

VILLAGE OF LOMBARD
FILL AND GRADING PERMIT APPLICATION

DATE: _____

Property Owner's Name: _____

Property Owner's Address: _____

Property Owner's Phone No.: _____

Contractor's Company Name: _____

Contractor's Company Address: _____

Contractors Company Phone No. _____

Site Location: _____

Type of Fill: _____

Reason for Fill: _____

To the best of your knowledge:

Is the "site location" within a flood plain? _____

Is the "site location" within a flood prone area? _____

Is the "site location" at a _____ higher _____ lower _____ same elevation as all adjacent properties.

Does the property collect water? (if answer is "yes" please describe location and approximate depth) _____

Please provide a detailed sketch in the space below. The sketch shall include the following information:

1. Sketch of the property.
2. Desired location of fill and/or landscape grading.
3. Location of easements, drainage structures and drainage swales..
4. Materials to be used for landscaping and grading. (example: 4 x 4" timbers, large rocks, drain tile, shrubs, etc.)
5. Amount of fill to be used.
6. Grading plan indicating proposed direction of drainage.

All fill shall be of non-nuisance variety.

The filling and/or landscape grading shall not be detrimental of adjacent or nearby properties.

Debris shall be promptly removed from all public property.

Village Ordinance No. 3438, amending Title 15, Chapter 150, Section 150.280 through Sections 150.999 (H) of the Village of Lombard Code of Ordinance, are to be observed and adhered to.

This permit is valid for a period of sixty days from date of issuance.

STATEMENT MADE ON THIS APPLICATION ARE TRUE AND ATTESTED TO BY MY SIGNATURE:

Applicants Signature: _____

Date: _____

ORDINANCE NO. 3438

AN ORDINANCE AMENDING TITLE 15, CHAPTER 150, SECTION 150.280,
THROUGH SECTIONS 150.999 (H) OF THE VILLAGE OF LOMBARD
CODE OF ORDINANCES

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

SECTION 1: That Title 15, Chapter 150, Section 150.280,
through Sections 150.999 (H) of the Village of Lombard Code of
Ordinances is hereby amended to read as follows:

ss. 150.280 PERMIT REQUIRED

It is unlawful for any person, firm, or corporation to alter
or change the elevation or grade of any lot or parcel of
land within the Village, including, but not solely limited
to landscaping, without having first obtained a permit for
such

alteration or change from the Department of Community
Development. This shall also include all new construction,
parking lots, and all open land.

ss. 150.281 SUBMITTAL REQUIREMENTS PREREQUISITE TO
ISSUANCE OF PERMIT

Applications to the Community Development Department for
Fill and Grade Change Permits shall contain:

1. A topographical survey using U.S.G.S. datum of the
area contributing to a nuisance or creating
stagnant pools. The survey shall be prepared by a
registered land surveyor, and shall have been
produced not more than five (5) years prior to the
date of application, nor shall the survey have
been produced prior to the completion of any
change of grade upon the subject or adjacent
parcels of property.
2. A final grading plan prepared by a registered
engineer, providing that such altering or change
of grade shall not result in a material change in
the flow of storm or surface water, which will be
detrimental to adjacent or nearby properties.
3. In the case of a single-family residence, the
submittal requirements may be waived upon
determination of the Director of Community
Development, or his designee, that the scale of
the project is insufficient to result in a
material change in the flow of storm or surface
water, which will be detrimental to adjacent or
nearby properties.

ss. 150.282 DEPOSIT REQUIRED

In all cases where the issuance of a permit has required the
submission of a topographical survey using U.S.G.S. datum,
the sum of \$500 shall be deposited with the Department of
Community Development, in addition to the filing fee
required in ss. 150.283, before any such permit will be
granted. Such deposit shall be returnable, in full, to the
applicant when such applicant calls for a final inspection
and receives approval from the Department of Community
Development. The Department of Community Development shall
have the right to require submittal of an as-built
topographical survey prior to final approval. In the event
the applicant fails to conform to the requirements of the
permit and refuses to make the necessary corrections so that
it becomes necessary for the Village to initiate legal

action to enforce the provisions of this subchapter or the plans approved by the Village upon application for filling, such deposit of \$500 shall be used by the Village towards its court costs and reasonable legal fees in and about the prosecution of such action.

