



# VILLAGE OF BENSENVILLE

Village Board  
President  
Frank Soto

Trustees  
John Adamowski  
Morris Bartlett  
Patricia A. Johnson  
Martin O'Connell  
Oronzo Peconio  
Henry Wesseler  
Village Clerk  
JoEllen Ridder

Village Manager  
Michael Cassady

## Village of Bensenville, Illinois BOARD OF TRUSTEES RESCHEDULED REGULAR BOARD MEETING AGENDA

**6:00 P.M. Tuesday, November 9, 2010**

**Bensenville Village Hall, 12 S. Center Street, Bensenville IL 60106**

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL

### **PUBLIC MEETING IN REGARD TO THE PROPOSED ESTABLISHMENT OF THE BENSENVILLE NORTH INDUSTRIAL DISTRICT TIF DISTRICT, PURSUANT TO 65 ILCS 5/11-74.4-6(e)**

- A. Introduction – This is the public meeting for the proposed North Industrial District TIF District. It is being held pursuant to the requirements of the Tax Increment Allocation Redevelopment Act
- B. Reason for Meeting/Who was Notified
- C. Overview of the Redevelopment Project Area, the Eligibility Report, the Housing Impact Study, and the Redevelopment Plan and Project in Relation Thereto
- D. Next Steps in the Process
- E. Public Comment/Question and Answer Period
- F. Motion to Close the Public Meeting
- IV. PUBLIC COMMENT (3 minutes per person with a 30 minute meeting limitation)
- V. APPROVAL OF MINUTES

October 26, 2010 - Board of Trustees

- VI. WARRANT – November 9, 2010 #10/38 - \$760,299.03

**VII. CONSENT AGENDA – CONSIDERATION OF AN “OMNIBUS VOTE”**

1. *Ordinance Amending the Village Code Regarding Settlement of Nuisance Greenery Violations*
2. *Ordinance Amending Ordinance No 44-2010 Regarding the Village Vehicle Tax Regulations*
3. *Ordinance Amending and Restating in its Entirety, Title 9 of the Bensenville*

**VIII. REPORTS OF STANDING COMMITTEES**

- A. Community and Economic Development Committee – No Report
- B. Infrastructure and Environment Committee
  1. *Resolution Authorizing the Execution of a Purchase Order and Contract for Repairs to Belmont Water Tower to Jetco, LTD.*
  2. *Resolution Authorizing the Execution of a Purchase Order to Cargil Incorporated Salt Division*
  3. *Resolution Authorizing the Execution of a Purchase Order and Contract for a Tree Inventory to Natural Path Urban Forestry Consultants*
- C. Administration, Finance and Legislation Committee
  1. *Ordinance- Fourth Amendment to the Village of Bensenville Fiscal Year 2010 Budget*
- D. Public Safety Committee – No Report

**IX. INFORMATION ITEMS**

- A. PRESIDENT'S REMARKS
- B. VILLAGE MANAGER'S REPORT
- C. VILLAGE ATTORNEY'S REPORT

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

**XII. EXECUTIVE SESSION**

- A. Review of Executive Session Minutes [5 ILCS 120/2 (C)(21)]
- B. Personnel [5 ILCS 120/2(C)(1)]
- C. Collective Bargaining [5 ILCS 120/2 (C)(2)]
- D. Property Acquisition [5 ILCS 120/2(C)(5)]
- E. Litigation [5 ILCS 120/2(C)(11)]

**XIII. MATTERS REFERRED FROM EXECUTIVE SESSION**

**XIV. ADJOURNMENT**

**Please Note** - The Village of Bensenville is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Village Hall (630-766-8200) at least 3 days prior to the meeting to allow the Village of Bensenville to make reasonable accommodations for those persons.

## VILLAGE OF BENSENVILLE

**TYPE:** Public Meeting      **SUBMITTED BY:** Denise Pieroni      **DATE:** November 4, 2010

**DESCRIPTION:** Public Meeting as part of the Rescheduled Regular Meeting of the Village Board to review and solicit public comment on the Bensenville North Industrial District TIF Eligibility Report & Redevelopment Plan & Housing Impact Study.

**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input checked="" type="checkbox"/>	<i>Financially Sound Village</i>
<input checked="" type="checkbox"/>	<i>Quality Customer Oriented Services</i>
<input checked="" type="checkbox"/>	<i>Safe and Beautiful Village</i>

<input type="checkbox"/>	<i>Enrich the lives of Residents</i>
<input checked="" type="checkbox"/>	<i>Major Business/Corporate Center</i>
<input type="checkbox"/>	<i>Vibrant Major Corridors</i>

**COMMITTEE ACTION:** N/A (Continuation of Actions relating to the Proposed Establishment of the North Industrial District TIF District)

**DATE:** N/A

**BACKGROUND:** One of the goals of the Village is to develop Bensenville into a major business/ corporate center. Consistent with this goal, the Board has taken various actions to determine whether a TIF District, to include the North Industrial Park and certain adjacent areas, should be created. On August 24 the Village Board approved an ordinance officially authorizing an Eligibility Study and Report, including a Housing Impact Study. This study has been completed and distributed to the Board in October (additional copy attached). This study includes, among other components, the eligibility analysis [from which the report concludes that the Bensenville North Industrial District Redevelopment Project Area (the "RPA") is eligible for TIF designation as a "conservation area"]; the redevelopment plan and project; and the financial plan. Also included in the report as Appendices is the map and legal description of the TIF District boundaries and the Housing Impact Study. The required public meeting on the TIF and the Housing Impact Study will be held at this meeting. Attached for benefit is also an updated schedule identify remaining action steps associated with the TIF, SSA areas and the corresponding debt issues proposed in conjunction with the TIF and SSA areas.

**KEY ISSUES:** The objective is to have the TIF in place in early February so the Village can proceed expeditiously with the improvements proposed in the North Industrial Park. In order to accomplish this objective, it is important that each step of the process in completed per the schedule developed by Special Counsel, Tom Bayer.

**RECOMMENDATION:** Proceed with the Public Meeting on the TIF District and corresponding Eligibility Report and Redevelopment Project including the Housing Impact Study.

**BUDGET IMPACT:** All costs incurred in conjunction with this process to establish the North Industrial District TIF District are to be reimbursed once the TIF is finalized and generating increment.

**ACTION REQUIRED:** Hold public meeting at which the TIF District and Housing Impact Study will be discussed.

# **NORTH INDUSTRIAL PARK**

## **PROPOSED PROJECTS & FUNDING**

### **TENTATIVE SCHEDULE**

#### **FOR THE CREATION OF THE SPECIAL SERVICE AREAS (SSA) & TAX INCREMENT FINANCING (TIF) DISTRICT, ISSUANCE OF RELATED DEBT AND CONSTRUCTION OF THE PROJECTS**

- Adopt Ordinance calling for public hearing on proposed SSA Areas 09/14/2010
- Adopt Revised Ordinance calling for public hearing on SSA #9 09/28/2010
- Hold Public Hearings on proposed SSA Areas #3 - #8 10/12/2010
- Hold Public Hearing on proposed SSA Area #9 10/14/2010
- Village President announcement 10/12 & 26/2010  
(Availability of TIF Eligibility Report & Redevelopment Plan & Date of Public Meeting)
- Adopt Ordinance amending Boundaries of SSA #6 (due to Prepayment) 10/26/2010
- Adopt Alternate Bond Ordinance 10/26/2010
- Hold Public Meeting on TIF District Eligibility Report & Redevelopment Project & Plan & Housing Impact Study 11/09/2010
- Hold Public Hearing on Alternate Bond Issue 11/23/2010
- Adopt Ordinance calling for Joint Review Board meeting & Public Hearing relative to the Eligibility Report & Redevelopment Project and Plan 11/23/2010
- Adopt Ordinances establishing SSA Areas #3 - #9 12/14/2010
- Adopt Ordinances establishing the respective Bond for each SSA 12/14/2010
- Adopt Ordinance authorizing sale of Bonds (Financing SSA Improvements) 12/14/2010
- Hold Joint Review Board Meeting 12/17/2010
- Closing Date on the SSA Bonds & Alternate Revenue Bonds 12/28/2010
- Hold Public Hearing on TIF District Eligibility Report & Redevelopment Project & Plan & Housing Impact Study 01/25/2011
- Adopt Ordinance establishing TIF District 02/08/2011
- Finalize Plans and Bid Projects Winter 2011
- Commence Construction Spring 2011
- Sell Bonds to Finance TIF Improvements Summer 2011
- Completion of Projects Summer 2012
- Issuance of Alternative Revenue Bonds for TIF TBD

**Bensenville North Industrial District  
Redevelopment Project Area**

**Tax Increment Financing District  
Eligibility Study, Redevelopment Plan and Project**

Village of Bensenville, Illinois

October 2010

## Table of Contents

1. Executive Summary .....	1
2. Introduction.....	5
3. Eligibility Analysis .....	12
4. Redevelopment Plan and Project .....	27
5. Financial Plan.....	31
6. Required Findings and Tests.....	39
7. Provisions for Amending Redevelopment Plan and Project.....	42
8. Commitment to Fair Employment Practices and Affirmative Action Plan .....	43

## List of Maps

Map 1: Community Context .....	7
Map 2: RPA Boundary.....	8
Map 3: Existing Land Use.....	11
Map 4A: Age .....	18
Map 4B: Deterioration .....	19
Map 4C: Inadequate Utilities .....	20
Map 4D: Excessive Vacancy .....	21
Map 4E: Lack of Growth in EAV .....	22
Map 4F: Below Minimum Code Standards.....	23
Map 5: Proposed Future Land Use .....	29

## Appendices

Appendix 1: Boundary and Legal Description

Appendix 2: Summary of 2009 EAV by PIN

Appendix 3: Housing Impact Study

*S. B. Friedman & Company*  
221 N. LaSalle Street, Suite 820  
Chicago, IL 60601-1302  
Phone: 312/424-4250; Fax: 312/424-4262  
Contact Person: Stephen B. Friedman  
[www.FriedmanCo.com](http://www.FriedmanCo.com)  
E-mail: [SBF@FriedmanCo.com](mailto:SBF@FriedmanCo.com)

## ***1. Executive Summary***

In November 2009, *S. B. Friedman & Company* was engaged by the Village of Bensenville (the “Village”) to begin a preliminary eligibility study, and was subsequently engaged to conduct a formal Tax Increment Financing Eligibility Study and Housing Impact Study for an expanded study area on August 10, 2010. The study area was further expanded on August 24, 2010. As a part of these engagements, *S. B. Friedman & Company* prepared a Redevelopment Plan and Project (the “Redevelopment Plan”), and Housing Impact Study for the Study Area. This report details the eligibility factors found within the Bensenville North Industrial District Redevelopment Project Area (the “RPA”) Tax Increment Financing (“TIF”) District in support of its designation as a “conservation area” within the definitions set forth in the Illinois Tax Increment Allocation Redevelopment Act, 65 ILCS 5/11-74.4-1 *et seq.*, as amended (the “Act”). This report also contains the Redevelopment Plan and Project for the RPA.

The RPA consists of 883 tax parcels and 506 buildings located primarily in the northern portion of Bensenville. The site covers approximately 1,231.5 acres and is generally bounded by Devon Avenue on the north; York Road on the east; Green Street, Fenton High School, Deer Grove Leisure Center and Varble Park on the south; and IL-83 and Pine Lane on the west. The site consists largely of an industrial area to the north and a portion of downtown Bensenville to the south.

### ***Determination of Eligibility***

This report concludes that the RPA is eligible for TIF designation as a “conservation area” because at least 50 percent of the structures are 35 years of age or older and the following five improved eligibility factors have been found to be present to a meaningful extent and reasonably distributed throughout the RPA:

1. Deterioration
2. Inadequate Utilities
3. Lack of Growth in Equalized Assessed Value
4. Excessive Vacancy
5. Below Minimum Code Standards

### ***Redevelopment Plan Goals and Objectives***

**Goal.** The overall goal of the Redevelopment Plan is to reduce or eliminate the conditions that qualify the RPA as a conservation area, and to provide the mechanisms necessary to support public and private development to preserve the RPA’s industrial area as a solid economic and employment base, to strengthen the commercial corridor along Irving Park Road and to strengthen the downtown area as a neighborhood-level commercial and residential district. This goal is to be achieved through an integrated and comprehensive strategy that leverages public resources to stimulate private investment.

**Objectives.** Six broad objectives support the overall goal of area-wide revitalization of the RPA.

These include:

1. Replace or repair public infrastructure where needed, including streets, sidewalks, curbs, gutters, alleys, underground water and sanitary systems, and stormwater management and detention of adequate capacity to create an environment conducive to private investment and mitigate flooding;
2. Improve the quality of existing open spaces, and provide additional public open space through streetscaping, street beautification, and public gathering spaces; and provide, where appropriate, for buffering between different land uses and screening of unattractive service facilities such as parking lots and loading areas;
3. Facilitate redevelopment of vacant or underutilized properties by providing resources for site assembly and preparation, including demolition and environmental cleanup, where necessary, and marketing of vacant and underutilized sites for redevelopment and new development;
4. Support the goals and objectives of other overlapping plans, including but not limited to the Village's General Development Plan and Alternative Redevelopment Strategies Final Report and the Village strategic plan; and coordinate available federal, state, and local resources to further the goals of this Redevelopment Plan;
5. To the extent allowed by state statute, support the goals and objectives outlined in the strategic or other plans of affected taxing bodies;
6. Provide opportunities for locally owned, women-owned, and minority-owned businesses to share in the job creation and construction opportunities associated with the redevelopment of the RPA;
7. Support job training and welfare to work programs and increase employment opportunities for Village residents.

**Strategies.** These objectives will be implemented through five specific and integrated strategies. These include:

1. **Implement Public Improvements.** A series of public improvements throughout the RPA may be designed and implemented to build upon and improve the character of the area, and to create a more conducive environment for private development. Public improvements that are implemented with TIF assistance are intended to complement, and not replace, existing funding sources for public improvements in the RPA.

These improvements may include new streets, streetscaping, street and sidewalk lighting, alleyways, underground water and sewer infrastructure, parks or open space, and other public improvements consistent with the Redevelopment Plan and Project. These public improvements may be completed pursuant to redevelopment agreements with private entities or intergovernmental agreements with other public entities, and may include the

construction, rehabilitation, renovation, or restoration of public improvements on one or more parcels.

2. **Encourage Private Sector Activities and Rehabilitation of Existing Buildings.** Through the creation and support of public-private partnerships, or through written agreements, the Village may provide financial and other assistance to encourage the private sector, including local property owners, to undertake rehabilitation and new construction projects, such as the redevelopment of obsolete buildings and other improvements, and/or programs for job training and retention, that are consistent with the goals of this Redevelopment Plan and Project.

The Village may enter into redevelopment agreements or intergovernmental agreements with private or public entities to construct, rehabilitate, renovate, or restore private or public improvements on one or several parcels (collectively referred to as "Redevelopment Projects").

3. **Redevelop Vacant and Underutilized Sites.** The redevelopment of vacant and underutilized properties within the RPA is expected to stimulate private investment and increase the overall taxable value of properties within the RPA. Development of vacant and/or underutilized sites, including parking lots, is anticipated to have a positive impact on other properties beyond the individual project sites.
4. **Facilitate Property Assembly, Demolition, and Site Preparation.** Financial assistance may be provided to private developers seeking to acquire land, and to assemble and prepare sites to undertake projects in support of this Redevelopment Plan and Project.

To meet the goals of this Redevelopment Plan and Project, the Village may acquire and assemble property throughout the RPA. Land assemblage by the Village may be by purchase, exchange, donation, lease, eminent domain, or through other programs, and may be for the purpose of (a) sale, lease, or conveyance to private developers, or (b) sale, lease, conveyance, or dedication for the construction of public improvements or facilities. Site preparation may include such preparatory work as demolition of existing improvements and environmental remediation, where appropriate. Furthermore, the Village may require written development agreements with developers before acquiring any properties. As appropriate, the Village may devote acquired property to temporary uses until such property is scheduled for disposition and development.

5. **Assist Employers Seeking to Relocate or Expand Facilities.** The Village may provide assistance to businesses and institutions that are major employers and which seek to relocate to or expand within the RPA. This assistance may be provided through support of redevelopment and rehabilitation projects in existing buildings, assistance with land acquisition and site preparation for new facilities, or assistance with financing costs.

***Required Findings***

The conditions required under the Act for the adoption of the Eligibility Study and Redevelopment Plan and Project are found to be present within the RPA.

1. On the whole, the RPA has not been subject to growth and development through investment by private enterprise or not-for-profit resources. The EAV of the RPA has grown at a rate slower than the Consumer Price Index (CPI) during three of the last five periods (2004/2005; 2006/2007; and 2008/2009).
2. Without the support of public resources, the redevelopment objectives of the RPA will most likely not be realized. The area-wide improvements and development assistance resources needed to develop and revitalize the Study Area as a healthy, mixed-use district are extensive and costly, and the private market on its own has shown little ability to absorb all of these costs. Public resources to assist with public infrastructure improvements and project-specific development costs are needed to leverage private investment and facilitate area-wide redevelopment. TIF assistance may be used to fund rehabilitation, infrastructure improvements, and expansion to public facilities. Accordingly, but for the designation of a TIF district, these projects, which would contribute substantially to area- and Village-wide redevelopment, are unlikely to occur.
3. The RPA includes only the contiguous real property that is expected to substantially benefit from the proposed Redevelopment Plan and Project improvements.
4. This Redevelopment Plan and Project is consistent with the Village of Bensenville's General Development Plan.

## **2. Introduction**

### ***The Study Area***

This document serves as the Eligibility Study and Redevelopment Plan and Project for the RPA. The RPA is located in the northern portion of the Village of Bensenville. In November 2009, *S. B. Friedman & Company* was engaged by the Village of Bensenville (the “Village”) to begin a preliminary Tax Increment Financing Eligibility Study, and was subsequently engaged to conduct a formal eligibility study and Housing Impact Study for an expanded study area on August 10, 2010. The study area was further expanded on August 24, 2010. As a part of these engagements, *S. B. Friedman & Company* prepared a Redevelopment Plan and Project (the “Redevelopment Plan”), and Housing Impact Study for the Study Area.

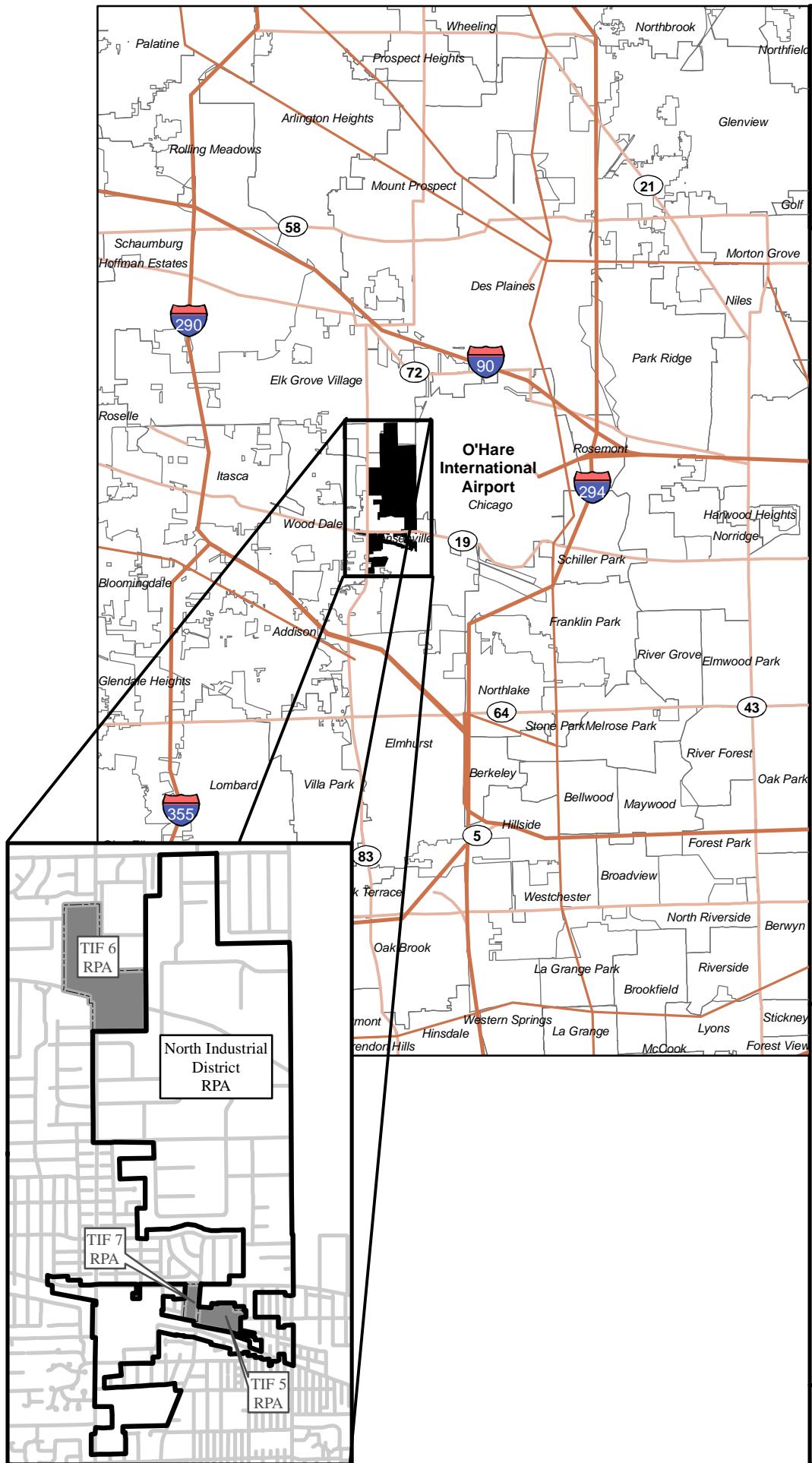
The Eligibility Study and Plan summarizes the analyses and findings of *S. B. Friedman & Company*’s work, which, unless otherwise noted, is the responsibility of *S. B. Friedman & Company*. The Village is entitled to rely on the findings and conclusions of this Eligibility Study and Plan in designating the Redevelopment Project Area as a redevelopment project area under the Act. *S. B. Friedman & Company* has prepared this Eligibility Study and Plan with the understanding that the Village would rely: 1) on the findings and conclusions of the Eligibility Study and Plan in proceeding with the designation of the RPA and the adoption and implementation of the Redevelopment Plan, and 2) on the fact that *S. B. Friedman & Company* has obtained the necessary information to conclude that the RPA can be designated as a redevelopment project area under the Act, and that the Eligibility Study and Plan will comply with the Act.

The community context of the RPA is detailed on **Map 1** on the following page. The site covers approximately 1,231.5 acres and is generally bounded by Devon Avenue on the north; York Road on the east; Green Street, Fenton High School, Deer Grove Leisure Center and Varble Park on the south; and IL-83 and Pine Lane on the west. On whole, the RPA consists of 506 buildings within 883 tax parcels and is composed of industrial, commercial, residential, and public/institutional uses, as well as public rights-of-way adjacent to these parcels.

**Map 2** details the boundary of the RPA, which includes only those contiguous parcels of real property that are expected to benefit substantially from the Redevelopment Plan improvements discussed herein. The boundaries encompass a mixed-use area consisting of commercial, industrial, residential and public/institutional uses that, as a whole, suffers from a lack of investment that has led to deterioration of buildings and associated infrastructure, inadequate utilities, and a lack of growth in property values. Without a comprehensive approach to address these issues, the RPA could continue its decline, thereby further discouraging future development. The Redevelopment Plan addresses these issues by providing resources for rehabilitation and improvements to the area’s infrastructure, public facilities and buildings, and for the assemblage and marketing of land.

**Appendix 1** contains the legal description of the RPA.

The Eligibility Study covers events and conditions that existed and that were determined to support the designation of the RPA as a “conservation area” under the Act at the completion of our research on September 3, 2010, and not thereafter. Events or conditions, such as governmental actions and additional developments occurring after that date, are excluded from the analysis.



# Map 1

## Community Context

## Legend

# North Industrial District RPA Boundary

## Existing RPA



# Village of Bensenville

# North Industrial District

## Tax Increment Finance District

October 2010

## Map 2

### RPA Boundary

#### Legend

North Industrial  
District RPA  
Boundary



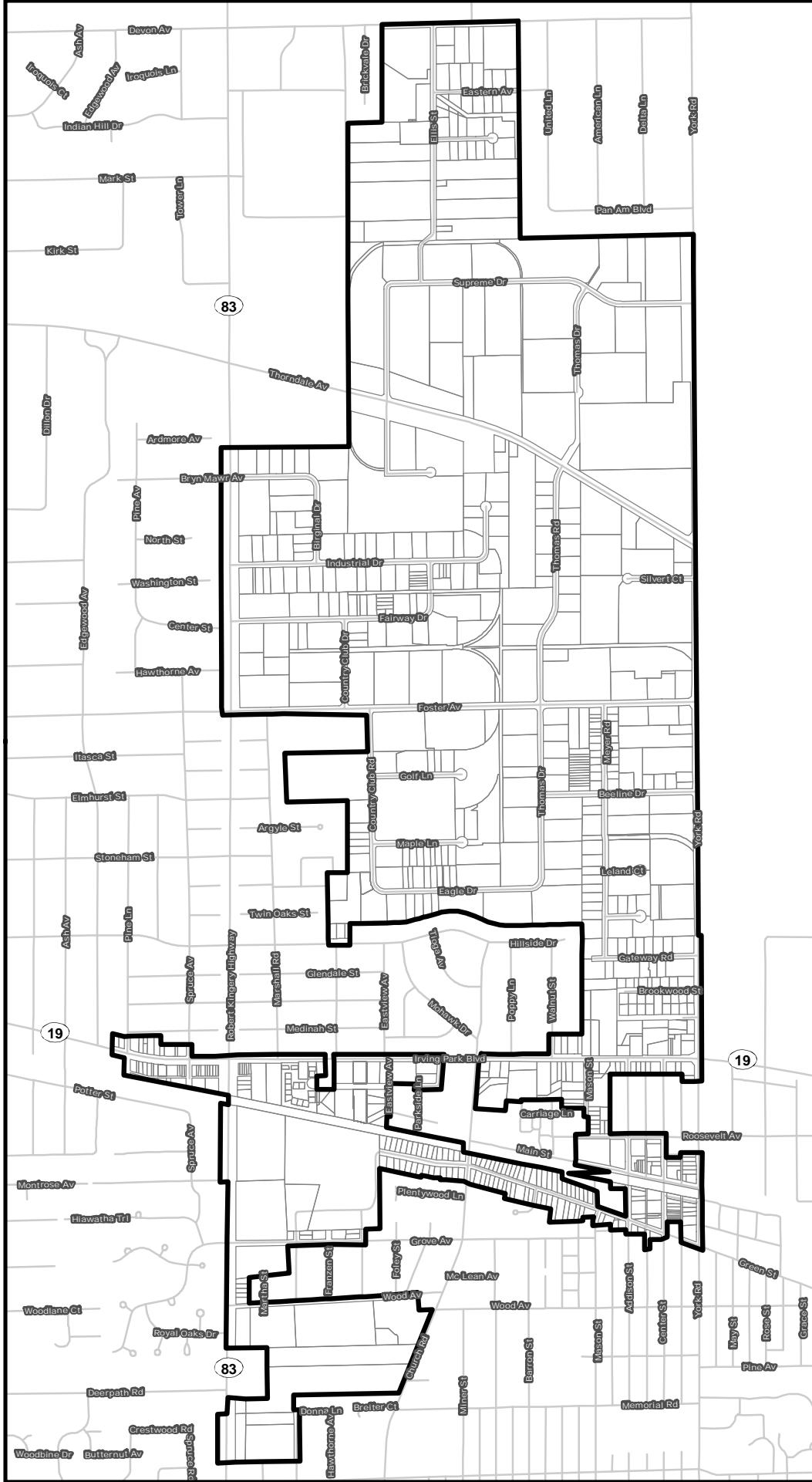
0 1,000 2,000 Feet

#### Village of Bensenville

#### North Industrial District

Tax Increment  
Finance District

October 2010



## ***Existing Land Use***

Based upon *S. B. Friedman & Company*'s research, eight land uses have been identified within the RPA:

- Industrial/Warehouse;
- Residential
- Commercial;
- Public/Institutional;
- Parks/Open Space;
- Surface Parking;
- Public Rights-of-Way; and
- Railroads.

The existing land use pattern in the RPA is shown in **Map 3**. This map represents the land use in the area on a parcel-by-parcel basis.

The following is a description of existing land uses in the RPA:

**Industrial/Warehouse.** The predominant land use within the RPA is industrial. Industrial type uses are located north of Irving Park Road. Nearly 30 percent (266 out of 883 parcels) of the RPA contains industrial land uses. This area is located adjacent to O'Hare International Airport and has traditionally supported a large portion of the Village's employment base.

**Residential.** The RPA contains a total of 231 residential parcels and 441 residential units. Of these residential units, approximately 22% (101 out of 441 parcels) are single-family and 77% (340 out of 441 parcels) are multi-family. Single family homes are mostly located along Green Street. Multi-family units are located within mixed-use buildings along Irving Park Road and in downtown Bensenville, as well as near Fenton High School and the Bensenville Park District Water Park.

**Commercial.** The RPA contains two primary commercial corridors. A neighborhood-level commercial district is located in downtown Bensenville centered at Green Street, Center Street and Main Street in the RPA. This corridor contains mostly independent businesses and an Edmar Foods grocery store, all of which are located within walking distance of the Bensenville Metra station and Village Hall. The second primary commercial corridor is located along Irving Park Road in a more auto-oriented environment and contains several neighborhood shopping centers and national retailers.

**Public/Institutional.** There are several public/institutional uses within the RPA. Village Hall is located south of the Bensenville Metra Station on Center Street. The RPA also contains Blackhawk Middle School, Mohawk School, Wesley A. Johnson Grade School, Fenton High School, and the Bensenville Community Public Library.

**Parks/Open Space.** The RPA contains over 15 acres of parks and open space. Community recreation facilities include the Veteran's Park baseball diamond located near the intersection of

Church Street and Irving Park Road. The Bensenville Park District Water Park, and Deer Grove Leisure Center are located at the southern portion of the RPA. Additionally, a “town square” area is located south of Village Hall at the corner of Green Street and Center Street.



## Map 3

### Existing Land Use

#### Legend

	North Industrial District RPA Boundary
	Industrial
	Commercial
	Mixed Use
	Residential
	Public/Institutional
	Park/Open Space
	Vacant Lot
	Railroad
	Right of Way



0 1,000 2,000 Feet

## Village of Bensenville

### North Industrial District

Tax Increment Finance District

October 2010

### **3. Eligibility Analysis**

#### ***Provisions of the Illinois Tax Increment Allocation Redevelopment Act***

Based upon the conditions found within the RPA at the completion of *S. B. Friedman & Company*'s research, it has been determined that the RPA meets the eligibility requirements of the Act as a "conservation area." The following text outlines the provisions of the Act to establish eligibility.

Under the Act, two primary avenues exist to establish eligibility for an area to permit the use of tax increment financing for area redevelopment: declaring an area as a "blighted area" and/or a "conservation area."

"Blighted areas" are those improved or vacant areas with blighting influences that are impacting the public safety, health, morals, or welfare of the community, and are substantially impairing the growth of the tax base in the area. "Conservation areas" are those improved areas which are deteriorating and declining, and soon may become blighted if the deterioration is not abated.

The statutory provisions of the Act specify how a district can be designated as a "blighted area" and/or "conservation area," both based upon evidentiary findings of certain eligibility factors listed in the Act. The eligibility factors for each designation are identical for improved property. A separate set of factors exists for the designation of vacant land as a "blighted area." There is no provision for designating vacant land as a conservation area.

#### ***Factors for Improved Property***

For improved property to constitute a "blighted area," a combination of five or more of the following thirteen eligibility factors listed at 65 ILCS 5/11-74.4-3 (a) must meaningfully exist and (b) be reasonably distributed throughout the RPA. "Conservation areas" must have a minimum of fifty percent (50%) of the total structures within the area aged 35 years or older, plus a combination of three or more of the 13 eligibility factors which are detrimental to the public safety, health, morals, or welfare, and which could result in such an area becoming a blighted area.

**Dilapidation.** An advanced state of disrepair, or neglect of necessary repairs, to the primary structural components of buildings or improvements in such a combination that a documented building condition analysis determines that major repair is required, or that the defects are so serious and so extensive that the buildings must be removed.

**Obsolescence.** The condition or process of falling into disuse. Structures have become ill-suited for the original use.

**Deterioration.** With respect to buildings, defects including, but not limited to, major defects in the secondary building components such as doors, windows, porches, gutters and downspouts, and fascia. With respect to surface improvements, that the condition of roadways, alleys, curbs,

gutters, sidewalks, off-street parking, and surface storage areas evidence deterioration including, but not limited to, surface cracking, crumbling, potholes, depressions, loose paving material, and weeds protruding through paved surfaces.

**Presence of Structures Below Minimum Code Standards.** All structures that do not meet the standards of zoning, subdivision, building, fire, and other governmental codes applicable to property, but not including housing and property maintenance codes.

**Illegal Use of Individual Structures.** The use of structures in violation of the applicable federal, State, or local laws, exclusive of those applicable to the presence of structures below minimum code standards.

**Excessive Vacancies.** The presence of buildings that are unoccupied or under-utilized, and that represent an adverse influence on the area because of the frequency, extent, or duration of the vacancies.

**Lack of Ventilation, Light, or Sanitary Facilities.** The absence of adequate ventilation for light or air circulation in spaces or rooms without windows, or that require the removal of dust, odor, gas, smoke, or other noxious airborne materials. Inadequate natural light and ventilation means the absence of skylights or windows for interior spaces or rooms, and improper window sizes and amounts by room-area-to-window-area ratios. Inadequate sanitary facilities refer to the absence or inadequacy of garbage storage and enclosure, bathroom facilities, hot water and kitchens, and structural inadequacies preventing ingress and egress to and from all rooms and units within a building.

**Inadequate Utilities.** Underground and overhead utilities such as storm sewers and storm drainage; sanitary sewers; water lines; and gas, telephone, and electrical services that are shown to be inadequate. Inadequate utilities are those that are: (i) of insufficient capacity to serve the uses in the redevelopment project area; (ii) deteriorated, antiquated, obsolete, or in disrepair; or (iii) lacking within the redevelopment project area.

**Excessive Land Coverage and Overcrowding of Structures and Community Facilities.** The over-intensive use of property and the crowding of buildings and accessory facilities onto a site. Examples of problem conditions warranting the designation of an area as one exhibiting excessive land coverage are: (i) the presence of buildings either improperly situated on parcels or located on parcels of inadequate size and shape in relation to present-day standards of development for health and safety, and (ii) the presence of multiple buildings on a single parcel. For there to be a finding of excessive land coverage, these parcels must exhibit one or more of the following conditions: insufficient provision for light and air within or around buildings, increased threat of spread of fire due to the close proximity of buildings, lack of adequate or proper access to a public right-of-way, lack of reasonably required off-street parking, or inadequate provision for loading and service.

**Deleterious Land Use or Lay-Out.** The existence of incompatible land-use relationships, buildings occupied by inappropriate mixed-uses, or uses considered to be noxious, offensive, or unsuitable for the surrounding area.

**Environmental Clean-Up.** The proposed redevelopment project area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

**Lack of Community Planning.** The proposed redevelopment project area was developed prior to or without the benefit or guidance of a community plan. This means that the development occurred prior to the adoption by the municipality of a comprehensive or other community plan, or that the plan was not followed at the time of the area's development. This factor must be documented by evidence of adverse or incompatible land-use relationships, inadequate street layout, improper subdivision, parcels of inadequate shape and size to meet contemporary development standards, or other evidence demonstrating an absence of effective community planning.

**Lack of Growth in Equalized Assessed Value.** The total equalized assessed value of the proposed redevelopment project area has declined for three of the last five consecutive annual periods prior to the year in which the redevelopment project area is designated; or is increasing at an annual rate that is less than the balance of the municipality for three of the last five consecutive annual periods for which information is available; or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three of the last five consecutive annual periods prior to the year in which the redevelopment project area is designated.

### ***Factors for Vacant Land***

#### **TWO FACTOR TEST**

Under the provisions of the "blighted area" section of the Act, if the land is vacant, a combination of two or more of the following six factors may be identified which combine to impact the sound growth in tax base for the proposed district.

**Obsolete Platting of Vacant Land.** This is where parcels of limited or narrow size, or configurations of parcels of irregular size or shape, make it difficult to develop on a planned basis and in a manner compatible with contemporary standards and requirements, or where platting has failed to create rights-of-ways for streets or alleys, or has created inadequate right-of-way widths for streets, alleys, or other public rights-of-way, or has omitted easements for public utilities.

**Diversity of Ownership.** Diversity of ownership is when adjacent properties are owned by multiple parties. This factor applies when the number of owners of parcels of vacant land is sufficient to retard or impede the ability to assemble the land for development.

**Tax and Special Assessment Delinquencies.** This factor is present when tax and special assessment delinquencies exist or the property has been the subject of tax sales under the Property Tax Code within the last five years.

**Deterioration of Structures or Site Improvements in Neighboring Areas Adjacent to the Vacant Land.** Evidence of structural deterioration and area disinvestment in blocks adjacent to the vacant land may substantiate why new development had not previously occurred on the vacant parcels.

**Environmental Clean-Up.** The area has incurred Illinois Environmental Protection Agency or United States Environmental Protection Agency remediation costs for, or a study conducted by an independent consultant recognized as having expertise in environmental remediation has determined a need for, the clean-up of hazardous waste, hazardous substances, or underground storage tanks required by State or federal law, provided that the remediation costs constitute a material impediment to the development or redevelopment of the redevelopment project area.

**Lack of Growth in Equalized Assessed Value.** The total equalized assessed value of the proposed redevelopment project area has declined for three of the last five consecutive annual periods prior to the year in which the redevelopment project area is designated; or is increasing at an annual rate that is less than the balance of the municipality for three of the last five consecutive annual periods for which information is available; or is increasing at an annual rate that is less than the Consumer Price Index for All Urban Consumers published by the United States Department of Labor or successor agency for three of the last five consecutive annual periods prior to the year in which the redevelopment project area is designated.

#### ONE FACTOR TEST

Additionally, under the “blighted area” section of the Act, eligibility may be established for those vacant areas that would have qualified as a blighted area immediately prior to becoming vacant. Under this test for establishing eligibility, building records may be reviewed to determine that a combination of five or more of the 13 “blighted area” eligibility factors were present immediately prior to demolition of the area’s structures.

The vacant “blighted area” section includes six other tests for establishing eligibility based on the presence of one of these additional factors. These six additional factors include:

- Unused quarries, strip mines, or strip mine ponds;
- Unused rail yards, rail track, or railroad rights-of-way;
- The area, prior to its designation, is subject to (i) chronic flooding that adversely impacts on real property in the area as certified by a registered professional engineer or appropriate regulatory agency or (ii) surface water that discharges from all or a part of the area and contributes to flooding within the same watershed, but only if the redevelopment project provides for facilities or improvements to contribute to the alleviation of all or part of the flooding;
- Unused or illegal dumping sites;

- The area was designated as a town center prior to January 1, 1982, is between 50 and 100 acres in size, and is 75 percent vacant land;
- The area qualified as blighted prior to becoming vacant.

### ***Methodology Overview and Determination of Eligibility***

Analysis of eligibility factors was done through research involving an extensive exterior survey of the properties within the RPA, as well as a review of property records and infrastructure data. Property records included assessor information, building permits, and code violations. In addition, to verify the age of area buildings, field observations were compared to the recorded age of the buildings in property records obtained from the Addison Township Assessor's Office.

Our survey of the area established that there are a total of 883 parcels and 506 buildings (not including ancillary structures) within the RPA. All properties were examined for qualification factors consistent with either "blighted" or "conservation area" requirements of the Act. Since 50.4% of the structures (255 out of 506 identified structures) are 35 years of age or older and the RPA has five eligibility factors present to a meaningful extent, the RPA could qualify as a "conservation area."

To arrive at this designation, *S. B. Friedman & Company* calculated the number of eligibility factors present on a building-by-building or parcel-by-parcel basis and analyzed the distribution of the eligibility factors within the RPA. When appropriate, we calculated the presence of eligibility factors on infrastructure associated with the structures. Eligibility factors were correlated to buildings using property files created from field observations and record searches. This information was then graphically plotted on a tax parcel map of the RPA to establish the distribution of eligibility factors, and to determine which factors were present to a major or minor extent.

Major factors are used to establish eligibility. These factors are present to a meaningful extent on a majority of the parcels, and reasonably distributed throughout the RPA. Minor factors are supporting factors present to a meaningful extent on some of the parcels, or on a scattered basis. Their presence suggests that the area is at risk of experiencing more extensive deterioration and disinvestment. Through our analysis, five major factors were identified in the RPA.

