11. Card and stationery shops.
12. Catering establishments, including pizza delivery.
13. Clothing stores.
14. Custom dressmaking, tailoring or shoe repair shops, when conducted for retail sale on the premises only.
15. Drugstores.
16. Dry cleaning and laundries, receiving stations only, no processing on-site;
17. Dry goods stores.
18. Florists.
19. Furniture stores, with repair and reupholstery only as an accessory use.
20. Gift shops.

21. Hardware stores.
22. Hobby shops.
23. Household appliance stores and repair.
24. Jewelry and watch repair shops.
25. Libraries.
26. Locksmiths.
27. Medical, chiropractic and dental offices.
28. Museums.
29. Musical instrument sales and service.
30. Offices, including the following: accounting and bookkeeping, advertising agency, broadcast studios, business machine services, consulting agency, employment agency, engineering, planner, architect or designer office, informational technology (IT)/computer support services, insurance agency, investment agency, legal services, public and private utility companies, real estate services, securities and commodities broker services.
31. Optical sales and service.
32. Package liquor stores.
33. Parking lots, as a principal use.
34. Parks.
35. Pet stores.
36. Photography and art studios, including the development of film and pictures when done as part of the retail business on the premises.
37. Post office.
38. Printing, photocopying and blueprinting establishments.
39. Private or fraternal clubs or lodges.
40. Public buildings.

41. Record stores.
42. Residential uses as regulated in [chapter 6](#) of this title.
43. Restaurants and taverns, including carry-out establishments, fast food, quick-service, fast-casual, full-service, sit-down, cafeterias, delis, diners, coffee shops and uses of similar nature when the establishment is not of the drive-in type where food is served to occupants remaining in motor vehicles.
44. Retail business uses not otherwise regulated by this Code including, but not limited to: books, cell phone sales/service, newspapers, stationary, bicycles, baked goods, dairy products, gifts, groceries, flowers, ~~of~~ cabinets and countertops and other uses of similar nature.
45. Secondhand stores.
46. Shoe stores.
47. Sporting goods stores.
48. Television, radio and recording studios.
49. Television and radio stores, sales and service.
50. Toy stores.
51. Travel agencies.
52. Accessory uses in accordance with [chapter 2](#) of this title, except the following accessory uses identified in section [11-2-3](#), table [11-2-3A](#) of this title: air conditioning equipment shelters, architectural entrance structures, balconies, decks and unenclosed porches, detached garages or carports, farm and garden crops, lawn furniture, open off street loading spaces, open off street parking spaces, playground and laundry drying equipment, satellite antennas, sheds and storage buildings, swimming pools, terraces, patios and outdoor fireplaces.

SECTION 3. That, Title 7, BUSINESS DISTRICTS, Section 11-7-1 C. SPECIAL USES is amending to read in its entirety as follows:

C. Special Uses:

1. Automobile gasoline stations, but not repair garages.
2. Banquet halls.
3. Car washes.
4. Clinics – Medical and veterinary.
5. Convalescent and nursing homes.
6. Drive-in and drive through window service facilities.
7. Food stores.
8. Funeral homes, mortuaries, and crematoriums.
9. Hospitals and clinics.
10. Churches, rectories and parish houses.
11. Planned unit developments.
12. Public utility and service uses.
13. Schools for business, professional and technical training.
14. Theaters, indoor other than adult business use.

SECTION 4. That, Title 7 BUSINESS DISTRICTS, Section 11-7-2 B. PERMITTED USES is amending to read in its entirety as follows:

A. Permitted Uses:

1. Any use permitted in the B-1 district.
2. Amusement establishments, including: bowling alleys, pool halls, skating rinks, and video amusement (non-gambling) game rooms.
3. Automobile car washes.

4. Automobile gasoline stations, with repair garages.
5. Banquet halls.
6. Churches.
7. Convalescent and nursing homes.
8. Drive-in window service facilities.
9. Department stores.
10. Feed and seed stores.
11. Food stores.
12. Funeral homes, mortuaries, and crematoriums.
13. Hospitals and clinics.
14. Hotels and motels.
15. Motorized vehicle sales with service departments.
16. Newspaper distribution agencies for home deliveries and retail trade.
17. Nursery, pre-kindergarten, play, day care, special and other private school.
18. Physical culture and health services.
19. Restaurants with drive-through facilities.
20. Schools for business, professional or technical training.
21. Theaters, indoor other than an adult business use.
22. Tire stores, sales and service.
23. Trailer, camper or recreational vehicle sales and rental.
24. Trailer or automobile or other equipment rental.