ss. 150.283 DRAINAGE FLOW AFFECTED; PROPERTY OWNER
CONSENT REQUIRED; PERMIT FEES; PERMIT
LIMITATIONS; RENEWAL OF PERMITS

(A) In such cases where the filling in of land will adversely affect the adjoining or nearby real estate in the flow of established drainage, it will be necessary for the applicant hereunder to get consent or an agreement with the property owners so adversely affected and involved. Such consent or agreement shall be recorded; and in such form as to constitute a perpetual easement providing for the construction, operation, and maintenance of any new drainage courses adversely affecting property other than that of the applicant.

(B) The filing fee for each such application for a permit shall be .002 dollars per square foot of the total area of the lot or lots on which the fill or grade change is located, or \$15 whichever is greater.

(C) Permits shall be valid for 6 months from the date of issuance.

(D) Permits may be renewed with the approval of the Director of Community Development, or his designee. Submittal of a current topographical survey showing existing grades at the time of renewal, shall be required in all cases where a survey was required for the original permit. Fees for renewal of permits shall be limited to the filing fee, no additional deposit shall be required.

ss. 150.284 OBSTRUCTION OF STORM WATER DRAINAGE COURSE
PROHIBITED

It is unlawful for the owner or occupants of any subdivision or any parcel of land to obstruct any storm water drainage course.

ss. 150.285 PROHIBITED FILL MATERIALS

It is unlawful for any person to use garbage, offal, or refuse or any other substance of nuisance character, to alter or change the elevation or fill any lot or parcel within the Village.

ss. 150.287 NUISANCE DECLARED

It is hereby declared a nuisance for any person, firm, or corporation to alter or change the elevation or grade of any lot or parcel of land within the Village, other than in full compliance with the provisions of this subchapter.

ss. 150.288 DENIAL OF PERMIT; NOTICE OF VIOLATION;
ADMINISTRATIVE APPEALS

(A) Whenever a permit application is denied, the applicant shall be supplied within 7 days of such decision, written notification thereof stating the reasons for the denial. Notification shall be delivered by certified mail, return receipt requested.

(B) Whenever it is determined that a violation of this subchapter has occurred, a "Notice of Violation and Order to

Abate" shall be served upon the owner and/or the occupant, of the property on which the violation has occurred, by personal service or by certified mail, return receipt requested, in accordance with Title 9, Chapter 94, Section 94.03 of this Code.

(C) Upon receipt of a notification of a permit denial, or a "Notice of Violation and Order to Abate", the person named in said notification shall have ten (10) days from receipt of notification to file a written request with the Director of Community Development for appeal to the Public Works Committee. No permit shall be issued nor shall any fill or grading take place during the pendency of the appeal to the Public Works Committee.

(D) Stop work orders shall be administered in accordance with provisions of Section 150.366 and 150.368 and the amount of fines assessed for violation of these provisions pertaining to grade changes shall be that listed in Section 150.999 of this Code despite any other Code provision to the contrary.

ss. 150.999 ADMINISTRATION AND ENFORCEMENT

(H) Any person, firm, or corporation violating the terms of ss. 150.280 through 150.288 shall be subject to a fine of not less than \$50 nor more than \$500 for each offense. Every day of continued violation more than three days after receipt of written notice by the applicant by the village shall constitute a separate offense.

SECTION 2: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

Passed on first reading this 1st day of August, 1991.

First reading waived by action of the Board of Trustees this _____ day of _____, 1991.

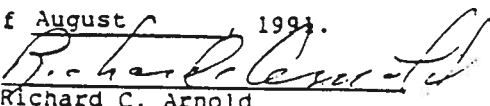
Passed on second reading this 15th day of August, 1991.

AYES: BIRD, GATZ, KUSFIN, KRISCH, TROSS, VAZQUEZ

NAYS: NONE

ABSENT: NONE

Approved this 19th day of August, 1991.


Richard C. Arnold
Village President

ATTEST:


Lorraine G. Gerhardt, Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer, Village Attorney