### ***Conservation Area Findings***

As required by the Act, within a conservation area, at least three of the thirteen eligibility factors for improved property must be found to be present to a major extent within the RPA and at least 50 percent of the buildings must be 35 years of age or older. Parcel data containing building construction years for all parcels in the RPA were obtained from the Addison Township Assessor's Office. This data only indicates building construction years for taxable properties. Based on this data, a total of 255 buildings for which data were available (excluding exempt properties) were determined to be at least 35 years of age or older as of 2010. This represents 50.4% of the 506 buildings located within the RPA, including the number of buildings located on exempt property. The actual number and percent of buildings meeting the age criteria as defined

by the Act may be higher than this depending on the age of buildings located on exempt properties for which data were not available.

Our research has revealed that the following five factors for improved property are present to a major extent:

1. Deterioration
2. Inadequate Utilities
3. Lack of Growth in EAV
4. Excessive Vacancy
5. Below Minimum Code Standards

Four of the five factors were present on approximately 50 percent or more of the parcels within the RPA. An additional factor, excessive vacancy, was present on a lesser percentage of parcels, but was found to be significant overall compared to broader market trends. Based on the presence of these factors, the RPA meets the requirements of a “conservation area” under the Act.

Maps 4A through 4F illustrate the distribution of eligibility highlighting each parcel where the respective factors were found to be present to a meaningful degree. The following sections summarize our field research as it pertains to each of the major eligibility factors identified within the RPA.



## Village of Bensenville North Industrial District

Tax Increment  
Finance District

October 2010

## Map 4B Eligibility Factor Map: Deterioration

### Legend

North Industrial  
District RPA  
Boundary

Deterioration



0 1,000 2,000 Feet

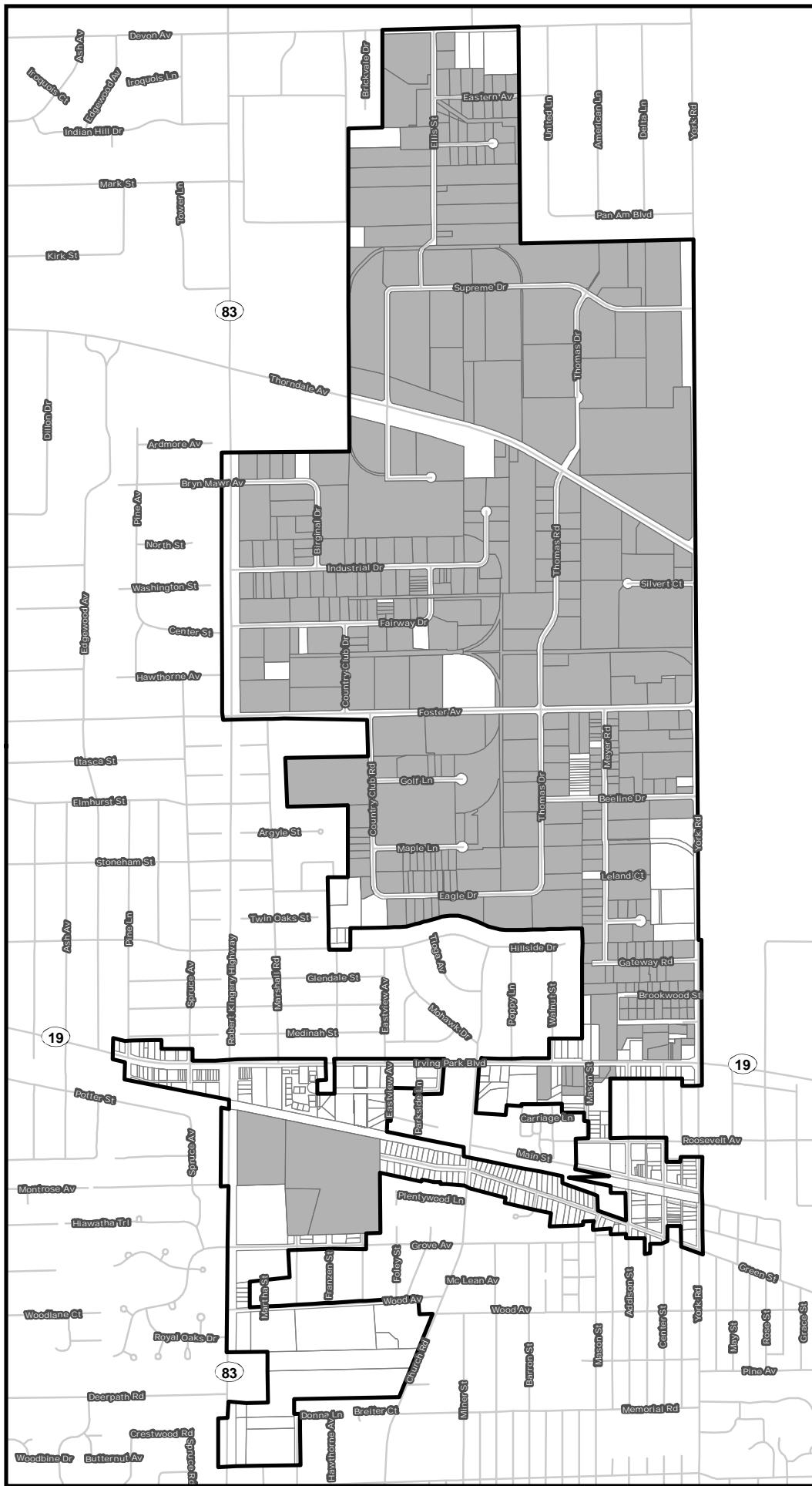
### Village of Bensenville

### North Industrial District

Tax Increment  
Finance District

October 2010





## Map 4C Eligibility Factor Map: Inadequate Utilities

### Village of Bensenville

### North Industrial District

Tax Increment  
Finance District

October 2010



## Map 4D

### Eligibility Factor Map: Excessive Vacancies

#### Legend

- North Industrial District RPA Boundary
- Building Wholly or Partially Vacant
- Vacant Lot



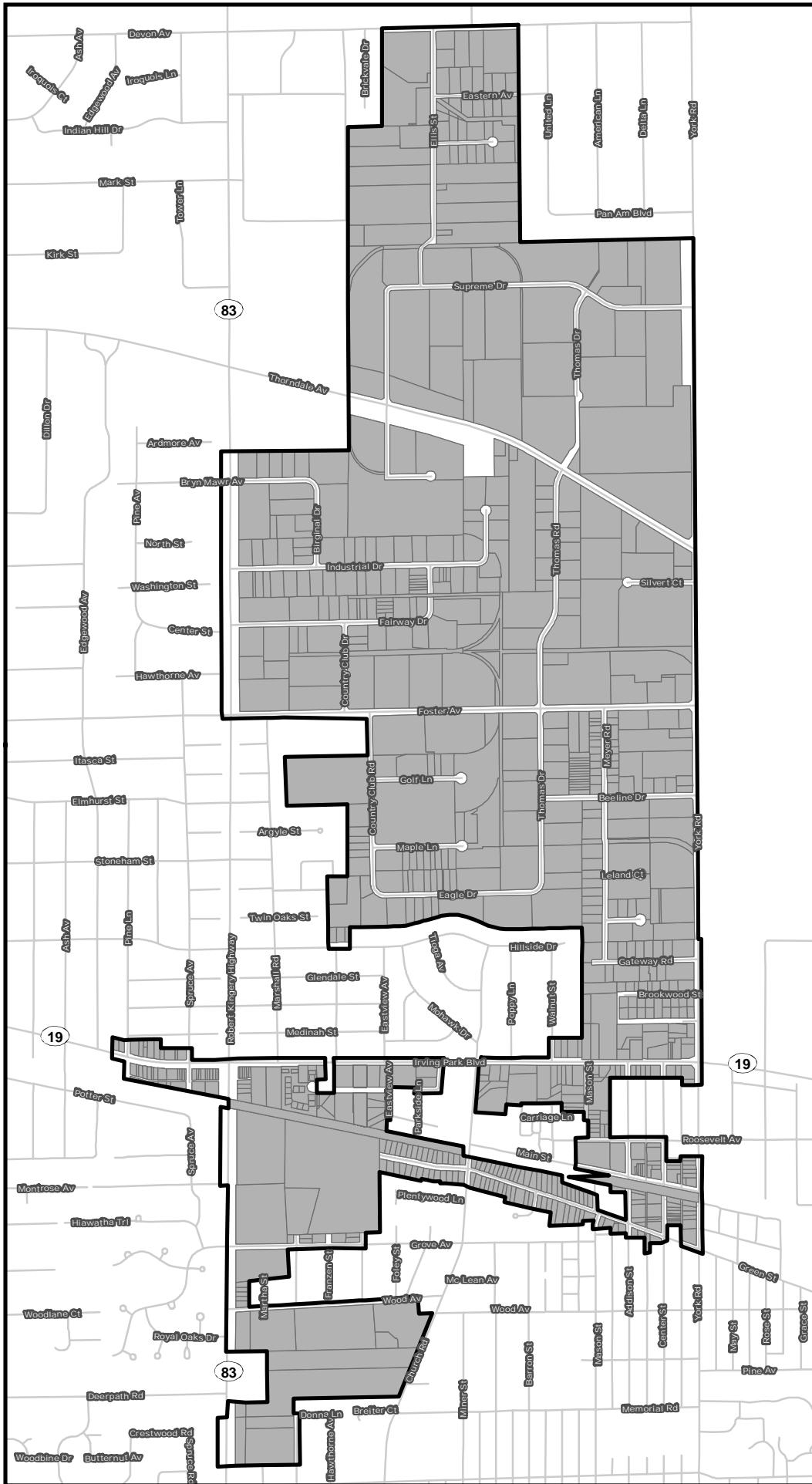
0 1,000 2,000 Feet

#### Village of Bensenville

#### North Industrial District

Tax Increment Finance District

October 2010



# Map 4E

## Eligibility Factor Map: Lack of Growth in EAV

## Legend

# North Industrial District RPA Boundary

## Lack of Growth in EAV\*

\*This factor was analyzed on an area-wide basis.



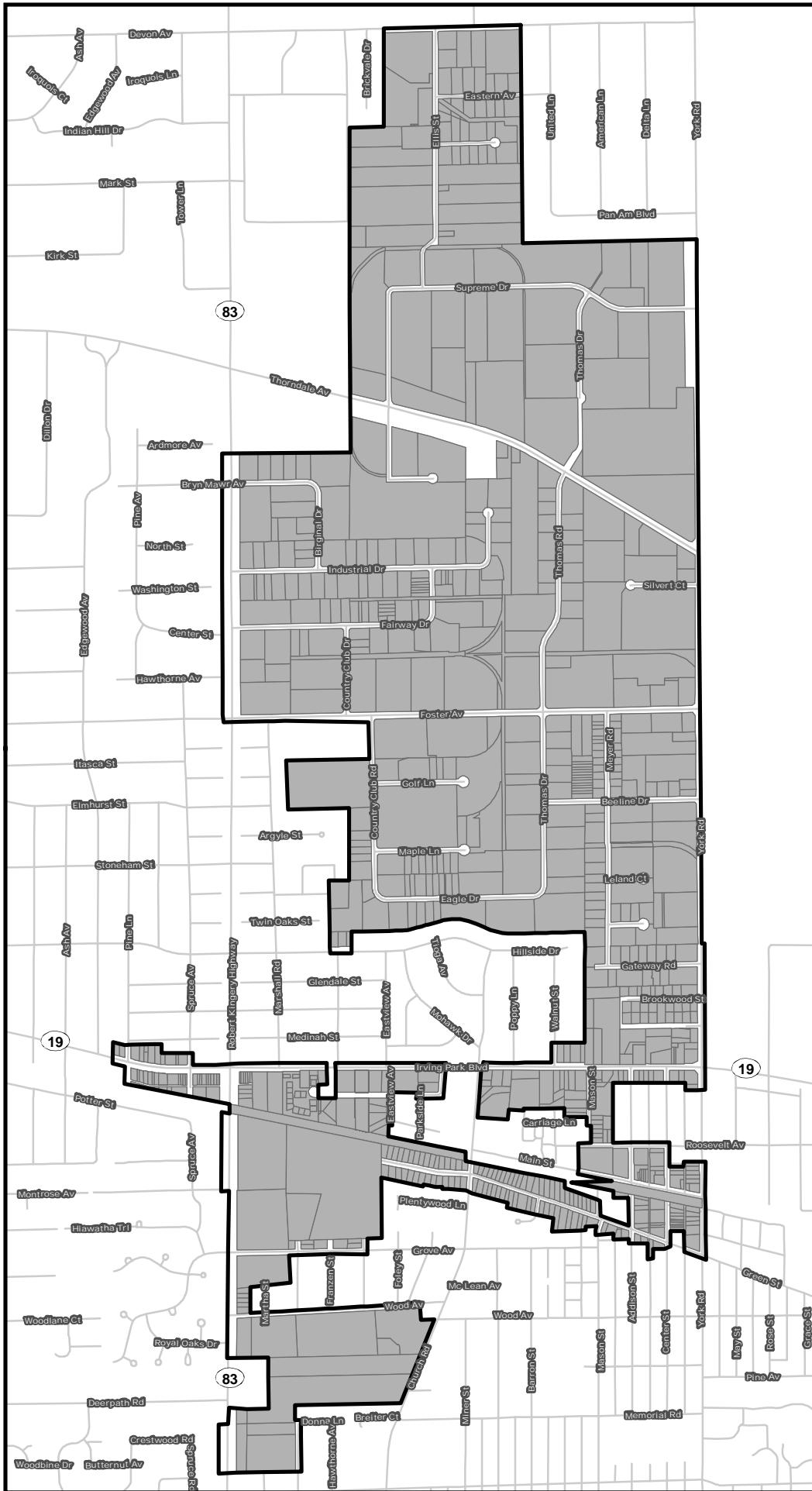
0 1,000 2,000  
Foot

# Village of Bensenville

# North Industrial District

## Tax Increment Finance District

October 2010



## Village of Bensenville

### North Industrial District

Tax Increment Finance District

October 2010

## **1. Deterioration**

A total of 417 out of 883 parcels located in the RPA (47 percent) are impacted by deterioration. Catalogued factors include the widespread deterioration of parking and infrastructure, as well as the occurrence of major defects in building components, including cracked and broken windows; buckling roofs; rotting fascias, soffits, eaves, window frames and door frames; and leaning porches. These conditions are not readily correctable through normal maintenance.

Deterioration of parking areas and roadways, including cracked pavement, potholes and depressions, and crumbling curbs, was documented on 261 of the 883 parcels (30 percent) throughout the RPA. Deterioration of infrastructure, including cracked and crumbling sidewalks, was documented on 144 of the 883 parcels (16 percent) throughout the RPA. Building deterioration was also found to be present on 124 of the 506 total buildings in the RPA.

## **2. Inadequate Utilities**

An engineering study conducted by Christopher B. Burke Engineering, Ltd. (CBBEL) prepared in August 2006 indicates that utilities in the industrial portion of the RPA are of insufficient capacity to service the area. According to the Village, the findings of the report are still current. Data received from the Village of Bensenville Engineering Division also indicate that the RPA's water and sanitary sewer lines are antiquated and of inadequate capacity. Almost all of the sanitary sewer pipes in the north industrial area need to be lined to improve inflow & infiltration. The Village Engineering Division has also indicated that most of the water mains in the industrial area will need to be replaced during the life of the RPA, as they are either currently at or nearing the end of their service life. In addition, many of the sanitary sewer lines and storm sewer lines throughout the entire RPA pre-date 1960 and are at the end of their useful service life, which, according to the Engineering Division is considered to be 50 years of age.

## **3. Lack of Growth in Equalized Assessed Value**

The total Equalized Assessed Value (EAV) is a measure of the property value in the Study Area. The EAV history of the tax parcels in the Study Area as a whole was tabulated for the last six years (five periods) for which information is currently available. A lack of growth in EAV has been found for the Study Area, in that the rate of growth of property values (as measured by EAV) in the Study Area has been less than that of the Consumer Price Index (CPI) for All Urban Consumers in Midwest Size Class D Cities for three out of five periods (2004/2005; 2006/2007; and 2008/2009), including one period in which the Study Area declined at a higher rate than CPI (2008/2009). The basis for this finding is summarized in Table 1 on the following page. The lack of growth in EAV within the area is one of the strongest indicators that the area as a whole is beginning to fall into decline.

**Table 1: Percent Change in Annual Equalized Assessed Valuation (EAV)**

	Percent Change in EAV				
	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009
TIF Study Area	3.1%	5.0%	1.5%	7.6%	-0.9%
CPI Growth Rate [1]	4.1%	2.7%	2.9%	4.2%	-0.7%
Qualifying Period	Y	N	Y	N	Y

[1] CPI - All Urban Consumers, All Items, Not Seasonally Adjusted, for Midwest Class Size D Cities (population less than 50K)  
 Source: DuPage County Supervisor of Assessments, Bureau of Labor Statistics, and *S. B. Friedman & Company*.

#### 4. Excessive Vacancies

Vacancies were observed on commercial, industrial, and residential properties in the RPA. Excessive vacancies were found primarily on industrial parcels that contained multiple unoccupied or under-occupied buildings. Approximately 20.9% (59 of the 282) industrial properties in the RPA were currently vacant or contained available space that was being actively marketed.

Research was also conducted for the study area and greater O'Hare Industrial Submarket using CoStar property databases. CoStar is a national provider of commercial real estate information, marketing and analytic services. Industrial properties located north of Irving Park Road in Bensenville are within Chicago's broader O'Hare Industrial Submarket. Historical vacancy data indicate that this area has sustained higher vacancy rates than the submarket as a whole during the past seven years. Between 2003 and 2008, vacancy rates in the north industrial area averaged 11 percent, while vacancy rates in the O'Hare Submarket averaged nine percent. Additionally, the greatest differential occurred between 2008 and 2010 as the north industrial area rose to over 20 percent vacancy, while the O'Hare Submarket only reached 14 percent during the same period.

Although the Chicago area has seen an overall rise in industrial vacancy rates, these data indicate that despite its adjacency to O'Hare, industrial properties in Bensenville have been less competitive within the broader O'Hare area – a trend which has been accelerating in recent years. Average rents in the area are also lower than the broader O'Hare Submarket, which are currently at \$4.68 per square foot versus \$5.90 per square foot, respectively. This could be due to the fact that multiple infrastructure improvements are needed in the area, including major repairs to roadways and curbs, and increased capacity in stormwater management and sanitary sewer lines. When combined, deteriorated infrastructure and a lack of adequate utilities diminish the competitive position of Bensenville, and decrease the potential fiscal revenues and employment opportunities that could be realized from these properties.

Additionally, vacant buildings and land were observed in the commercial and residential areas of the RPA during fieldwork. Pockets of these sites are present along the entire stretch of Irving Park Road. These areas are characterized by land containing small, obsolete site improvements

near the intersection of Irving Park and Route 83; demolished buildings where the foundation and driveways are still intact along Irving Park; and undeveloped residential lots in an established neighborhood, where roadways have not been extended, near the intersection of Irving Park and York. Vacant land and buildings fronting Irving Park represent key redevelopment opportunities that the private market has shown limited capacity to engage in.

On whole, the presence of these pockets of vacant land and buildings, in combination with excessive vacancies in the industrial portion of the RPA indicate that excessive vacancy is reasonably distributed and present to a meaningful extent throughout the RPA.

## 5. **Presence of Structures Below Minimum Code Standards**

Per the TIF Act, structures below minimum code standards are those that do not meet applicable standards of zoning, subdivision, building, fire, and other governmental codes. The principal purpose of such codes is to protect the health and safety of the public. As such, structures below minimum code standards may jeopardize the health and safety of building occupants, pedestrians, or occupants of neighboring structures.

The majority of the structures in the RPA were constructed prior to the current DuPage County Stormwater and Floodplain Ordinance (2008). A review of building permit data obtained from the Village of Bensenville indicated that very few of these structures have undergone substantial development or redevelopment following the code's adoption and most recent revisions as of August 2008. Approximately 2% (16 out of 832) of permits in the RPA during the past 5 years report a level of building activity that would suggest potential compliance with the current ordinance. Flooding has also been documented in portions of the RPA, which further demonstrates that the stormwater system currently in place (or lack thereof) is inadequate. This factor further decreases the market competitiveness and economic viability of the industrial area, as well as commercial areas of the RPA.

While a very high percentage of the buildings in the study area may not be in direct violation of the ordinance; those buildings below current development standards may present a health or safety hazard. Thus we have concluded that this factor is reasonably distributed and present to a meaningful extent throughout the RPA.

## **4. *Redevelopment Plan and Project***

### ***Redevelopment Needs of the RPA***

The existing physical conditions in the RPA suggest four primary redevelopment needs for the area:

1. Utility and infrastructure improvements;
2. Redevelopment of vacant and underutilized parcels;
3. Property assembly, demolition, and site preparation; and
4. Rehabilitation of existing buildings.

The Redevelopment Plan and Project identifies the tools that the Village will use to preserve the RPA's industrial area as a solid economic and employment base, to strengthen the commercial corridor along Irving Park Road and to strengthen the downtown area as a neighborhood-level commercial and residential district..

The goals, objectives, and strategies discussed below have been developed to address these needs and to facilitate the sustainable redevelopment of the RPA. Public improvements, including those related to roadways, utilities, and streets, will help to create an environment conducive to private investment and redevelopment within the RPA. To support specific projects and encourage future investment in the RPA, public resources, including tax increment financing, may be used for: property assembly facilitation, demolition, site preparation, and/or rehabilitation; and to improve or repair RPA public facilities and/or infrastructure. In addition, tax increment financing may be used to subsidize developer interest costs related to redevelopment projects.

### ***Goals, Objectives, and Strategies***

To meet the goals of this Redevelopment Plan and Project, the Village may acquire and assemble property throughout the RPA. Land assemblage by the Village may be by purchase, exchange, donation, lease, eminent domain, or through other programs, and may be for the purpose of (a) sale, lease, or conveyance to private developers, or (b) sale, lease, conveyance, or dedication for the construction of public improvements or facilities. Site preparation may include such preparatory work as demolition of existing improvements and environmental remediation, where appropriate. Furthermore, the Village may require written development agreements with developers before acquiring any properties. As appropriate, the Village may devote acquired property to temporary uses until such property is scheduled for disposition and development.

These activities are representative of the types of projects contemplated to be undertaken during the life of the RPA. Market forces are critical to the completion of these projects. Phasing of projects will depend on the interests and resources of both public and private sector parties. Not all projects will necessarily be undertaken. Furthermore, additional projects may be identified throughout the life of the RPA. To the extent that these projects meet the goals, objectives, and

strategies of this Redevelopment Plan and Project and the requirements of the Act and budget outlined in the next section, these projects may be considered for tax increment financing.

### ***Proposed Future Land Use***

The proposed predominant future land use of the RPA reflects the objectives of the Redevelopment Plan, which works to support the improvement of the RPA as a vibrant, mixed-use district and to support public improvements such as infrastructure, streetscaping, and street beautification that serve the redevelopment interests of the local community and the Village.

The proposed future land use within the RPA predominantly includes commercial mixed-use, industrial/commercial, residential mixed-use and public/institutional. In certain areas of the RPA north of Irving Park, commercial/industrial use is proposed. All of the land use categories are shown on Map 5.

The commercial mixed-use can include the following land uses:

1. Commercial/Retail;
2. Residential;
3. Public/Institutional
4. Parks/Open Space; and
5. Light Industrial/Warehouse (in certain locations).

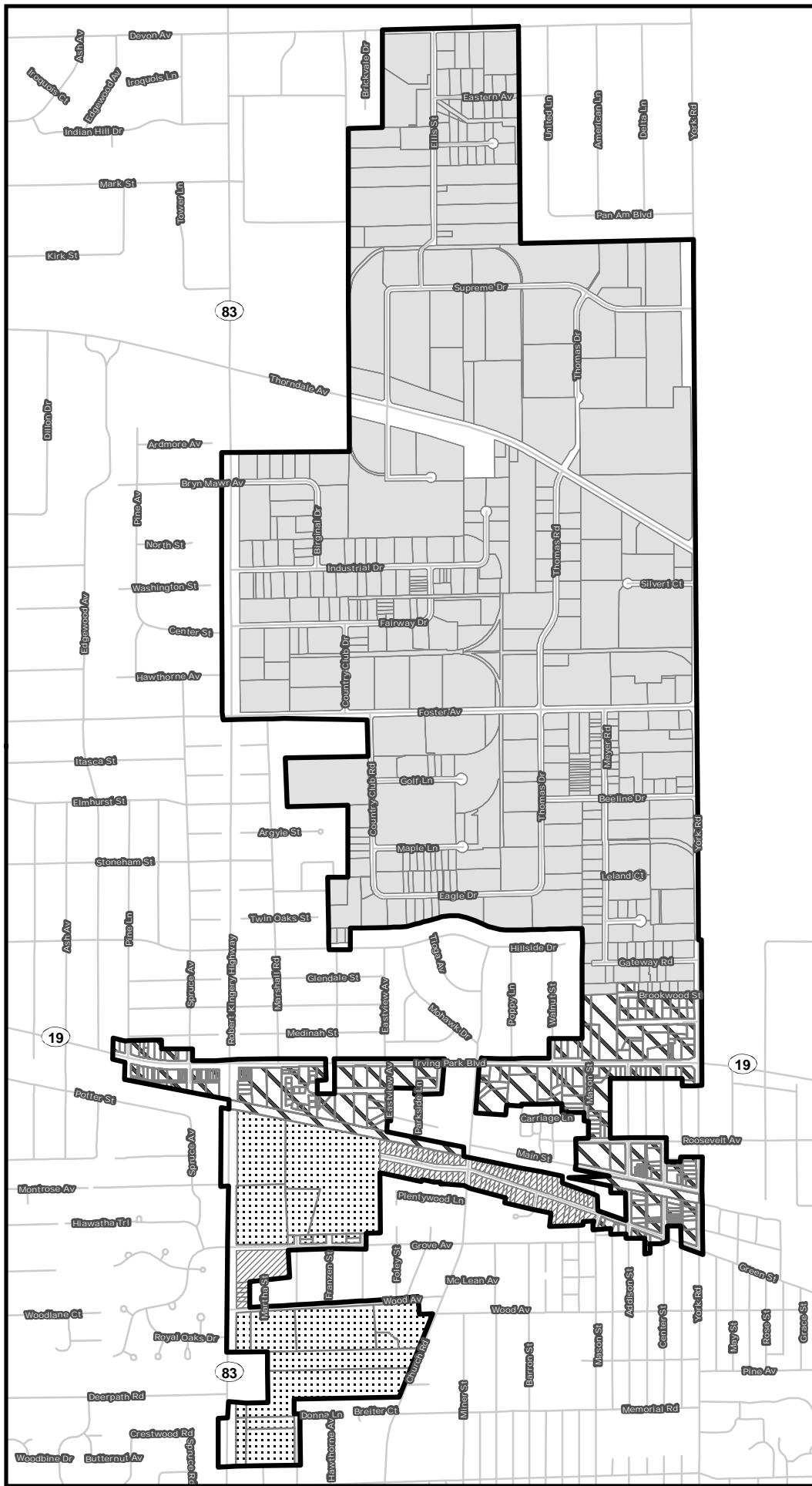
The industrial/commercial areas can include:

1. Industrial; and
2. Commercial.

The residential mixed-use can include the following land uses:

1. Residential;
2. Ancillary Commercial Offices;
3. Public/Institutional; and
4. Parks/Open Space.

The public/institutional land uses can include institutional uses such as schools, parks, libraries, and others.



## Map 5

### Proposed Future Land Use

#### Legend

- North Industrial District RPA Boundary
- Commercial Mixed Use
- Industrial/Commercial
- Residential Mixed Use
- Institutional



0 1,000 2,000 Feet

#### Village of Bensenville

#### North Industrial District

Tax Increment Finance District

October 2010

### ***Assessment of Housing Impact***

As set forth in the Act, if the redevelopment plan for the redevelopment project area would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and a municipality is unable to certify that no displacement will occur, the municipality must prepare a housing impact study and incorporate the study into the redevelopment project plan. The consultant's field survey identified that there are 441 housing units in the study area. *S. B. Friedman & Company* prepared a housing impact study for the RPA that is contained in Appendix 3 of this report.

## **5. Financial Plan**

### ***Eligible Costs***

The Act outlines several categories of expenditures that can be funded using tax increment financing. These expenditures, referred to as eligible redevelopment project costs, include all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to this plan pursuant to the Act. The Village proposes to realize its goals and objectives of redevelopment through public finance techniques including, but not limited to, tax increment financing, and by undertaking certain activities and incurring certain costs. Some of the costs listed below are eligible costs under the Act pursuant to an amendment to the Act that became effective November 1, 1999. Such eligible costs may include, without limitation, the following:

1. Costs of studies, surveys, development of plans and specifications, implementation and administration of the Redevelopment Plan, including but not limited to, staff and professional service costs for architectural, engineering, legal, financial, planning or other services, related hard and soft costs, and other related expenses; provided however, that no such charges for professional services may be based on a percentage of the tax increment collected;
2. Marketing sites within the area to prospective businesses, developers, and investors, provided however, that no such charges for professional services may be based on a percentage of the tax increment collected;
3. Property assembly costs, including but not limited to, acquisition of land and other property, real or personal, or rights or interest therein, demolition of buildings, and clearing and grading of land, site preparation, site improvements that serve as an engineered barrier addressing ground-level or below-ground environmental contamination, including, but not limited to parking lots and other concrete or asphalt barriers;
4. Costs of rehabilitation, reconstruction, repair or remodeling of existing public or private buildings, fixtures, and leasehold improvements;
5. Costs of the construction of public works or improvements consistent with the Act, including the costs of replacing an existing public building if pursuant to the implementation of a redevelopment project, the existing public building is to be demolished to use the site for private investment or devoted to a different use requiring private investment;
6. Costs of job training and retraining projects including the costs of “welfare to work” programs implemented by businesses located within the redevelopment project area;
7. Financing costs, including but not limited to, all necessary and incidental expenses related to the issuance of obligations and which may include payment of interest on any obligations issued thereunder including interest accruing during the estimated period of

construction of any redevelopment project for which such obligations are issued and for a period not exceeding 36 months thereafter and including reasonable reserves related thereto and interest accruing during a construction period;

8. All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the Redevelopment Plan and Project, to the extent the municipality by written agreement accepts and approves such costs;
9. An elementary, secondary, or unit school district's increased costs attributable to assisted housing units will be reimbursed as provided in the Act;
10. A library district's increased per patron costs attributable to net new persons eligible to obtain a library card living in assisted housing units as further defined in the Act.
11. Relocation costs to the extent that a municipality determines that relocation costs shall be paid or is required to make payment of relocation costs by federal or state law, or under the Act;
12. Payment in lieu of taxes;
13. Costs of job training, retraining, advanced vocational education or career education, including but not limited to, courses in occupational, semi-technical or technical fields leading directly to employment, incurred by one or more taxing districts, provided that such costs (i) are related to the establishment and maintenance of additional job training, advanced vocational education or career education programs for persons employed or to be employed by employers located in the redevelopment project area; and (ii) when incurred by a taxing district or taxing districts other than the municipality, are set forth in a written agreement by or among the municipality and taxing district(s), which agreement describes the program to be undertaken, including but not limited to, the number of employees to be trained, a description of the training and services to be provided, the number and type of positions available or to be available, itemized costs of the program and sources of funds to pay for the same, and the term of the agreement. Such costs include, specifically, the payment by the community college district of costs pursuant to Sections 3-37, 3-38, 3-40 and 3-40.1 of the Public and Community College Act as cited in the Act and by the school districts of cost pursuant to Section 10-22.20a and 10-23.3a of the School Code as cited in the Act.
14. Interest costs incurred by a developer related to the construction, renovation, or rehabilitation of a redevelopment project provided that:
  - a. Such costs are to be paid directly from the special tax allocation fund established pursuant to the Act;

- b. Such payments in any one (1) year may not exceed thirty percent (30%) of the annual interest costs incurred by the redeveloper with regard to the development project during that year;
- c. If there are not sufficient funds available in the special tax allocation fund to make the payment pursuant to this paragraph (12), then the amount so due shall accrue and be payable when sufficient funds are available in the special tax allocation fund;
- d. The total of such interest payments paid pursuant to the Act may not exceed thirty percent (30%) of the total of (i) cost paid or incurred by the developer for the redevelopment project plus (ii) redevelopment project costs excluding any property assembly costs and any relocation costs incurred by a municipality pursuant to the Act; and
- e. The percentage increases from thirty percent (30%) to seventy-five percent (75%) for the interest cost incurred by a redeveloper for the financing of rehabilitated or new housing units for low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act.
- f. Instead of the interest costs described above in paragraphs 12b. and 12d., a municipality may pay from tax incremental revenues up to fifty percent (50%) of the cost of construction, renovation, and rehabilitation of new housing units (for ownership or rental) to be occupied by low-income households and very low-income households, as defined in Section 3 of the Illinois Affordable Housing Act, as more fully described in the Act. If the units are part of a residential redevelopment project that includes units not affordable to low- and very low-income households, only the low- and very low-income units shall be eligible for this benefit under the Act;

Unless explicitly stated in the Act, and as provided for in relation to low- and very low-income housing units, the cost of construction of new privately owned buildings shall not be an eligible redevelopment project cost.

If a special service area is established pursuant to the Special Service Area Tax Act, 35 ILCS 235/0.01 et seq., then any tax increment revenues derived from the tax imposed pursuant to the Special Service Area Tax Act may be used within the redevelopment project area for the purposes permitted by the Special Service Area Tax Act, as well as the purposes permitted by the Act.

### ***Estimated Redevelopment Project Costs***

The estimated eligible costs of this Redevelopment Plan are shown in Table 2. The total eligible cost provides an upper limit on expenditures that may be funded using incremental property tax revenues, exclusive of capitalized interest, issuance costs, interest, and other financing costs. Other sources of funds may also be used to defray costs within the district. Within this limit,

adjustments may be made in line items without amendment to this Redevelopment Plan. Additional funding including, but not limited to, State and Federal grants, private developers' contributions, land sales, sales taxes, and other outside sources may be pursued and used by the Village as a means of financing improvements and facilities within the RPA. These expenditures may be in addition to those funded from tax increment revenues, and may be in addition to the budget shown in Table 2, which limits expenditure of incremental property tax only.

**Table 2: Estimated Redevelopment Project Costs**

	Estimated Project Costs
Costs of studies	\$1,400,000
Site marketing costs	\$100,000
Property assembly costs	\$3,500,000
Costs of building rehabilitation	\$19,500,000
Costs of construction of public works	\$36,000,000
Costs of job training (businesses)	\$50,000
Financing Costs	\$2,000,000
Taxing district capital costs	\$5,000,000
School district increased costs	\$200,000
Library district increased costs	\$10,000
Relocation costs	\$240,000
Payments in lieu of taxes	\$200,000
Costs of job training (community college)	\$200,000
Interest costs (developer or property owner)	\$1,500,000
Construction costs for affordable housing	\$100,000
<b>Total Redevelopment Costs [1], [2], [3]</b>	<b>\$70,000,000</b>

[1] Total Redevelopment Costs exclude any additional financing costs, including any interest expense, capitalized interest, costs of issuance, and costs associated with optional redemptions. These costs are subject to prevailing market conditions and are in addition to Total Redevelopment Project Costs.

[2] The amount of the Total Redevelopment Costs that can be incurred in the RPA will be reduced by the amount of Redevelopment Project Costs incurred in contiguous RPAs, or those separated from the RPA only by a public right-of-way, that are permitted under the Act to be paid, and are paid, from incremental property taxes generated in the RPA, but will not be reduced by the amount of Redevelopment Project Costs incurred in the RPA which are paid from incremental property taxes generated in contiguous RPAs or those separated from the RPA only by a public right-of-way.

[3] All costs are in 2010 dollars and may be increased by five percent (5%) after adjusting for annual inflation reflected in the Consumer Price Index (CPI) for All Urban Consumers for All Items for the Midwest – Size Class D Urban Areas (population less than 50,000), published by the U.S. Department of Labor. In addition to the above stated costs, each issue of obligations issued to finance a phase of the Redevelopment Plan and Project may include an amount of proceeds sufficient to pay customary and reasonable charges associated with the issuance of such obligations, including interest costs.

Adjustments to the estimated line item costs in Table 2 are expected and may be made by the Village without amendment to the Redevelopment Plan. Each individual project cost will be re-evaluated in light of projected private development and resulting incremental tax revenues as it is considered for public financing under the provisions of the Act. The totals of line items set forth above are not intended to place a limit on the described expenditures. Adjustments may be made in line items, either increasing or decreasing line item costs as a result of changed redevelopment costs and needs, provided, however, that any such adjustments shall not exceed the total Redevelopment Project Costs described in Table 2 of this Redevelopment Plan.

In the event the Act is amended after the date of the approval of this Redevelopment Plan by the Village Board to (a) include new eligible redevelopment project costs, or (b) expand the scope or increase the amount of existing eligible redevelopment project costs (such as by increasing the

amount of incurred interest costs that may be paid under 65 ILCS 5/1-74.4-3(q)(11)), this Redevelopment Plan shall be deemed to incorporate such additional, expanded, or increased eligible costs as eligible costs under the Redevelopment Plan. In the event of such amendment(s) to the Act, the Village may add any new eligible redevelopment project costs as a line item in Table 2, or otherwise adjust the line items in Table 2 without amendment to this Redevelopment Plan. In no instance, however, shall such additions or adjustments result in any increase in the total redevelopment project costs without a further amendment to this Redevelopment Plan.

### ***Phasing and Scheduling of the Redevelopment***

Certain projects within the RPA shall be governed by the terms of written redevelopment agreements entered into between a designated developer and the Village. Other projects will consist of Village reimbursements of the specified eligible redevelopment costs of applicants who qualify under various programs developed by the Village and approved by the Village Board.

Where tax increment funds are used to pay eligible redevelopment project costs, to the extent funds are available for such purposes, expenditures by the Village shall be coordinated to coincide on a reasonable basis with the actual redevelopment expenditures of the developer(s). The Redevelopment Plan shall be completed, and all obligations issued to finance redevelopment costs shall be retired, no later than December 31 of the year in which the payment to the Village Revenue Manager as provided in the Act is to be made with respect to ad valorem taxes levied in the twenty-third calendar year following the year in which the ordinance approving this redevelopment project area is adopted (by December 31, 2035, if the ordinances establishing the RPA are adopted in 2011).

### ***Sources of Funds to Pay Costs***

Funds necessary to pay for redevelopment project costs and/or municipal obligations which may be issued or incurred to pay for such costs are to be derived principally from tax increment revenues and/or proceeds from municipal obligations which have as a repayment source tax increment revenue. To secure the issuance of these obligations and the developer's performance of redevelopment agreement obligations, the Village may require the utilization of guarantees, deposits, reserves, and/or other forms of security made available by private sector developers. The Village may incur Redevelopment Project Costs which are paid from Village funds other than incremental taxes, and the Village may then be reimbursed for such costs from incremental taxes. In addition, the Village may utilize other funding sources as discussed above to pay for costs within the district, in addition to those funded by incremental property tax revenues.

The tax increment revenue which will be used to fund tax increment obligations and eligible redevelopment project costs shall be the incremental real property tax revenues. Incremental real property tax revenue is attributable to the increase of the current EAV of each taxable lot, block, tract, or parcel of real property in the RPA over and above the certified initial EAV of each such property. Without the use of such incremental revenues, the RPA is not likely to redevelop.

Other sources of funds which may be used to pay for development costs and associated obligations issued or incurred include land disposition proceeds, state and federal grants, sales taxes, investment income, private investor and financial institution funds, and other sources of funds and revenues as the municipality and developer from time to time may deem appropriate.

The RPA may, in the future, be contiguous to, or be separated only by a public right-of-way from, other redevelopment areas created under the Act. Currently, the RPA is adjacent to three existing RPAs (TIF #5, TIF #6, and TIF #7). The Village may utilize net incremental property tax revenues received from the RPA to pay eligible redevelopment project costs or obligations issued to pay such costs, in other contiguous redevelopment project areas, or those separated only by a public right-of-way, and vice versa. The amount of revenue from the RPA made available to support such contiguous redevelopment project areas, or those separated only by a public right-of-way, when added to all amounts used to pay eligible Redevelopment Project Costs within the RPA, shall not exceed the total Redevelopment Project Costs described in Table 2 (Estimated Redevelopment Project Costs) of this Redevelopment Plan.

If sufficient incremental tax revenues are generated, the Village Board may elect to increase the Village's contribution to debt service payments for public improvements funded in public-private partnership structures such as Special Service Areas.