25. Accessory uses in accordance with [chapter 2](#) of this title, except the following accessory uses identified in section [11-2-3](#), table [11-2-3A](#) of this title: air conditioning equipment shelters, architectural entrance structures, balconies, decks and unenclosed porches, detached garages or carports, farm and garden crops, lawn furniture, open off street loading spaces, open off street parking spaces, playground and laundry drying equipment, satellite antennas, sheds and storage buildings, terraces, patios and outdoor fireplaces.

SECTION 5. That, Title 7 BUSINESS DISTRICTS, Section 11-7-2 C. PERMITTED USES is amending to read in its entirety as follows:

B. Special Uses:

1. Animal hospitals and kennels.
2. Blacksmith and welding shops.
3. Building materials sales yards and storage.
4. Building contractor's office and material storage.
5. Clinics – Medical and veterinarian.
6. Farm equipment sales and service.
7. Golf driving ranges.
8. Plant nurseries or greenhouses.
9. Plumbing and heating service and equipment stores.
10. Outdoor sales areas.
11. Residential hotels or motels.
12. Self-service storage facilities.
13. Vehicle repair and service facilities.

SECTION 6. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

ADOPTED THIS _____ day of _____, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, **2020**.

SEAL

Kathleen Curtis, Village President

ATTEST:

Theresa D'Amato, Acting Village Clerk

VILLAGE OF MAPLE PARK

ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 11-7-1 B., “PERMITTED USES,” AND, 11-7-1 C. “SPECIAL USES,” AND 11-7-2 B., “PERMITTED USES” AND 11-7-2 C., “SPECIAL USES.”

**ADOPTED BY
THE BOARD OF TRUSTEES
OF THE
VILLAGE OF MAPLE PARK
KANE AND DEKALB COUNTIES, ILLINOIS**

Published in pamphlet form by authority of the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois, this ___ day of _____.

ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING CHAPTER 7, SECTIONS 11-7-1 B., “PERMITTED USES,” AND, 11-7-1 C. “SPECIAL USES,” AND 11-7-2 B., “PERMITTED USES” AND 11-7-2 C. “SPECIAL USES.”

WHEREAS, the Village of Maple Park, DeKalb and Kane Counties, Illinois is a duly organized and existing municipality created under the provisions of the laws of the State of Illinois; and,

WHEREAS, the President and Board of Trustees of the Village of Maple Park believe it is in the best interest of the Village to amend the text of the Municipal Code to address the type of uses business and special uses within the B-1 and B-2 Business districts.

WHEREAS, at the August 27, 2019 Finance Committee Meeting, the Committee reviewed and discussed existing business and special uses and suggested amendments to the B-1 Central Business District and B-2 General Commercial Business District Permitted and Special Uses; and

WHEREAS, the Planning Commission conducted a Public Hearing on December 19, 2019 on the proposed amendments to the Permitted and Special Uses in the B-1 Central Business District and B-2 General Commercial Business Districts; and

WHEREAS, at the regular Planning Commission Meeting on December 19, 2019, the Planning Commission; and

NOW, THEREFORE, BE IT ORDAINED by the Board of Trustees of the Village of Maple Park as follows:

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A. Permitted Uses:

1. Antique shops.
2. Automobile parts and accessory stores.
3. Bait shops
4. Bakeries.
5. Banks and financial institutions.
6. Barber and beauty shops.
7. Bicycle sales, rental and repair shops.
8. Bookstores.
9. Candy, ice cream and confectionery.
10. Camera and photography supply shops.
11. Card and stationery shops.
12. Catering establishments, including pizza delivery.
13. Clothing stores.
14. Custom dressmaking, tailoring or shoe repair shops, when conducted for retail sale on the premises only.
15. Drugstores.
16. Dry cleaning and laundries, receiving stations only, no processing on-site;
17. Dry goods stores.
18. Florists.
19. Furniture stores, with repair and reupholstery only as an accessory use.
20. Gift shops.