The RPA may become contiguous to, or separated only by a public right-of-way from, other redevelopment project areas created under the Illinois Industrial Jobs Recovery Law, (65 ILCS 5/11-74.61-1 et. seq.). If the Village finds that the goals, objectives, and financial success of such contiguous redevelopment project areas or those separated only by a public right-of-way are interdependent with those of the RPA, the Village may determine that it is in the best interests of the Village and in furtherance of the purposes of the Redevelopment Plan that net revenues from the RPA be made available to support any such redevelopment project areas, and vice versa. The Village, therefore, proposes to utilize net incremental revenues received from the RPA to pay eligible redevelopment projects costs (which are eligible under the Industrial Jobs Recovery Law referred to above) in any such areas, and vice versa. Such revenues may be transferred or loaned between the RPA and such areas. The amount of revenue from the RPA so made available, when added to all amounts used to pay eligible Redevelopment Project Costs within the RPA, or other areas as described in the preceding paragraph, shall not exceed the total Redevelopment Project Costs described in Table 2 of this Redevelopment Plan.

If necessary, the redevelopment plans for other contiguous redevelopment project areas that may be or already have been created under the Act may be drafted or amended as applicable to add appropriate and parallel language to allow for sharing of revenues between such districts.

### ***Issuance of Obligations***

To finance project costs, the Village may issue bonds or obligations secured by the anticipated tax increment revenue generated within the RPA, or such other bonds or obligations as the Village may deem appropriate. The Village may require the utilization of guarantees, deposits, or other forms of security made available by private sector developers to secure such obligations. In

addition, the Village may provide other legally permissible credit enhancements to any obligations issued pursuant to the Act.

All obligations issued by the Village pursuant to this Redevelopment Plan and the Act shall be retired within the timeframe described under “Phasing and Scheduling of the Redevelopment” above. Also, the final maturity date of any such obligations which are issued may not be later than 20 years from their respective dates of issue. One or more of a series of obligations may be sold at one or more times in order to implement this Redevelopment Plan. The amounts payable in any year as principal and interest on all obligations issued by the Village shall not exceed the amounts available from tax increment revenues, or other sources of funds, if any, as may be provided by ordinance. Obligations may be of parity or senior/junior lien nature. Obligations issued may be serial or term maturities, and may or may not be subject to mandatory, sinking fund, or optional redemptions.

In addition to paying redevelopment project costs, tax increment revenues may be used for the scheduled and/or early retirement of obligations, and for reserves, and bond sinking funds. To the extent that real property tax increment is not required for such purposes or otherwise required, pledged, earmarked, or designated for anticipated redevelopment costs, revenues shall be declared surplus and become available for distribution annually to area taxing districts in the manner provided by the Act.

### ***Most Recent Equalized Assessed Valuation of Properties in the Redevelopment Project Area***

The purpose of identifying the most recent equalized assessed valuation (“EAV”) of the RPA is to provide an estimate of the initial EAV which the DuPage County Clerk will certify for the purpose of annually calculating the incremental EAV and incremental property taxes of the RPA. The 2009 EAV of all taxable parcels in the RPA is approximately \$252,294,031. The total EAV is subject to verification by the DuPage County Clerk. After verification, the final figure shall be certified by the DuPage County Clerk, and shall become the Certified Initial EAV from which all incremental property taxes in the Redevelopment Project Area will be calculated by DuPage County. It is anticipated that the district will be adopted in 2011 in which case the Certified Initial EAV will likely be defined based on 2010 equalized assessed values. The total EAV amounts by PIN for the RPA are summarized in Appendix 2.

### ***Anticipated Equalized Assessed Valuation***

By 2034, the EAV for the RPA is anticipated to be approximately \$381,451,170. This estimate is based on several key assumptions, including: (1) an inflation factor of 2.0% per year on the EAV of all properties within the RPA, (2) an anticipated decline in assessment levels within DuPage County, from 2009 levels, (3) an equalization factor of 1.000, and (4) that the proposed redevelopment projects primarily involve renovation of existing structures and public works projects. No new development projects are currently anticipated for the district. However, it is likely that new development could occur over the life of the district. Depending upon the actual redevelopment that occurs, EAV may be a higher or lower amount than indicated above.

## ***6. Required Findings and Tests***

### ***Lack of Growth and Private Investment***

The Village is required under the Act to evaluate whether or not the RPA has been subject to growth and private investment, and must substantiate a finding of lack of such investment prior to establishing a tax increment financing district.

New investment that occurred in the Study Area in the last five years mostly consists of minor renovations. Taken as a whole, the Study Area has not been subject to widespread growth and development through investment by private enterprise. The EAV of the RPA has grown at a rate slower than the Consumer Price Index for three of the last five periods (2004/2005; 2006/2007; 2008/2009) and was negative for one of these periods.

*Finding: The RPA on the whole has not been subject to growth and development through investment by private enterprise, and would not reasonably be anticipated to be redeveloped without the adoption of the Redevelopment Plan.*

### ***But for...***

The Village is required to find that, but for the designation of the TIF district and the use of tax increment financing, it is unlikely that significant investment will occur in the RPA.

Without the support of public resources, the redevelopment objectives for the Study Area would most likely not be realized. The area-wide improvements and development assistance resources needed to redevelop and revitalize the Study Area are extensive and costly, and the private market, on its own, has shown little ability to absorb all of these costs. Public resources to assist with site preparation and public infrastructure improvements are needed to leverage private investment and facilitate area-wide redevelopment. TIF funds can be used to fund building rehabilitation, utility and infrastructure improvements, site assembly and preparation, and environmental remediation. Accordingly, but for the designation of a TIF district, these projects, which would contribute substantially to area-wide redevelopment, are unlikely to occur without TIF designation for the RPA.

*Finding: But for the adoption of this Redevelopment Plan, critical resources will be lacking that would otherwise support the redevelopment of the RPA, and the RPA would not reasonably be anticipated to be redeveloped.*

### ***Conformance to the Plans of the Village***

The Redevelopment Plan must conform to the Village's comprehensive plan (*General Development Plan Update, 2004*) and the Village's strategic economic development plans, or include land uses that have been approved by the Village.

Based on a review of Village plans, the Redevelopment Plan for the RPA conforms to and proposes predominant land uses that are consistent with the Village's comprehensive plan.

### ***Dates of Completion***

The dates of completion of the project and retirement of obligations are described under "Phasing and Scheduling of the Redevelopment" in Section 5 above.

### ***Financial Impact of the Redevelopment Project***

As explained above, without the adoption of this Redevelopment Plan and tax increment financing, the RPA is not expected to be redeveloped by private enterprise. Additionally, there is a genuine threat that conditions found to qualify the RPA as a conservation area under the Act will continue to exist and spread, and that the entire area will become a less attractive place to maintain and improve existing buildings and sites. The relative decline of property values within the RPA may continue and lead to a decline of property values in surrounding areas and a reduction of real estate tax revenue to all taxing districts.

This document describes the comprehensive redevelopment program proposed to be undertaken by the Village to create an environment in which private investment can reasonably occur. The redevelopment program will be staged gradually over the life of the RPA. If a redevelopment project is successful, various new projects will be undertaken that will assist in alleviating the conditions found to qualify the RPA as a conservation area under the Act, creating new jobs and promoting rehabilitation and development in the RPA.

This Redevelopment Plan is expected to have short- and long-term financial impacts on the affected taxing districts. During the period when tax increment financing is utilized, real estate tax increment revenues from the increases in EAV over and above the certified initial EAV (established at the time of adoption of this document by the Village) may be used to pay eligible redevelopment project costs for the RPA. At the time when the RPA is no longer in place under the Act, the real estate tax revenues resulting from the redevelopment of the RPA will be distributed to all taxing districts levying taxes against property located in the RPA. These revenues will then be available for use by the affected taxing districts.

***Demand on Taxing District Services and Program to Address Financial and Service Impact***

The following major taxing districts presently levy taxes on properties within the RPA:

- Du Page Water Commission
- Village of Bensenville
- Bensenville Fire No. 2
- Grade School District 2
- College of Du Page 502
- Du Page Airport Authority
- Bensenville Park District
- Bensenville Library District
- High School District 100

Redevelopment within the RPA may result in additional demands on services and facilities provided by the districts. At this time, no special programs are proposed for these taxing districts. The nature of the redevelopment that is likely to occur as a result of the implementation of the Redevelopment Plan consists of a mix of commercial, residential, and public/institutional use.

The Village intends to monitor development in the area and, with the cooperation of the affected taxing districts, will attempt to ensure that any increased needs are addressed in connection with any particular development.

Therefore, while redevelopment activities in the RPA may have an impact on the School Districts or other taxing districts, no significant impacts are currently anticipated. Should service demands increase, the Village will work with the affected taxing districts to determine which, if any, programs are necessary to provide adequate services.

## ***7. Provisions for Amending Redevelopment Plan and Project***

This Redevelopment Plan and Project document may be amended pursuant to the provisions of the Act.

## ***8. Commitment to Fair Employment Practices and Affirmative Action Plan***

The Village is an equal opportunity employer. As part of this Redevelopment Project and Plan, the Village will work with any developers who assist in the redevelopment of the RPA to implement an effective affirmative action program that conforms to Village policies and practices.

This program will ensure equal opportunity for all personnel regardless of race, color, religion, sex, age, marital status, handicapped status, nation of origin, sexual preference, creed, or ancestry. This program will also meet Village standards for any applicable prevailing wage rate as ascertained by the Illinois Department of Labor to all project employees. All entities involved are responsible for conformance to the policy that is put in place.

## *Appendix 1: Boundary and Legal Description*

THAT PART OF SECTIONS 2, 3, 11, 13, 15, 22 AND 23, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTIONS 2 AND 11 TO THE NORTHWEST CORNER OF SAID SECTION 13; THENCE EASTERLY ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF YORK ROAD (A.K.A. COUNTY HIGHWAY 8); THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE EASTERN EXTENSION OF THE SOUTH LINE OF LOT 30 IN BLOCK 1 OF HOMESTEAD SUBDIVISION, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SAID SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JULY 6, 1925 AS DOCUMENT NO. 195710; THENCE WESTERLY ALONG SAID EASTERN EXTENSION, SAID SOUTH LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF A 20 FOOT ALLEY; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF A 20 FOOT PUBLIC ALLEY; THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST LINE OF BLOCK 3 IN SAID HOMESTEAD SUBDIVISION; THENCE SOUTHERLY ALONG SAID WEST LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF ROOSEVELT AVENUE; THENCE EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF CENTER STREET; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF LOT 16 IN BLOCK 1 OF TIoga SUBDIVISION, BEING A SUBDIVISION IN THE EAST HALF OF SAID SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 1873 AS DOCUMENT NO. 17017; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 16 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF A 20 FOOT ALLEY; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 4 IN SAID BLOCK 1; THENCE EASTERLY ALONG SAID WESTERLY EXTENSION, SAID NORTH LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON SAID EASTERN RIGHT-OF-WAY LINE OF YORK ROAD; THENCE SOUTHERLY ALONG SAID EASTERN RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF GREEN STREET; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF GREEN STREET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE GREENWOOD CONDOMINIUM PLAT, BEING IN THE SOUTHEAST QUARTER OF SAID SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 6, 1975 AS DOCUMENT NO. R75-40315; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION AND EAST LINE TO THE NORTHEAST CORNER OF SAID GREENWOOD CONDOMINIUM PLAT; THENCE WESTERLY ALONG THE NORTH LINE OF SAID GREENWOOD CONDOMINIUM PLAT TO THE EAST RIGHT-OF-WAY LINE OF CENTER STREET; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF GREEN STREET; THENCE SOUTHWESTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF THE CENTER STREET P.U.D. SUBDIVISION, BEING A

SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 2005 AS DOCUMENT NO. R2005-0639; THENCE WESTERLY ALONG THE NORTH LINE OF SAID CENTER STREET P.U.D. SUBDIVISION TO THE NORTHWEST CORNER OF SAID CENTER STREET P.U.D. SUBDIVISION; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID CENTER STREET P.U.D. SUBDIVISION TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE 20 FOOT ALLEY; THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF A 16 FOOT ALLEY; THENCE NORtherLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF LOT 3 IN BROADVIEW ADDITION TO BENENVILLE SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 16, 1922 AS DOCUMENT NO. 153293; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 3 AND THE WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ADDISON STREET; THENCE NORtherLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF LOT 35 IN SAID BROADVIEW ADDITION TO BENENVILLE SUBDIVISION; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 35 AND WESTERLY EXTENSION THEREOF TO THE SOUTHEAST CORNER OF LOT 3 IN FRASE'S GREEN STREET ADDITION TO BENENVILLE, BEING A SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JULY 11, 1919 AS DOCUMENT NO. 137353; THENCE NORtherly ALONG THE EAST LINE OF SAID LOT 3 TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 3 AND THE WESTERLY EXTENSION THEREOF TO THE WEST RIGHT-OF-WAY LINE OF MASON STREET; THENCE NORtherly ALONG SAID WEST RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF LOT 3 IN ALVINA MESS'S SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1921 AS DOCUMENT NO. 148946; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 3 TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID LOT 3 TO THE SOUTHEAST CORNER OF LOT 1 IN WILLIAM NEUMANN'S ADDITION TO BENENVILLE, BEING A SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 18, 1922 AS DOCUMENT NO. 153332; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID WILLIAM NEUMANN'S ADDITION TO BENENVILLE TO THE SOUTHWEST CORNER OF SAID WILLIAM NEUMANN'S ADDITION TO BENENVILLE, SAID SOUTHWEST CORNER BEING A POINT ON THE NORTH LINE OF BRETTMAN BROTHER'S ADDITION TO BENENVILLE, BEING A SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 23, 1922 AS DOCUMENT NO. 153406; THENCE CONTINUING WESTERLY ALONG SAID NORTH LINE TO THE SOUTHEAST CORNER OF LOT 1 IN LOUIS HANSEN'S ASSESSMENT PLAT, BEING AN ASSESSMENT DIVISION IN SAID SOUTHEAST QUARTER OF SECTION OF 14, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 28, 1956 AS DOCUMENT NO. 805933, AND CORRECTED BY A CERTIFICATE OF AMENDMENT RECORDED AUGUST 9, 1956 AS DOCUMENT NO. 811281; THENCE NORtherly ALONG THE EAST LINE OF SAID LOT 1 TO A POINT ON THE EASTERLY EXTENSION OF THE NORtherly LINE OF GREEN STREET ADDITION TO BENENVILLE SUBDIVISION, BEING A SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 18, 1965 AS DOCUMENT NO. R65-1716; THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND NORtherly LINE TO A POINT ON THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF JOHN

KOEBBEMAN'S ADDITION TO BENSENVILLE, BEING A SUBDIVISION IN SAID SOUTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 24, 1921 AS DOCUMENT NO. 150375; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION TO THE SOUTHEAST CORNER OF SAID JOHN KOEBBEMAN'S ADDITION TO BENSENVILLE; THENCE NORTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID JOHN KOEBBEMAN'S ADDITION TO BENSENVILLE TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CHURCH STREET (A.K.A. CHURCH ROAD); THENCE NORTHWESTERLY ALONG A STRAIGHT LINE TO THE NORTHEAST CORNER OF LOT 19 IN DAVID J. SLOAN'S PLENTYWOOD GLEN SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SAID SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 28, 1979 AS DOCUMENT NO. R79-87917; THENCE WESTERLY, NORTHERLY, WESTERLY, SOUTHERLY AND NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID DAVID J. SLOAN'S PLENTYWOOD GLEN TO THE NORTHWEST CORNER OF SAID DAVID J. SLOAN'S PLENTYWOOD GLEN; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID DAVID J. SLOAN'S PLENTYWOOD GLEN AND SOUTHERLY EXTENSION THEREOF TO A POINT ON THE NORTH LINE OF VOLK BROTHER'S BREWOOD, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1927 AS DOCUMENT NO. 235105; THENCE WESTERLY ALONG SAID NORTH LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HENDERSON STREET; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF GROVE AVENUE; THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 1 IN BLOCK 12 OF SAID VOLK BROTHER'S BREWOOD SUBDIVISION; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 1 TO A POINT ON THE NORTHERLY LINE OF LOT 2 IN SAID BLOCK 12; THENCE WESTERLY ALONG SAID NORTHERLY LINE AND NORTHERLY LINE OF LOT 13 IN SAID BLOCK 12 AND WESTERLY EXTENSION THEREOF TO THE NORTHEAST CORNER OF LOT 1 IN BLOCK 13 OF SAID VOLK BROTHER'S BREWOOD SUBDIVISION; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 1 TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST LINE OF LOTS 11 THRU 7 INCLUSIVE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WOOD AVENUE; THENCE EASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE NORTHERLY EXTENSION OF AN EAST LINE OF PARCEL "A" IN BENSENVILLE LIBRARY LEARNING CENTER ASSESSMENT PLAT, BEING AN ASSESSMENT DIVISION IN SAID SOUTHWEST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 17, 1998 AS DOCUMENT NO. R98-266018 (SAID EAST LINE IS PLATTED AT A DISTANCE OF 137.05 FEET); THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION AND EAST LINE TO A POINT ON A NORTH LINE OF SAID PARCEL "A" (SAID NORTH LINE IS PLATTED AT A DISTANCE OF 182.60 FEET); THENCE EASTERLY ALONG SAID NORTH LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF CHURCH STREET (A.K.A. CHURCH ROAD); THENCE SOUTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF BREITER ESTATES, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 14 AND THE NORTHWEST QUARTER OF SAID SECTION 23, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 25, 1998 AS DOCUMENT NO. R98-125187; THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND NORTH LINE TO THE NORTHEAST CORNER OF DAVID J. SLOAN'S ADDITION TO BENSENVILLE, BEING A SUBDIVISION IN SAID SOUTHWEST QUARTER OF SECTION 14 AND SAID NORTHWEST QUARTER OF SECTION 23,

ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 22, 1978 AS DOCUMENT NO. R78-123315; THENCE WESTERLY ALONG THE NORTH LINE OF SAID DAVID J. SLOAN'S ADDITION TO BENSENVILLE TO THE NORTHWEST CORNER OF LOT 11 IN SAID DAVID J. SLOAN'S ADDITION TO BENSENVILLE; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 11 TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF DONNA LANE; THENCE EASTERNLY ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF RIDGEWOOD AVENUE; THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION AND EAST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF VOLK BROTHERS SECOND ADDITION TO EDGEWOOD, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 23 AND THE NORTHEAST QUARTER OF SAID SECTION 22, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT NO. 219086; THENCE WESTERLY ALONG SAID NORTH LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ILLINOIS ROUTE 83 (A.K.A. ROBERT KINGERY HIGHWAY); THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 22; THENCE EASTERNLY ALONG SAID NORTH LINE TO THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE NORTHERLY ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 14 TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 1 IN ST. BEDE'S EPISCOPAL CHURCH ASSESSMENT PLAT, BEING AN ASSESSMENT DIVISION IN SAID SOUTHWEST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1964 AS DOCUMENT NO. R64-40991; THENCE EASTERNLY ALONG SAID WESTERLY EXTENSION AND SOUTH LINE TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTHERLY ALONG THE EAST LINE OF SAID LOT 1 TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 1 AND THE WESTERLY EXTENSION THEREOF TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 14; THENCE NORTHERLY ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE WESTERLY ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID ILLINOIS ROUTE 83(A.K.A. ROBERT KINGERY HIGHWAY); THENCE NORTHERLY, WESTERLY AND NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SOO LINE RAILROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 15; THENCE NORTHERLY ALONG SAID EAST LINE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID SOO LINE RAILROAD; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF PINE LANE; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF IRVING PARK BOULEVARD (A.K.A. ILLINOIS ROUTE 19); THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF BEN DALE RESUBDIVISION, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 15; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION AND WEST LINE TO THE NORTHWEST CORNER OF SAID BEN DALE RESUBDIVISION; THENCE EASTERNLY ALONG THE NORTHERLY LINE OF SAID BEN DALE RESUBDIVISION TO A POINT ON THE WESTERLY EXTENSION OF THE SOUTH RIGHT-OF-WAY LINE OF MEDINAH STREET; THENCE EASTERNLY ALONG SAID WESTERLY EXTENSION AND SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE WEST LINE OF THE 20 FOOT NORTH-SOUTH ALLEY (NOW VACATED) IN BLOCK 40 OF THE

FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION THE SOUTH HALF OF SAID SECTIONS 10 AND 11 AND IN THE NORTH HALF OF SAID SECTIONS 14 AND 15, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT NO. 213044; THENCE SOUTHERLY ALONG SAID WEST LINE TO A POINT ON THE CENTER LINE OF THE 20 FOOT EAST-WEST ALLEY (NOW VACATED) IN SAID BLOCK 40; THENCE EASTERLY ALONG SAID CENTER LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SPRUCE AVENUE; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID IRVING PARK BOULEVARD; THENCE EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE NORTHERLY EXTENSION OF A WEST LINE OF LOT 3 IN LAMARCA DEVELOPMENT P.U.D., BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SAID SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 23, 2006 AS DOCUMENT NO. R2006-33168, SAID WEST LINE BEING 100 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID LOT 3; THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION AND WEST LINE TO A POINT ON A NORTH LINE OF SAID LOT 3, SAID NORTH LINE BEING 154 FEET NORTH OF AND PARALLEL WITH SOUTH LINE OF SAID LOT 3; THENCE WESTERLY ALONG SAID NORTH LINE TO A POINT ON THE WEST LINE OF SAID LOT 3; THENCE SOUTHERLY ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE EASTERLY ALONG SAID SOUTH LINE OF LOT 3 TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTHERLY ALONG SAID EAST LINE OF LOT 3 AND NORTHERLY EXTENSION THEREOF TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF IRVING PARK BOULEVARD; THENCE EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE NORTHERLY EXTENSION OF THE EASTERN RIGHT-OF-WAY LINE OF PARKSIDE LANE; THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION AND EASTERN RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID PARKSIDE LANE; THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE AND WESTERLY EXTENSION THEREOF TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID PARKSIDE LANE; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH LINE OF LOT 1 IN BLOCK 1 OF SNOWBERG CONSTRUCTION COMPANY'S SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 18, 1960 AS DOCUMENT NO. 956169; THENCE WESTERLY ALONG SAID SOUTH LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF EASTVIEW AVENUE; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE AND SOUTHERLY EXTENSION THEREOF TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MAIN STREET; THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 11 IN BLOCK 3 OF SAID SNOWBERG CONSTRUCTION COMPANY'S SUBDIVISION; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID LOT 11 TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF THE SOO LINE RAILROAD; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTHERLY ALONG SAID WEST LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SOO LINE RAILROAD; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF LOT 1 IN GEORGE M. GROVE'S GREEN AVENUE GARDENS, BEING A SUBDIVISION IN THE EAST HALF OF SAID SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 1950 AS DOCUMENT NO. 604907; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 1 TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF A 20 FOOT ALLEY; THENCE SOUTHEASTERLY

ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND EASTERLY EXTENSION THEREOF TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF GRANT STREET; THENCE SOUTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GREEN STREET; THENCE SOUTHEASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ADDISON STREET; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF LOT 1 IN BLOCK 4 OF SAID TIOGA SUBDIVISION; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 1 TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF THE SOO LINE RAILROAD; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 14; THENCE EASTERNLY ALONG SAID SOUTH LINE TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MAIN STREET; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHERLY EXTENSION OF THE EAST RIGHT-OF-WAY LINE OF ASHBY WAY; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION AND EAST RIGHT-OF-WAY LINE AND NORTHERLY EXTENSION THEREOF TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID ROOSEVELT AVENUE; THENCE EASTERNLY ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF MASON STREET; THENCE NORTHERLY ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTHWEST CORNER OF LOT 3 IN TOWN MANOR RESUBDIVISION, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 24, 1956 AS DOCUMENT NO. 787350; THENCE WESTERLY ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 3 TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID MASON STREET; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO THE NORTHEAST CORNER OF LOT 6 IN THE SUBDIVISION OF LOT 17 IN GEORGE E. FRANZEN'S SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 7, 1923 AS DOCUMENT NO. 169324; THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 6 TO THE SOUTHWEST CORNER OF LOT 5 IN SAID SUBDIVISION OF LOT 17 IN GEORGE E. FRANZEN'S SUBDIVISION; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 5 TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE 22 FOOT EAST-WEST ALLEY IN HERITAGE SQUARE SUBDIVISION, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 2000 AS DOCUMENT NO. R2000-139670; THENCE WESTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF A 20 FOOT NORTH-SOUTH ALLEY; THENCE SOUTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH LINE OF OUTLOT 2 IN SAID HERITAGE SQUARE SUBDIVISION; THENCE WESTERLY ALONG SAID SOUTH LINE TO A POINT ON THE EAST LINE OF LOT 2 IN BENESLEVILLE PARK DISTRICT VETERANS PARK ASSESSMENT PLAT, BEING AN ASSESSMENT DIVISION IN SAID NORTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 3, 2003 AS DOCUMENT NO. R2003-457953; THENCE SOUTHERLY ALONG SAID EAST LINE TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF TRACT 3 AS SHOWN ON A PLAT OF SURVEY, IN SAID NORTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 22, 1963 AS DOCUMENT NO. R63-12120; THENCE WESTERLY ALONG SAID EASTERLY EXTENSION AND NORTH LINE TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID CHURCH STREET (A.K.A. CHURCH ROAD);

THENCE NORTHERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF IRVING PARK BOULEVARD; THENCE EASTERLY ALONG SAID NORTH RIGHT-OF-WAY LINE TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF WALNUT STREET; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF LOTS 8 THRU 11 INCLUSIVE IN IRVING HI-LANDS, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 14, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1947 AS DOCUMENT NO. 519121; THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND NORTH LINE TO A POINT ON THE EAST LINE OF SAID IRVING HI-LANDS SUBDIVISION; THENCE NORTHERLY ALONG SAID EAST LINE AND NORTHERLY EXTENSION THEREOF TO THE NORTHEAST CORNER OF LOT 29 IN O'HARE METROPOLITAN INDUSTRIAL DISTRICT-UNIT 3, BEING A SUBDIVISION IN SAID NORTHEAST QUARTER OF SECTION 14 AND THE SOUTH HALF OF SAID SECTION 11, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 4, 1972 AS DOCUMENT NO. R72-60677; THENCE WESTERLY ALONG THE NORTHERLY LINES OF LOT 29 THRU LOT 1, INCLUSIVE IN SAID O'HARE METROPOLITAN INDUSTRIAL DISTRICT-UNIT 3, TO THE NORTHEAST CORNER OF PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION IN SAID NORTHWEST QUARTER OF SECTION 14 AND SOUTHEAST QUARTER OF SAID SECTION 11, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 23, 1926 AS DOCUMENT NO. 212105; THENCE WESTERLY ALONG THE NORTH LINE OF SAID PERCY WILSON'S IRVING PARK MANOR SUBDIVISION TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 8 IN BLOCK 5 IN SAID PERCY WILSON'S IRVING PARK MANOR; THENCE SOUTHERLY ALONG SAID NORTHERLY EXTENSION, EAST LINE AND SOUTHERLY EXTENSION THEREOF TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HILLSIDE DRIVE; THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF LOT 1 IN BLOCK 6 OF SAID PERCY WILSON'S IRVING PARK MANOR; THENCE NORTHERLY ALONG SAID SOUTHERLY EXTENSION, WEST LINE AND NORTHERLY EXTENSION THEREOF TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 10 IN O'HARE METROPOLITAN INDUSTRIAL DISTRICT UNIT-2, BEING A SUBDIVISION IN SAID SECTION 11, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 14, 1971 AS DOCUMENT NO. R71-46718; THENCE EASTERLY ALONG SAID WESTERLY EXTENSION TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE NORTHERLY ALONG THE WEST LINE OF LOTS 10, 9 AND 8 IN SAID O'HARE METROPOLITAN INDUSTRIAL DISTRICT-UNIT 2 TO THE NORTHWEST CORNER OF SAID LOT 8; THENCE WESTERLY ALONG THE SOUTH LINE OF LOTS 7 AND 6 IN SAID O'HARE METROPOLITAN INDUSTRIAL DISTRICT UNIT-2 AND THE WESTERLY EXTENSION THEREOF TO THE SOUTHWEST CORNER OF LOT 21 IN O'HARE METROPOLITAN INDUSTRIAL DISTRICT-UNIT 4, BEING A RESUBDIVISION IN SAID SECTION 11, ACCORDING TO THE PLAT THEREOF AS RECORDED ON OCTOBER 4, 1972 AS DOCUMENT NO. R72-60678; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 21 TO A POINT ON A LINE 455 FEET SOUTH OF AND PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF FOSTER AVENUE; THENCE EASTERLY ALONG SAID PARALLEL LINE TO THE WEST RIGHT-OF-WAY LINE OF COUNTRY CLUB DRIVE; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT ON SAID SOUTH RIGHT-OF-WAY LINE OF FOSTER AVENUE; THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID ILLINOIS ROUTE 83 (A.K.A. ROBERT KINGERY HIGHWAY); THENCE NORTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF O'HARE WEST INDUSTRIAL PLAZA, BEING A SUBDIVISION IN THE SOUTH

HALF OF SAID SECTION 2 AND THE NORTH HALF OF SAID SECTION 11, ACCORDING TO THE PLAT THEREOF RECORDED JULY 20, 1970 AS DOCUMENT NO. R70-24289; THENCE EASTERLY ALONG SAID WESTERLY EXTENSION AND NORTH LINE TO THE NORTHEAST CORNER OF LOT 3 IN SAID O'HARE WEST INDUSTRIAL PLAZA SUBDIVISION; THENCE NORtherly ALONG THE NORtherly EXTENSION OF THE EAST LINE OF SAID LOT 3 TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THORNDALE AVENUE; THENCE NORtherly ALONG A STRAIGHT LINE TO THE SOUTHWEST CORNER OF LOT 1 IN THORNDALE DISTRIBUTION PARK IN BENSENVILLE UNIT NO. 2, BEING A SUBDIVISION IN THE SOUTH HALF OF SAID SECTION 2, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 7, 1977 AS DOCUMENT NO. R77-102030; THENCE NORtherly ALONG THE WEST LINE OF SAID LOT 1 AND THE NORtherly EXTENSION THEREOF TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 2, SAID POINT BEING THE SOUTHWEST CORNER OF DEVON FIVE ACRE FARMS, BEING A SUBDIVISION IN SAID SECTION 2, AS RECORDED JUNE 10, 1947 AS DOCUMENT NO. 522698; THENCE NORtherly ALONG SAID WEST LINE OF SAID DEVON FIVE ACRE FARMS TO THE NORTHWEST CORNER OF LOT 6 IN SAID DEVON FIVE ACRE FARMS; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 6 TO A POINT ON THE WEST LINE OF O'HARE LOGISTICS CENTER SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SAID SECTION 2, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 26, 2007 AS DOCUMENT NO. R2007-177817; THENCE NORtherly ALONG SAID WEST LINE, AND ITS NORtherly EXTENSION THEREOF TO A POINT ON THE NORTH LINE OF SAID SECTION 2; THENCE EASTERLY ALONG SAID NORTH LINE TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 2 EXTENDED NORtherly; THENCE SOUTHERLY ALONG SAID NORtherly EXTENSION AND SAID EAST LINE TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2; THENCE EASTERLY ALONG SAID NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 2 TO THE POINT OF BEGINNING.

***Appendix 2***  
***Summary of 2009 EAV by PIN***

Count	PIN	2009 EAV
1	03-02-102-015	443,980
2	03-02-102-018	364,170
3	03-02-102-025	233,580
4	03-02-102-030	835,630
5	03-02-102-031	343,550
6	03-02-102-032	672,590
7	03-02-102-033	435,650
8	03-02-102-035	1,020
9	03-02-102-036	1,020
10	03-02-102-037	1,134,980
11	03-02-102-038	1,694,990
12	03-02-102-039	932,200
13	03-02-103-010	452,470
14	03-02-103-011	328,920
15	03-02-103-013	253,500
16	03-02-103-014	162,570
17	03-02-104-003	428,120
18	03-02-104-006	-
19	03-02-104-007	270,850
20	03-02-104-008	104,340
21	03-02-104-009	-
22	03-02-104-010	55,480
23	03-02-104-011	-
24	03-02-104-012	64,240
25	03-02-104-013	-
26	03-02-105-001	330,320
27	03-02-105-002	302,990
28	03-02-200-006	1,717,780
29	03-02-200-008	759,150
30	03-02-200-021	21,340
31	03-02-200-022	1,698,370
32	03-02-200-023	40,450
33	03-02-200-024	1,155,490
34	03-02-200-030	1,575,650
35	03-02-206-003	274,980
36	03-02-206-007	315,980
37	03-02-206-009	227,370
38	03-02-206-010	227,370
39	03-02-206-011	256,340
40	03-02-206-012	256,340
41	03-02-206-013	402,200
42	03-02-206-014	294,240
43	03-02-207-001	245,760
44	03-02-207-002	298,240
45	03-02-207-003	235,870

Count	PIN	2009 EAV
46	03-02-207-004	235,870
47	03-02-207-007	-
48	03-02-207-010	230,150
49	03-02-207-011	539,540
50	03-02-207-012	683,770
51	03-02-207-013	253,540
52	03-02-207-014	102,880
53	03-02-207-015	134,500
54	03-02-207-016	244,590
55	03-02-207-017	301,400
56	03-02-207-018	371,240
57	03-02-300-021	10,790
58	03-02-300-022	3,900
59	03-02-301-003	1,365,000
60	03-02-301-004	265,410
61	03-02-301-007	1,791,860
62	03-02-301-010	513,800
63	03-02-301-011	262,120
64	03-02-301-012	283,470
65	03-02-301-013	837,450
66	03-02-301-015	57,780
67	03-02-302-005	1,050,110
68	03-02-302-006	1,487,510
69	03-02-303-008	1,323,830
70	03-02-303-010	6,310
71	03-02-303-011	4,000,000
72	03-02-303-012	1,715,080
73	03-02-303-013	505,300
74	03-02-304-001	150,070
75	03-02-304-002	59,760
76	03-02-304-010	3,325,620
77	03-02-304-011	1,607,800
78	03-02-304-012	331,350
79	03-02-304-013	14,460
80	03-02-305-001	1,725,490
81	03-02-400-001	370,710
82	03-02-400-010	2,342,320
83	03-02-400-029	2,103,750
84	03-02-400-036	1,900,500
85	03-02-400-037	3,311,740
86	03-02-400-038	63,330
87	03-02-400-040	3,321,990
88	03-02-400-041	-
89	03-02-400-042	2,350,780
90	03-02-401-002	54,530
91	03-02-401-005	53,480

Count	PIN	2009 EAV
92	03-02-401-006	200,020
93	03-02-402-001	1,636,490
94	03-02-402-002	26,650
95	03-02-402-009	1,567,830
96	03-02-402-010	1,086,270
97	03-02-402-011	2,550
98	03-02-402-012	3,560
99	03-02-402-013	3,451,760
100	03-02-402-014	173,190
101	03-02-403-001	-
102	03-02-404-001	3,324,310
103	03-02-404-002	2,979,310
104	03-02-404-003	169,420
105	03-02-404-005	241,240
106	03-11-100-007	1,606,880
107	03-11-100-008	52,940
108	03-11-100-010	397,070
109	03-11-100-011	830,540
110	03-11-100-012	816,390
111	03-11-100-014	175,010
112	03-11-100-015	61,010
113	03-11-100-016	578,250
114	03-11-100-022	895,190
115	03-11-100-023	546,050
116	03-11-100-024	420,230
117	03-11-100-025	414,700
118	03-11-100-026	402,690
119	03-11-101-009	823,710
120	03-11-101-011	1,079,740
121	03-11-101-012	89,620
122	03-11-101-014	207,820
123	03-11-101-015	69,760
124	03-11-101-017	619,050
125	03-11-101-018	619,020
126	03-11-101-019	3,144,590
127	03-11-101-020	1,013,960
128	03-11-101-021	95,390
129	03-11-101-022	305,370
130	03-11-102-008	1,416,530
131	03-11-102-009	796,810
132	03-11-102-011	2,390
133	03-11-102-016	508,770
134	03-11-102-018	464,260
135	03-11-102-019	123,240
136	03-11-102-020	84,160
137	03-11-102-021	75,820

Count	PIN	2009 EAV
138	03-11-102-022	75,810
139	03-11-102-024	55,220
140	03-11-102-025	75,810
141	03-11-102-026	83,930
142	03-11-102-027	203,300
143	03-11-102-029	540,750
144	03-11-102-030	575,000
145	03-11-102-032	139,230
146	03-11-102-033	526,550
147	03-11-102-034	17,880
148	03-11-102-035	210,620
149	03-11-102-037	167,120
150	03-11-102-039	18,350
151	03-11-102-043	248,290
152	03-11-102-044	476,440
153	03-11-102-045	164,000
154	03-11-102-046	208,970
155	03-11-102-048	540,950
156	03-11-102-050	207,170
157	03-11-102-051	212,690
158	03-11-102-052	230,320
159	03-11-102-054	70,020
160	03-11-102-058	92,090
161	03-11-102-059	555,460
162	03-11-102-060	120,470
163	03-11-102-061	120,410
164	03-11-102-062	120,450
165	03-11-102-063	69,010
166	03-11-102-064	68,510
167	03-11-102-065	288,290
168	03-11-102-066	431,280
169	03-11-102-067	431,280
170	03-11-103-006	146,950
171	03-11-103-007	129,550
172	03-11-103-009	225,070
173	03-11-103-011	258,070
174	03-11-103-012	81,580
175	03-11-103-013	64,150
176	03-11-104-007	1,609,590
177	03-11-104-008	1,355,330
178	03-11-104-010	828,650
179	03-11-104-011	296,270
180	03-11-104-012	296,270
181	03-11-104-014	397,860
182	03-11-104-015	86,430
183	03-11-104-016	316,370

Count	PIN	2009 EAV
184	03-11-104-018	638,560
185	03-11-104-019	156,620
186	03-11-104-020	1,080
187	03-11-105-009	1,519,970
188	03-11-105-010	1,148,930
189	03-11-105-011	406,690
190	03-11-105-014	872,900
191	03-11-105-017	172,830
192	03-11-105-018	677,690
193	03-11-105-019	1,038,590
194	03-11-105-020	297,800
195	03-11-105-021	205,040
196	03-11-105-024	852,200
197	03-11-105-025	2,056,240
198	03-11-105-026	1,080
199	03-11-200-002	1,460,970
200	03-11-200-006	392,100
201	03-11-200-007	190,550
202	03-11-200-008	76,480
203	03-11-200-009	277,620
204	03-11-200-014	138,440
205	03-11-200-020	-
206	03-11-200-022	1,460,400
207	03-11-200-023	576,970
208	03-11-200-024	555,740
209	03-11-200-028	357,660
210	03-11-200-029	1,248,810
211	03-11-200-031	275,960
212	03-11-200-033	323,210
213	03-11-200-034	337,180
214	03-11-200-036	310,000
215	03-11-200-037	160,740
216	03-11-200-038	67,430
217	03-11-200-039	103,300
218	03-11-200-040	97,030
219	03-11-200-041	207,900
220	03-11-200-042	301,000
221	03-11-200-043	184,800
222	03-11-200-044	182,890
223	03-11-200-046	1,693,750
224	03-11-200-047	1,080
225	03-11-201-003	778,820
226	03-11-202-003	487,550
227	03-11-202-004	465,170
228	03-11-202-007	456,480
229	03-11-202-011	189,780

Count	PIN	2009 EAV
230	03-11-202-012	2,596,800
231	03-11-202-013	1,380,520
232	03-11-202-014	-
233	03-11-202-018	2,404,520
234	03-11-202-025	408,440
235	03-11-202-026	513,630
236	03-11-202-027	371,200
237	03-11-202-032	1,046,010
238	03-11-202-033	1,047,050
239	03-11-202-034	987,520
240	03-11-202-035	12,070
241	03-11-202-036	697,490
242	03-11-202-038	1,975,990
243	03-11-202-039	-
244	03-11-202-043	775,570
245	03-11-202-044	-
246	03-11-202-045	866,980
247	03-11-202-046	297,770
248	03-11-202-047	-
249	03-11-202-048	649,760
250	03-11-202-049	1,080
251	03-11-308-035	581,490
252	03-11-308-040	2,333,960
253	03-11-309-021	309,350
254	03-11-309-022	137,490
255	03-11-309-023	183,190
256	03-11-309-024	205,590
257	03-11-311-022	-
258	03-11-312-005	-
259	03-11-312-006	-
260	03-11-312-008	-
261	03-11-312-009	-
262	03-11-312-034	274,960
263	03-11-312-035	794,170
264	03-11-312-041	416,580
265	03-11-312-042	178,350
266	03-11-312-043	153,480
267	03-11-312-045	767,150
268	03-11-312-046	244,290
269	03-11-312-047	191,990
270	03-11-314-001	2,139,890
271	03-11-314-006	1,903,530
272	03-11-314-007	480,000
273	03-11-314-008	1,075,900
274	03-11-314-009	146,880
275	03-11-314-010	87,280

Count	PIN	2009 EAV
276	03-11-314-011	421,940
277	03-11-315-001	5,108,770
278	03-11-315-002	297,250
279	03-11-316-001	189,730
280	03-11-316-004	1,385,270
281	03-11-316-005	155,110
282	03-11-316-006	155,110
283	03-11-316-009	209,260
284	03-11-316-015	190,990
285	03-11-316-016	270,470
286	03-11-316-018	170,340
287	03-11-316-019	189,890
288	03-11-316-020	156,310
289	03-11-316-023	30,600
290	03-11-316-025	295,320
291	03-11-316-028	192,640
292	03-11-316-029	154,710
293	03-11-316-030	187,980
294	03-11-316-031	6,130
295	03-11-316-032	197,110
296	03-11-316-033	197,140
297	03-11-316-034	204,360
298	03-11-317-001	67,110
299	03-11-317-002	67,110
300	03-11-317-003	67,110
301	03-11-317-004	67,110
302	03-11-400-005	480,190
303	03-11-400-006	1,441,390
304	03-11-400-007	122,830
305	03-11-400-008	342,940
306	03-11-400-009	973,080
307	03-11-400-015	1,638,370
308	03-11-400-016	-
309	03-11-400-017	1,115,420
310	03-11-400-019	1,179,720
311	03-11-400-021	301,390
312	03-11-400-022	489,820
313	03-11-400-023	930,000
314	03-11-400-024	1,080
315	03-11-401-001	382,450
316	03-11-401-002	866,340
317	03-11-401-003	387,820
318	03-11-401-004	505,580
319	03-11-401-005	497,490
320	03-11-401-009	15,370
321	03-11-401-011	84,440

Count	PIN	2009 EAV
322	03-11-401-013	27,780
323	03-11-401-014	27,780
324	03-11-401-015	27,780
325	03-11-401-016	27,780
326	03-11-401-017	15,910
327	03-11-401-018	108,380
328	03-11-401-019	133,190
329	03-11-401-020	96,340
330	03-11-401-021	98,900
331	03-11-401-022	98,900
332	03-11-401-023	83,050
333	03-11-401-024	83,050
334	03-11-401-025	83,050
335	03-11-401-026	83,050
336	03-11-401-027	83,050
337	03-11-401-028	83,050
338	03-11-401-029	83,050
339	03-11-401-030	83,050
340	03-11-401-031	83,050
341	03-11-401-032	83,050
342	03-11-401-033	114,900
343	03-11-401-034	63,970
344	03-11-401-035	63,970
345	03-11-401-036	142,430
346	03-11-401-037	636,610
347	03-11-401-038	64,020
348	03-11-401-039	64,020
349	03-11-402-001	27,780
350	03-11-402-002	27,790
351	03-11-402-003	55,580
352	03-11-402-004	27,790
353	03-11-402-005	27,790
354	03-11-402-006	27,790
355	03-11-402-007	27,790
356	03-11-402-008	27,790
357	03-11-402-009	27,790
358	03-11-402-010	157,730
359	03-11-402-011	752,480
360	03-11-402-015	378,070
361	03-11-402-018	1,960,030
362	03-11-402-019	169,440
363	03-11-402-020	70,740
364	03-11-402-021	55,540
365	03-11-402-022	38,970
366	03-11-402-024	647,700
367	03-11-402-027	168,200

Count	PIN	2009 EAV
368	03-11-402-028	1,338,390
369	03-11-402-029	37,200
370	03-11-402-030	176,560
371	03-11-402-031	87,120
372	03-11-403-002	883,460
373	03-11-403-003	949,840
374	03-11-403-004	317,540
375	03-11-403-005	191,860
376	03-11-403-006	443,890
377	03-11-403-007	27,140
378	03-11-403-009	532,970
379	03-11-403-010	272,270
380	03-11-403-011	208,800
381	03-11-403-012	58,800
382	03-11-403-013	256,640
383	03-11-403-014	150,590
384	03-11-403-015	195,240
385	03-11-403-016	191,170
386	03-11-403-017	556,150
387	03-11-403-018	2,757,990
388	03-11-403-020	645,430
389	03-11-403-040	595,000
390	03-11-403-042	980,380
391	03-11-404-001	1,060,600
392	03-11-404-002	307,830
393	03-11-404-004	1,111,850
394	03-11-404-006	2,400
395	03-11-404-008	1,027,490
396	03-11-404-009	1,317,750
397	03-11-404-010	261,350
398	03-11-404-011	293,730
399	03-11-404-012	203,010
400	03-11-404-013	225,250
401	03-11-404-016	473,740
402	03-11-404-018	499,450
403	03-11-404-019	465,430
404	03-11-404-020	125,320
405	03-11-404-022	82,220
406	03-11-404-024	-
407	03-11-404-025	1,371,010
408	03-11-404-026	6,110
409	03-11-404-027	26,470
410	03-11-404-028	100,670
411	03-11-404-029	-
412	03-14-117-004	5,030
413	03-14-117-005	5,030

Count	PIN	2009 EAV
414	03-14-117-006	5,030
415	03-14-117-007	5,030
416	03-14-117-008	5,030
417	03-14-117-009	5,030
418	03-14-117-010	9,900
419	03-14-117-011	9,900
420	03-14-117-012	9,900
421	03-14-117-013	9,900
422	03-14-117-028	1,216,060
423	03-14-117-029	77,340
424	03-14-117-030	86,350
425	03-14-117-035	282,440
426	03-14-117-040	188,290
427	03-14-117-041	188,290
428	03-14-117-042	188,290
429	03-14-117-043	188,290
430	03-14-117-044	188,290
431	03-14-117-045	188,290
432	03-14-117-046	159,670
433	03-14-117-047	173,230
434	03-14-117-048	188,290
435	03-14-117-049	188,290
436	03-14-117-050	188,290
437	03-14-117-051	188,290
438	03-14-117-052	188,290
439	03-14-117-053	188,290
440	03-14-117-054	188,290
441	03-14-117-055	188,290
442	03-14-117-057	15,520
443	03-14-117-058	188,290
444	03-14-117-059	3,690
445	03-14-117-060	188,290
446	03-14-117-062	128,490
447	03-14-117-065	188,400
448	03-14-117-066	178,450
449	03-14-117-067	1
450	03-14-117-068	113,290
451	03-14-118-001	379,780
452	03-14-118-004	378,850
453	03-14-118-017	275,260
454	03-14-120-012	191,830
455	03-14-120-013	191,830
456	03-14-120-014	282,440
457	03-14-120-015	188,290
458	03-14-120-016	188,290
459	03-14-121-001	-

Count	PIN	2009 EAV
460	03-14-121-002	-
461	03-14-122-001	86,760
462	03-14-122-002	99,360
463	03-14-122-003	83,110
464	03-14-122-004	54,990
465	03-14-122-005	123,630
466	03-14-122-006	78,010
467	03-14-122-007	99,210
468	03-14-122-008	79,220
469	03-14-122-009	93,200
470	03-14-122-010	102,490
471	03-14-122-011	87,660
472	03-14-122-012	84,700
473	03-14-122-013	93,220
474	03-14-122-014	84,180
475	03-14-122-015	80,870
476	03-14-122-016	77,790
477	03-14-123-001	126,810
478	03-14-123-002	92,930
479	03-14-123-003	92,500
480	03-14-123-004	95,670
481	03-14-123-005	100,990
482	03-14-123-006	100,910
483	03-14-123-007	87,810
484	03-14-123-008	125,290
485	03-14-123-009	91,160
486	03-14-124-001	48,850
487	03-14-124-002	44,080
488	03-14-124-003	44,080
489	03-14-124-004	48,240
490	03-14-124-005	48,850
491	03-14-124-006	48,850
492	03-14-124-007	48,850
493	03-14-124-008	48,850
494	03-14-124-009	48,850
495	03-14-124-010	48,240
496	03-14-124-011	48,850
497	03-14-124-012	48,850
498	03-14-124-013	480
499	03-14-124-014	480
500	03-14-124-015	480
501	03-14-124-016	480
502	03-14-124-017	480
503	03-14-124-018	480
504	03-14-124-019	480
505	03-14-124-020	480

Count	PIN	2009 EAV
506	03-14-124-021	480
507	03-14-124-022	480
508	03-14-124-023	480
509	03-14-124-024	480
510	03-14-124-025	480
511	03-14-124-026	480
512	03-14-124-027	480
513	03-14-124-028	480
514	03-14-124-029	480
515	03-14-124-030	480
516	03-14-124-031	480
517	03-14-124-032	480
518	03-14-124-033	480
519	03-14-124-034	480
520	03-14-124-035	480
521	03-14-124-036	480
522	03-14-124-037	48,850
523	03-14-124-038	44,080
524	03-14-124-039	48,850
525	03-14-124-040	44,080
526	03-14-124-041	44,080
527	03-14-124-042	48,850
528	03-14-124-043	48,850
529	03-14-124-044	48,850
530	03-14-124-045	48,850
531	03-14-124-046	48,850
532	03-14-124-047	48,850
533	03-14-124-048	48,850
534	03-14-124-049	48,850
535	03-14-124-050	48,850
536	03-14-124-051	48,850
537	03-14-124-052	48,850
538	03-14-124-053	48,850
539	03-14-124-054	48,850
540	03-14-124-055	480
541	03-14-124-056	480
542	03-14-124-057	480
543	03-14-124-058	480
544	03-14-124-059	480
545	03-14-124-060	480
546	03-14-124-061	480
547	03-14-124-062	480
548	03-14-124-063	480
549	03-14-124-064	480
550	03-14-124-065	480
551	03-14-124-066	480

Count	PIN	2009 EAV
552	03-14-124-067	480
553	03-14-124-068	480
554	03-14-124-069	480
555	03-14-124-070	480
556	03-14-124-071	480
557	03-14-124-072	480
558	03-14-124-073	480
559	03-14-124-074	480
560	03-14-124-075	480
561	03-14-124-076	480
562	03-14-124-077	480
563	03-14-124-078	480
564	03-14-124-079	480
565	03-14-124-080	480
566	03-14-124-081	480
567	03-14-124-082	480
568	03-14-124-083	480
569	03-14-124-084	480
570	03-14-124-085	480
571	03-14-124-086	480
572	03-14-124-087	480
573	03-14-124-088	480
574	03-14-124-089	480
575	03-14-124-090	480
576	03-14-124-091	480
577	03-14-124-092	480
578	03-14-205-013	368,710
579	03-14-205-014	388,900
580	03-14-205-016	79,420
581	03-14-205-017	173,040
582	03-14-205-020	131,080
583	03-14-205-021	119,290
584	03-14-205-025	251,370
585	03-14-205-026	42,380
586	03-14-205-032	120,010
587	03-14-205-033	115,990
588	03-14-205-034	423,940
589	03-14-206-001	261,490
590	03-14-206-002	217,210
591	03-14-206-003	207,020
592	03-14-206-004	190,790
593	03-14-206-005	223,220
594	03-14-206-006	290,710
595	03-14-206-007	173,660
596	03-14-206-008	466,330
597	03-14-207-001	122,400

Count	PIN	2009 EAV
598	03-14-207-005	174,260
599	03-14-207-008	44,290
600	03-14-207-009	80,690
601	03-14-207-010	36,910
602	03-14-207-011	44,290
603	03-14-207-012	36,910
604	03-14-207-013	44,290
605	03-14-207-014	123,830
606	03-14-207-015	123,830
607	03-14-207-018	361,100
608	03-14-207-019	257,390
609	03-14-207-020	205,380
610	03-14-207-021	222,950
611	03-14-207-022	163,340
612	03-14-208-001	44,290
613	03-14-208-002	44,290
614	03-14-208-003	86,040
615	03-14-208-004	44,290
616	03-14-208-006	50,000
617	03-14-208-007	-
618	03-14-208-008	66,520
619	03-14-208-009	108,530
620	03-14-208-010	44,290
621	03-14-208-011	44,290
622	03-14-208-012	74,320
623	03-14-208-013	44,290
624	03-14-208-015	24,210
625	03-14-208-016	24,210
626	03-14-208-017	61,270
627	03-14-208-018	42,580
628	03-14-208-019	61,110
629	03-14-209-006	-
630	03-14-209-010	33,200
631	03-14-209-011	539,410
632	03-14-209-013	286,410
633	03-14-209-017	122,960
634	03-14-209-020	329,520
635	03-14-209-021	24,220
636	03-14-209-022	17,830
637	03-14-209-023	208,760
638	03-14-209-025	222,560
639	03-14-209-026	-
640	03-14-209-027	-
641	03-14-209-031	-
642	03-14-209-032	7,340
643	03-14-209-033	-

Count	PIN	2009 EAV
644	03-14-209-034	-
645	03-14-209-035	-
646	03-14-210-002	102,370
647	03-14-210-003	258,350
648	03-14-210-004	101,050
649	03-14-210-008	277,650
650	03-14-210-013	43,620
651	03-14-210-014	92,010
652	03-14-210-015	87,130
653	03-14-210-017	112,770
654	03-14-210-019	69,730
655	03-14-210-020	89,170
656	03-14-210-027	542,510
657	03-14-210-028	511,940
658	03-14-210-032	126,090
659	03-14-210-040	80,970
660	03-14-210-042	43,420
661	03-14-210-044	-
662	03-14-210-086	313,770
663	03-14-210-087	-
664	03-14-210-088	-
665	03-14-210-128	-
666	03-14-210-129	-
667	03-14-210-131	-
668	03-14-210-135	82,080
669	03-14-211-001	32,610
670	03-14-211-002	-
671	03-14-211-005	74,030
672	03-14-211-006	113,510
673	03-14-211-008	77,160
674	03-14-211-009	85,080
675	03-14-211-010	80,330
676	03-14-211-011	80,150
677	03-14-211-012	82,360
678	03-14-211-013	89,860
679	03-14-211-016	81,550
680	03-14-211-017	182,760
681	03-14-211-031	325,360
682	03-14-211-032	-
683	03-14-211-033	48,720
684	03-14-211-034	-
685	03-14-211-036	53,560
686	03-14-212-001	115,020
687	03-14-212-002	112,020
688	03-14-212-003	112,020
689	03-14-212-004	112,020

Count	PIN	2009 EAV
690	03-14-212-005	115,930
691	03-14-213-001	161,980
692	03-14-213-018	44,150
693	03-14-213-046	65,330
694	03-14-213-047	335,960
695	03-14-214-001	99,480
696	03-14-214-002	107,070
697	03-14-214-003	74,830
698	03-14-214-004	76,130
699	03-14-214-005	63,820
700	03-14-214-006	62,090
701	03-14-214-007	72,250
702	03-14-214-008	113,550
703	03-14-214-009	95,320
704	03-14-214-010	59,240
705	03-14-214-011	93,410
706	03-14-215-005	294,750
707	03-14-215-006	16,060
708	03-14-215-007	76,230
709	03-14-215-008	28,990
710	03-14-215-009	30,020
711	03-14-215-010	38,000
712	03-14-215-014	72,610
713	03-14-215-015	23,470
714	03-14-215-017	230,790
715	03-14-215-019	-
716	03-14-215-022	46,260
717	03-14-215-025	697,200
718	03-14-216-005	-
719	03-14-216-006	-
720	03-14-216-009	106,740
721	03-14-216-010	106,740
722	03-14-216-011	106,740
723	03-14-216-012	47,330
724	03-14-300-001	-
725	03-14-301-001	-
726	03-14-301-003	84,660
727	03-14-301-004	88,390
728	03-14-301-005	88,430
729	03-14-301-006	88,600
730	03-14-301-007	85,710
731	03-14-302-001	-
732	03-14-303-001	-
733	03-14-303-002	-
734	03-14-303-003	-
735	03-14-304-003	-

Count	PIN	2009 EAV
736	03-14-304-004	-
737	03-14-304-005	-
738	03-14-308-002	103,580
739	03-14-308-003	35,070
740	03-14-308-004	80,480
741	03-14-308-005	35,070
742	03-14-308-006	65,510
743	03-14-308-014	1,386,150
744	03-14-317-001	-
745	03-14-317-002	-
746	03-14-317-007	-
747	03-14-317-008	-
748	03-14-317-009	-
749	03-14-317-012	-
750	03-14-317-015	-
751	03-14-317-016	-
752	03-14-400-001	70,120
753	03-14-400-002	80,480
754	03-14-400-003	86,200
755	03-14-400-004	81,820
756	03-14-400-005	74,090
757	03-14-400-006	74,450
758	03-14-400-007	109,540
759	03-14-400-008	70,970
760	03-14-400-009	162,770
761	03-14-400-010	74,450
762	03-14-400-011	103,240
763	03-14-400-012	100,310
764	03-14-400-013	83,650
765	03-14-400-027	81,080
766	03-14-400-028	88,820
767	03-14-400-030	68,460
768	03-14-400-033	80,010
769	03-14-400-034	77,110
770	03-14-400-035	94,690
771	03-14-400-060	-
772	03-14-400-067	99,270
773	03-14-400-068	98,380
774	03-14-400-073	90,100
775	03-14-401-001	98,640
776	03-14-401-002	70,230
777	03-14-401-003	96,070
778	03-14-401-004	85,630
779	03-14-401-005	82,380
780	03-14-401-006	77,940
781	03-14-401-007	73,100

Count	PIN	2009 EAV
782	03-14-401-008	75,480
783	03-14-401-011	127,490
784	03-14-401-012	96,980
785	03-14-401-013	88,050
786	03-14-401-014	74,010
787	03-14-401-015	75,070
788	03-14-401-016	155,750
789	03-14-401-017	77,080
790	03-14-402-002	-
791	03-14-403-002	77,130
792	03-14-403-003	35,290
793	03-14-403-004	27,010
794	03-14-403-005	106,010
795	03-14-403-006	492,930
796	03-14-404-012	95,580
797	03-14-405-002	-
798	03-14-405-003	-
799	03-14-405-004	-
800	03-14-405-005	-
801	03-14-405-006	-
802	03-14-405-007	-
803	03-14-405-011	-
804	03-14-405-012	-
805	03-14-405-015	-
806	03-14-405-016	-
807	03-14-405-017	-
808	03-14-405-018	-
809	03-14-406-001	47,650
810	03-14-406-002	58,470
811	03-14-406-007	487,950
812	03-14-406-008	36,910
813	03-14-406-009	147,100
814	03-14-406-010	1,054,490
815	03-14-406-011	36,910
816	03-14-406-012	33,670
817	03-14-406-013	43,730
818	03-14-406-014	-
819	03-14-406-015	-
820	03-14-406-016	29,900
821	03-14-406-017	18,530
822	03-14-406-018	21,010
823	03-14-406-019	42,040
824	03-14-413-001	110,500
825	03-14-413-002	-
826	03-14-413-016	29,530
827	03-14-413-017	29,530

Count	PIN	2009 EAV
828	03-14-413-018	82,150
829	03-14-414-001	117,150
830	03-14-414-002	113,060
831	03-14-414-019	96,070
832	03-14-414-020	116,880
833	03-14-504-001	-
834	03-14-504-003	-
835	03-15-214-044	24,620
836	03-15-214-045	38,270
837	03-15-222-001	225,020
838	03-15-222-002	36,550
839	03-15-222-011	95,310
840	03-15-222-012	22,890
841	03-15-222-013	14,940
842	03-15-222-015	187,670
843	03-15-222-016	153,810
844	03-15-222-017	64,470
845	03-15-222-018	62,060
846	03-15-222-019	87,910
847	03-15-223-001	274,970
848	03-15-223-002	12,290
849	03-15-223-003	102,080
850	03-15-223-004	110,670
851	03-15-223-005	97,470
852	03-15-223-006	20,370
853	03-15-223-016	19,010
854	03-15-223-017	33,170
855	03-15-223-018	19,010
856	03-15-223-019	13,840
857	03-15-223-022	11,360
858	03-15-223-023	6,820
859	03-15-223-024	27,450
860	03-15-223-025	4,700
861	03-15-223-026	1,440
862	03-15-223-027	124,890
863	03-15-223-028	4,220
864	03-15-223-029	4,080
865	03-15-223-031	96,770
866	03-15-232-001	61,380
867	03-15-232-002	12,580
868	03-15-232-003	13,980
869	03-15-232-004	43,690
870	03-15-232-005	13,980
871	03-15-232-006	13,980
872	03-15-232-007	155,350
873	03-15-232-008	42,100

<b>Count</b>	<b>PIN</b>	<b>2009 EAV</b>
874	03-15-232-009	26,580
875	03-15-232-010	1,560
876	03-15-232-014	91,480
877	03-15-232-015	203,940
878	03-15-236-001	117,350
879	03-15-236-002	293,310
880	03-15-236-003	176,010
881	03-23-100-001	-
882	03-23-100-002	-
883	03-23-100-003	-
<b>TOTAL</b>		<b>252,294,031</b>

*Appendix 3*  
*Housing Impact Study*

## ***Assessment of Housing Impact***

The purpose of this section is to assess the potential impact of redevelopment in the Bensenville North Industrial District RPA on existing housing as set forth in the Tax Increment Allocation Redevelopment Act (the “Act”) 65 ILCS 5/11-74.4-1 et seq., as amended. The Act requires that if the redevelopment plan for a redevelopment project area would result in the displacement of residents from 10 or more inhabited residential units, or if the redevelopment project area contains 75 or more inhabited residential units and the Village is unable to certify that no displacement of residents will occur, the municipality shall prepare a Housing Impact Study and incorporate the study into the separate Feasibility Report required by subsection 11-74.4-5(a) of the Act, which for the purposes hereof shall also be the “Bensenville North Industrial District Project and Plan,” or the “Redevelopment Plan.”

The primary goal of the Redevelopment Project and Plan is to provide the necessary mechanisms to re-establish the Bensenville North Industrial District RPA as a cohesive and vibrant mixed-use area that provides a comprehensive range of industrial, commercial and retail uses, as well as a diverse mix of housing types to current and future residents. Currently, there are no proposed redevelopment projects that will result in the permanent displacement of any inhabited residential units. However, since the RPA contains more than 75 inhabited residential units and future redevelopment activity could conceivably result in the removal of inhabited residential units over the 23-year life of the RPA, a housing impact study is required. Under the provisions of the Act:

Part I of the housing impact study shall include:

- (i) Data as to whether the residential units are single-family or multi-family units;
- (ii) The number and type of rooms within the units, if that information is available;
- (iii) Whether the units are inhabited or uninhabited, as determined not less than 45 days before the date that the ordinance or resolution required by subsection (a) of Section 11-74.4-5 of the Act is passed; and
- (iv) Data as to the racial and ethnic composition of the residents in the inhabited residential units, which shall be deemed to be fully satisfied by data from the most recent federal Census.

Part II of the housing impact study identifies the inhabited residential units in the proposed redevelopment project area that are to be, or may be, removed. If inhabited residential units are to be removed, then the housing impact study shall identify:

- (i) The number and location of those units that will be, or may be, removed;
- (ii) The municipality’s plans for relocation assistance for those residents in the proposed redevelopment project area whose residences are to be removed;

- (iii) The availability of replacement housing for those residents whose residences are to be removed, and identification of the type, location, and cost of the replacement housing; and
- (iv) The type and extent of relocation assistance to be provided.

## PART I

### **(i) Number and Type of Residential Units**

The number and type of residential buildings in the area were identified during the building condition and land use survey conducted as part of the eligibility analysis for the area. This survey, completed on September 3, 2010, revealed that the Bensenville North Industrial District RPA contains 146 residential buildings containing 441 total dwelling units. The number of residential units by building type is described as follows:

<b>Building Type</b>	<b>Total Buildings</b>	<b>Total Units</b>
Single-Family	101	101
Multi-Family	45	340
<b>Total</b>	<b>146</b>	<b>441</b>

Source: *S. B. Friedman & Company*

### **(ii) Number and Type of Rooms within Units**

The distribution within the Bensenville North Industrial District RPA of the 144 residential units by number of rooms and by number of bedrooms is identified in tables within this section. The methodology to determine this information is described below.

#### **Methodology**

In order to describe the distribution of residential units by number and type of rooms within the Bensenville North Industrial District RPA, *S. B. Friedman & Company* analyzed 2000 Census data by Block Groups for those Block Groups encompassed by the Redevelopment Project Area. A Block Group is a combination of Census blocks, and is the lowest level of geography for which the Census Bureau tabulates sample, or long-form, data. In this study, we have relied on 2000 U.S. Census sample data because it is the best available information regarding the structures and residents of the Redevelopment Project Area. These Block Group data show the distribution of housing units by the number of bedrooms and the total number of rooms within each unit. We then applied the 2000 distribution percentage to the total number of units identified by the survey. The estimated distribution of units by bedroom type and number of rooms are described as follows:

<b>Units by Bedroom Type<sup>1</sup></b>		
<b>Number of Bedrooms</b>	<b>2000 Census</b>	<b>Current Estimate for RPA</b>
Studio	3%	14
1 Bedroom	18%	81
2 Bedrooms	54%	238
3 Bedrooms	19%	85
4 Bedrooms	4%	20
5+ Bedrooms	1%	4
<b>Total</b>	<b>100%</b>	<b>441</b>

Source: Based on 2000 U.S. Census data distributions, applied to current unit counts observed during fieldwork.

<b>Units by Number of Rooms<sup>2</sup></b>		
<b>Number of Rooms</b>	<b>2000 Census</b>	<b>Current Estimate for RPA</b>
1 Room	2%	10
2 Rooms	3%	11
3 Rooms	16%	72
4 Rooms	31%	138
5 Rooms	25%	109
6 Rooms	11%	50
7 Rooms	5%	22
8 Rooms	2%	10
9+ Rooms	4%	19
<b>Total</b>	<b>100%</b>	<b>441</b>

Source: Based on 2000 U.S. Census data distributions, applied to current unit counts observed during fieldwork.

<sup>1</sup> As defined by the Census Bureau, Number of Bedrooms includes all rooms intended for use as bedrooms even if they are currently used for some other purpose. A Housing Unit consisting of only one room, such as a one-room efficiency apartment, is classified, by definition, as having no bedroom.

<sup>2</sup> As defined by the Census Bureau, for each unit, rooms include living rooms, dining rooms, kitchens, bedrooms, finished recreation rooms, enclosed porches suitable for year-round use, and lodger's rooms. Excluded are strip or Pullman kitchens, bathrooms, open porches, balconies, halls or foyers, half-rooms, utility rooms, unfinished attics or basements, or other unfinished space used for storage. A partially divided room is a separate room only if there is a partition from floor to ceiling, but not if the partition consists solely of shelves or cabinets.

**(iii) Number of Inhabited Units**

According to data compiled from the survey completed by *S. B. Friedman & Company* on September 3, 2010, the Bensenville North Industrial District RPA contains an estimated 441 residential units, of which 16 units (less than four percent) are estimated to be vacant. Therefore, there are approximately 425 total inhabited units within the redevelopment area. As required by the Act, this information was ascertained as of September 3, 2010, which is a date not less than 45 days prior to the date that the resolution or ordinance required by Subsection 11-74.4-5 (a) of the Act was, or will be, passed (the resolution or ordinance setting the public hearing and Joint Review Board meeting dates).

**(iv) Race and Ethnicity of Residents**

As required by the Act, the racial and ethnic composition of the residents in the inhabited residential units was determined. According to U. S. Census data, the average household size within the Block Groups which comprise the Bensenville North Industrial District RPA was 2.88 persons in 2009. Therefore, there are an estimated 1,224 residents living within the proposed boundaries. The racial and ethnic compositions of these residents are as follows:

<b>Race</b>	<b>Estimated Residents</b>	<b>2009 Estimated ESRI Racial Distribution</b>
Black or African-American Alone	14	1.1%
White Alone	761	62.1%
Asian Alone	61	5.0%
American Indian Alone	8	0.7%
Some other race Alone	327	26.8%
Two or more races	53	4.3%
<b>Total</b>	<b>1,224</b>	<b>100%</b>

Source: ESRI estimates of 2009 population and racial distribution based on 2000 U.S. Census data.

Hispanic Origin	Estimated Residents (2009)	Estimated Percentage (2009)
Hispanic	635	52%
Non-Hispanic	589	48%
<b>Total</b>	<b>1,224</b>	<b>100%</b>

Source: ESRI estimates of 2009 population and racial distribution based on 2000 U.S. Census data.

We have also estimated the potential distribution by income of the households living in the inhabited units within the Bensenville North Industrial District RPA.

In order to estimate the number of moderate-, low-, very low-, and very, very low-income households in the RPA, *S. B. Friedman & Company* used data from ESRI, a nationally recognized demographic data provider. As determined by HUD, the definitions of the above-mentioned income categories, adjusted for family size, are as follows:

- (i) A very, very low-income household has an adjusted income of less than 30% of the area median income.
- (ii) A very low-income household earns between 30% and 50% of the area median income.
- (iii) A low-income household earns between 50% and 80% of the area median.
- (iv) A moderate-income household earns between 80% and 120% of the area median.

ESRI estimates that of all households residing within the Block Groups encompassed by the Bensenville North Industrial District RPA, 18 percent may be classified as very low-income or lower, 17 percent may be classified as low-income, and 25 percent may be classified as moderate-income households.

Income Category	2009 Percentage (from ESRI)	Number of Households	Annual Income Range (Average HH of 3 Persons)
Very, Very Low Income	9%	37	\$0 - \$20,370
Very Low-Income	9%	38	\$20,370 - \$33,950
Low-Income	17%	74	\$33,950 - \$54,250
Moderate-Income	25%	107	\$54,250 - \$67,900
Subtotal: Moderate-Income or Below	60%	256	\$0 - \$67,900
Above Moderate-Income	40%	169	\$67,900+
<b>Total</b>	<b>100%</b>	<b>425</b>	--

Source: HUD, ESRI and *S. B. Friedman & Co.*

[1] Based on the estimate number of occupied housing units observed during fieldwork.

## PART II

### (i) Number and Location of Units to be Removed

Currently, there are no proposed Redevelopment Projects that will result in the permanent displacement of any inhabited residential units. However, it is probable that some existing units may be removed as a result of redevelopment activity over the 23-year life of the RPA. In order to meet the statutory requirement of defining the number and location of inhabited residential units that may be removed, a methodology was established that would provide a rough, yet reasonable, estimate. This methodology is described below.

#### Methodology

The methodology used to fulfill the statutory requirements of defining the number and location of inhabited residential units that may be removed involves three steps:

- (i) Step one counts all inhabited residential units identified on any acquisition lists or maps. No pre-existing acquisition lists or maps were identified, nor has an acquisition list been included in the Bensenville North Industrial District Redevelopment Project and Plan. We therefore assume that no inhabited residential units are likely to be removed due to demolition or rehabilitation of dilapidated buildings.
- (ii) Step two counts the number of inhabited residential units located on parcels that are dilapidated as defined by the Act. A survey of the entire RPA completed on September 3, 2010 did not identify any dilapidated buildings.
- (iii) Step three counts the number of inhabited residential units that exist where the future land use indicated by the Redevelopment Plan will not include residential uses. After reviewing the Proposed Future Land Use for the Bensenville North Industrial District RPA, we determined that there will be no units impacted by changes to the existing land use. Therefore, the number of inhabited residential units that may be removed due to future land use change is zero.

We have identified all of the inhabited units that meet the criteria described above in order to arrive at a reasonable projection of the total number of inhabited residential units that may be removed as a result of redevelopment projects that are undertaken in accordance with the Redevelopment Plan. Our analysis above suggests that no inhabited residential units would be removed as the result of currently available plans within the RPA. Should a potential redevelopment project come forward that may result in the displacement of inhabited residential units, the Village's plan for relocation assistance for those qualified residents in the RPA shall be consistent with the requirements set forth in Section 11-74.4-3(n)(7) of the Act.

Based on the income distributions in and around the RPA, it is reasonable to assume that approximately 60% of households that may be displaced during the life of the RPA are of moderate, low, very low, or very, very low income. However, it is possible that a higher percentage, up to 100%, of potentially displaced households lie within these income brackets. Part II, subpart (iii) of this section discusses in detail the availability of replacement housing for households of low income or lower.

### **(ii) Relocation Plan**

The Village's plan for relocation assistance for those qualified residents in the Bensenville North Industrial District RPA whose residences may be removed shall be consistent with the requirements set forth in Section 11-74.4-3(n)(7) of the Act. The terms and conditions of such assistance are described in subpart (iv) below. No specific relocation plan has been prepared by the Village as of this date; until such a redevelopment project is approved, there is no certainty that any removal of residences will actually occur.

### **(iii) Replacement Housing**

In accordance with Subsection 11-74.4-3(n)(7) of the Act, the Village shall make a good faith effort to ensure that affordable replacement housing located in or near the Bensenville TIF North Industrial District RPA is available for any qualified displaced residents.

If, during the 23-year life of the Bensenville North Industrial District RPA, the acquisition plans change, the Village shall make every effort to ensure that appropriate replacement housing will be found in the Redevelopment Project Area or within the Village of Bensenville.

In order to determine the availability of replacement housing for those residents who may potentially be displaced by redevelopment activity, *S. B. Friedman & Company* examined several data sources, including vacancy data from the 2000 U.S. Census, apartment listings from local newspapers, and housing sales data from Multiple Listing Service for the Village of Bensenville.

### **Vacancy Data**

According to 2000 U.S. Census data, the Village of Bensenville contained 7,120 housing units, of which 235 (3.3%) were vacant. The following table shows the distribution of vacant

residential units in the RPA by vacancy status, as compared to the greater Village of Bensenville as a whole.

Vacancy Status	Vacancy Rate by Vacancy Status	
	Bensenville North Industrial District RPA Percentage (2000) [1]	Village of Bensenville Percentage (2000)
For rent	1.2%	1.8%
For sale	2.4%	0.8%
Rented/sold but not occupied	0.0%	0.2%
For seasonal/recreational/occasional use/migrant	0.0%	0.1%
Other	0.0%	0.4%
<b>TOTAL VACANCY STATUS</b>	<b>3.6%</b>	<b>3.3%</b>

Source: 2000 U.S. Census

[1] Based on distributions of 2000 U.S. Census data by vacancy type, applied to the estimated number of vacant units observed during fieldwork. 2000 U.S. Census data is the best available data which specifies vacancy type at the block group level.

### Replacement Rental Housing

According to information obtained from the Village of Bensenville by *S. B. Friedman & Company*, there are no current projects located within the Bensenville North Industrial District RPA that will result in a loss of housing units. However, the possibility remains that some existing units may be removed in the future as a result of redevelopment activity over the 23-year life of the RPA. Therefore, a sample of possible replacement rental housing units was identified.

The location, type, and cost of this sample were determined through the examination of classified advertisements from the *Chicago Sun Times*, *Chicago Tribune* and Apartments.com during the month of August 2010. Due to a relatively small pool of available properties in Bensenville, the sample also includes the nearby communities of Addison, Elk Grove Village and Elmhurst.

The range of maximum affordable monthly rents, according to HUD standards, is shown in the following table in comparison with the advertised rents found in the aforementioned newspaper and online listings.

Number of Bedrooms	Implied Family Size [1]	DuPage County Fair Market Rents [2]	Observed Range [3]	Units in Sample
Studio	1	\$790	N/A	0
1	1.5	\$903	\$739 - \$770	12
2	3	\$1,015	\$988 - \$1,024	10
3	4.5	\$1,240	\$1,300 - \$1,330	1
4	6	\$1,402	N/A	0
<b>Total</b>				<b>23</b>

Source: HUD, *Chicago Sun Times*, *Chicago Tribune*, Apartments.com, and *S. B. Friedman & Company*

[1] Derived from the number of bedrooms using HUD formulas.

[2] FY2010 Fair Market Rents Defined by HUD.

[3] Based on a random sample of apartments located in the Village of Bensenville and advertised in the *Chicago Sun Times*, *Chicago Tribune*, and Apartments.com during the month of August 2010.

The table on the following page provides a detailed summary of the apartment listings found in the *Chicago Sun Times*, *Chicago Tribune*, and Apartments.com during the month of August 2010. The table above indicates that the greatest number of available apartments have 1 or 2 bedrooms. No studio apartments, nor any apartments containing four or more bedrooms, were listed. The lack of units containing four or more bedrooms could indicate that these unit types are more present in owner-occupied, single-family homes. The sample above also indicates that listing rent levels for the majority of unit types are comparable to DuPage County fair-market rent levels defined by HUD. DuPage County fair-market rents are the most geographically specific data available for the Chicago area through HUD. While the majority of housing units are comprised of one- and two-bedrooms, and these rent levels are comparable to fair-market rent levels, a gap is present between fair market rent levels and observed rent levels in three-bedroom units. This may suggest that market rents are not affordable to larger households of four to five individuals in the Bensenville North Industrial District RPA. However, due to the small sample size, it is also possible that these unit types are scarce in apartments, and that units containing three or more bedrooms are also more likely to be single family homes.

*S. B. Friedman & Company* has also researched the availability of subsidized and income-restricted housing in and near the Bensenville North Industrial District RPA. According to data provided by the Illinois Housing Development Authority (IHDA), no units were located within the Village of Bensenville. However, several affordable housing properties are located in the adjacent communities of Addison, Elk Grove Village and Elmhurst. These properties were reported as containing a total of 918 units, including studio, one-bedroom, two-bedroom, and three-bedroom units. Of this total, 864 are income-restricted units, of which an estimated 200 units are indicated as Section 8 housing. In Section 8 housing, qualifying households are required to pay 30% of their income as monthly rent, with the Section 8 subsidy making up the difference between that amount and the contract rent.

The DuPage Housing Authority publishes updated lists of properties that are currently available under the Housing Choice Voucher (Section 8) Program. As of August 7, 2010, the DuPage Housing Authority identified a total of 16 units located in Addison. No units were identified in

Bensenville or other adjacent communities besides Addison. The table below shows a breakdown of these available units by number of bedrooms.

<b>Unit Type</b>	<b>Number of Available Units</b>
Studio	0
1-bedroom	8
2-bedroom	5
3-bedroom	3
4-bedroom	0
5-bedroom	0
<b>Total</b>	<b>16</b>

Source: DuPage Housing Authority

<b>Name</b>	<b>Address</b>	<b>City</b>	<b># Beds</b>	<b>Rent Range</b>	
				<b>Low</b>	<b>High</b>
York Brook Apartments	100 E. George Street	Bensenville	1	\$799	\$815
			1	\$835	\$850
			2	\$860	\$875
			2	\$980	\$995
			2	\$1,000	\$1,000
Royal Grove Apartments	1132 Grove Avenue	Bensenville	1	\$799	\$959
			2	\$1,029	\$1,129
			3	\$1,300	\$1,330
Brook Forest Apartments	1137 S. Center Street	Bensenville	1	\$710	\$765
Brentwood Apartments	630 E. George Street	Bensenville	1	\$749	\$749
Fairway Green Apartments	646 South York Road	Bensenville	1	\$725	\$725
			2	\$975	\$975
Elm Court Apartments	111 Bernice Drive	Bensenville	1	\$650	\$650
			2	\$775	\$775
Orchard Lakes	154 Juliann	Wood Dale	1	\$975	\$1,050
			2	\$1,055	\$1,175
			2	\$1,099	\$1,110
			2	\$1,115	\$1,155
Not Available	125 S. Villa Avenue	Addison	1	\$660	\$660
Ben Evenson	831 Eastland Street	Elmhurst	1	\$625	\$625
Not Available	220 E. North Avenue	Addison	1	\$695	\$695
Elmcrest	140 E. Lake Street	Elmhurst	1	\$745	\$775
			2	\$995	\$1,050

Source: Chicago Sun Times, Chicago Tribune, and Apartments.com listings during the month of August 2010.

## Replacement For-Sale Housing

In order to determine the availability of replacement for-sale housing for those home owners who may potentially be displaced, *S. B. Friedman & Company* reviewed data available from the Multiple Listing Service (MLS) of Northern Illinois, which lists most of the currently active for-sale properties in the Northern Illinois region, as well as historical listings over the past three years. The following table describes housing sales for detached and attached (condominium and town home) residential units within the greater Village of Bensenville for the past three years, as well as all current available properties listed for sale.

Price Range	2008 Sales	2009 Sales	2010 Sales	Currently Active Properties (as of 8/14/10)
\$0 - \$100,000	0	18	25	26
\$100,000-\$150,000	19	28	22	39
\$150,000- \$200,000	15	38	24	38
\$200,000- \$250,000	10	19	12	23
\$250,000 & Above	20	18	12	62
<b>Totals</b>	<b>64</b>	<b>121</b>	<b>95</b>	<b>188</b>

Source: Multiple Listing Service of Northern Illinois, *S. B. Friedman & Company*

## Conclusions

Based on the available data, we anticipate that the rental and for-sale residential markets for the community areas in and around the Bensenville North Industrial District RPA should be adequate to furnish needed replacement housing for those residents that may potentially be displaced because of redevelopment activity within the RPA. There are currently 441 total housing units in the Bensenville North Industrial District RPA, and 227 units identified in this sample study that are currently available for rent or sale in the greater Village of Bensenville area.

Vacancy data also suggests that there are as many as 235 vacant units in the Village of Bensenville. Therefore, there is at least one available unit for every two units potentially displaced in the RPA. Additionally, there are no planned redevelopment projects that will reduce the number of residential units within the RPA, and those types of mixed-use projects which might be proposed in accordance with the Redevelopment Plan may include new residential units. Therefore, it is assumed that any displacement caused by activities as part of the Redevelopment Plan could potentially occur simultaneously with the development of new housing, either rental or for-sale. As a result, there could potentially be a net gain of residential units within the RPA. Furthermore, it is likely that any displacement of units would occur incrementally over the 23-year life of the RPA as individual development projects are initiated.