21. Hardware stores.
22. Hobby shops.
23. Household appliance stores and repair.
24. Jewelry and watch repair shops.
25. Libraries.
26. Locksmiths.
27. Medical, chiropractic and dental offices.
28. Museums.
29. Musical instrument sales and service.
30. Offices, including the following: accounting and bookkeeping, advertising agency, broadcast studios, business machine services, consulting agency, employment agency, engineering, planner, architect or designer office, informational technology (IT)/computer support services, insurance agency, investment agency, legal services, public and private utility companies, real estate services, securities and commodities broker services.
31. Optical sales and service.
32. Package liquor stores.
33. Parking lots, as a principal use.
34. Parks.
35. Pet stores.
36. Photography and art studios, including the development of film and pictures when done as part of the retail business on the premises.
37. Post office.
38. Printing, photocopying and blueprinting establishments.
39. Private or fraternal clubs or lodges.
40. Public buildings.

41. Record stores.
42. Residential uses as regulated in [chapter 6](#) of this title.
43. Restaurants and taverns, including carry-out establishments, fast food, quick-service, fast-casual, full-service, sit-down, cafeterias, delis, diners, coffee shops and uses of similar nature when the establishment is not of the drive-in type where food is served to occupants remaining in motor vehicles.
44. Retail business uses not otherwise regulated by this Code including, but not limited to: books, cell phone sales/service, newspapers, stationary, bicycles, baked goods, dairy products, gifts, groceries, flowers, ~~of~~ cabinets and countertops and other uses of similar nature.
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SECTION 3. That, Title 7, BUSINESS DISTRICTS, Section 11-7-1 C. SPECIAL USES is amending to read in its entirety as follows:

C. Special Uses:

1. Automobile gasoline stations, but not repair garages.
2. Banquet halls.
3. Car washes.
4. Clinics – Medical and veterinary.
5. Convalescent and nursing homes.
6. Drive-in and drive through window service facilities.
7. Food stores.
8. Funeral homes, mortuaries, and crematoriums.
9. Hospitals and clinics.
10. Churches, rectories and parish houses.
11. Planned unit developments.
12. Public utility and service uses.
13. Schools for business, professional and technical training.
14. Theaters, indoor other than adult business use.

SECTION 4. That, Title 7 BUSINESS DISTRICTS, Section 11-7-2 B. PERMITTED USES is amending to read in its entirety as follows:

A. Permitted Uses:

1. Any use permitted in the B-1 district.
2. Amusement establishments, including: bowling alleys, pool halls, skating rinks, and video amusement (non-gambling) game rooms.
3. Automobile car washes.

4. Automobile gasoline stations, with repair garages.
5. Banquet halls.
6. Churches.
7. Convalescent and nursing homes.
8. Drive-in window service facilities.
9. Department stores.
10. Feed and seed stores.
11. Food stores.
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13. Hospitals and clinics.
14. Hotels and motels.
15. Motorized vehicle sales with service departments.
16. Newspaper distribution agencies for home deliveries and retail trade.
17. Nursery, pre-kindergarten, play, day care, special and other private school.
18. Physical culture and health services.
19. Restaurants with drive-through facilities.
20. Schools for business, professional or technical training.
21. Theaters, indoor other than an adult business use.
22. Tire stores, sales and service.
23. Trailer, camper or recreational vehicle sales and rental.
24. Trailer or automobile or other equipment rental.

25. Accessory uses in accordance with [chapter 2](#) of this title, except the following accessory uses identified in section [11-2-3](#), table [11-2-3A](#) of this title: air conditioning equipment shelters, architectural entrance structures, balconies, decks and unenclosed porches, detached garages or carports, farm and garden crops, lawn furniture, open off street loading spaces, open off street parking spaces, playground and laundry drying equipment, satellite antennas, sheds and storage buildings, terraces, patios and outdoor fireplaces.

SECTION 5. That, Title 7 BUSINESS DISTRICTS, Section 11-7-2 C. PERMITTED USES is amending to read in its entirety as follows:

B. Special Uses:

1. Animal hospitals and kennels.
2. Blacksmith and welding shops.
3. Building materials sales yards and storage.
4. Building contractor's office and material storage.
5. Clinics – Medical and veterinarian.
6. Farm equipment sales and service.
7. Golf driving ranges.
8. Plant nurseries or greenhouses.
9. Plumbing and heating service and equipment stores.
10. Outdoor sales areas.
11. Residential hotels or motels.
12. Self-service storage facilities.
13. Vehicle repair and service facilities.

SECTION 6. Severability. If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law.

ADOPTED THIS _____ day of _____, 2020.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____, **2020**.

SEAL

Kathleen Curtis, Village President

ATTEST:

Theresa D'Amato, Acting Village Clerk