**(iv) Relocation Assistance**

In the event that the implementation of the Plan results in the removal of residential housing units in the Project Area occupied by low-income households or very low-income households, or the displacement of low-income households or very low-income households from such residential housing units, such households shall be provided affordable housing and relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the regulations hereunder, including the eligibility criteria. Affordable housing may be either existing or newly constructed housing. The Village shall make a good faith effort to ensure that this affordable housing is located in or near the Project Area.

As used in the above paragraph, “low-income households,” “very low-income households,” and “affordable housing” have the meanings set forth in Section 3 of the Illinois Affordable Housing Act, 310 ILCS 65/3 et seq., as amended. As of the date of this study, these statutory terms are defined as follows:

- (i) “Low-income household” means a single person, family, or unrelated persons living together whose adjusted income is more than 50% but less than 80% of the median income of the area of residence, adjusted for family size, as such adjusted income and median income are determined from time to time by the United States Department of Housing and Urban Development (“HUD”) for purposes of Section 8 of the United States Housing Act of 1937;
- (ii) “Very low-income household” means a single person, family, or unrelated persons living together whose adjusted income is not more than 50% of the median income of the area of residence, adjusted for family size, as so determined by HUD; and
- (iii) “Affordable housing” means residential housing that, so long as the same is occupied by low-income households or very low-income households, requires payment of monthly housing costs, including utilities other than telephone, of no more than 30% of the maximum allowable income for such households, as applicable.

The Village of Bensenville will make a good faith effort to relocate these households to affordable housing located in or near the Bensenville North Industrial District RPA and will provide relocation assistance not less than that which would be provided under the federal Uniform Relocation Assistance and Real Property Policies Act of 1970.

**Village of Bensenville**  
Board Room  
12 South Center Street  
Bensenville, Illinois 60106  
Counties of DuPage and Cook

**DRAFT**

**MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING**

October 26, 2010

**CALL TO ORDER:** 1. President Soto called the meeting to order at 6:35 p.m.

**ROLL CALL:** 2. Upon roll call by Village Clerk, JoEllen Ridder, the following Board Members were present:

Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

Absent: None

A quorum was present.

**PUBLIC  
COMMENT:**

Laura M. Mannion – College of DuPage

Ms. Mannion addressed the Village Board and Residents of Bensenville with information in regards to the referendum that is being proposed by the College of DuPage on the November 2, 2010 election ballot.

Jay Ankola – Brentwood Liquors – 105 W. Grand Ave.

Mr. Ankola addressed the Village Board with his concern regarding the proposed ordinance increasing the amount of liquor licenses in town.

Chandulal Kothadia – Brentwood Liquors – 105 W. Grand Ave.

Mr. Kothadia addressed the Village Board with his concern regarding the proposed ordinance increasing the amount of liquor licenses in town.

Mr. Patel – Forest Liquors – 22 E. Green Street

Mr. Patel addressed the Village Board with his concern regarding the proposed ordinance increasing the amount of liquor licenses in town.

Raymond Geoghan – IS Discount Liquors – 460 W. Irving Park Road

Mr. Geoghan addressed the Village Board with his concern regarding the proposed ordinance increasing the amount of liquor licenses in town. Mr. Geoghan stated that IS Discount Liquor will be expanding their business on their current lot.

**APPROVAL OF  
MINUTES:**

3. The October 12, 2010 Village Board Meeting minutes were presented.

Motion: Trustee Johnson made a motion to approve the minutes as presented. Trustee Bartlett seconded the motion.

All were in favor.

Abstained: Wesseler

Motion carried.

The October 14, 2010 Special Village Board Meeting minutes were presented.

Motion: Trustee Peconio made a motion to approve the minutes as presented. Trustee Bartlett seconded the motion.

All were in favor.

Abstained: Wesseler

Motion carried.

**WARRANT NO.  
10/37:**

4. President Soto presented Warrant No. 10/37 in the amount of \$1,613,185.86.

Motion: Trustee Wesseler made a motion to approve the warrant as presented. Trustee Bartlett seconded the motion.

**ROLL CALL:** AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

Motion: 5. Trustee Peconio made a motion to set the Consent Agenda as presented. Trustee O'Connell seconded the motion.

Motion: Trustee Wesseler made a motion to pull Consent Agenda item number one entitled an ordinance amending the Bensenville Village Code title 3 – chapter 3 – section 5 – Class F – liquor regulations from the Consent Agenda for further discussion. Trustee Bartlett seconded the motion.

**ROLL CALL:** AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler  
NAYS: None  
Motion carried.

Motion: 6. Trustee Johnson made a motion to set the Consent Agenda as amended. Trustee Peconio seconded the motion.

All were in favor.

Motion carried.

**Ordinance No.**  
77-2010:

**An Ordinance Approving a Site Plan Submitted for New Office/Warehouse Building to be located at 870 S. County Line Road. (Consent Agenda)**

**Resolution No.**  
R-88-2010:

**Resolution Approving a Facility Usage License Agreement with Robert Morris University. (Consent Agenda)**

**Resolution No.**  
R-89-2010:

**Resolution Authorizing the Execution of a Purchase Order for an Asphalt Hotbox/Reclaimer to Asphalt Maintenance & Construction Company. (Consent Agenda)**

Motion: Trustee Peconio made a motion to approve the Consent Agenda as amended. Trustee Bartlett seconded the motion.

**ROLL CALL:** AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler  
NAYS: None  
Motion carried.

**Ordinance No.**

\_\_\_\_\_ :

7. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. \_\_\_\_\_** entitled **An Ordinance Amending the Bensenville Village Code Title 3 – Chapter 3 – Section 5 – Class F Liquor Regulations.**

Motion:

Trustee Peconio made a motion to adopt the ordinance as presented. Trustee Bartlett seconded the motion.

Motion:

Trustee Peconio made a motion to table this item for placement on a future Village Board Meeting Agenda for action. Trustee Johnson seconded the motion.

**ROLL CALL:**

AYES: Adamowski, Johnson, O'Connell, Peconio

NAYS: Bartlett, Wesseler

Motion carried.

**Ordinance No.**

**78-2010:**

8. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 78-2010** entitled **An Ordinance Granting a Conditional Use Permit and Variances to Allow a Drive-Through Banking Facility at 1151 S. York Road.**

Motion:

Trustee Peconio made a motion to adopt the ordinance as presented. Trustee Bartlett seconded the motion.

**ROLL CALL:**

AYES: Peconio, O'Connell

NAYS: Adamowski, Bartlett, Johnson, Wesseler

Motion failed.

Motion:

Trustee Adamowski made a motion to reconsider the ordinance as presented. Trustee Bartlett seconded the motion.

**ROLL CALL:**

AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

All were in favor.

Motion carried.

# DRAFT

Minutes of the Village Board Meeting  
October 26, 2010 Page 5

Motion: Trustee Bartlett made a motion to adopt the ordinance as presented subject to signage being approved by the Village Board at a later date. Trustee Wesseler seconded the motion.

**ROLL CALL:** AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

All were in favor.

Motion carried.

**Ordinance No.**  
**79-2010:**

9. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 79-2010** entitled **An Ordinance Amending the Bensenville Village Code Title 3 – Chapter 3 – Section 5 – Class B Liquor Regulations.**

Motion: Trustee Peconio made a motion to table this item for placement on a future Village Board Meeting Agenda for action. Trustee Johnson seconded the motion.

**ROLL CALL:** AYES: Peconio, Johnson

NAYS: Adamowski, Bartlett, O'Connell, Wesseler

Motion failed.

Motion: Trustee Wesseler made a motion to adopt the ordinance as presented. Trustee Bartlett seconded the motion.

**ROLL CALL:** AYES: Adamowski, Bartlett, O'Connell, Wesseler

NAYS: Johnson

PRESENT: Peconio

Motion carried.

# DRAFT

Minutes of the Village Board Meeting  
October 26, 2010 Page 6

**Resolution No.**

**R-90-2010:**

10. Village President, Frank Soto, gave the summarization of the action contemplated in **Resolution No. R-90-2010** entitled **A Resolution Establishing the Tax Levy Estimate for 2010 per the Truth in Taxation Act.**

**Motion:**

Trustee Johnson made a motion to approve the resolution as presented. Trustee Peconio seconded the motion.

**ROLL CALL:**

AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesselner

NAYS: None

Motion carried.

**Ordinance No.**

**80-2010:**

11. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 80-2010** entitled **An Ordinance Authorizing the Issuance of General Obligation Bonds (Alternate Revenue Source) of the Village of Bensenville, DuPage and Cook Counties, Illinois, in the Aggregate Principle Amount of Not to Exceed \$11,000,000 for the Purpose of Financing Infrastructure Improvements in Certain Special Service Areas Proposed to be Established in the Village.**

**Motion:**

Trustee Johnson made a motion to adopt the ordinance as presented. Trustee Bartlett seconded the motion.

**ROLL CALL:**

AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesselner

NAYS: None

All were in favor.

Motion carried.

**Ordinance No.**

**81-2010:**

12. Village President, Frank Soto, gave the summarization of the action contemplated in **Ordinance No. 81-2010** entitled **An Ordinance Deleting Certain Property from Proposed Special Service Area Number 6. (North Industrial District)**

**Motion:**

Trustee Johnson made a motion to adopt the ordinance as presented. Trustee Bartlett seconded the motion.

**ROLL CALL:**

AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

Motion carried.

**PRESIDENTS**

**REMARKS:**

Fenton High School, District 100 Students that participated in Student Government Day at the Village on October 7<sup>th</sup>; Harita Joshi and Thaila Anguiano along with District 2 student; Alaen Paz participated in the discussion and expressed their opinions regarding the O'Hare Western Bypass roadway within the Village.

President Soto thanked Governor Pat Quinn for his approval for next years project of construction of the Grade Separation at York Road and Irving Park Road.

President Soto thanked staff for their work on the 2009 audit. President Soto announced that the Village of Bensenville was awarded with The Certificate of Achievement for Excellence in Financial Reporting.

President Soto announced that Holiday Magic will be held on November 20, 2010 from 5:00 p.m. to 7:30 p.m. All Residents and family are welcome to attend.

President Soto announced that the regular Village Board Meeting being held on November 9<sup>th</sup>, 2010 has been rescheduled to begin at 6:00 p.m.

# DRAFT

Minutes of the Village Board Meeting  
October 26, 2010 Page 8

## MANAGERS REPORT:

Village Manager, Michael Cassady, thanked Director of Special Events, Gary Thorsen, along with staff for their work in a safe and successful fall fest held on October 23, 2010.

Village Manager, Michael Cassady, announced there will be a B.I.G. (Bensenville Intergovernmental Group) meeting on Thursday, October 28, 2010 at 7:00 p.m.

## NEW BUSINESS:

Trustee Johnson announced that on November 1, 2010 will be the start date from the Bensenville Toy Drive. All toys can be donated at various locations throughout town. Trustee Johnson also announced that the Bensenville Rotary is currently having its annual coat drive in town. Any company that would like to request a collection box should contact the Bensenville Rotary at 630-594-1010.

Trustee O'Connell thanked Director of Special Events, Gary Thorsen, along with staff for a safe and successful fall fest and carnival that was held in town on October 21, 2010 through October 24, 2010. The carnival raised \$3,000 that will be divided equally upon various groups that participated in the event.

Village Clerk, JoEllen Ridder, there are still trees available to decorating in the town center for the holidays and our annual Holiday Magic Tree Lighting. Interested parties should contact Director of Special Events, Gary Thorsen, for further details.

## EXECUTIVE SESSION:

President Soto called for an Executive Session for the purpose of discussing pending, probable, or imminent litigation, acquisition of real estate property, personnel, and collective negotiating matters. Actions will take place as a result of the discussions.

Motion: Trustee Wesseler made a motion to recess the meeting and go into Executive Session. Trustee O'Connell seconded the motion.

All were in favor.

Motion carried.

President Soto recessed the meeting at 7:35 p.m.

President Soto called the meeting back to order at 9:45 p.m.

**ROLL CALL:** Upon roll call by Village Clerk, JoEllen Ridder, the following Board Members were present:

Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

Absent: None

A quorum was present.

Motion: Trustee O'Connell made a motion to authorize the execution of the addendum to the professional service agreement between the Village of Bensenville and Organizational Strategies, Inc. by the Village President. Trustee Peconio seconded the motion.

**ROLL CALL:** AYES: Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: Adamowski

Motion carried.

Motion: Trustee Peconio made a motion to approve and authorize the Village President to sign the consulting service agreement with the Jordan Group. Trustee Bartlett seconded the motion.

**ROLL CALL:** AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

All were in favor.

Motion carried.

Motion: Trustee Wesseler made a motion to authorize the execution of a settlement agreement with Team Illinois for \$196,000 in accordance with the terms and conditions outlined by the Village of Bensenville. Trustee Peconio seconded the motion.

**ROLL CALL:** AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio, Wesseler

NAYS: None

All were in favor.

Motion carried.

# DRAFT

Minutes of the Village Board Meeting  
October 26, 2010 Page 10

**ADJOURNMENT:** Trustee Peconio made a motion to adjourn the meeting. Trustee Bartlett seconded the motion.

All were in favor.

Motion carried.

President Soto adjourned the meeting at 9:47 p.m.

JoEllen Ridder  
Village Clerk

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Bensenville this \_\_\_\_\_ day, November 2010

## VILLAGE OF BENSENVILLE

**TYPE:** Ordinances **SUBMITTED BY:** Denise Pieroni/Sean Conway **DATE:** November 4, 2010

**DESCRIPTION:** (1) Ordinance Amending the Village Code Regarding Settlement of Nuisance Greenery Violations; (2) Ordinance Amending Ordinance No. 44-2010 Regarding the Village Vehicle Tax Regulations; and (3) Ordinance Amending and Restating, in its Entirety, Title 9 of the Bensenville Village Code

### SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

*Financially Sound Village*  
 *Quality Customer Oriented Services*  
 *Safe and Beautiful Village*

*Enrich the lives of Residents*  
 *Major Business/Corporate Center*  
 *Vibrant Major Corridors*

**COMMITTEE ACTION:** N/A (Corrections to Previously Approved Code Amendments to Resolve Conflicts)

**DATE:** N/A

**BACKGROUND:** The Village has adopted a number of recent Ordinances updating the Village Code on a range of regulations including nuisance greenery regulations, vehicle tax regulations and building regulations. During the ordinance codification process, a number of conflicts in these amendment documents were identified and reported to the Village with a request that direction be provided. These matters were referred to Corporate Counsel for determination as to the actions necessary to resolve these conflicts so that Village can move forward with the codification of these Ordinances. Corporate Counsel has determined that further amendment is needed to fully implement the intended amendments and has drafted three ordinances addressing/resolving conflicts relating to Vehicle Tax Regulations, Nuisance Greenery and the Building Code. Copies of these amendatory ordinances are attached for Board review and consideration.

**KEY ISSUES:** These actions are required in order to fully implement the intended amendments of prior ordinances.

**ALTERNATIVES:** N/A

**RECOMMENDATION:** Village staff and Counsel recommend approval of (1) Ordinance Amending the Village Code Regarding Settlement of Nuisance Greenery Violations; (2) Ordinance Amending Ordinance No. 44-2010 Regarding the Village Vehicle Tax Regulations; and (3) Ordinance Amending and Restating, in its Entirety, Title 9 of the Bensenville Village Code.

**BUDGET IMPACT:** N/A

**ACTION REQUIRED:** Board adoption of the three (3) Ordinances drafted by Counsel.

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

**AN ORDINANCE AMENDING THE VILLAGE CODE REGARDING  
SETTLEMENT OF NUISANCE GREENERY VIOLATIONS**

**WHEREAS**, the Village of Bensenville (hereinafter the "Village") is a duly organized and existing Illinois municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, pursuant to its authority under the Illinois Municipal Code, the Village approved a recent Ordinance No. 52-2010 regarding Nuisance Greenery regulations; and

**WHEREAS**, as a result of said amendment certain sections of the Village Code were renumbered; and

**WHEREAS**, the President and Board of Trustees have determined that other sections of the Village Code referring to nuisance greenery regulations must be amended to provide for consistency among interrelated Village Code provisions; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled in regular session, as follows:

**SECTION ONE:** That the recitals set forth above are incorporated herein and made a part hereof by reference.

**SECTION TWO:** That the Village Code, Title 1, Chapter 4, Section 1-4-3 B. "Violations with respect to property maintenance:" 1. shall be deleted and replaced as follows:

1. Failure of owners of land within the Village to maintain property free of nuisance greenery.	<a href="#"><u>6-4-2</u></a>	50 .00
---	------------------------------	--------

**SECTION THREE:** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

**SECTION FOUR:** 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 AND APPROVED** by the President and Board of Trustees of the Village of Bensenville, this 26th day of October, 2010.

APPROVED:

---

Frank Soto, Village President

ATTEST:

---

JoEllen Ridder, Village Clerk

AYES:\_\_\_\_\_

NAYES:\_\_\_\_\_

ABSENT:\_\_\_\_\_

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

**AN ORDINANCE AMENDING ORDINANCE NO. 44-2010  
REGARDING THE VILLAGE VEHICLE TAX REGULATIONS**

**WHEREAS**, the Village of Bensenville (hereinafter the "Village") is a duly organized and existing Illinois municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, pursuant to its authority under the Illinois Municipal Code, the Village approved a recent Ordinance No. 44-2010 relating to the Village regulation of the Village Vehicle Tax; and

**WHEREAS**, the President and Board of Trustees have determined that Ordinance No. 44-2010, not codified as of this date, must be amended to provide for consistency among interrelated Village Code provisions; and

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled in regular session, as follows:

**SECTION ONE:** That the recitals set forth above are incorporated herein and made a part hereof by reference.

**SECTION TWO:** That Ordinance No. 44-2010, Section Two, 5-4-1 C. shall be deleted and replaced as follows:

C. The Village shall not impose an annual vehicle tax upon any commercial vehicle as defined in Section 18b-101 of the Illinois Vehicle Code that is registered under Section 3-402.1 of the Illinois Vehicle Code as identified by apportioned plates indicating that the vehicle is included within a proportionally registered interstate fleet.

**SECTION THREE:** That Ordinance No. 44-2010, Section Eight, 5-4-12 B. shall be deleted and replaced as follows:

B. Violations of this Section shall be subject to Administrative Adjudication as set forth in Title 5, Chapter 8.

**SECTION FOUR:** That all other provisions set forth in Ordinance No. 44-2010, in effect, shall be codified as provided therein.

**SECTION FIVE:** That the Village Clerk is hereby directed to attach this Ordinance to Ordinance No. 44-2010 as an amendment to Ordinance No. 44-2010.

**SECTION SIX:** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

**SECTION SEVEN:** 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 AND APPROVED** by the President and Board of Trustees of the Village of Bensenville, this 26th day of October, 2010.

APPROVED:

---

Frank Soto, Village President

ATTEST:

---

JoEllen Ridder, Village Clerk

AYES:\_\_\_\_\_

NAYES:\_\_\_\_\_

ABSENT:\_\_\_\_\_

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

**AN ORDINANCE AMENDING AND RESTATING, IN ITS ENTIRETY,  
TITLE 9 OF THE BENSENVILLE VILLAGE CODE**

**WHEREAS**, the Village of Bensenville (hereinafter the "Village") is a duly organized and existing Illinois municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

**WHEREAS**, pursuant to its authority under the Illinois Municipal Code, the Village approved a recent Ordinance No. 49-2010 amending and restating Title 9 of the Bensenville Village Code (hereinafter the "Code") to adopt multiple standardized codes relating to the regulation of structures and property located in the Village; and

**WHEREAS**, as part of the codification of the Code revisions, it has been deemed necessary to take official action to amend and restate Title 9 of the Code, in its entirety, as intended to be amended; and

**WHEREAS**, the President and Board of Trustees have determined that Title 9 of the Code should be amended and restated to properly set forth the intended building regulations.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled in regular session, as follows:

**SECTION ONE:** That the recitals set forth above are incorporated herein and made a part hereof by reference.

**SECTION TWO:** That the Bensenville Village Code, Title 9, shall be amended and restated, in its entirety, pursuant to the language and organization set forth in Exhibit "A" attached hereto and incorporated herein by reference.

**SECTION THREE:** That Ordinance No. 49-2010 is expressly repealed.

**SECTION FOUR:** That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

**SECTION FIVE:** 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 AND APPROVED** by the President and Board of Trustees of the Village of Bensenville, this 9th day of November, 2010.

APPROVED:

---

Frank Soto, Village President

ATTEST:

---

JoEllen Ridder, Village Clerk

AYES:\_\_\_\_\_

NAYES:\_\_\_\_\_

ABSENT:\_\_\_\_\_

## **TITLE 9: BUILDING REGULATIONS**

### **CHAPTER 1: GENERAL**

**9-1-1: AUTHORITY:** The Village is authorized to provide for regulation of structures and construction pursuant to the Illinois Municipal Code, 65 ILCS 5/11-13-1.

**9-1-2: DEFINITIONS:** All words and phrases set forth in this Title shall have the meaning as provided herein and as construed pursuant to the rules of construction set forth in Title 1, Chapter 3 of this Code.

**9-1-3: PENALTY:** Any violation of a regulation set forth in this Title shall be subject to the penalty as provided in Section 1-4-1 of this Code, unless otherwise specifically set forth in this Title.

### **CHAPTER 2: BUILDING CODE**

#### **9-2-1: CODES ADOPTED:**

A. The 2006 International Residential Code published by the International Code Council is hereby adopted and incorporated in its entirety subject to the amendments set forth in this Chapter, Section 9-2-2.

B. The 2006 International Building Code published by the International Code Council is hereby adopted and incorporated in its entirety subject to the amendments set forth in this Chapter, Section 9-2-3.

#### **9-2-2: AMENDMENTS TO THE 2006 INTERNATIONAL RESIDENTIAL CODE:**

##### **Chapter 1 – ADMINISTRATION**

R101.1. Revise as follows:

“These regulations shall be known as the Residential Code for One- and Two-Family Dwellings of *the Village of Bensenville*, and shall be cited as such and will be referred to herein as ‘this Code.’”

R102.4. Revise the last sentence as follows:

“Where differences occur between provisions of this Code and referenced codes and standards, the **most restrictive** provisions of this code shall apply.

R102.4.1. Add new Section R102.4.1 as follows:

**“Zoning. The restrictions of the Zoning Ordinance of the Village of Bensenville and all amendments thereto, shall not be deemed to be modified**

*by any provisions of this Code; and such restrictions shall be controlling except insofar as this Code imposes greater restrictions by reason of the type of construction used, in which case the provisions of this Code shall control.”*

R105.2. Delete in its entirety.

R106.1. Delete in its entirety and in lieu of, add the following:

*“Unless otherwise specified by the Building Official, each application shall be accompanied by a minimum of six (6) complete sets of construction drawings, specifications, special inspection and structural observation programs and other data signed and sealed by an Illinois Licensed Architect of Structural Engineer as provided by and in accordance with the Illinois Architectural Act.*

*Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that the review of construction documents is not necessary to obtain compliance with this Code.”*

106.1.4. Add new Section 106.1.4 as follows:

*“The repair, alteration and/or installation of a roof or roofing materials shall be performed by a person or persons having a license/registration with the State of Illinois for such work, and a copy of said license/registration shall be submitted with the permit documents.*

*Exception: Roofing work performed on a single family dwelling (house) by the homeowner if said dwelling is the primary residence of the homeowner.”*

R106.2.1. Add new Section R106.2.1 as follows:

*“Spot survey. It shall be the responsibility of the applicant to submit to the Department of Community Development a spot survey prepared by a Registered Land Surveyor after the foundation is constructed indicating the placement or setback of the structure in relation to all lot lines. This survey must be at a scale of not less than one inch equal to thirty feet (1” = 30’-0”). The survey must also indicate the elevation above sea level of the top of foundation wall(s) and the top of the curb and sidewalk at lot lines extended relative to a United States Geological Survey benchmark. No construction will be allowed to proceed except for decking, underground water and sewer and related items until the spot survey is approved by the Building Division of the Department of Community Development. This Section applies to principal structures only and not to additions or accessory structures.”*

R109.1.5. Revise as follows:

*“... and other laws enforced by the building official. **Other inspections include, but are not limited to, concrete footings, posts and flat work prior to pouring, underground electric, plumbing, mechanical and gas prior to backfilling, foundation damp proofing and footing drain system prior to backfilling, insulation prior to installation of drywall and the electrical service wiring prior to connecting to the utility provider.**”*

R110.4. Add to the end of the Section the following:

*“Any occupancy permitted to continue during the completion of the work shall be discontinued upon the expiration of the term of the temporary certificate of occupancy.”*

R112.1. Delete in its entirety and in lieu of, add the following:

*“In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, there shall be and is hereby created a board of appeals.”*

R112.2.1. Delete Section in its entirety.

R112.2.2. Delete Section in its entirety.

R112.3. Delete Section in its entirety.

### **Chapter 3 – BUILDING PLANNING**

Table. R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

R301.2(1). Add the following beneath the respective column headings:

Ground Snow Load “30 pounds per sq.ft.”

Wind Speed “90 miles per hour”

Seismic Design Category “B”

Damage From Weathering “Severe”

Frost Line Depth “42 inches”

Damage From Termites “Moderate to heavy”

Damage From Decay “Slight to moderate”

Winter Design Temperature “-10 degrees F”

Ice Shield Underlayment Required “Yes”

Flood Hazards “See current FIRM and FBFM maps”

Air Freezing Index “1700 cumulative degree days below 32 degrees F”

R309.1. Revise as follows:

***"In addition to the vehicle door, a separate entry door shall be provided from the garage, either to the residence or directly to the outside. The required entry door shall be a side-hinged door not less than 30 inches in width and 6 feet 8 inches in height. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) or 20 minute fire rated doors protected with a minimum 45-minute fire-rated door."***

R309.2. Revise as follows:

***"The garage shall be separated from the residence and its attic area by not less than ~~1/2 inch (12.7 mm)~~ 5/8-inch (15.9 mm) Type X or equivalent gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8-inch (15.9 mm) Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, the structure supporting the separation shall also be protected by not less than ~~1/2 inch (12.7 mm)~~ 5/8-inch (15.9 mm) gypsum board or equivalent."***

R309.3. Revise as follows:

***"... to a drain or toward the main vehicle entry doorway. A minimum 4 inch high gas curb shall be provided against all common walls with the dwelling unit of all attached garage walls."***

R310.1. Revise as follows:

***"Basements and every sleeping room shall have at least one operable emergency escape and rescue opening. Such opening shall open directly into a public street, public alley, yard or court. ~~Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement.~~ **Basements shall not contain sleeping rooms.** Where emergency escape and rescue openings are provided, they shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section 310.3. The net clear opening dimensions required by this Section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. **Every basement shall have at least one interior stairway which is no less than 36 inches in width. A door which is no less than 30 inches in width and 6 feet 8 inches in height shall be provided to separate the basement from the floor or floors above.** The***

*required basement emergency escape and rescue opening shall be located in a location that is remote from the interior stairway.”*

R311.4.1. Revise as follows:

“Not less than ~~one exit door~~ **two exit doors** conforming to this Section shall be provided for each dwelling unit...”

R311.4.2. Revise as follows:

“~~The required exit door shall be a~~ **doors shall include one exterior** side-hinged door not less than 3 feet (914 mm) in width and 6 feet 8 inches (2032 mm) in height. **The second required exit door shall be an exterior side-hinged or sliding door, not less than 32 inches in width and 6 feet 8 inches in height, and must lead directly to the outside.** Other doors shall not be required to comply with these minimum dimensions.”

R311.4.3. Delete the first exception in its entirety.

R311.5.6. Revise as follows:

“Handrails shall be provided on at least one side of each continuous run of treads or flight with ~~four~~ **three** or more risers.”

R313.1. Revise as follows:

“**Smoke alarms shall be of the photoelectric type.** All smoke alarms shall be...”

R317.1. Delete Section in its entirety and in lieu of, add the following:

“**Two-family dwellings. Two family dwellings shall be designed, separated and constructed to meet the same requirements as Townhouses (Section R317.2).**”

R317.2. Delete in its entirety, with the exception of Subsections R317.2.1 and R317.2.4, and in lieu of, add the following:

“**Townhouses. Each townhouse shall be considered a separate building and shall be vertically separated by a U.L. listed self-supporting, structurally independent masonry wall with a minimum fire-resistance rating of no less than 3-hours with an STC rating of not less than 50. Said masonry separation wall shall extend from the foundation to the underside of the roof deck, and shall be sealed at the top of the wall with an approved U.L. listed, 3-hour rated joint sealant system. In addition, said masonry separation wall shall be void of any single membrane penetrations or through penetrations. If townhouses are stacked one above the other, they shall be horizontally separated by a U.L. listed pre-cast concrete floor**

*assembly with a minimum fire-resistance rating of no less than 3-hours with an STC rating of not less than 50.”*

R317.3. Revise as follows:

“Penetrations of ~~wall~~ or floor/ceiling assemblies required to be fire-resistance-rated in accordance with Sections R317.1 or R317.2 shall be protected in accordance with this Section. ***Penetrations are not permitted through the required fire-resistance-rated dwelling unit separation wall.***”

## **Chapter 4 - FOUNDATIONS**

R402.1. Delete in its entirety.

R403.1.3.2. Delete in its entirety and, in lieu of, add the following:

*“Slabs-on-ground with turned-down footings. Slabs-on-ground with turned-down footings are permitted for detached accessory buildings of 450 square feet or less in area. The foundation structure shall have a thickened edge footing of not less than 18 inches in depth, with at least 12 inches below grade, and ten inches in width. The inside edge of the thickened edge footing shall return to the slab at a 45 degree angle, and a minimum of one #4 or greater reinforcing bar shall be installed at the top and bottom of the footing, except that, where poured monolithically, one #5 reinforcing bar or two #4 bars shall be located in the middle third of the footing depth.”*

R403.2. Delete in its entirety.

R404.1.1. Delete in its entirety.

R404.1.8. Delete in its entirety.

R404.2. Delete in its entirety.

R405.1. Delete the exception in its entirety.

R405.2. Delete in its entirety.

R406.3. Delete in its entirety.

R408.6. Revise as follows:

“... unless an approved drainage system is provided. *The clear height of a crawl space shall be no less than 36 inches from the finished grade to the bottom of the lowest joist. A minimum 6 mm plastic vapor barrier shall be provided over all ground surface areas in the crawl space, and all seams in the vapor barrier shall overlap not less than 6 inches.*”

## Chapter 5 – FLOORS

R502.2.2.1. Add new Section R502.2.2.1 as follows:

*“Ledger boards. Ledger boards shall be attached to the rim joist or other approved wooden structural framing member of the house with minimum 1/2” diameter carriage bolts. (Minimum 1/2” lag bolts may be used in existing construction where the rim joist has been enclosed by the interior construction.) Said bolts shall be installed no more than sixteen (16) inches on center, except that where lag bolts are used and the span of the joist exceeds 10'-0”, the bolts shall be spaced at no less than twelve (12) inches on center. Bolts shall be installed in an alternating top to bottom or “stitch bolt” pattern, and at least one bolt shall be located between 2” and 5” of each end or splice. The deck, including the ledger board, shall not be supported on or by stone or masonry veneer.”*

R502.2.2.2. Add new Section R502.2.2.2 as follows:

*“Posts. All wood posts supporting decks having an elevation greater than sixty-six (66) inches above grade, as measured from the decking, shall be no less than 6” x 6” in size.”*

R502.2.2.3. Add new Section R502.2.2.3 as follows:

*“Stairs, handrails and guardrails. All stairs, handrails and guardrails shall be designed in accordance with the applicable requirements listed in Chapter 3.*

R502.2.2.4. Add new Section R502.2.2.4 as follows:

*“Submittal documents. Construction documents and specifications shall be submitted with each application for a permit. Said documents shall be drawn upon suitable material, shall be scaled and dimensioned and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, including specific details on all structural members, decking guardrails, handrails, stairs (including treads and risers), post holes, brackets, connectors, hangers, fasteners, etc. and show in detail that it will conform to the provisions of this Code and relevant laws, ordinances, rules and regulations, as determined by the building official. All construction documents for decks with a total area greater than four hundred (400) square feet or a height of more than seven (7) feet above grade shall be designed, signed and sealed by an Illinois Licensed Architect of Structural Engineer.”*

R504. Delete in its entirety.

## **Chapter 6 – WALL CONSTRUCTION**

R602.2. Delete exception in its entirety.

R602.3. Revise as follows:

“Exterior walls of wood-frame construction shall be designed and constructed in accordance with the provisions of this chapter and Figures R602.3(1) and R602.3(2) or in accordance with AF&PA’s NDS, *except that in no case shall the spacing of studs be greater than 16 inches on center. All references and provisions in this chapter or the AF&PA’s NDS for stud spacings other than 16 inches on center are not applicable for the purpose of this Code. In addition, all studs shall be one continuous length from sill plate to top plate. For heights over 17 feet, 2 inch by 6 inch (2” x 6”) studs shall be used.* Components of exterior walls shall be fastened...”

R602.5. Delete in its entirety and, in lieu of, add the following:

**“Interior nonbearing walls. Interior nonbearing walls shall have studs which are perpendicular to the plates (not flat), and such studs shall not be less than 2-inch by 4-inch. Interior nonbearing walls shall be fireblocked in accordance with Section R602.8.”**

R602.7.2. Delete in its entirety.

R606.1.1. Delete in its entirety.

R606.4.2. Delete in its entirety and, in lieu of, add the following:

**“Support at foundation. Cavity wall or masonry veneer construction shall be supported on a concrete foundation wall no less than 10 inches in thickness. The total horizontal projection of a corbel shall not exceed 2” with individual corbels projecting not more than one-third the thickness of the unit or one-half the height of the unit.”**

## **Chapter 8 – ROOF-CEILING CONSTRUCTION**

R806.3. Revise as follows:

“Where eave or cornice vents are installed, insulation shall not block the free flow of air. A minimum of a 1-inch (25.4 mm) space shall be provided between the insulation and the roof sheathing at the location of the vent. *Insulation baffles shall be installed in rafter bays which open to all soffit or eave vents to insure this required 1-inch (25.4 mm) space.*”

## **Chapter 11 – ENERGY EFFICIENCY**

N1101.2. Revise as follows:

“Compliance shall be demonstrated by either meeting the requirements of the *International Energy Conservation Code* or meeting the requirements of this chapter. Climate zones from Figure N1101.2 or Table N1101.2 shall be used in determining the applicable requirements from this chapter. A *RES-check document shall be completed and submitted with all new construction permit documents by the designer of record as the means of assessing and verifying compliance with this Code.*”

## **Chapter 13 – GENERAL MECHANICAL SYSTEM REQUIREMENTS**

M1304.1. Revise as follows:

“Fuel-fired appliances shall be designed for use with the type of fuel to which they will be connected and the altitude at which they are installed. Appliances that comprise parts of the building mechanical system shall not be converted for the usage of a different fuel, ~~except where approved and converted in accordance with the manufacturer’s instructions. Fuel-fired appliances which are located inside a dwelling unit shall be designed to use natural gas fuel only. Oil-burning or liquefied petroleum gas (LPG) appliances are not allowed.~~ The fuel input rating...”

M1305.1.3. Revise as follows:

*“Heating and cooling equipment shall not be located in an attic unless approved in writing by the Building Official. When approved for location in the attic, the equipment shall be installed in a 1-hour rated room with a self-closing, self-latching 45-minute fire door. Attics containing permitted to contain appliances requiring access shall be provided with...”*

## **Chapter 14 – HEATING AND COOLING EQUIPMENT**

M1416. Add new Section M1416 UNVENTED APPLIANCES as follows:

### **M1416 UNVENTED APPLIANCES**

**M1416.1 Carbon monoxide detector.** A permanent 110-volt carbon monoxide detector with battery back-up power shall be installed in all rooms housing an unvented gas appliance.”

## **Chapter 16 – DUCT SYSTEMS**

M1601.4. Delete in its entirety, including all subsections, and in lieu of, add the following:

*“Under-floor and wall cavity plenums. An under-floor space or wall cavity shall not be used as a supply or return air plenum. Ducted supplies and*

*returns are required throughout all areas of the structure. All references in this Code to under-floor plenums or wall cavity plenums shall be deleted.”*

## **Chapter 24 – FUEL GAS**

G2401.1. Revise as follows:

“... The omission from this chapter of any material or method of installation provided for in the International Fuel Gas Code shall not be construed as prohibiting the use of such material or method of installation. ***However, fuel burning systems which are located inside a dwelling unit shall be designed to use natural gas fuel only. Oil-burning or liquefied petroleum gas (LPG) appliances are not allowed. All references in this Code to oil-burning or liquefied petroleum gas (LPG) systems shall be deleted.*** Fuel-gas piping systems...”

G2406.1. Revise as follows:

“Appliances shall be located as required by this Section, specific requirements elsewhere in this Code and the conditions of the equipment and appliance listing. ***Fuel-gas meters shall be readily accessible for inspection, reading, and replacement, and shall be located outdoors only.***”

G2445.8. Add new Section 2445.8 as follows:

**“Carbon monoxide detector. A permanent 110-volt carbon monoxide detector with battery back-up power shall be installed in all rooms housing an unvented gas appliance.”**

Chapter 25. Delete chapter in its entirety.

Chapter 26. Delete chapter in its entirety.

Chapter 27. Delete chapter in its entirety.

Chapter 28. Delete chapter in its entirety.

Chapter 29. Delete chapter in its entirety.

Chapter 30. Delete chapter in its entirety.

Chapter 31. Delete chapter in its entirety.

Chapter 32. Delete chapter in its entirety.

Chapter 33. Delete chapter in its entirety.

Chapter 34. Delete chapter in its entirety.

Chapter 35. Delete chapter in its entirety.

Chapter 36. Delete chapter in its entirety.

Chapter 37. Delete chapter in its entirety.

Chapter 38. Delete chapter in its entirety.

Chapter 39. Delete chapter in its entirety.

Chapter 40. Delete chapter in its entirety.

Chapter 42. Delete chapter in its entirety.

**Appendix G. SWIMMING POOLS, SPAS AND HOT TUBS. Appendix G is hereby adopted and made a part of this Code.**

**9-2-3: AMENDMENTS TO THE 2006 INTERNATIONAL BUILDING CODE:**

## **Chapter 1 – ADMINISTRATION**

101.1. Revise as follows:

“These regulations shall be known as the Building Code of *the Village of Bensenville*, hereinafter referred to as ‘this Code.’”

101.2. Delete Exception 2 in its entirety.

101.4.1 Revise as follows:

“The provisions of the *ICC Electrical Code 2008 National Electrical Code as adopted and amended by the Village of Bensenville* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. *References to the ICC Electrical Code within this or any other Code adopted by the Village of Bensenville shall be deleted, and the words, “2008 National Electrical Code, as adopted and amended herein” shall be added in its place.*”

101.4.4. Revise as follows:

“The provisions of the *International Plumbing Code 2004 Illinois Plumbing Code as adopted and amended by the Village of Bensenville, as well as Chapter 11 and Sections 405.3 and 607.2 (inclusive of all subsections) of the 2006 International Plumbing Code* shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment,

appliances, fixtures, fittings and appurtenances and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems. *References to the International Plumbing Code within this or any other Code adopted by the Village of Bensenville, other than references to Chapter 11 and Sections 405.3 and 607.2 (inclusive of all subsections), shall be deleted, and the words, "2004 Illinois Plumbing Code, as adopted and amended herein" shall be added in its place.*"

101.4.8. Add new Section 101.4.8 as follows:

*"Zoning. The restrictions of the Zoning Ordinance of the Village of Bensenville and all amendments thereto, shall not be deemed to be modified by any provisions of this Code; and such restrictions shall be controlling except insofar as this Code imposes greater restrictions by reason of the type of construction used, in which case the provisions of this Code shall control."*

102.4. Revise the last sentence as follows:

"Where differences occur between provisions of this Code and referenced Codes and standards, the *most restrictive* provisions of this code shall apply."

105.2. Delete in its entirety.

106.1. Delete in its entirety and in lieu of, add the following:

*"Unless otherwise specified by the Building Official, each application shall be accompanied by a minimum of six (6) complete sets of construction drawings, specifications, special inspection and structural observation programs and other data signed and sealed by an Illinois Licensed Architect or Structural Engineer as provided by and in accordance with the Illinois Architectural Act.*

*Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that the review of construction documents is not necessary to obtain compliance with this Code."*

106.1.4. Revise as follows:

*"The repair, alteration and/or installation of a roof or roofing materials shall be performed by a person or persons having a license/registration with the State of Illinois for such work, and a copy of said license/registration shall be submitted with the permit documents."*

106.2.1. Revise as follows:

*“It shall be the responsibility of the applicant to submit to the Department of Community Development a spot survey prepared by a Registered Land Surveyor after the foundation is constructed indicating the placement or setback of the structure in relation to all lot lines. This survey must be at a scale of not less than one inch equal to thirty feet (1” = 30'-0”). The survey must also indicate the elevation above sea level of the top of foundation wall(s) and the top of the curb and sidewalk at lot lines extended relative to a United States Geological Survey benchmark. No construction will be allowed to proceed except for decking, underground water and sewer and related items until the spot survey is approved by the Building Division of the Department of Community Development. This Section applies to principal structures only and not to additions or accessory structures.”*

110.3. Add to the end of the Section the following:

*“An extension to the time period may be issued at the discretion of the Building Official; however, such extension may result in the repayment of additional fees. Any occupancy permitted to continue during the completion of the work shall be discontinued upon the expiration of the term of the temporary certificate of occupancy.”*

112.3. Delete in its entirety.

## **Chapter 2 – DEFINITIONS**

200. Add new definition as follows:

*“Fire Official. The Village Manager and his designees and agents.”*

## **Chapter 3 – USE AND OCCUPANCY CLASSIFICATION**

306.1 Factory Industrial Group F. Add to the end of the Section the following:

*“All factory industrial uses and occupancies identified as Group F-2 are hereby amended and reclassified as Group F-1. The requirements of this Code for Group F-1 shall apply to all factory industrial uses and occupancies.”*

311.1. Add to the end of the Section the following:

*“All storage uses and occupancies identified as Group S-2 are hereby amended and reclassified as Group S-1. The requirements of this Code for Group S-1 shall apply to all storage uses and occupancies.”*

## **Chapter 5 – GENERAL BUILDING HEIGHTS AND AREAS**

507.2. Delete in its entirety.

508.2. Add the following incidental use area:

<b><u>Room or Area</u></b>	<b><u>Separation/protection</u></b>
<i>Fire pump control room</i>	<i>2 hours with an exterior and interior access door</i>

## **Chapter 7 – FIRE-RESISTANCE-RATED CONSTRUCTION**

703.3. Alternative methods for determining fire resistance. Delete permitted method No. 2 in its entirety and in lieu of, add the following:

**“2. Prescriptive designs of fire resistance-rated building elements as prescribed in Section 720 only when permitted by the Building Official, and only after all other normal avenues have been exhausted.”**

703.3. Delete permitted method No. 3 in its entirety and in lieu of, add the following:

**“3. Calculations in accordance with Section 721 only when permitted by the Building Official, and only after all other normal avenues have been exhausted.”**

706.3.8.1. Add new Section 706.3.8.1 as follows:

**“*Tenant separations. All tenant spaces shall be separated with tenant separation assemblies of not less than a 1-hour fire barrier.*”**

706.3.10. Add new Section 706.3.10 as follows:

**“*Office separations. All Group B office areas adjacent to a Group F or Group S use, and which are not an ancillary part of the Group F or Group S use, shall be separated from said uses with separation assemblies of not less than a 1-hour fire barrier.*”**

706.3.11. Add new Section 706.3.11 as follows:

**“*Dwelling Unit floor/ceiling separations. All floor/ceiling assemblies separating Dwelling Unit, Guestrooms and Sleeping Units in Use Groups R-1, R-2 and I-1 from all uses shall be fire barriers with a fire-resistance rating of not less than 1-hour.*”**

708.3. Revise to add the following:

“The fire-resistance rating of the walls shall be at least 1-hour, *except that walls and floors separating Dwelling Units, Guestrooms and Sleeping Units in Use Groups R-1, R-2 and I-1 shall have a fire-resistance rating of not less than 1-hour.*”

708.3. Delete Exception 2 in its entirety.

711.3. Delete the Exception in its entirety.

## **Chapter 9 – FIRE PROTECTION SYSTEMS**

901.8. Add new Section 901.8 as follows:

*“Heat and light requirements. All rooms or areas containing the building fire sprinkler riser(s), fire pump(s) and fire alarm control panel(s) shall be provided with approved emergency lighting, in accordance with Section 1006, and a thermostatically controlled heating system. A low temperature trouble alarm shall be installed within the pump room, and shall be connected to the Village dispatch center at the Police Communications Center.”*

903.2. Add to the end of the Section the following:

*“All spec warehouse buildings (Use Groups F or S) with a ceiling roof height of 25'-0” or greater shall be protected with an approved ESFR fire sprinkler system or a hydraulically calculated system for Class IV commodities with rack storage calculated to the greatest storage height. All sprinkler systems shall be electronically supervised by an approved fire alarm system.”*

903.2.1.1. Group A-1. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. The Group A-1 fire area exceeds five thousand (5,000) square feet.”***

903.2.1.3. Group A-3. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. The Group A-3 fire area exceeds five thousand (5,000) square feet.”***

903.2.1.4. Group A-4. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. The Group A-4 fire area exceeds five thousand (5,000) square feet.”***

903.2.1.6. Add new Section 903.2.1.6 as follows:

***“Group B. An automatic sprinkler system shall be provided throughout all buildings containing a Group B occupancy of five thousand (5,000) square feet or greater.”***

903.2.2 Group E. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. The Group E fire area exceeds five thousand (5,000) square feet.”***

903.2.3 Group F-1. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. The Group F-1 fire area exceeds five thousand (5,000) square feet.”***

903.2.6 Group M. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. The Group M fire area exceeds five thousand (5,000) square feet.”***

903.2.8 Group S-1. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. The Group S-1 fire area exceeds five thousand (5,000) square feet.”***

903.2.8.1. Repair garages. Delete item No. 1 in its entirety, and in lieu of, add the following new item No. 1:

***“1. Buildings two or more stories in height, including basements, with a fire area containing a repair garage exceeding one thousand (1,000) square feet.”***

903.2.8.1. Repair garages. Delete item No. 2 in its entirety, and in lieu of, add the following new item No. 2:

***“2. One story buildings with a fire area containing a repair garage exceeding five thousand (5,000) square feet.”***

903.2.9 Group S-2. Delete in its entirety, and in lieu of, add the following new Section 903.2.9:

***“Section 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-2 occupancy of five thousand (5,000) square feet or greater including commercial parking garages.”***

903.2.9.1. Delete in its entirety.

903.3. Delete in its entirety, and in lieu of, add the following new Section 903.3:

***Section 903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, as well as all applicable requirements of the NFPA standards.”***

903.3.5. Add to the end of the Section the following:

***“Hydrant water flow data used for the design of any fire sprinkler system shall be approved by the fire official and shall not be more than two (2) years old.”***

903.4.1.1. Add new Section 903.4.1.1 as follows:

***“Fire Department Supervision. Where required by the Fire Official to protect from hazards to life and property, the fire alarm system shall terminate at the Village Dispatch Center of the Police Department Communications Center. Private monitoring services shall be allowed in addition to the required Village monitoring.”***

903.4.2. Revise as follows:

“Approved audible ***and visual*** devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler head of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. ***An exterior rated audio/visual alarm device with a red strobe shall be installed over the fire department connection for all sprinkler and standpipe systems. In addition, a white horn/strobe alarm device shall be installed above the key box if deemed necessary by the Fire Official. Furthermore, an additional horn/strobe device shall be installed on the exterior of all multi-family buildings to identify the building in alarm from a distance, the location of which shall be determined by the Fire Official.”***

903.4.2.1. Add new Section 903.4.2.1 as follows:

***“Alarm indicating appliances. Alarm indicating appliances shall be provided throughout all areas of a sprinklered building, in accordance with NFPA 72, such that an activated alarm will be seen and/or heard in all areas of the building during normal building operation. All sprinklered buildings shall be provided with full building notification as identified in NFPA 72 including the requirement for occupant notification devices”***

903.4.2.2. Add new Section 903.4.2.2 as follows:

***“Additional detection requirements. Where automatic sprinklers provide protection to an area with an approved flow switch interconnected to the fire alarm system, and the area is easily identifiable as to the location of the activation, additional automatic detectors are not required. However, the Fire Official or his agent may require additional detection devices for a more rapid means to identify the location of smoke or fire in large or compartmentalized buildings protected by a zoned sprinkler system.”***

903.4.3. Add to the end of the Section the following:

***“Additionally, any building three stories or more in height shall have floor control valves with water flow switches for each floor.***

903.5.1. Add new Section 903.5.1 as follows:

***“Inspector test valves. Inspector test valves for an automatic fire sprinkler system shall be accessible at all times, and the test valve shall be located no more than 6'-0" above the finished floor. On multiple riser systems, test valves shall be permanently marked as to which riser and area it serves.”***

903.5.2. Add new Section 903.5.2 as follows:

***“Fire pump test header. An outside test header shall be installed at an accessible location on the exterior of all buildings equipped with a fire pump installation, and said test header shall be provided with an OS&Y control valve.”***

903.6. Add new Section 903.6 as follows:

***“Design. Sprinkler hydraulic designed systems shall be designed with a minimum difference between the sprinkler system design, including hose requirements, and the available water supply of 10% or 5 psi, whichever is greater. The system’s designed demand shall be at least 5 psi below the seasonal low water flow test supply.”***

903.7. Add new Section 903.7 as follows:

***“Hydraulic nameplate. Provide a copy of the hydraulic nameplate on each design drawing at each hydraulically calculated area.”***

903.8. Add new Section 903.8 as follows:

***“NFPA standards. All referenced NFPA Standards and their appendixes shall be adopted in their entirety.”***

903.9. Add new Section 903.9 as follows:

***“Fire pump room. A fire pump room and its related equipment shall be protected from the remainder of the building with minimum 2-hour fire barriers and floor/ceiling systems, and shall be of a sufficient size to provide a minimum of three feet of clear space around all equipment. Only equipment related to the fire pump shall be permitted within the fire pump/sprinkler riser room, and a minimum 3'-0" working clearance shall be maintained around all such equipment. This room shall be accessed by both an interior and exterior door, and a minimum 4'-0" x 6'-0" concrete landing shall be provided on the outside of the exterior door. Access to the fire pump/sprinkler riser room from both the interior and exterior shall be maintained at all times. The required fire barrier shall consist of a minimum 8" CMU wall with a height of not less than 8'-0" above the finished floor. Said fire barrier shall continue above the 8'-0" level to the underside of the roof deck with any 2-hour rated construction, or the CMU wall may terminate to the underside of an approved 2-hour rated floor/ceiling system.”***

903.10. Add new Section 903.10 as follows:

***“Fire hydrants. Fire hydrants installed on private property shall be located and installed around the perimeter(s) of the building(s) at a maximum spacing of 300 feet. Required hydrants adjacent to a building shall be located between 40 and 100 feet from the building. No more than one hydrant may be on a dead-end water main. If two or more hydrants are located on a water main, then the main shall be looped and shall not be less than 6" in diameter.”***

903.10.1. Add new Section 903.10.1 as follows:

***“Fire flow requirements. Appendix B of the 2006 International Fire Code is hereby adopted in its entirety.”***

903.11. Add new Section 903.11 as follows:

***“Check Valve. Provide a check valve for each sprinkler riser in a multi-riser system.”***

905.3. Revise as follows:

***“... with automatic sprinkler systems. In addition, standpipe systems shall be installed in all buildings of Use Groups F, H and S with a building area greater than 20,000 square feet or with storage in excess of 12 feet in height. The standpipes shall be equipped with 2.5 inch standpipe valves with a 1.5" reducer to a 1.5" connection, shall be located at each exit door and shall have a minimum 250 gpm available at 65 psi. The 2.5 inch standpipe system shall be piped off of an independent riser, sized in accordance with approved hydraulic calculations, and additional 2.5" fire hose valves shall be provided such that no portion of the warehouse,***

*manufacturing and/or storage area is more than 120'-0" actual travel distance from a fire hose valve. The required fire sprinkler plan shall indicate the location and type of all obstructions and storage areas including racking. Furthermore, where system pressures exceed 100 psi., "Potter" reduced pressure field adjustable type valves or similar shall be provided."*

907.1.2.1. Add new Section 907.1.2.1 as follows:

***"Addressable fire alarm system. All fire alarm systems and panels shall be of the addressable type installed in accordance with NFPA 72."***

907.2. Delete Section in its entirety and in lieu of, add the following new Section 907.2:

***"Where required. An approved manual and/or automatic fire alarm system shall be provided within all buildings and areas of Use Groups A, B, E, F, H, M, R-1, R-2, R-4 and S, and in enclosed areas of Use Group U of greater than 500 sq.ft., unless ancillary to Use Group R-3, in accordance with the provisions of this Code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. In buildings with a ceiling height of 16'-0" or greater, full automatic and manual fire detection shall be required throughout. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to activate a smoke detector. All fire alarm control panels or full function enunciator panels shall be installed within 10'-0" of the main entrance unless otherwise approved by the fire official."***

907.2.1 Group A. Delete in its entirety with the exception of Subsections 907.2.1.1 and 907.2.1.2.

907.2.2 Group B. Delete in its entirety.

907.2.3 Group E. Delete in its entirety.

907.2.4 Group F. Delete in its entirety.

907.2.5 Group H. Delete in its entirety.

907.2.7 Group M. Delete in its entirety.

907.2.8 Group R-1. Delete in its entirety with the exception of Subsection 907.2.8.3.

907.2.9 Group R-2. Delete in its entirety.

907.10.1. Add new Section 907.10.1 as follows:

***“Multi-tenant commercial buildings with Use Group M occupancies shall be “ring by tenant” activated by the fire sprinkler system flow switch or the automatic fire detection dedicated to each tenant space. Additionally, a weatherproof, clear horn/strobe device, having a minimum of 75 candelas, shall be installed over each tenant space entrance as directed by the fire official to identify the space in alarm.”***

910.3. Revise as follows:

***“... and Table 910.3. Use Groups M and S-2 shall comply with the requirements of Use Group S-1. Use Group F-2 shall comply with the requirements of Use Group F-1”***

912.1.1. Add new Section 912.1.1 as follows:

***“All fire department inlet connections (FDC) shall be a 4” x 4” Storz fitting.”***

## **Chapter 10 – MEANS OF EGRESS**

1006.3. Revise as follows:

- “1. Exit access corridors, passageways and aisles in rooms and spaces which require two or more means of egress ***with an occupant load of 4 or more.***
2. Exit access corridors and exit stairways located in buildings ~~required to have two or more exits~~ ***with an occupant load of 4 or more.***
3. Exterior egress components at other than the level of exit discharge until the exit discharge is accomplished ~~for buildings required to have two or more exits.~~
4. Interior exit discharge elements, as permitted in Section 1023.1 ~~in buildings required to have two or more exits.~~
5. The portion of the exterior exit discharge immediately adjacent to exit discharge doorways ~~in buildings required to have two or more exits.~~
6. ***At electrical service equipment to illuminate the required working clearance.***
7. ***At all fire sprinkler main valves, risers, fire pumps and fire alarm control panels to illuminate all such equipment.***
8. ***In all bathrooms.”***

The emergency power system shall provide power for a duration of not less than ***90 120*** minutes and shall consist...”

1007.1. Delete Exception 1 in its entirety.

Table 1017.1 CORRIDOR FIRE-RESISTANCE RATING. Delete the number “0.5” from the fourth line, fourth column (Occupancy R)

and in lieu of, add the number “1”

## **Chapter 17 – STRUCTURAL TESTS AND SPECIAL INSPECTIONS**

1704.4. Delete Exceptions 1, 2 and 4 in their entirety.

1704.5. Delete all Exceptions in their entirety.

1704.12. Delete Exception 1 in its entirety.

## **Chapter 18 – FOUNDATIONS AND RETAINING WALLS**

1805.4.3. Delete in its entirety.

1805.4.5. Delete in its entirety.

1805.4.6. Delete in its entirety.

1805.5.1.3. Delete in its entirety.

## **Chapter 23 – WOOD**

2303.1 General. Revise as follows:

“... provisions of this Section. *Additionally, engineered wood products shall be covered with a minimum of one layer of a minimum ½” gypsum board, or, in the case of floor/ceiling assemblies, the area below shall be protected by an automatic sprinkler system.*”

2303.4. Delete section and all subsections in their entirety. The use of open web wood trusses is not permitted.

Table 2308.9.1 SIZE, HEIGHT AND SPACING OF WOOD STUDS. Revise the table such that the maximum spacing of all wood studs is 16 inches on center.

Chapter 27. Delete in its entirety.

Chapter 29. Delete in its entirety.

## **Chapter 30 – ELEVATORS AND CONVEYING SYSTEMS**

3001.2. Revise as follows:

“... established in Section 1612.3. *All existing elevators and escalators shall conform to the current Code adopted by the Village of Bensenville, as referenced in Title 9, Chapter 16.*”

3001.3. Revise as follows:

“Passenger elevators required to be accessible ~~by Chapter 11~~ shall conform to ICC A117.1 *and the current edition of the Illinois Accessibility Code.*”

## **Chapter 31 – SPECIAL CONSTRUCTION**

3107.1. Revise as follows:

“Signs shall be designed, constructed and maintained in accordance with this Code *and the Bensenville Sign Ordinance. Where more restrictive in respect to location, purpose, size or height of signs, the limitations of zoning laws as contained in the Bensenville Sign Ordinance shall take precedence.*”

### **9-2-4: PERMIT FEES AND OCCUPANCY REQUIREMENTS:**

A. General Requirements: The permit fees and occupancy requirements as contained in the table of fees as follows are hereby approved and adopted as the permit fees and occupancy requirements of the Village of Bensenville.

1. No permit or occupancy permit for any nonexempt structure shall be issued without a receipt of payment for the required fee or fees imposed by the DuPage County fair share transportation impact fee ordinance, ODT-021-89.
2. Permit applications submitted to the department of community development will remain in an active status, unless there has been a discontinuation of activity on the part of the applicant for a period of three (3) months. "Discontinuation of activity" shall be defined as follows:
  - a. No resubmittal of permit related material, requested of the applicant by the Village in response to written review comments made by the Village, for a period of three (3) months after the date of the latest written comments provided to the applicant.
  - b. No submittal of permit related fees, bonds or performance guarantees, requested of the applicant by the Village in accordance with written notice of plan approval, for a period of three (3) months after the date of the plan approval provided to the applicant.

3. If there has been a "discontinuation of activity", as defined herein, the applicant will be notified in writing that the permit file has become void. For the file to be reopened, a new permit submittal will be required. Any fees or expenses accrued to the Village of Bensenville during the previous review process will become payable to the Village of Bensenville, and all Codes and ordinances in effect at the time of reopening of the file will apply to the project. In the event of conflict between current Codes and ordinances and

those in effect at the time of the original permit application, the current codes and ordinances will apply.

B. Fee Table:

BUILDING PERMIT FEES

	SFR <sup>1</sup> Accessory <sup>22</sup> Or Alteration	SFR <sup>1</sup> Addition	SFR <sup>1</sup> New Construction	MFR <sup>2</sup> Accessory <sup>22</sup> Or Alteration	MFR <sup>2</sup> Addition	MFR <sup>2</sup> New Construction	Nonresidential <sup>3</sup> Accessory <sup>22</sup>	Nonresidential <sup>3,13</sup> Alteration Occupied	Nonresidential <sup>3,13</sup> Alteration New Occupancy	Nonresidential <sup>3</sup> Addition	Nonresidential <sup>3</sup> New Permit Construction	Site Development
Permit submission <sup>5</sup>	\$ 21.00	\$ 27.00	\$ 64.00	\$ 32.00	\$ 58.00	\$ 95.00	\$ 32.00	\$ 58.00	\$ 85.00	\$ 85.00	\$ 106.00	\$ 106.00
Staff review <sup>6</sup>	16.00	96.00	212.00	74.00	212.00	673.00	95.00	233.00	318.00	350.00	636.00	387.00/ lot
Plan review <sup>19</sup>	27.00	53.00	85.00 <sup>12</sup>	27.00	27.00	85.00 <sup>12</sup>	27.00	69.00/ 1,000 SF	69.00/ 1,000 SF	69.00/ 1,000 SF	132.00/ 1,000 SF <sup>14</sup>	1.5% <sup>21</sup>
Building permit	11.00	69.00	1,590.00 <sup>12</sup>	32.00	133.00	530.00 <sup>12</sup>	69.00	133.00/ 1,000 SF <sup>14</sup>	133.00/ 1,000 SF	318.00/ 1,000 SF	371.00/ 1,000 SF <sup>15</sup>	1.5% <sup>21</sup>
Certificate of occupancy	0.00	32.00	133.00 <sup>12</sup>	0.00	32.00	69.00 <sup>12</sup>	n/a	69.00	133.00	201.00	318.00	n/a
Inspection (each)	21.00	42.00	69.00	42.00	69.00	69.00 <sup>12</sup>	42.00	69.00	69.00	69.00	69.00	42.00
Additional submission	11.00	27.00	32.00	32.00	27.00	48.00	21.00	27.00	42.00	42.00	56.00	53.00
Additional staff review	11.00	38.00	106.00	122.00	106.00	138.00	116.00	106.00	159.00	180.00	318.00	80.00/ lot

Additional plan review	11.00	27.00	32.00 <sup>12</sup>	27.00	27.00	53.00 <sup>12,18</sup>	16.00	20% of original <sup>16</sup>	20% of original <sup>16</sup>	20% of original <sup>17</sup>	20% of original <sup>18</sup>	387.00
Temporary occupancy	0.00	69.00	265.00 <sup>12</sup>	0.00	69.00	133.00 <sup>12</sup>	n/a	133.00	265.00	398.00	663.00	n/a
Additional or reinspection	21.00	42.00	69.00	42.00	69.00	69.00 <sup>12</sup>	40.00	69.00	69.00	69.00	69.00	42.00
Permit bond <sup>7</sup>	100.00	125.00	1,250.00	200.00	625.00	6,250.00	300.00	625.00	625.00	1,250.00	6,250.00	1,250.00
Violation I <sup>8</sup> , violation II <sup>9</sup>	32.00	69.00	133.00 <sup>12</sup>	32.00	133.00	133.00 <sup>12</sup>	32.00	133.00	132.00	132.00	132.00	133.00
Preliminary plan review <sup>10</sup>	0.00	85.00	170.00	101.00	148.00	265.00	64.00	113.00	201.00	254.00	307.00	143.00
Temporary occupancy bond <sup>11</sup>	0.00	300.00	150.00%	0.00%	150.00%	150.00%	n/a	150.00%	150.00%	150.00%	200.00%	n/a
Stop work order	100.00	200.00	300.00	200.00	300.00	400.00	300.00	500.00	500.00	750.00	750.00	750.00

Notes:

1. Single-family residential. Including single-family homes, duplexes, townhomes, row houses and similar uses.
2. Multi-family residential. Including apartments, condominiums and similar uses where common spaces are present.
3. Nonresidential. All uses that are not residential including motels, hotels, commercial, industrial, mercantile and similar uses.
4. Site development. All projects which are strictly for public improvements, grading, drainage or similar work.
5. Permit submission. This fee is charged for the process of receiving, circulating and filing the application and/or plans.
6. Staff review. This fee is charged for general reviews by the fire department, public works department, department of community development, which are based on the adopted municipal codes.

7. Permit bond. This fee is charged for offsetting the fee of reinspections, additional inspections, additional plan reviews, restoration and/or repairs to public property and similar needs.

8. Violation I. The fees listed will be assessed when the required inspection is not conducted in the time frame required. Each inspection not conducted will be charged a separate fee.

9. Violation II. When work is started without having the required permit issued, the total fee assessed will be double the normal fees.

10. Preliminary plan review. This fee will be charged when a cursory review is conducted and a formal written response is provided.

11. Temporary occupancy. Unless otherwise specified the percentages listed will be assessed, based on the fair market value of the labor and material required to finish the incomplete work required by both the plans and applicable codes.

12. Fee is charged per each dwelling unit.

13. Permit fees may be waived for single issue units.

14. \$665.00 minimum plan review fee.

15. \$4,750.00 minimum building permit fee.

16. \$320.00 maximum for each additional plan review.

17. \$665.00 maximum for each additional plan review.

18. \$1,325.00 maximum for each additional plan review.

19. Consultant fees for unique or special conditions, methods or materials shall be charged in addition to the fee schedule.

20. For each inspection after the initial reinspection.

21. This percentage shall be assessed based on the estimated cost of construction as approved by the amount of the letter of credit.

22. An accessory structure is a structure which is incidental to that of the main building but is located on the same lot, including driveways, fences, decks, sheds, garages and similar structures.

C. Other Fees:

1. Ten thousand dollar (\$10,000.00) surety bonds shall be required for plumbing, electrical and tank installing/removing contractors.
2. Insurance shall be provided for demolition and relocations using the public right of way with one hundred thousand dollars (\$100,000.00) for bodily injury to any one person, five hundred thousand dollars (\$500,000.00) for bodily injury in the aggregate and twenty five thousand dollars (\$25,000.00) for property damage.
3. Construction water will be available at the rate of thirteen dollars (\$13.00) per one thousand (1000) gallons through the department of public works.
4. Fees for the relocation, moving, or demolition of accessory structures shall be three hundred twenty dollars (\$320.00); single-family residences, one hundred twenty five dollars (\$125.00); all other primary structures, three hundred thirteen dollars (\$313.00); plus a one thousand dollar (\$1,000.00) cash bond if the public right of way is used.
5. Sign fees shall be seventy dollars (\$70.00) plus a three hundred dollar (\$300.00) deposit guaranteeing removal for temporary signs; seventy dollars (\$70.00) plus one dollar (\$1.00) per square foot for nonilluminated signs; and one hundred thirty five dollars (\$135.00) plus one dollar (\$1.00) per square foot for illuminated signs, plus forty two dollars (\$42.00) for each inspection.
6. Elevator inspections shall be conducted as necessary but no less than twice per year at the following rates per each inspection of each elevator and elevator room:

New construction inspection	\$90.00
New construction reinspection	90.00
Semiannual inspection	50.00
Elevator plan review	90.00

7. When a fire alarm system is modified to install a radio transmitter in place of a direct connect phone line and the scope of work is limited to the replacement of the phone connection with a radio transmitter, there shall be paid a permit fee of one hundred fifty dollars (\$150.00), together with a bond posted in the amount of one hundred fifty dollars (\$150.00), for each transmitter installed.

8. A ten percent (10%) administrative fee shall be charged to all building permit applicants for all building permit reviews conducted on behalf of the Village by third party firms or other governmental agencies.
9. Fire pump tests are required annually. The fee for a fire pump test inspection is two hundred fifty dollars (\$250.00) per inspection.
10. Prior to issuance of all new business licenses, a "walk through" fire safety inspection is required. The fee for this inspection is seventy five dollars (\$75.00) per inspection.
11. Fire alarm acceptance test inspections are required when a new fire alarm system is installed or when there are significant changes made to the system. The fee for this inspection is one hundred fifty dollars (\$150.00).
12. Fire sprinkler acceptance test inspections are required when a new fire sprinkler system is installed or when there are significant changes made to the system. The fee for this inspection is one hundred fifty dollars (\$150.00).
13. A five dollar (\$5.00) technology fee will be charged to each permit.

#### **9-2-5: REAL ESTATE TRANSFER INSPECTION REQUIREMENTS:**

A. Certificate Of Occupancy Requirement: It shall be unlawful to sell, convey, trade, give, purchase, receive, or otherwise transfer any one-family dwelling, a one-family dwelling attached, a condominium dwelling, a structure used as a one-family dwelling, or a two-family dwelling without having first obtained a certificate of occupancy for said dwelling as required by Section 10-3-2 of this Code. Any person selling, conveying, trading, giving, purchasing, receiving or otherwise transferring said dwelling without a certificate of occupancy shall be subject to the penalties set forth in Section 1-4-1 of this Code.

Any person owning real estate located within the Village shall, at the time of offering the real estate for sale or transfer, but not less than twenty one (21) days prior to any proposed sale, assignment or other transfer of any legal or beneficial interest of said real estate, file an application for a certificate of occupancy with the Community Development Department.

Upon request of the owner, agent or other persons authorized to sell a one-family dwelling, a one-family dwelling attached, a condominium dwelling, a structure used as a one-family dwelling, or a two-family dwelling (hereinafter referred to as "applicant"), the building official or his designee will be available at an appointed time within five (5) working days agreed upon by himself and the applicant, or later if applicant requests, to inspect such dwelling or structure. The term "five (5) working days" in this instance shall mean any five (5) days during a given week or part thereof, during regular

business hours.

If such inspection establishes that the one-family dwelling, one-family dwelling attached, a condominium dwelling, a structure used as a one-family dwelling, or a two-family dwelling, complies with the provisions of this Section, then he shall issue a certificate of occupancy for said dwelling. The certificate shall indicate the date of the inspection; that such dwelling complies with the requirements of this Section, and the lawful use for which said dwelling was intended. One copy of the certificate shall be delivered to or mailed to the applicant. A record of all certificates shall be kept on file in the office of the community development department and copies shall be furnished, upon request, to any person having a proprietary interest or tenancy interest in the dwelling affected.

**B. Uninhabitable Dwellings Posted:** If such inspection establishes that the one-family dwelling, one-family dwelling attached, a condominium dwelling, a structure used as a one-family dwelling, or a two-family dwelling is uninhabitable, the building official shall post such structure "No Occupancy". Said posting shall remain until sufficient repairs are made to grant a temporary occupancy permit.

**C. Other Remedies Available:** In addition to the penalties set forth in subsection A of this Section the Village is hereby authorized, but not required, to seek an administrative search warrant to inspect any one-family dwelling, a one-family dwelling attached, a condominium dwelling, a structure used as a one-family dwelling, or a two-family dwelling that has been sold, conveyed, traded, given, purchased, received, or otherwise transferred without having first obtained a certificate of occupancy. The Village may only seek an administrative search warrant if the current owner or occupant has refused to comply with the inspectional requirements of this Section. The court issuing said administrative search warrant may consider any of the following factors, along with such other matters it deems pertinent in its decision to grant an administrative search warrant:

1. Eyewitness accounts of violations;
2. Citizen complaints;
3. Tenant complaints;
4. Plain view violations;
5. Violations apparent from Village records;
6. Deterioration of the property;
7. Age of the property;
8. Nature of the alleged violation(s);
9. Similar properties in the area;
10. Documented violations at similar properties in the area;
11. Passage of time since the property was last inspected; and
12. Previous violations on the property.

In addition, the Village may also institute a civil action against the violator to

compel compliance with this Section through injunctive relief. If the Village prevails in said civil suit, the Village may, in addition to any other remedy provided herein, recover reasonable attorney fees, expert witness costs, and court costs from the violator.

D. Disclaimer: The Village does not warrant the condition of any property inspected and shall not be responsible for any claims arising out of the property or the condition thereof. The Village does not warrant that all deficiencies are listed in the certificate of occupancy and does not warrant anything as to the condition of the property or the liability thereof.

The issuance of a certificate of occupancy shall not operate as a waiver of any right of the Village to prosecute an owner or occupant of any real estate for any violation of any Village ordinance.

E. Inspection Fee: There will be a fee of fifty five dollars (\$55.00) per unit charged for one inspection and two (2) reinspections, payable prior to inspection. There will be a fee of twenty five dollars (\$25.00) per unit charged for each additional reinspection, payable prior to reinspection.

#### **9-2-6: LANDSCAPING REQUIREMENTS:**

There is hereby required on any construction requiring a building permit or grading, landscaping as follows:

A. Unpaved areas of the site shall have one or more of the following ground covers:

1. Seed or sod.
2. Wood chips or other permanent mulch materials retained by landscape timbers or other landscape borders.
3. Planted permanent ground cover (i.e., pachysandras, myrtle ivy).

B. Areas of the rights of way not paved for vehicular traffic shall have one or more of the following ground covers:

1. Seed or sod.
2. Wood chips or other permanent mulch materials retained by landscape timbers or other landscape borders.
3. Planted permanent ground cover (i.e., pachysandras, myrtle ivy).
4. Concrete paving brick or block designed to allow the growth of vegetation through it (i.e., "Turfblock").

5. Colored concrete stenciled and finished so as to resemble brick paving.

Sites zoned for residential use are limited to the use of subsections B1 and B4 of this Section only. Sites zoned for industrial or commercial use may use any or all of the above in combination in keeping with the style of nearby installations, if any. A landscape timber shall be used to separate the rights of way treatment from the roadway shoulder where no curb and gutter exists and in no case closer than eighteen inches (18") from the paved roadway edge.

Decorative rights of way treatments in the following areas shall match the style and type of materials designated by the Village to maintain a continuity of appearance:

1. Irving Park Road, from Pine Lane to Division Street.
2. York Road, from Wood Street to Irving Park Road.
3. The area bounded by Green Street, Mason Street, Roosevelt Avenue and York Road.

C. Trees shall be planted within the right of way in conjunction with any of the above construction and shall be in accordance with the subdivision control ordinance of this Village and Title 6, Chapter 7 of this Code.

#### **9-2-7: BELOW GRADE ROOMS IN RESIDENTIAL DWELLINGS:**

Basement and/or subgrade rooms that are fifty percent (50%) or more below the exterior grade as measured from the basement finished floor to the finished ceiling are subject to the following rules and regulations:

- A. Areas shall not be designed or used for bedrooms or sleeping areas;
- B. Areas may be used for storage and recreational uses only if all applicable Village Codes are observed;
- C. This Section shall retroactively apply, as well as prospectively apply, to all residential dwelling units within the Village.

This Section is adopted as a life-safety regulation and is intended to apply to all existing single-family or two-family structures in the Village.

#### **9-2-8: MINIMUM SINGLE-FAMILY SQUARE FOOTAGE:**

A single-family residence shall be constructed with a minimum of living space at or above grade according to the following schedule:

Zoning Category	<u>RS-1</u>	RS-2	RS-3	RS-4	RS-5
Minimum square footage	1,540	1,440	1,340	1,240	1,140

**9-2-9: LOCATION OF TRAILERS:** It shall be unlawful for any person to maintain any house-car trailer for human habitation or mobile home within the Village except in a licensed trailer park. House-car trailers or mobile homes not for habitation may be granted temporary permits to park on private property for a period not to exceed ninety (90) days. The Village Clerk has the authority to grant such permits up to fourteen (14) days; all applications for longer periods must be approved by the Village Board.

### **CHAPTER 3: PLUMBING CODE**

**9-3-1: CODE ADOPTED:** The Illinois Plumbing Code, as amended from time to time, and as set forth in the Illinois Administrative Code, Title 77, Part 890 *et seq.* is hereby adopted and incorporated in its entirety subject to the amendments set forth in this Chapter Section 9-3-2.

#### **9-3-2: AMENDMENTS TO THE ILLINOIS PLUMBING CODE:**

890.1130. Add new Section (c)(1) as follows:

***“Provide an R.P.Z. backflow prevention device on all domestic water services for commercial buildings.”***

890.1130. Add new Section (d), (1), (E) as follows:

***“Provide an R.P.Z. backflow prevention device on all fire sprinkler services for new commercial buildings. D.D.C. backflow prevention devices are permitted for retrofits to said services.”***

890.1380. Delete section in its entirety and replace as follows:

“Roof drainage shall be designed and installed in accordance with the 2006 International Plumbing Code, Chapter 11.”

#### **9-3-3: LICENSE AND BOND REQUIRED:**

A. License Required: No person shall perform any work in the Village as a plumbing contractor without having first obtained a license from the State of Illinois or Chicago, a copy shall be on file with the Department of Community Development.

Plumbing contractors may not perform work outside of the scope of their license. The license shall terminate by operation of law at such time as the individual ceases to be employed by or otherwise associated with the contractor.

B. Bond Required: Each plumbing contractor shall post bond executed by a corporate or individual surety in a form approved by the Village Attorney in the penal sum of ten thousand dollars (\$10,000.00). Such original bond shall be deposited with the Department of Community Development to ensure completion of plumbing work before a permit to do such work is issued.

**9-3-4: WATER SERVICES AND APPURTENANCES FOR ONE AND TWO-FAMILY DWELLINGS:**

A. Stainless steel ball valves shall be provided at each side of the house meter. For one inch (1") meter installations, two (2) female adapters shall be installed with a sixteen inch (16") spread for the meter. The spread for other meter sizes shall be per the direction of the Village inspector.

B. A one-half inch ( $\frac{1}{2}$ ") electrical conduit shall be installed from a point within twelve inches (12") of the meter to a point within twelve inches (12") of the telephone service entrance or other location designated for the meter interface unit. The location of the meter interface unit shall be approved by the Village inspector.

C. The water meter shall be easily accessible and shall allow sufficient room for servicing and replacement of the meter.

D. All water services shall be continuous, with no joints or fittings, from the curb stop to the dwelling.

E. All valve and meter fittings shall be brass, screwed or compression type. Only compression and flare type fittings are allowed. There shall be no sweated fittings from the curb stop to the meter.

F. The curb stop shall be located within the public right of way, seven feet (7') from the property line.

G. All valves, meters and other appurtenances shall be per Village standard.

**9-3-5: SANITARY SERVICES AND CLEANOUTS FOR ONE AND TWO FAMILY DWELLINGS:**

A. Sewer services shall be overhead type.

B. For all new construction, or replacements of existing services, a cleanout shall be provided outside of the dwelling within five feet (5') of the building

foundation. Cleanouts shall be a minimum of six inches (6") in diameter, shall be extended to finished grade, and shall be located so as to be accessible. Cleanouts shall be sanitary tees so as to allow two-way rodding, either towards the main or the dwelling.

#### **9-3-6: DOCK DRAINS:**

- A. Loading dock drains that are located outside of the building shall discharge to the outside storm sewer or stormwater management system.
- B. For existing buildings in which the outside loading dock drain(s) discharge to an interior stormwater lift station, the lift station shall have a sealed and vented cover and an explosion-proof pump.

### **CHAPTER 4: PROPERTY MAINTENANCE CODE**

**9-4-1: CODE ADOPTED:** The 2006 International Property Maintenance Code published by the International Code Council is hereby adopted and incorporated, in its entirety, subject to the amendments set forth in this Chapter, Section 9-4-2.

#### **9-4-2: AMENDMENTS TO THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE**

##### **Chapter 1 – ADMINISTRATION**

101.1. Revise as follows:

“These regulations shall be known as the Building Code of *the Village of Bensenville*, hereinafter referred to as ‘this Code.’”

102.3. Revise as follows:

“... and the ~~ICC Electrical Code~~ *National Electrical Code as adopted and amended by the Village of Bensenville*. Nothing in this Code shall be construed to cancel, modify or set aside any provisions of the ~~International Zoning Code~~ *Bensenville Zoning Code*.”

102.4. Revise as follows:

“...of any structure which is dangerous, unsafe ~~and~~ *or* unsanitary.”

102.7. Revise as follows:

“The Codes and standards referenced in this Code shall be those that are listed in Chapter 8, *or adopted by the Village of Bensenville*, and considered part of the requirements of this Code to the prescribed extent of each reference. Where differences occur between provisions of this Code and the

referenced standards, the ~~provisions of this code~~ **more restrictive requirements** shall apply.”

107.5. Revise as follows:

“... and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation. *Said owner may be required to post a compliance bond as deemed appropriate by the Code official in an amount not to exceed one-and-one-half (1.5) times the estimated cost of said repairs.*”

107.6. Add new Section 107.6 as follows:

***“Failure to comply. If the owner or owners of a private property, or the person or persons responsible for a private property, fails to comply with a Notice of Violation, and refuses to remove garbage or debris from the property, or refuses to cut grass or weeds that have grown in excess of the maximum height specified in this Code, the Village of Bensenville may provide for the removal of garbage or debris, or the cutting of grass or weeds, and may collect from the owner(s) or person(s) responsible the reasonable cost thereof. The cost of such removal or cutting shall be charged against the property, and shall be a lien upon such property.”***

108.2. Revise as follows:

“If the structure is vacant ~~and and/or~~ unfit for human habitation and occupancy, and is not in danger of structural collapse, the Code official is authorized to post a placard ~~of condemnation~~ on the premises and order the structure closed up...”

108.4. Revise as follows:

“Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the Code official shall post on the premises or on defective equipment a placard bearing the word “Condemned” and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.”

108.5. Revise as follows:

“... as ordered by the Code official. Any person who shall occupy **or cause to be occupied** a placarded premises or shall operate...”

111. Delete Section in its entirety and in lieu of, add the following:

***“SECTION 111 MEANS OF APPEAL***

**111.1 Application for appeal.** A person shall have the right to appeal a decision of the Code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better form of construction is proposed.”

## Chapter 2 – DEFINITIONS

202. Add the following new definitions:

**“Firewood:** Combustible wood which is not painted, pressure-treated or chemically treated, not in excess of 30 inches in length, and free from screws, nails and hardware.

**Public Nuisance:** Includes any of the following:

1. The physical condition or occupancy of any premises regarded as a public nuisance at common law;
2. Any physical condition or occupancy of any premises or its appurtenances considered to be an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations, unsafe fences or structures, and unlicensed, inoperable or abandoned vehicles;
3. Any premises that has unsanitary sewerage or plumbing facilities;
4. Any premises designated as unsafe for human habitation;
5. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property;
6. Any premises from which the plumbing, heating or facilities required by this Code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided;
7. Any premises that is unsanitary, or that is littered with rubbish, debris or garbage, or that has an uncontrolled growth of grass or weeds; or
8. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.”

## Chapter 3 – GENERAL REQUIREMENTS

302.2.1. Add new Section 302.2.1 as follows:

**“Sump pump discharge.** The sump pump discharge pipe(s) shall be located at a minimum of two feet beyond the foundation wall. The end of the discharge pipe shall be located at least three feet from any property line and oriented in the direction of natural surface flow. The discharge pipe

*shall be located in such a manner as to dissipate the discharged water and not cause icing or ponding on the public right-of-way or adjacent property.*

*Any sump pump discharge found to be causing icing or ponding on the public right-of-way or adjacent properties shall be relocated or otherwise redirected. If no suitable location can be found for the sump pump discharge, the owner shall be permitted to connect the discharge to an available Village storm sewer system in accordance with Village standards. In no case shall the sump pump discharge be connected to the sanitary sewer.”*

302.2.2. Add new Section 302.2.2 as follows:

*“Downspout discharge: the downspout discharge pipe(s) shall be located a minimum of 1 foot outside of the foundation wall, using a splash block to prevent erosion. The end of the discharge pipe shall be located at least three feet from any property line and oriented in the direction of natural surface flow. The discharge pipe shall be located in such a manner as to dissipate the discharged water and not cause icing or ponding on the public right-of-way or adjacent property.*

*Any downspout discharge found to be causing icing or ponding on the public right-of-way or adjacent properties shall be relocated or otherwise redirected.”*

302.3. Revise as follows:

*“...maintained free from hazardous conditions. All parking and driveway areas shall be paved with asphalt, concrete or approved paver stone or brick, shall be kept free from dirt and other litter or debris, and shall be kept in good repair. Asphalt parking lots shall be regularly seal-coated to protect and extend the life of the asphalt, and all stall or parking space striping and parking bumpers or stops shall likewise be maintained in a state of good repair. In addition, all fire lanes shall be properly striped or chevroned in accordance with Building and/or Fire Department requirements.”*

302.2.3. Add new Section 302.3.1 as follows:

*“Signs for fire lanes. All fire lanes shall be properly posted in accordance with Building or Fire Department requirements.”*

302.4. Revise as follows:

*“All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches) 8 inches. All noxious weeds...”*

302.4.1. Add new Section 302.4.1 as follows:

***“Dead or dying landscaping. All dead or dying landscaping, including trees and bushes shall be fully removed and replaced with like species or a species approved by the Village.”***

302.7.1. Add new Section 302.7.1 as follows:

***“Garbage corals or enclosures. All structures enclosing garbage or trash containers shall be properly maintained, including all walls, doors, hardware, hard surface (concrete/asphalt) and screening, and shall be repaired or replaced if damaged, faded or rusted or has peeling paint.”***

302.8. Revise as follows:

***“... no inoperative or unlicensed motor vehicle, ***or any motor vehicle owned by a person or persons residing in the Village of Bensenville not displaying a Bensenville Vehicle Sticker***, shall be parked...”***

302.10. Add new Section 302.10 as follows:

***“Exterior signs. All exterior signs, including business identification, development identification, advertising, real estate, traffic, street, parking and fire lane signs shall be properly maintained, and shall be repaired or replaced if damaged, rusted or faded.”***

304.3. Revise as follows:

***“Buildings, ***including garages fronting an alley or other right-of-way***, shall have approved address numbers...”***

304.10. Revise as follows:

***“... and capable of supporting the imposed loads. ***Additionally, no storage of any kind is permitted on stairways, and only storage which is ancillary to the use of decks, porches and balconies (tables, chairs, etc.) are permitted to be stored thereon.******

304.13.3. Add new Section 304.13.3 as follows:

***“Window air-conditioners. All window air-conditioners shall be installed in a safe and secure manner in accordance to the air-conditioning manufacturer’s installation guidelines. Window air-conditioners in multifamily buildings shall use only painted wood or metal for infill of the window opening. The use of plastic, cardboard or other such materials is prohibited.”***

304.14. Revise as follows:

~~“During the period from [DATE] to [DATE], At all times, every door, window and other outside opening...”~~

304.15.1. Add new Section 304.15.1 as follows:

***“Exterior common entry doors on multifamily buildings. The exterior common entry doors of all multifamily buildings and all related hardware, including locks, closers, hinges, security plates and door knobs/handles shall be maintained in proper working order at all times. Automatic closers and security plates to cover and protect the door striker are required on all such doors.”***

307.1. Revise as follows:

***“All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage, including, but not limited to, building materials, construction debris, automotive parts and other miscellaneous debris. This is not intended to prohibit the storage of firewood, as defined in Section 202.0, that is neatly stacked and elevated 6 inches above grade so as not to create a rodent harborage.”***

308.4. Revise as follows.

***“... shall be responsible for extermination. When cockroaches are present within a building, the building owner shall hire an exterminator, and shall have a signed contract for extermination until a time that cockroaches are no longer present. A copy of each extermination report from the hired exterminator shall be provided to the Village, including the final report attesting to the eradication of the cockroaches. Additionally, the premises shall be cleaned and sanitized of infestation after extermination.”***

## **Chapter 4 – LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS**

402.3. Revise as follows.

***“... and the safe occupancy of the space and utilization of the appliances, equipment and fixtures. All exterior parking lot and security lighting serving multifamily buildings or developments shall be maintained in proper working order at all times and shall be activated by a photo-electronic device, not a timer.”***

## **Chapter 6 – MECHANICAL AND ELECTRICAL REQUIREMENTS**

602.3. Revise as follows:

“... shall supply heat during the period from [DATE] to [DATE] **October 1 to April 1** to maintain a temperature of not less than 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

1. When the outdoor temperature is below ~~the winter outdoor design temperature for the locality~~ **0 degrees F (-18 degrees C)**, maintenance of the minimum...”

602.4. Revise as follows:

“Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] **October 1 to April 1** to maintain a temperature of not less than 65 degrees F (18 degrees C) during the period the spaces are occupied.”

605.2. Revise as follows:

“... shall contain at least one receptacle. ~~Any new bathroom receptacle outlet~~ **Receptacles** shall have ground fault circuit interrupter protection *where required by the 2008 National Electrical Code as adopted and amended by the Village of Bensenville.*”

## **Chapter 7 – FIRE SAFETY REQUIREMENTS**

705. Add new Section 705 as follows:

### **“705 CARBON MONOXIDE DETECTORS**

705.1. Add new Section 705.1 as follows:

**“General. Every dwelling unit and every structure containing more than one dwelling unit shall be equipped with at least one carbon monoxide alarm in an operating condition within 15 feet of every room used for sleeping purposes.”**

705.2. Add new Section 705.2 as follows:

**“Responsibility. It is the responsibility of the owner of a structure to supply and install all alarms. It is the responsibility of the tenant to test and to provide general maintenance for the alarms within the tenant’s dwelling unit or rooming unit, and to notify the owner or the authorized agent of the owner in writing of any deficiencies that the tenant cannot correct. The owner is responsible for providing one tenant per dwelling unit with written information regarding alarm testing and maintenance.**

*The tenant is responsible for the replacement of any required batteries in the carbon monoxide alarms in the tenant's dwelling unit, except that the owner shall ensure that the batteries are in operating condition at the time the tenant takes possession of the dwelling unit. The tenant shall provide the owner or the authorized agent of the owner with access to the dwelling unit to correct any deficiencies in the carbon monoxide alarm that have been reported in writing to the owner or the authorized agent of the owner."*

705.3. Add new Section 705.3 as follows:

***"Power source. The carbon monoxide alarm(s) required by this Section shall be a hard-wired 110-volt device with battery back-up, unless otherwise approved in writing by the Building Official."***

## **CHAPTER 5: ELECTRICAL CODE**

**9-5-1: CODE ADOPTED:** The 2008 National Electrical Code published by the National Fire Protection Association is hereby adopted and incorporated, in its entirety, subject to the amendments set forth in this Chapter, Section 9-5-2.

### **9-5-2: AMENDMENTS TO THE 2008 NATIONAL ELECTRICAL CODE**

#### **Chapter 1 – General**

110.2. Add to the end of the Section the following:

***"All unused or abandoned electrical conduit, conductors, cables, fixtures, equipment, etc. shall be removed."***

110.3(A)(1). Revise as follows:

***"(1) Suitability for installation and use in conformity with the provisions of this Code. Suitability of equipment use may be identified by a description marked on or provided with a product to identify the suitability of the product for a specific purpose, environment or application. Suitability of equipment may be evidenced by listing or labeling. Such marks, listings or labeling shall be by Underwriters Laboratories (UL) or Canadian Standards Association (CSA) only."***

110.3(C). Add new Article 110.3(C) as follows:

***"Licensed Electrical Contractor. All electrical installations, alterations, repairs or other work shall be performed by a licensed electrician or licensed electrical contractor."***

***Exception: Electrical work performed on a single family dwelling unit by the homeowner if said unit is the primary residence of the homeowner.”***

110.26(D). Revise as follows:

“... motor control centers installed indoors. ***For all nonresidential uses, such illumination shall be provided at all times, including such times where primary power is lost.*** Additional lighting outlets...”

## **Chapter 2 – Wiring and Protection**

210.52(G)(1). Revise as follows:

“(1) At least one ~~receptacle outlet~~, ***GFCI protected convenience outlet per parking space, located on separate walls and one ceiling receptacle per garage door,*** in addition to those for specific equipment, shall be installed in each ~~basement~~, in each attached garage, and in each detached garage with electrical power. ***Additionally, at least one receptacle outlet shall be installed in each basement.”***

210.70(A)(4). Add new Article 210.70(A)(4) as follows:

***“Closets. All closets and storage areas with an area of 6.0 square feet or larger, and which are not referenced in Article 210.70(A)(3), shall be equipped with a fluorescent or recessed light fixture installed in accordance with Article 410.16.”***

230.43. Delete in its entirety and in lieu of, add the following:

***“Wiring Methods for 600 Volts, Nominal, or Less. Service entrance conductors shall be installed in accordance with the applicable requirements of this Code covering the type of wiring method used, shall extend to the first means of disconnect inside the building, and shall be limited to rigid galvanized metal conduit or rigid aluminum metal conduit.”***

230.70(A)(1). Revise as follows:

“The service disconnecting means shall be installed at a readily accessible location either outside of the building or structure or inside ~~nearest~~ ***within five feet of*** the point of entrance of the service conductors.”

230.71(A). Delete in its entirety and in lieu of, add the following:

***“General. The service disconnecting means for each service permitted by 230.2, or for each set of service entrance conductors permitted by 230.40. Exception No.1, 3, 4 or 5, shall consist of not more than one switch or circuit breaker. Sequence switching of multiple disconnects is not permitted.***

*For the purpose of this Section, disconnecting means installed as part of listed equipment and used solely for the following shall not be considered a service disconnecting means:*

- (1) Power monitoring equipment*
- (2) Surge-protective device(s)*
- (3) Control circuit of the ground-fault protection system*
- (4) Power-operable service disconnecting means”*

230.72(A). Delete in its entirety.

230.96. Add new Article 230.96 as follows:

***“Surge protection of equipment. An approved surge protector, listed for the use, shall be installed at all new or altered residential service panels.”***

240.4. Revise as follows:

“unless otherwise permitted or required in 240.4(A) through (H). ***In any case, it shall be unlawful for any person(s) to over fuse any conductor, motor or apparatus in excess of the maximum permitted by this Code.”***

240.21. Revise as follows:

“an overcurrent protective device meeting the requirements of 240.4. ***In any case, a single main breaker shall be installed in all electrical panels.”***

240.4(H). Add new Article 240.4(H) as follows:

***“Renewable fuses. Renewable fuses shall not be permitted.”***

240.87. Add new Article 240.87 as follows:

***“Nonresidential Uses. Circuit breakers on all nonresidential panelboards and switchboards shall be of the bolt-on type.”***

250.52(A)(1). Revise as follows:

“... the grounding electrode system. ***Connection shall be made at the water meter location, and the grounding electrode conductors shall be bonded to the street side of the water meter, and a properly sized bonding jumper placed across the water meter.”***

### Chapter 3 – Wiring Methods and Materials

300.2(C). Add new Section 300.2(C) as follows:

***“Permitted Raceways. All new wiring installations shall be installed within Electrical Metallic Tubing or rigid conduit.”***

310.2(B). Revise as follows.

“Conductors in this article shall be of ~~aluminum, copper clad aluminum, or copper only unless otherwise specified.~~

310.5. Add Exception as follows:

***“Exception: All non-residential occupancies shall use minimum # 12 copper conductors for all current carrying conductors.”***

Table 310.15(B)(6) Conductor Types and Sizes for 120/240-310.15(B)(6)Volt, 3-Wire, Single-Phase Dwelling Services and Feeders. Revise to add the following notes:

***“Note 1. For Single Family dwellings less than or equal to 1,500 square feet, the required service rating shall be a minimum of 100 amperes, with a minimum 40 position panelboard. The service entrance conductors shall consist of three # 3 THWN conductors in a minimum 1-1/4 inch conduit.***

***Note 2. For Single-Family Dwellings between 1,501 and 3,499 square feet, the required service rating shall be a minimum of 200 amperes, with a minimum 42 position panelboard. The service entrance conductors shall consist of three # 3/0 THWN conductors in a minimum 2 inch conduit.***

***Note 3. For Single-Family Dwellings of 3,500 square feet or greater, the required service rating shall be a minimum of 400 amperes, with two 200 ampere panels providing a minimum of 80 circuit positions. The main service disconnect shall be a 400 ampere circuit breaker located within the meter enclosure on the outside of the building.”***

Table 314.16(A). Revise to add the following note:

***“Note 1. boxes which are connected to a 3/4 inch conduit shall have a minimum depth of 2-1/8 inches, and shall be 4” x 4” or larger unless used for phone or data cables.”***

314.22. Delete in its entirety.

314.27(D). Revise as follows:

***“... weight to be supported. Any outlet box installed at or near the center of the ceiling of any bedroom, family room, den, study, dining room or similar***

*room in a residential dwelling shall be listed for the support of a ceiling (paddle) fan.”*

- 320. Delete in its entirety.
- 328. Delete in its entirety.
- 330. Delete in its entirety.
- 334. Delete in its entirety.
- 338. Delete in its entirety.

342.10(B). Revise as follows:

“IMC, elbows, couplings and fittings shall be permitted to be installed in concrete, in direct contact with the earth, or in areas subject to severe corrosive influences where protected by corrosion protection and judged suitable for the condition. ***Intermediate metal conduit, elbows, couplings and fittings shall not be permitted to be installed in concrete.”***

- 348. Delete in its entirety.
- 352.10. Delete in its entirety and in lieu of, add the following:

***“Uses Permitted. Rigid nonmetallic conduit shall be permitted for use underground on the outside of a building or structure, but shall not be installed within concrete.”***

358.12(3). Delete Condition 3 in its entirety and in lieu of, add the following:

***“(3) Inch concrete.”***

- 362. Delete in its entirety.
- 382. Delete in its entirety.
- 388. Delete in its entirety.
- 394. Delete in its entirety.
- 398. Delete in its entirety.

## **Chapter 4 – Equipment for General Use**

404.8(D) Add new Article 404.8(D) as follows:

***“(D) Maximum Voltage. Lighting or switching located less than 8 feet above the floor or working platform shall have a voltage of no greater than 150 volts to ground.”***

406.8(B)(3). Add new Article 406.8(B)(3) as follows:

***“Receptacle covers. Receptacles installed outdoors shall use covers that are sunlight resistant or metal.”***

408.31. Add new Article 408.31 as follows:

***“Subpanels prohibited. Subpanels are prohibited in residential installations unless specifically approved by the Building Official or Village Electrical Inspector.”***

408.36. Delete in its entirety and in lieu of, add the following:

***“Overcurrent Protection. All panelboards shall have a main breaker within the panelboard enclosure. Allowances to the contrary within this Code are hereby deleted.”***

408.36(E). Add new Article 408.36(E) as follows:

***“Space for Future Use. All panelboards shall be designed and installed so as to provide a minimum of 15% of spare circuit spaces for future use.”***

410.16(A). Delete Section in its entirety and in lieu of, add the following:

***“Luminaire Types Permitted. Listed luminaires of the following types shall be permitted to be installed in a closet:***

***(1) A recessed incandescent luminaire with a completely enclosed lamp***

***(2) A surface mounted or recessed fluorescent luminaire.***

422.16(B)(1). Delete in its entirety.

422.16(B)(2). Revise as follows.

“Built-in dishwashers and trash compactors shall be permitted...”

440.9. Add new Article 440.9 as follows:

***“Conductors or Wireways. Conductors or wireways which serve rooftop HVAC units shall not be permitted to run through the unit.”***

## **Chapter 6 – Special Equipment**

604. Delete in its entirety.

605. Delete Article in its entirety and in lieu of, add the following:

***“Office Furnishing (Consisting of Lighting Accessories and Wired Partitions) All office furnishings shall be hard wired and served by approved junction boxes. Junction boxes shall not be hidden or enclosed within the partitions or other portions of the office furnishings, but shall remain open so as to permit inspection. A minimum of three duplex receptacles shall be provided for each cubicle.”***

## **Chapter 7 – Emergency Systems**

700.8(C). Add new Article 700.8(C) as follows:

***“(C) Construction of exit signs. All exit signs shall be constructed as follows:***

- (1) All exit signs shall be LED fixtures constructed with a metallic casing and plastic lens or equal. (Examples include Cooper SLX 70RWH and Astra Lite, Model 3200.) This requirement shall apply in all installations including those with emergency generator power.***
- (2) All exit signs shall be equipped with back-up emergency power capable of maintaining not less than 87.5% of normal operating voltage for a period of not less than 2 hours”***

700.12(F). Revise as follows:

“the batteries shall be of suitable rating and capacity to supply and maintain at not less than 87.5 percent of the nominal battery voltage for the total lamp load associated with the unit for a period of at least ~~1.5 hours~~**2 hours**, or the equipment shall supply and maintain not less than 60 percent of the initial emergency illumination for a period of at least ~~1.5 hours~~**2 hours**. Storage batteries, whether of the acid or alkali type, shall be designed and constructed to meet the requirements of emergency service. ***Additionally, the emergency light unit shall be constructed of metal casings and glass lenses.”***

760.24. Revise as follows:

“... comply with 300.4(D). ***Fire alarm cable installed within non-accessible, concealed locations, such as in walls, floors and hard ceilings shall be installed within an approved raceway, which is red in color. Cable which is permitted to run in free air shall be UL listed for such use and shall be red in color.”***

760.30. Revise as follows:

“... during testing and servicing of other systems. *Raceways used to enclose fire alarm cable shall be red in color. Fire alarm cable not enclosed in conduit, tubing or wireways shall be approved for that purpose and shall be red in color.*”

#### **9-5-3: LICENSE AND BOND REQUIRED:**

A. License Required: No person shall perform any work in the Village as an electrical contractor without having first obtained a license from a municipality in the State that issues licenses to electrical contractors only upon successful completion of a written test. Electrical contractors may not perform work outside the scope of their license.

B. Bond Required: Each electrical contractor shall post bond executed by a corporate or individual surety in a form approved by the Village Attorney in the penal sum of ten thousand dollars (\$10,000.00). Such bond shall be deposited with the Community Development Department to ensure completion of electrical work before a permit to do such work will be issued.

C. Exception To Bond Requirement: Individuals may perform electrical work on their single-family residences or equivalent. No bond shall be required for a resident performing his own electrical work for a value of less than five hundred dollars (\$500.00). A cash bond of one hundred dollars (\$100.00) shall be required for work valued at five hundred dollars (\$500.00) or more.

### **CHAPTER 6: ENERGY CONSERVATION CODE**

**9-6-1: CODE ADOPTED:** The 2006 International Energy Conservation Code published by the International Code Council is hereby adopted and incorporated, in its entirety, subject to the amendments set forth in this Chapter, Section 9-6-2.

#### **9-6-2: AMENDMENTS TO THE 2006 INTERNATIONAL ENERGY CONSERVATION CODE:**

##### **Chapter 1 – ADMINISTRATION**

101.1. Revise as follows:

“These regulations shall be known as the Building Code of **the Village of Bensenville**, hereinafter referred to as “this Code.”

### **CHAPTER 7: FIRE CODE**

**9-7-1: CODE ADOPTED:** The 2006 International Fire Code published by the International Code Council is hereby adopted and incorporated, in its entirety, subject to the amendments set forth in this Chapter, Section 9-7-2.

## **9-7-2: AMENDMENTS TO THE 2006 INTERNATIONAL FIRE CODE:**

### **Chapter 1 – ADMINISTRATION**

Section 101.1. Revise as follows:

“These regulations shall be known as the Building Code of *the Village of Bensenville*, hereinafter referred to as ‘this Code.’”

Section 102.3. Delete in its entirety.

Section 102.4. Delete in its entirety and in lieu of, add the following:

*“Application of building Code. The design and construction of new structures, as well as repairs, alterations and additions to existing structures, shall comply with the International Building Code as amended by the Village of Bensenville. Where corresponding Sections of the International Fire Code have been modified or amended within the International Building Code, the requirements of the International Building Code and said amendments shall apply. These Sections include, but are not limited to, modifications or amendments to the requirements for fire suppression systems, fire alarm systems and egress.”*

Section 102.5. Delete in its entirety.

Section 102.9. Revise as follows:

“Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. *Where there is a conflict between a requirement in the International Fire Code and the International Building Code, the requirement in the International Building Code shall apply.*”

### **Chapter 2 – DEFINITIONS**

202. Add new definition as follows:

*“Fire Official. The Village Manager and his designees and agents.”*

### **Chapter 9 – FIRE PROTECTION SYSTEMS**

Revise 903.2.1 and delete 903.2.1-903.2.10.3

*“All buildings of all use groups, other than one and two family dwellings, greater than 5000 square feet shall be protected with an automatic fire sprinkler system installed per NFPA 13. Provide all spec warehouse buildings ( Use groups S or F ) with a ceiling roof height of 25 feet or*

*greater to be protected with an ESFR fire sprinkler system or a hydraulically calculated system for class IV commodities with rack storage calculated to the greatest storage height. All sprinkler systems shall be electronically supervised by a fire alarm system.”*

903.3.5.3. Add this Section:

*“Provide a minimum 10% or 5 PSI minimum safety factor in the fire protection system hydraulic calculation. The system demand shall be 5 PSI minimum below the seasonal low water flow test supply.”*

903.3.3.5. Add as last sentence of Section:

*“Hydrant water flow data used for design of any sprinkler system shall be no more than two years old.”*

903.4.1.1 Add this Section:

*“Inspectional Services Supervision: Where required by the Code Official to protect from hazards to life and property, the fire alarm system shall terminate at the Village dispatch center at the Police Communications Center. Private monitoring services shall be allowed in addition to required Village monitoring if desired by owner.”*

903.4.2.1 Add this Section:

*“Provide an outside audio/visual device over the fire department connection. All fire department Inlet connections, (FDC), shall be a 4 by 4” Storz fitting.”*

903.4.2.2 Add this Section:

*“Alarm Indicating Appliances audio/visual devices shall be provided, seen and heard in all areas of every building per NFPA 72. All sprinklered buildings shall be provided with occupant notification devices. This will provide full building notification per NFPA 72.”*

903.4.2.3 Add this Section:

*“Fire sprinkler system inspectors test valves shall be accessible at all times and located no more than 6 feet above the finished floor. On multiple riser systems test valves shall be marked as to which riser and area it tests.”*

903.4.3. Add this Code Section:

*“In all buildings, three stories and over, provide floor control valves with water flow switches for each floor.”*

903.4.4. Add this Section:

***“Automatic Sprinklers: Where automatic sprinklers provide protection to an area with an approved flow switch interconnected to the fire alarm system, and the area is easily identifiable as to the location of the activation, additional automatic detectors are not required. When a building has numerous rooms protected by the zoned sprinkler system, the fire prevention bureau may require additional smoke detectors for a more rapid means to identify the location of smoke or fire.”***

903.7 Add this Section:

***“By each hydraulically calculated area, on each drawing, provide a copy of the hydraulic nameplate.”***

903.8 Add this Section:

***“All references to NFPA standards are to be considered part of this Code.”***

903.9 Add this Section:

***“Fire Sprinkler System; Fire pump test header:***

1. ***Provide an OS&Y control valve on all fire pump test headers.***
2. ***Provide an outside test header on all new fire pump installations.”***

903.10. Add this Section:

***“Private fire hydrants; Fire hydrants shall be provided around the perimeter of the building in 300 foot increments. Also a fire hydrant shall be located within 100 feet of the fire department connection on the fire protection water supply to the building. No more than one hydrant on a dead end main. Two or more hydrants shall be on a looped main with a minimum 6 inch main.***

*Adopt IFC Appendix B for fire flow requirements.”*

903.11. Add this Section:

***“Provide both an interior and exterior access door to fire pump/sprinkler room, with a minimum 4'-0"x6'-0" concrete pad at the exterior access door.”***

903.12. Add this Section:

***“Provide a minimum 2-hour fire rated separation wall for sprinkle riser/pump room and all related equipment. Provide minimum 8” concrete block wall for at least first 8'-0” of wall height around entire pump room.***

*Wall above 8'-0" level can transition to alternate 2-hour fire rated construction if desired. Maintain a minimum of three feet clear space around all equipment."*

903.13. Add this Section:

*"In all warehouse storage areas exceeding 20,000 square feet, and where storage exceeds 12' high, provide inside 2 1/2" fire hose valves with 1 1/2" reducer to a 1 1/2" connection. Locate the valves at each door entrance to the warehouse and /or storage area. Provide additional 2 1/2" fire hose valves so that no portion of the warehouse and or storage area is more than 120' maximum travel distance to a fire hose valve. Show the location of all obstructions and/or racks on the drawing.*

*The fire hose valves system piping shall be:*

*b. A separate riser piping system.*

*c. The 2 1/2" valves shall be supplied by a pipe sized by hydraulic calculations and include 2 1/2" drops to each valve.*

*Where system pressures exceed 100 PSI, provide Potter reduced pressure field adjustable type valves."*

903.14. Add this Section:

*"In all new buildings and new sprinkler systems, provide a check valve for each sprinkler riser on systems with two or more risers."*

906.2. Revise as follows:

*"Fire extinguishers shall be selected, installed and maintained in accordance with this Section and NFPA 10. General fire extinguishers within multifamily buildings shall be rated at 10-lb ABC."*

907.1.2. Add this sentence to the end of the Section:

*"All new fire alarm systems shall be of the addressable type and shall be installed per NFPA 72."*

907.2 Delete this Section and all related exceptions. Replace with:

*"An approved manual, automatic or manual and automatic fire alarm system shall be provided in all Use Groups, in accordance with NFPA 72. Devices, combination of devices, appliances, and equipment shall comply with Section 907.1.2. In buildings with a ceiling height of 16'-0" or greater, 100% automatic and manual fire detection shall be required. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms*

*where during normal operation products of combustion are present in sufficient quantity to activate a smoke detector.*

*All fire alarm control panels or full function enunciator panels shall be installed within 10 feet of the main entrance, or in location approved by the AHJ.*

*Exception: One and Two Family Dwellings.”*

907.2.1. Add this Section:

*“The specific requirements in the IBC/IFC Section 907.2.6 for Use Group I shall remain.”*

907.2.10.1.4 Add new Section 907.2.10.1.4 as follows:

*“False alarms in existing installations. Where false alarms are occurring in existing installations within multifamily buildings due to the location of a smoke detector and its approximate location to a bathroom or kitchen, said smoke detector may be changed to an approved heat detector upon approval from the Fire Official. Such allowance can only be made if approved smoke detectors are installed within each sleeping room or area.”*

907.10.1. Add this Section:

*“Multi-tenant Use Groups M buildings will be “ring by tenant” activated by the fire sprinkler system flow switch for that space or automatic fire detection and shall include a weatherproof clear outside horn/strobe over the entrance to each tenant space. All outside strobes shall be 75 candela minimum.”*

1006.3.1. Add to this Section:

*“All rooms containing the building fire sprinkler riser(s), fire pump(s), and fire alarm control panel(s), shall be provided with approved emergency lighting and thermostatically controlled heating system. Provide a low temperature trouble alarm for the pump room that connects to the Village dispatch center at the Police Communications Center.”*

## **Chapter 22 – MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES**

2206.2.3. Revise item 3 as follows:

*“3. Tanks containing fuels shall not exceed 12,000 gallons (45 420L) 2,500 gallons in individual capacity or 48,000 gallons (181 680L) 5,000 gallons in aggregate capacity. Installations with the maximum allowable aggregate capacity shall be separated from other such installations by not less than 100 feet (30 480 mm).”*

2206.2.4.1. Revise as follows:

“Tanks storing Class I and Class II liquids at an individual site shall be limited to a maximum individual capacity of ~~15,000 gallons (56 775 L)~~ **2,500 gallons** and an aggregate capacity of ~~48,000 gallons (181 680 L)~~ **5,000 gallons.**”

2206.2.4.2. Revise as follows:

“Tanks storing Class II and Class IIIA liquids at a fleet vehicle motor fuel-dispensing facility shall be limited to a maximum individual capacity of ~~20,000 gallons (75 700 L)~~ **2,500 gallons** and an aggregate capacity of ~~80,000 gallons (302 800 L)~~ **5,000 gallons.**”

## **CHAPTER 8: FUEL GAS CODE**

**9-8-1: CODE ADOPTED:** The 2006 International Fuel Gas Code published by the International Code Council is hereby adopted and incorporated, in its entirety, subject to the amendments set forth in this Chapter, Section 9-8-2.

**9-8-2: AMENDMENTS TO THE 2006 INTERNATIONAL FUEL GAS CODE:**

### **Chapter 1 – ADMINISTRATION**

101.1. Revise as follows:

“These regulations shall be known as the Building Code of *the Village of Bensenville*, hereinafter referred to as ‘this Code.’”

101.2. Delete in its entirety.

106.5.2. Revise as follows:

“The fees for mechanical work shall be as indicated in the ~~following schedule~~ Village of Bensenville Building Permit Fee Schedule.  
[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]”

106.5.3. Delete Section in its entirety.

109. Delete Section in its entirety and in lieu of, add the following:

### **“SECTION 109 (IFGC) MEANS OF APPEAL**

**109.1 Application for appeal.** A person shall have the right to appeal a decision of the Code official to the board of appeals. An application for

*appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better form of construction is proposed.”*

## **Chapter 3 – GENERAL REGULATIONS**

301.6. Revise as follows:

“... in accordance with the ~~International Plumbing Code 2004 Illinois Plumbing Code.~~”

309.2. Revise as follows:

“... shall conform to the ~~ICC Electrical Code 2008 National Electrical Code.~~”

## **Chapter 6 – SPECIFIC APPLIANCES**

601.2. Add new Section 601.2 as follows:

**“Carbon monoxide detector. A 110-volt carbon monoxide detector with battery back-up power shall be installed in all rooms with unvented gas-fired appliances such as room heaters, log heaters and fire places.”**

## **CHAPTER 9: MECHANICAL CODE**

**9-9-1: CODE ADOPTED:** The 2006 International Mechanical Code published by the International Code Council is hereby adopted and incorporated, in its entirety, subject to the amendments set forth in this Chapter, Section 9-9-2.

**9-9-2: AMENDMENTS TO THE 2006 INTERNATIONAL MECHANICAL CODE:**

## **Chapter 1 – ADMINISTRATION**

101.1. Revise as follows:

“These regulations shall be known as the Building Code of *the Village of Bensenville*, hereinafter referred to as ‘this Code.’”

101.2. Delete Exception in its entirety.

106.5.2. Revise as follows:

“The fees for mechanical work shall be as indicated in the ~~following schedule~~ Village of Bensenville Building Permit Fee Schedule. ~~[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]~~”

106.5.3. Delete Section in its entirety.

109. Delete Section in its entirety and in lieu of, add the following:

**“SECTION 109 (IFGC) MEANS OF APPEAL**

*109.1 Application for appeal. A person shall have the right to appeal a decision of the Code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply or an equally good or better form of construction is proposed.”*

**Chapter 3 – GENERAL REGULATIONS**

301.7. Revise as follows:

“... in accordance with the ~~ICC Electrical Code 2008 National Electrical Code.~~”

301.7 301.8 Plumbing connections. Revise as follows:

“... in accordance with the ~~International Plumbing Code 2004 Illinois Plumbing Code.~~”

**Chapter 5 – EXHAUST SYSTEMS**

506.3.10. Delete Exception 3 in its entirety.

**Chapter 9 – SPECIFIC APPLIANCES, FIREPLACES AND SOLID FUEL-BURNING EQUIPMENT**

901.5. Add new Section 901.5 as follows:

*“A 110-volt carbon monoxide detector with battery back-up power shall be installed in all rooms with unvented gas-fired appliances such as room heaters, log heaters and fire places.”*

**CHAPTER 10: BUILDING MOVING AND DEMOLITION**

**9-10-1: PERMIT REQUIRED:** No building or structure, or major portion of any building or structure, located in the Village shall be moved or

demolished without a permit having been issued from the Village Director of Community Development, or his designee (“Director”).

**9-10-2: APPLICATION FOR PERMIT:** The permit application for the moving or demolition of a building shall be filed with the Director along with an application review fee of One Hundred and 00/100 Dollars (\$100.00).

A. The permit application shall set forth in detail and include:

1. A current plat of survey depicting the property on which the building proposed to be moved or demolished is situated together with the applicable property index number(s).
2. Any other necessary information as required by this Chapter or as determined by the Director in the interest of the health and safety of Village residents and businesses.

**9-10-3: APPROVAL OF PERMIT:** The Director shall approve an application within thirty (30) days of its submission to the Director, or within the same time frame, the Director shall reject the application if the same fails to comply with the requirements of this Chapter, or if the proposed demolition, moving, or work constitutes a threat to the public health, safety or welfare.

**9-10-4: REVOCATION OR SUSPENSION OF PERMIT:**

If the Director determines that the requirements of this Section and any other applicable provision of this Code have not been satisfied after issuance of a permit, the Director is authorized to suspend or revoke any permit previously issued pursuant to this Chapter.

**9-10-5: INSURANCE AND BOND:**

A. Before any permit is granted to demolish or move a building, the person or entity who proposes to engage in such demolition or moving work shall file with the Director an insurance policy issued by a responsible insurance company indemnifying and protecting both the applicant and the Village against loss, suits for damage and damages, including exemplary damages, claimed to be directly or indirectly, in whole or in part, due to the moving or demolition operations of the applicant, whether on public or private property. Such insurance policy shall have a minimum limit of Two Hundred Fifty Thousand and 00/100 Dollars (\$250,000.00) for bodily injury to any one person and Seven Hundred Fifty Thousand and 00/100 Dollars (\$750,000.00) for bodily injury in the aggregate, and a minimum limit of Five Hundred Thousand and 00/100 Dollars (\$500,000.00) for property damage.

B. In addition to the public liability insurance aforesaid, the applicant shall deposit a cash bond or a check in the amount of One Thousand and 00/100 Dollars (\$1,000.00) with the Director to insure that the Village streets, sidewalks, trees, shrubs, plants and greenery shall be restored to their condition prior to such demolition or moving operations. Upon proper restoration, the cash bond shall be refunded.

#### **9-10-6: UTILITY DISCONNECTIONS:**

A. Before any permit is issued by the Director, the owner or his agent shall notify the Village and all private utility companies having service connections with such building and obtain a release from all such utility companies stating that their services have been removed, sealed or plugged in a safe manner. A copy of said release shall be provided to the Village.

B. The Director may issue a preliminary demolition permit within two (2) weeks of the filing of the application for a demolition permit solely for the purpose of utility disconnections.

C. Before any building is moved or demolished, the owner or his agent shall, not less than one (1) week before the proposed date of the moving or demolition of a building, schedule a final inspection of the applicable premises with the Director to insure that the requirements of this Section and any other applicable provision of this Code have been satisfied.

D. Before any building is moved or demolished, the Director shall, not more than two (2) days before the proposed date of the moving or demolition of a building, inspect the applicable premises to insure that the requirements of this Section and any other applicable provision of this Code have been satisfied.

#### **9-10-7: DEMOLITION REQUIREMENTS:**

A. Demolition. All demolition shall be conducted pursuant to this Chapter and any applicable state and federal regulations.

B. Temporary Fence. All demolition sites shall be enclosed by a continuous chain link fence, without barbs, six feet (6') in height. The base of the temporary fence shall be fitted with a thirty-six inch (36") silt screen.

C. Dust Control. Permittee shall manage the dust created during the course of the demolition through water spray down procedures. Permittee shall maintain a water hose on site connected to a water truck.

D. Debris. All demolition debris shall be removed from the site pursuant to this Chapter and any applicable state and federal regulations.

**E. Foundations.** Any concrete or other foundation including but not limited to basement slabs shall be completely removed from the site. The foundation shall be back filled and graded to level conditions. Under no circumstances shall debris from the demolition be used to backfill the foundation.

**F. Grass.** Within forty-five (45) days of the date of demolition, the site shall be fully grass seeded and grass shall be visibly growing on the site.

**9-10-8: STANDING IN STREETS:** No building in the process of being moved shall be allowed to stand in any street for more than four (4) hours at any time, except in case of accident to equipment or property which, in the judgment of the Director, will necessitate repair or correction before the moving operation can proceed safely, or because of unavoidable delay due to causes certified to by the Chief of Police of the Village to be beyond the contractor's control. The mover shall provide a watchman for any building which remains on any public street for more than four (4) hours.

**9-10-9: WARNING LIGHTS:** Red lights or flares shall be so displayed at night as to warn passersby and motorists of all danger spots in and about the building being moved.

**9-10-10: BLOCKING STREETS; PENALTY:** The owner of any building or the contractor for its removal, or both, who shall cause or suffer the same to be upon or remain in any of the streets or alleys or upon the public grounds of the Village for any time longer than that specified in Section 9-10-8 of this Chapter shall pay a penalty of not less than Seven Hundred Fifty and 00/100 Dollars (\$750.00), and a like penalty for every twenty four (24) hours the same shall be continued. Such conduct shall be deemed a public nuisance.

**9-10-11: DEMOLITION; WARNING SIGNALS:** Any person in the process of demolishing a building shall be responsible for the proper placing of warning signs, lights or other signals to denote all danger spots in and about the building being wrecked.

**9-10-12: CLEARANCE ON STREET:** It shall be unlawful for any person to move onto or along any street or alley in the Village, any house, building or other structure or thing of a width which does not permit a minimum clearance of two and one-half feet ( $2\frac{1}{2}$ ) from the gutter face of the curb on each side of the street or alley, or in the case of streets or alleys with no gutter curbing, the building or structure width shall be no more than five feet (5') less than the width of the paved portion of the street or alley along any proposed route in the Village, nor shall a building more than two and one-half ( $2\frac{1}{2}$ ) stories high be so moved.

**9-10-13: CONFORMITY TO REGULATIONS:** No building shall be moved to a new location within the Village unless it shall comply in respect to use and with the Bensenville Zoning Ordinance and this Code.

**9-10-14: EMERGENCY DEMOLITION:**

Upon the determination of the Director that a structure shall be demolished due to damage as the result of a storm or fire or shall be demolished on account of an imminent threat to the health and safety of Village citizens, the provisions of this Section shall not apply.

**CHAPTER 11: NUMBERING BUILDINGS**

**9-11-1: SYSTEM ESTABLISHED:**

There is hereby established a uniform system of numbering houses and buildings fronting on all streets and public ways in the Village, and all houses and buildings shall be numbered in accordance with the provisions of this Chapter.

**9-11-2: BASE LINES:**

A. Base Line North And South: Frontage of all lots and undivided property facing on streets running north and south shall be numbered from a base line which is the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad running east and west through the Village, beginning with number 00 on the north line of the railroad right of way and increasing numerically toward the north and beginning with number 00 on the south line of the railroad right of way and increasing numerically toward the south.

The even numbers on streets running north and south shall be on the west side of the street, and odd numbers shall be on the east side of the street.

That portion of streets running north and south lying north of the base line shall bear the prefix North, and that portion of said streets lying south of the base line shall bear the prefix South.

B. Base Line East And West: Frontage of all lots and undivided property facing on streets running east and west shall be numbered from a base line which is York Street extending north and south through the Village, beginning with number 00 on the east line of York Street and increasing numerically toward the east and beginning with number 00 on the west line of York Street and increasing numerically toward the west.

The even numbers on streets running east and west shall be on the south side of the street, and odd numbers shall be on the north side of the street.

That portion of streets running east and west lying west of the base line shall bear the prefix West, and that portion of said streets lying east of said base line shall bear the prefix East.

#### **9-11-3: BLOCK NUMBERS:**

A. There is assigned to each block north or south, east or west, of the base line one hundred (100) numbers. The numbers within the first block shall be from 00 to 99 and the numbers in each succeeding block shall increase from the base line in units of one hundred (100), namely, the first block shall be 00 to 99, the second block shall be 100 to 199, the third block shall be 200 to 299, etc. One number shall be assigned to each twenty five feet (25') of frontage.

B. Where blocks of different length occur on opposite sides of a street, the numbers on both sides shall be assigned on the basis of the shorter blocks unless the Village Board shall determine otherwise.

C. Where any building has more than one door serving separate occupants, a separate number shall be assigned to each door serving a separate occupant, provided the building is twenty five feet (25') or more in width. If the building is not twenty five feet (25') or more in width and the entrances are not that far apart, the next consecutive number shall be marked fractional.

Buildings fronting on two (2) or more streets shall have a number assigned only to the main entrance unless other entrances serve different occupants.

#### **9-11-4: UNEXTENDED STREETS:**

All streets not extending through to the base line shall be assigned the same relative numbers as if the street had extended through to the base line.

#### **9-11-5: ASSIGNMENT OF NUMBERS:**

A. The Village Board shall cause the necessary survey to be made and there shall be assigned to each house and building located on any street or parkway in the Village its respective number under the uniform system provided for in this Chapter. When the survey has been completed and each house and building has been assigned its respective number or numbers, the owner, occupant or agent shall place or cause to be placed on each house or building controlled by him, the number or numbers assigned under the uniform system provided for in this Section. Such number or numbers shall be placed after the assigning of the proper number.

B. Each of the figures of each such number assigned to any residence or building shall be not less than two and one-half inches (2<sup>1/2</sup>) high and

(except for figure 1) not less than one and one-half inches (1 $\frac{1}{2}$ "') wide, and such numbers shall be furnished by the property owner.

C. The numbers shall be conspicuously placed immediately above, on or at the side of the proper door of each building so that it can be plainly seen from the street. Whenever any building is situated more than fifty feet (50') from the street line, except in zoned C districts, the number of each building shall be conspicuously displayed at the street line near the walk, driveway or common entrance to such building so as to be easily discernible from the street.

D. Where only one number can be assigned to any house or building, the owner, occupant or agent of such house or building who shall desire a distinctive number from the upper and lower portion of any house or building, or for any part of such house or building fronting on any street, such owner, occupant or agent shall use the suffix "A", "B", etc., as may be required.

#### **9-11-6: MAP:**

For the purpose of facilitating a correct numbering, a plat book or map of all streets within the Village showing the proper numbers of all lots or houses fronting upon all such streets or highways shall be prepared and kept on file in the office of the Community Development Department. These plats shall be open to inspection of all persons during office hours.

#### **9-11-7: APPLYING FOR NUMBER:**

It shall be the duty of the Community Development Department to inform any person applying therefor, of the number or numbers belonging or embraced within the limits of the lot or property.

#### **9-11-8: NEW BUILDINGS:**

Whenever any house, building or structure shall be erected or located in the Village after the work of establishing a uniform system of house numbering has been completed, it shall be the duty of the owner to procure the correct number or numbers as designated from the Community Development Department for the property and to immediately attach the number or numbers so assigned upon the building as provided by this Chapter.

#### **9-11-9: OBLIGATION TO NUMBER:**

It is hereby made the duty of the owner, agent or person in possession of any building in the Village to number it in the manner herein provided. If the owner or occupant of any building required to be numbered shall neglect to attach and maintain the proper number on such building, the Village Clerk

shall serve upon him a notice requiring such owner or occupant to properly number the same, and if he neglects to do so for the period of ten (10) days after the service of such notice, he shall be deemed to have violated this Chapter. Upon conviction thereof, he shall be fined not less than five dollars (\$5.00) nor more than ten dollars (\$10.00), together with the cost of prosecution, and a separate offense, shall be deemed committed for each day that a violation continues to exist.

#### **9-11-10: DEFACING NUMBERS:**

No person shall willfully deface or remove any number placed upon any building in conformity with this Chapter.

### **CHAPTER 12: SPECIAL FLOOD HAZARD AREAS**

#### **9-12-1: PURPOSE:**

This Chapter is enacted pursuant to the police powers granted to this Village by the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, in order to accomplish the following purposes:

- A. To prevent unwise developments from increasing floor or drainage hazards to others;
- B. To protect new buildings and major improvements to buildings from flood damage;
- C. To protect human life and health from the hazards of flooding;
- D. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities, and flood rescue and relief operations;
- E. To maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas;
- F. To make Federally subsidized flood insurance available for property in the Village by fulfilling the requirements of the national flood insurance program.

#### **9-12-2: DEFINITIONS:**

For the purposes of this Chapter, the following definitions are adopted:

**BASE FLOOD:** The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the

100-year flood. The base flood elevation at any location is as defined in Section 9-9-4 of this Chapter.

**BUILDING:** A structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank.

**DEVELOPMENT:** Any manmade change to real estate, including:

A. Construction, reconstruction or placement of a building or any addition to a building valued at more than one thousand dollars (\$1,000.00);

B. Installing utilities, construction of roads, or similar projects;

C. Construction or erection of levees, walls, fences, bridges or culverts;

D. Drilling, mining, filling, dredging, grading, excavating, or other nonagricultural alterations of the ground surface;

E. Storage of materials; or

F. Any other activity that might change the direction, height, or velocity of flood or surface waters.

Development does not include maintenance of existing buildings and facilities such as reroofing, resurfacing roads, or gardening, plowing and similar agricultural practices that do not involve filling, grading or construction of levees.

**FPE OR FLOOD PROTECTION ELEVATION:** The elevation of the base flood plus one foot (1') at any given location in the SFHA.

**FLOOD:** A general and temporary condition of inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

**FLOODWAY:** That portion of the SFHA required to store and convey the base flood. The floodway for the SFHAs of the Bensenville Ditch and the Addison Creek shall be as delineated on the flood boundary and floodway map prepared by the Federal Emergency Management Agency and dated February 4, 1981. The floodway for each of the remaining SFHAs of the Village shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository.

**RIVERINE SFHA:** Any SFHA subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel. This term does not include areas subject to flooding from lakes (except public bodies of water), ponding areas, areas of sheet flow, or other areas not subject to overbank

flooding.

**SFHA OR SPECIAL FLOOD HAZARD AREA:** Those lands within the jurisdiction of the Village that are subject to inundation by the base flood. The SFHAs of the Village are generally identified as such on the flood insurance rate map of the Village prepared by Federal Emergency Management Agency and dated February 4, 1981. The SFHAs of those parts of unincorporated DuPage County that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village are generally identified as such on the flood insurance rate map prepared for DuPage County by the Federal Emergency Management Agency and dated April 15, 1982.

**9-12-3: DUTIES OF VILLAGE ENGINEER AND COMMUNITY DEVELOPMENT DIRECTOR:**

The Village Engineer and the Community Development Director shall be responsible for the general administration and enforcement of this Chapter, including but not limited to the following duties:

- A. Ensure that all development activities within the SFHAs of the jurisdiction of the Village meet the requirements of this Chapter.
- B. Provide information and assistance to citizens upon request about permit procedures and flood plain construction techniques.
- C. Ensure that construction authorization has been granted by the Illinois Department of Transportation, Division of Water Resources, for all development projects subject to this Chapter, and maintain a record of such authorization.
- D. Maintain a record of the "as-built" elevation of the lowest floor (including basement) of all buildings subject to this Chapter.
- E. Maintain a record of the engineer's certificate and the "as-built" floodproofed elevation of all buildings subject to this Chapter.
- F. Inspect all development projects to ensure they comply with the provisions of this Chapter.
- G. Cooperate with State and Federal flood plain management agencies to improve base flood and floodway data and to improve the administration of this Chapter. Submit reports as required for the national flood insurance program.
- H. Maintain for public inspection and furnish upon request base flood data, SFHA maps, copies of Federal or State permit documents and "as-built"

elevation and floodproofing data for all buildings constructed subject to this Chapter.

#### **9-12-4: BASE FLOOD ELEVATION:**

This Chapter's protection standard is the base flood. The best available base flood data are listed below. Whenever a party disagrees with the best available data, the party may finance the detailed engineering study needed to replace existing data with better data and submit it to the State Water Survey.

- A. The base flood elevation for the SFHAs of Bensenville Ditch and Addison Creek shall be as delineated on the 100-year flood profiles in the flood insurance study of the Village prepared by the Federal Emergency Management Agency and dated August 4, 1980.
- B. The base flood elevation for each SFHA delineated as an "AH" Zone or "AO" Zone shall be that elevation (or depth) delineated on the flood insurance rate map of the Village.
- C. The base flood elevation for each of the remaining SFHAs delineated as "A Zone" on the flood insurance rate map of the Village shall be according to the best data available to the Illinois State Water Survey Floodplain Information Repository. When no base flood elevation exists, the base flood elevation shall be the 100-year flood depth calculated according to the formula presented in "Depth and Frequency of Floods in Illinois" published by the United States Geological Survey, 1976.
- D. The base flood elevation for the SFHAs of those parts of unincorporated DuPage County that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village shall be as delineated on the 100-year flood profiles in the flood insurance study of DuPage County prepared by the Federal Emergency Management Agency and dated December 4, 1985.

#### **9-12-5: DEVELOPMENT PERMIT:**

No person or governmental body not exempted by State law shall commence any development in the SFHA without first obtaining a development permit from the Community Development Director. The Community Development Director shall not issue a development permit if the proposed development does not meet the requirements of this Chapter.

- A. Application for a development permit shall be accompanied by drawings of the site, drawn to scale showing property line dimensions; existing grade elevations and all changes in grade resulting from excavation or filling; the location and dimensions of all buildings and additions to buildings; and the

elevation of the lowest floor (including basement) of all proposed buildings shall be subject to the requirements of this Chapter.

B. Upon receipt of an application for a development permit, the Community Development Director shall compare the elevation of the site to the base flood elevation. Any development located on land that can be shown to have been higher than the base flood elevation as of the date of the site's first flood insurance rate map identification is not located in the SFHA and therefore not subject to the requirements of this Chapter. The Community Development Director shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first flood insurance rate map identification.

C. The Community Development Director shall inform the applicant of any and all other local, State and Federal permits that may be required for this type of development activity. The Community Development Director shall not issue the development permit unless all required Federal and State permits have been obtained.

#### **9-12-6: PREVENTING INCREASED DAMAGES:**

No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

#### **9-12-7: PROTECTING BUILDINGS:**

No development in the SFHA shall create a damaging or potentially damaging increase in flood heights or velocity or threat to public health and safety.

A. Within the floodway identified on the flood boundary floodway map, the following standards shall apply:

1. Except as otherwise provided in this Chapter, no development shall be allowed which acting in combination with existing or future similar works, will cause any increase in the base flood elevation. The specific development activities identified in subsection B2 of this Section shall be considered as meeting this requirement.

2. No increase in the base flood elevation may be permitted unless:

a. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the base flood elevation more than one foot (1') for the

affected hydraulic reach of the stream and will not increase flood damages or potential flood damages;

- b. A permit has been issued by the Illinois Department of Transportation, Division of Water Resources as required in subsection B1 of this Section; and
- c. For all projects involving channel modifications of fill (including levees), the Village shall submit sufficient data to the Federal Emergency Management Agency to revise the regulatory flood data.

B. Within all other riverine SFHAs, the following standards shall apply:

1. In addition to the other requirements of this Chapter, a development permit for a site located in a floodway (or in a riverine SFHA where no floodway has been identified) shall not be issued unless the applicant first obtains a permit or written documentation that a permit is not required from the Illinois Department of Transportation, Division of Water Resources issued pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*
2. The following activities may be constructed without the individual permit required in subsection B1 of this Section in accordance with statewide permits issued by the Illinois Department of Transportation, Division of Water Resources provided the activities do not involve placement of fill, change of grade, or construction in the normal channel. Such activities must still meet the other requirements of this Chapter.
  - a. The construction of wells, septic tanks, and underground utility lines not crossing a lake or stream;
  - b. The construction of light poles, sign posts and similar structures;
  - c. The construction of sidewalks, driveways, athletic field (excluding fences), patios and similar surfaces which are built at grade;
  - d. The construction of properly anchored unwalled, open structures such as playground equipment, pavilions, and carports;
  - e. The placement of properly anchored buildings not exceeding seventy (70) square feet in size, nor ten feet (10') in any dimension (e.g., animal shelters and tool sheds); and
  - f. The construction of additions to existing buildings which do not increase the first floor area by more than twenty percent (20%), which are located on the upstream or downstream side of the existing building, and which do not extend beyond the sides of the existing building that are parallel to the flow of flood waters.

3. The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the base flood elevation more than one foot (1') for the affected hydraulic reach of the stream and will not increase flood damages or potential flood damages;

C. Public health standards in all SFHAs:

1. No development in the SFHA shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the FPE unless such materials are stored in a storage tank or floodproofed building constructed according to the requirements of this Chapter.
2. New replacement sanitary sewer lines and on-site waste disposal systems may be permitted, providing all manholes or other aboveground openings located below the FPE are watertight.

**9-12-8: OTHER DEVELOPMENT REQUIREMENTS:**

The Village Board shall take into account flood hazards, to the extent that they are known, in all official uses relating to land management, use and development.

A. New subdivisions, manufactured home parks, annexation agreements, planned unit developments (PUDs) and additions to manufactured home parks and subdivisions shall meet the requirements of this Chapter. Plats or plans for new subdivisions, manufactured home parks, and planned unit developments (PUDs) shall include a signed statement by a registered professional engineer that the plat or plans accounts for changes in the drainage of surface waters in accordance with the Plat Act.

B. Proposals for new subdivisions, manufactured home parks, planned unit developments (PUDs) and additions to manufactured home parks, and subdivisions shall include base flood elevation data. Where the base flood elevation is not available from an existing study filed with the Illinois State Water Survey, the applicant shall be responsible for calculating the base flood elevation and submitting it to the State Water Survey for review and approval at best available elevation data.

**9-12-9: VARIANCES:**

Whenever the standards of this Chapter place undue hardship on a specific development proposal, the applicant may apply to the Community Development Director for a variance. The Community Development Director shall review the applicant's request for a variance and shall submit its recommendation to the Village Board. The Village Board may attach such

conditions to granting of a variance as it deems necessary to further the intent of this Chapter.

A. No variance shall be granted unless the applicant demonstrates that:

1. The development activity cannot be located outside the SFHA;
2. An exceptional hardship would result if the variance were not granted;
3. The relief requested is the minimum necessary;
4. There will be no additional threat to public health, safety or creation of a nuisance;
5. There will be no additional public expense for flood protection, rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities; and
6. The provisions of subsection 9-12-5C of this Chapter are met.

B. The Community Development Director shall notify an applicant in writing that a variance from the requirements of Section 9-12-7 that would lessen the degree of protection to a building will:

1. Result in increased premium rates for flood insurance up to amounts that may be as high as twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage;
2. Increase the risks to life and property; and
3. Require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.

C. Variances to the building protection requirements of Section 9-12-7 of this Chapter requested in connection with restoration, repair or alteration of a site or building included on the National Register of Historic Places or the Illinois Register of Historic Places may be granted using criteria more permissive than the requirements of subsections A1 through A5 of this Section.

#### **9-12-10: DISCLAIMER OF LIABILITY:**

The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by manmade or natural causes. This Chapter does not imply that development either inside or outside of the

SFHA will be free from flooding or damage. This Chapter does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from reliance on this Chapter or any administrative decision made lawfully thereunder.

**9-12-11: PENALTY:**

Failure to obtain a permit for development in the SFHA or failure to comply with the requirements of a permit or conditions of a variance resolution shall be deemed to be a violation of this Chapter. Upon due investigation, the Community Development Director may determine that a violation of the minimum standards of this Chapter exist. The Community Development Director shall notify the owner in writing of such violation.

- A. If such owner fails after ten (10) days' notice to correct the violation:
  1. The Village may make application to the Circuit Court for an injunction requiring conformance with this Chapter or make such other order as the court deems necessary to secure compliance with the Chapter.
  2. Any person who violates this Chapter shall, upon conviction thereof, be fined not less than twenty five dollars (\$25.00) nor more than two hundred dollars (\$200.00).
  3. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.
- B. The Community Development Director shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a standard flood insurance policy to be suspended.
- C. Nothing herein shall prevent the Village from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.

**9-12-12: ABROGATION AND GREATER RESTRICTIONS:**

This Chapter repeals and replaces other ordinances adopted by the Village Board to fulfill the requirements of the national flood insurance program. However, this Chapter does not repeal the original resolution or ordinance adopted to achieve eligibility in the program. Nor does this Chapter repeal, abrogate or impair any existing easements, covenants or deed restrictions. Where this Chapter and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

## **CHAPTER 13: SOIL EROSION AND SEDIMENTATION**

### **9-13-1: PURPOSE; INTENT:**

It is the purpose of this Chapter to control land modifications and excavation activities to prevent:

A. Soil erosion, sedimentation and earth, soil or rock removal that will result in damage to or loss of topsoil.

B. Sedimentation that will affect the quality of runoff or the capacity of storm sewers, drainage channels, streams and structures.

The intent of this Chapter is to obtain compliance with the standards and specifications for Soil Erosion and Sediment Control in Northeastern Illinois.

### **9-13-2: DEFINITIONS:**

**GRADING PLAN:** Topographical plan that shows the exiting land conditions including elevations, drainage, structures and natural objects, and proposed elevations, drainage, structures and natural objects.

**LAND MODIFICATION:** Any modification to the existing land surface, including fills of more than two thousand five hundred (2,500) cubic feet, excavations of more than two thousand five hundred (2,500) cubic feet, drainage changes that will affect drainage onto or off of adjacent property, or surface disturbances of more than two thousand five hundred (2,500) square feet.

### **9-13-3: PERMIT REQUIRED:**

Before any land modification is made, a permit for the proposed work shall be obtained from the Community Development Director. The application for permit shall be submitted on forms provided by the Director, and at a minimum shall include the following information:

A. All information required on the application form, including the location of the proposed work, a grading plan showing existing and proposed conditions and purpose for which the work is proposed.

B. for land modifications, the application shall include the area of land that will be stripped of vegetation, the location of any proposed soil stock piles, the limits of any excavation, the measures taken to keep soil erosion and sedimentation to a minimum, the effects on drainage and a schedule of land modification activities including revegetation.

#### **9-13-4: LAND MODIFICATIONS:**

No permit for a land modification, either separately or as a part of a building permit, shall be issued unless a sediment and erosion control plan is submitted that provides for the following:

- A. The smallest practical area of land is exposed at any given time in the development.
- B. The area exposed shall be kept to as short a duration of time as is practical.
- C. Sediment basins, debris basins, desilting basins or soil traps shall be installed and maintained to remove sediment from runoff waters from land undergoing development.
- D. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil surface conditions during and after development.
- E. Permanent, final plant covering or structures shall be installed as soon as possible.
- F. The erosion control plan shall relate to the topography and soil at the site so that the lowest potential for erosion is created.

### **CHAPTER 14: STORMWATER MANAGEMENT AND DEVELOPMENT IN FLOODPLAIN REGULATIONS**

#### **9-14-1: ADOPTION OF REGULATIONS:**

That certain document, three (3) copies of which are on file in the office of the Village Clerk, entitled "DuPage County Countywide Stormwater And Flood Plain Ordinance" is hereby adopted by reference as the stormwater management and floodplain development Code of the Village of Bensenville.

#### **9-14-2: DETENTION VARIANCE FEE PROGRAM:**

Development in the Village, a partial waiver community, shall participate in the Village's detention variance fee program where:

A. Payment of a detention variance fee for the varied storage shall be made to the Village, and is determined by applying the first applicable criteria as follows:

1. A fee calculated by multiplying the per acre-foot cost of the closest off site storage facility times the varied storage where:

- a. A design concept plan for the facility has been approved by the Village Board containing an estimate of the per acre-foot cost of constructing the storage, including operation and maintenance costs; and
- b. A formula has been developed to determine that any investment in the facility shall be at least equal to the cost of planning, acquiring of lands, constructing, operating, and maintaining the facility; and
- c. The facility is located in the same watershed planning area as the variance.

2. An adopted fee schedule, attached to the "DuPage County Countywide Stormwater And Flood Plain Ordinance" as schedule B and by this reference incorporated into this Section, that identifies reasonable and rational cost to provide site runoff storage in the same watershed planning area as the variance. The fee shall include the cost of planning, acquiring land, construction, operation, and maintenance.

B. Funds collected shall be accounted for in separate project or watershed planning area accounts. Funds shall be used to enhance existing runoff storage facilities and related components, construct off site facilities and related components, provide maintenance of stormwater facilities, or undertake other development that provides a watershed benefit.

C. All accounting records shall be made available to the DuPage County stormwater committee upon request.

## **CHAPTER 15: DWELLING INSPECTION PROGRAM**

### **9-15-1: DEFINITIONS:**

For the purpose of this Chapter, the following words and phrases shall have the meaning given to them in this Section. Whenever the words "dwelling", "dwelling unit", "housekeeping unit", "rooming house", "rooming unit", or "premises" are used in this Code, they shall be construed as though they were followed by the words "or any part thereof".

**BASEMENT:** That portion of a structure which is partly or completely below grade.

**DWELLING:** A building or portion thereof designed or used as a residence, including model homes but excluding boarding or lodging houses, nursing homes, motels, hotels, tourist homes, tents and recreational vehicles.

**DWELLING, MULTI-FAMILY:** A building consisting of two (2) or more dwelling units.

**DWELLING, SINGLE-FAMILY:** A single dwelling unit and accessory uses thereto.

**DWELLING, SINGLE-FAMILY ATTACHED:** A single-family dwelling attached to one or more single-family dwellings by one or more party walls with each dwelling located on a separate subdivided lot.

**DWELLING, SINGLE-FAMILY DETACHED:** A single-family dwelling separated from other dwelling units by open space.

**DWELLING, TOWNHOUSE:** A dwelling unit that is attached to one or more other dwelling units on the same lot and has an individual private ground-level entrance to the outside, and no portion of which is located above or below any other premises or portion thereof.

**DWELLING, TWO-FAMILY:** A building consisting of only two (2) dwelling units.

**DWELLING UNIT:** A single unit providing complete, independent living facilities for one or more person, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**EXTERMINATION:** The control and elimination of insects, rodents or other pests by eliminating their harborage places, by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the health department.

**FLOOR AREA, DWELLING UNIT:** The area inside the exterior or fire walls of a building, exclusive of vent shafts, courts and public places.

**FLOOR AREA, ROOM:** The next area within the finished walls of a room.

**HABITABLE ROOM:** A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyer or communicating corridors, closets, storage spaces or bomb shelters.

**HOUSEKEEPING UNIT:** A room or group of rooms forming a single habitable unit equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such unit, a toilet, lavatory and bathtub or shower.

**LANDLORD:** An owner, agent of an owner or other person who rents or leases a dwelling, dwelling unit, housekeeping unit or rooming unit to a tenant under a rental agreement.

**OCCUPANT:** Any person, living, sleeping, cooking or eating in, or having actual possession of, a dwelling unit, housekeeping unit or rooming unit.

**OPERATOR:** Any person who has charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.

**OWNER:** Any person who alone or jointly or severally with others:

A. Shall have legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or

B. Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, prime tenant, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Code, to the same extent as if such person were the owner.

**PERSON:** Any individual, firm, corporation, association or partnership.

**RENTAL AGREEMENT:** An oral or written agreement covering a definite or indefinite period of time of one week or more between a landlord and a tenant for the renting or leasing of a dwelling, dwelling unit, housekeeping unit or rooming unit.

**RENTAL UNIT:** Any dwelling unit or housekeeping unit that is rented or leased or offered for rent or lease under a rental agreement.

**ROOMING HOUSE:** A building or part thereof that is not a hotel, motel or tourist home and that provides lodging rooms to three (3) or more paying guests who are not members of the keeper's family and mainly to non-transients.

**TENANT:** An occupant who occupies a dwelling, dwelling unit, housekeeping unit or rooming unit pursuant to a written or oral agreement with a landlord covering a definite or indefinite period of one week or more.

#### **9-15-2: INSPECTION REQUIRED:**

A. No person, whether an owner, manager, agent or sublessor shall operate, and no owner shall permit the operating of a dwelling unit or rooming house or rent or lease or offer to rent or increase any rental unit unless such establishment or rental unit has been granted a certificate of inspection from the Village as provided herein.

B. No person in charge of any dwelling shall permit or allow any rental unit in such dwelling to be rented or leased unless such unit receives a certificate of inspection as provided herein.

C. The Village shall cause periodic inspections of all dwelling units within the corporate limits of the Village.

**9-15-3: APPLICABILITY:**

This Chapter shall be applicable to all residential properties in the Village.

**9-15-4: REGISTRY OF OWNERS AND PREMISES:**

A. Registry: A registry of owners and premises shall be maintained by the community development department.

B. Owners And Premises: The owners of one- and two-family dwellings and multiple-family dwelling units which are occupied at the time of enactment of this chapter by persons other than the owner, owners and/or persons not related to the owner or owners, will be offered to others for purposes of occupancy through rental or lease agreements, or by other mutually acceptable agreements leading to occupancy, shall register their names and places of residence or usual places of business and the location of the premises regulated by this Chapter with the community development department of the Village. The owners shall register within ninety (90) days after the enactment of this chapter and thereafter shall reregister thirty (30) days prior to the expiration of a certificate of inspection issued by the Village which will be valid for a period of one year. Within thirty (30) days of the change of ownership, the new owner shall reregister with the Village in the same manner as previously set forth.

C. Penalty: Upon a finding of guilty for failing to register as required by this Section, there shall be imposed a fine up to seven hundred fifty dollars (\$750.00).

**9-15-5: FEES:**

A. Established By Board: Fees for registration and related inspections shall be established as approved by the Village Board.

B. When Payable: Fees are payable at the time of registration.

**INSPECTION FEES**

<u>Type Of Unit</u>		<u>Fee</u>
Single-family	\$200.00	(includes registration and 2 inspections)

Two-family	225.00	(includes registration and 2 inspections)
<u>Multi-Family Units Per Building</u>		<u>Fee</u>
3-30	\$ 70.00	plus \$10.00 per unit
31-60	85.00	plus \$10.00 per unit
61-100	125.00	plus \$10.00 per unit
101-150	150.00	plus \$10.00 per unit
151-200	185.00	plus \$10.00 per unit
201-250	235.00	plus \$10.00 per unit
251-300	275.00	plus \$10.00 per unit
301 and above	275.00	plus \$10.00 per unit

C. Penalties: Upon a finding of guilty for failing to pay any fee required by this Section, there shall be imposed a fine up to seven hundred fifty dollars (\$750.00).

#### **9-15-6: INSPECTIONS:**

A. Annual inspections are required for all dwellings subject to this chapter. Further, such inspections are specifically limited to one per year unless

otherwise authorized by lawful consent or conducted pursuant to an administrative warrant issued pursuant to Section 9-15-7 of this chapter.

B. The scope and objects of inspections conducted pursuant to this chapter shall be specifically limited to what is reasonably necessary to ensure a dwelling's or structure's compliance with the minimum standards of this Code. Specific minimum standards shall include, but not be limited to, the following: compliance with permitted occupancy limitations, compliance with heat, light and ventilation requirements, compliance with structural, electrical, mechanical and sanitary requirements, avoidance of the cross connection of stormwater sump pump and sanitary sewer systems, avoidance of the accumulation of trash, rubbish and debris.

C. Code enforcement officers may request permission to enter all premises regulated by this chapter at reasonable hours to undertake an inspection for compliance.

#### **9-15-7: INSPECTION WARRANTS:**

Where admission to premises to be inspected under the provisions of this chapter is refused by the occupant or person in charge thereof, the Village shall apply to a court of competent jurisdiction for an administrative search warrant to inspect the premises. The administrative warrant shall be for the purpose of making an inspection to determine whether the dwelling or structure is in compliance with all of the provisions of this Code.

An owner, occupant, or other person in charge of a dwelling or structure subject to the provisions of this Code, who is presented with an administrative warrant obtained pursuant to this Section, shall not refuse, impede, inhibit, interfere with, restrict, or obstruct entry and free access to any part of the structure or premises where an inspection authorized by the administrative warrant is sought to be made.

An administrative warrant sought pursuant to this Section shall be sought in a court of competent jurisdiction, which court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall issue:

- A. Eyewitness account of violations;
- B. Citizen complaints;
- C. Tenant complaints;
- D. Plain view violations;
- E. Violations apparent from Village records;

- F. Property deterioration;
- G. Age of property;
- H. Nature of alleged violations;
- I. Similar properties in the area;
- J. Documented violations on similar properties in the area;
- K. Passage of time since last inspection;
- L. Previous violations on the property.

Cause for issuance of a warrant shall be deemed to exist in light of reasonable legislative and administrative standards which show that there is a reason to believe that a condition of nonconformity exists with respect to a particular property in violation of any provisions of this Code.

#### **9-15-8: INSPECTION POLICY AND RECORD KEEPING:**

Where admission to premises to be inspected under the provisions of this chapter is refused by the occupant or person in charge thereof, the Village shall apply to a court of competent jurisdiction for an administrative search warrant to inspect the premises. The administrative warrant shall be for the purpose of making an inspection to determine whether the dwelling or structure is in compliance with all of the provisions of this Code.

An owner, occupant, or other person in charge of a dwelling or structure subject to the provisions of this Code, who is presented with an administrative warrant obtained pursuant to this Section, shall not refuse, impede, inhibit, interfere with, restrict, or obstruct entry and free access to any part of the structure or premises where an inspection authorized by the administrative warrant is sought to be made.

An administrative warrant sought pursuant to this Section shall be sought in a court of competent jurisdiction, which court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall issue:

- A. Eyewitness account of violations;
- B. Citizen complaints;
- C. Tenant complaints;
- D. Plain view violations;

- E. Violations apparent from Village records;
- F. Property deterioration;
- G. Age of property;
- H. Nature of alleged violations;
- I. Similar properties in the area;
- J. Documented violations on similar properties in the area;
- K. Passage of time since last inspection;
- L. Previous violations on the property.

Cause for issuance of a warrant shall be deemed to exist in light of reasonable legislative and administrative standards which show that there is a reason to believe that a condition of nonconformity exists with respect to a particular property in violation of any provisions of this Code.

#### **9-15-9: CERTIFICATES OF INSPECTION:**

- A. Dwellings subject to this Chapter shall not be occupied unless a certificate of inspection has been issued by the Village. The rental certificate shall be issued only upon prior inspection of the premises, except as provided in subsection E of this Section. The certificate of inspection shall be issued within fifteen (15) days after written application therefor if the dwelling at the date of application is entitled thereto.
- B. Upon finding that there is no condition that would constitute a hazard to the health and safety of the occupants, and the premises are otherwise fit for occupancy, the certificate shall be issued. If the finding is of a condition that would constitute a hazard to health or safety, no certificate of inspection shall be issued, and an order to comply with this Chapter shall be issued immediately and served upon the owner. On reinspection and evidence of compliance, the order shall be rescinded and a certificate of inspection issued.
- C. A certificate of inspection shall be issued on condition that the premises remain in a safe, healthful and fit condition for occupancy. If upon reinspection the Village determines that conditions exist which constitute a hazard to the health or safety of the occupants, the certificate of inspection may be immediately suspended and a notice shall be served upon the owner to correct such violations.

D. An owner or owner's authorized agent shall apply for a certificate of inspection. Inspection and issuance of a certificate of inspection shall be in accordance with the requirements of this Chapter and with procedures established by the Village. The Village may authorize the issuance of a temporary certificate of inspection without inspection for those premises in which there are no violations of record as of the effective date of this Chapter, and shall issue such temporary certificates of inspection upon applications in cases where inspections are not made within a reasonable time. Temporary certificates of inspection may also be issued for premises with violations of record when the owner can show proof of action taken to correct such conditions.

E. It shall be required, and the responsibility of the owner to maintain the certificate of inspection, either temporary or permanent, as they are issued, at the premises for which they are issued. The certificate of inspection shall be displayed on request of a Code enforcement officer. Failure to have the certificate of inspection, or display the certificate of inspection on request, shall constitute a separate offense for which the owner and/or occupant are liable.

F. Buildings having more than two (2) dwelling units shall post the building certificate of inspection which shall list all dwelling units in said building in addition to their permitted occupancy loads. The building certificate of inspection shall be visible at all times.

G. Dwelling units which are part of a building that contains three (3) or more dwelling units shall receive a certificate of inspection issued to each specific unit in addition to the building. The building shall not receive a certificate of inspection until all dwelling units are in compliance with Village Codes.

#### **9-15-10: VIOLATIONS:**

A. If, upon inspection, the premises or any part thereof are found to be in violation of any provision of this Code to include but not be limited to regulations set forth in Titles 6 through 10, the violation(s) shall be recorded by the Code enforcement officer and retained in the applicable owner and premises files.

B. The owner and lessor or occupant shall be informed of the existence of the violation(s). The owner and occupant/tenant are responsible for abatement of violations. The notice shall state the date, name of the Code enforcement officer, the specific details of the violation and the time within which the correction shall be completed.

C. A violation which is determined to constitute a hazard to the health or safety of the occupants as defined in this Code, under circumstances where the premises cannot be vacated, shall be ordered corrected within the shortest

reasonable time. All other violations shall be corrected within a reasonable time as determined by the Village.

D. If a violation of any Village ordinance is found to exist on the premises and the violation(s) is not abated, the Village may revoke the certificate of inspection issued. If a certificate of inspection is revoked, a certificate of inspection shall not be reinstated or issued until all violations are abated.

**9-15-11: REVOCATION OF CERTIFICATES OF INSPECTION:**

A. A certificate of inspection may be revoked at any time during the occupancy of the rental unit for which the certificate of inspection has been issued, should the Code enforcement official determine, following a reasonable investigation, that the unit no longer complies with the provisions of this Code. Prior to the revocation of a certificate of inspection, the Code Enforcement Division shall provide the owner, agent or manager and the tenant with a written report stating the defects noted during the investigation and providing a reasonable time for the correction of said defects, except when the conditions of the unit pose an immediate threat to the life and safety of the occupants, in which case the Director of Community Development shall issue a notice of revocation to the owner, agent or manager and the tenants immediately and shall then cause the unit to be vacated without delay.

B. If a dwelling unit in a multi-family building is found to be in violation of an ordinance of the Village, the Village may revoke or suspend the building certificate of inspection issued to that building as well as the one issued to the specific unit. The certificate of inspection shall remain revoked or suspended until said violation is abated.

**9-15-12: APPEAL OF CERTIFICATE OF INSPECTION DENIED OR REVOKED:**

Any person whose application for a certificate of inspection has been denied or revoked or any person who is unable to comply with the provisions of this Chapter with regard to obtaining a certificate of inspection prior to the issuance of a certificate of inspection shall be granted an appeal to the Community Development Commission. Such notice of appeal shall be filed within ten (10) days from the date of requirement to comply or denial or revocation of a certificate of inspection. The Community Development Commission may grant a variance from the requirements of this Chapter only when the owner or manager of a residential rental unit can prove that compliance with the requirements of this Chapter will place an extreme hardship on the owner or manager of a rental property or where physical conditions make compliance impossible.

**9-15-13: PENALTY:**

Any person violating the terms and conditions of this Chapter shall be subject to a penalty not exceeding seven hundred fifty dollars (\$750.00) with each and every day that the violation of this Chapter is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Chapter including, without limitation, an action in equity to compel compliance with its terms. That any person violating the terms of this Chapter shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorney fees.

**CHAPTER 16: ELEVATOR SAFETY RULES****9-16-1: ADOPTED:**

The Illinois elevator safety rules, as adopted by the Illinois elevator safety review board and effective April 24, 2007, are hereby adopted by reference as the elevator safety rules of the Village of Bensenville for the purpose of prescribing rules and regulations governing elevator safety within the Village of Bensenville.

TYPE: Resolution

SUBMITTED BY: K. Rubach

DATE: 11/2/10

DESCRIPTION: Resolution to Approve Repairs to Belmont Water Tower

**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input checked="" type="checkbox"/> <i>Financially Stable Government</i>	<input type="checkbox"/> <i>Safe Place to Live</i>
<input checked="" type="checkbox"/> <i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/> <i>Downtown as a Community Focal Point</i>
<input type="checkbox"/> <i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/> <i>Regional Partnerships</i>

**COMMITTEE ACTION:**

**DATE: November 12, 2010**

**BACKGROUND:**

During the process of prepping the tower to be painted it was noted that there was severe rust on the base cone walls, in order to address this problem the current insulation needs to be removed to make repairs and then replaced with new insulation. If the old insulation tests positive for lead/asbestos additional funds may be needed for disposal of the hazardous materials. In addition to this, the access tube in the tower was found to have three holes that require repair. These repairs will include welding plates over the holes as well as the surrounding pitted areas. Once the plates have been welded in place the areas will be recoated per the original project specifications. All of these repairs are necessary in order to complete the project and restore the tower to operational condition.

These items were not included in the original contract and therefore need Board authorization in order to proceed.

**KEY ISSUES:**

Below are the repairs that need to be made as well as the costs associated:

<b>Repairs</b>	<b>Cost</b>
Removal of existing insulation and treatment of rust	\$ 19,450.00
Installation of insulation	\$ 10,950.00
Interior wet weld repairs	\$ 2,700.00
<b>TOTAL:</b>	<b>\$ 33,100.00</b>

**RECOMMENDATION:**

Staff recommends that approval be granted for these additional expenditures and asks that authorization be given to the Village Manager to execute a purchase order to Jetco, Ltd. of Prospect Heights, Illinois

**BUDGET IMPACT:**

These specific items were not budgeted for, however the contract came in below the estimated cost and there are additional funds available to pay for these repairs.

**ACTION REQUIRED:**

Motion to approve a Resolution authorizing the Village Manager to execute a purchase order and other associated documents to Jetco, Ltd of Prospect Heights, IL to perform repairs necessary to complete painting of the Belmont Water Tower.

**Resolution No.**

**Authorizing the Execution of a Purchase Order and Contract for Repairs to  
Belmont Water Tower to Jetco, Ltd.**

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Jetco, Ltd of Prospect Heights, IL to perform repairs necessary to complete painting of the Belmont Water Tower for an amount of \$33,100.00

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, \_\_\_\_\_, 2010.

APPROVED:

---

Frank Soto  
Village President

ATTEST:

---

JoEllen Ridder  
Village Clerk

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**TYPE:** Resolution      **SUBMITTED BY:** K. Rubach      **DATE:** 11/3/10

**DESCRIPTION:** Annual purchase of road salt for the deicing of Village Streets and Parking Facilities

**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input checked="" type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

**COMMITTEE ACTION:**

**DATE: November 9, 2010**

**BACKGROUND:**

The Village participates in the Illinois Joint Purchasing Program administered through the Illinois Department of Central Management Services for the purchase of road salt. Hundreds of municipalities in Illinois participate in the annual bid process that requires submission of a requisition requesting product need for the next fiscal year.

**KEY ISSUES:**

The Illinois Joint Purchasing Program for salt gives municipalities the option to purchase at least 80% of their allotted request and up to 120% of the amount in the event additional material is required. The cost established for this year is \$69.64 per ton which results in a price of \$97, 496.00 for 100% of our allotment (1400 tons).

**RECOMMENDATION:**

Staff recommends approval of the requested salt purchase.

**BUDGET IMPACT:**

58,094.47 remains in the FY10 salt budget, the remaining balance is covered in the proposed FY11 budget.

**ACTION REQUIRED:**

Motion to approve a Resolution authorizing the Village Manager to execute the corresponding required purchase orders and other associated documents to Cargil Incorporated Salt Division of North Olmstead, Ohio.

**Resolution No.**

**Authorizing the Execution of a Purchase Orders  
to Cargil Incorporated Salt Division**

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute purchase orders and other associated documents to Cargil Incorporated Salt Division of North Olmstead, Ohio for the purchase of road salt for an amount not to exceed 120% of the Village's allotment cost of \$97,496.00.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, \_\_\_\_\_, 2010.

APPROVED:

---

Frank Soto  
Village President

ATTEST:

---

JoEllen Ridder  
Village Clerk

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

TYPE: Resolution

SUBMITTED BY: K. Rubach

DATE: 11/3/10

DESCRIPTION: Resolution to approve a Contract for a Parkway Tree Inventory

**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input checked="" type="checkbox"/>	<i>Financially Stable Government</i>	<input type="checkbox"/>	<i>Safe Place to Live</i>
<input checked="" type="checkbox"/>	<i>Cost Effective Services Responsive to Citizens</i>	<input type="checkbox"/>	<i>Downtown as a Community Focal Point</i>
<input type="checkbox"/>	<i>Open Government w/ Involved Citizens</i>	<input type="checkbox"/>	<i>Regional Partnerships</i>

**COMMITTEE ACTION:**

**DATE: November 9, 2010**

**BACKGROUND:**

Staff while planning for the current fiscal year identified the need to have a tree inventory performed to increase the ability to manage our urban forest. This inventory will identify not only the types and locations of trees located on Village parkways but will also provide information related to their health and allow us to be proactive in identifying our future planting needs. As part of the RFP a software package was requested to manage this data which will allows us to perform future updates as trees are planted and removed.

**KEY ISSUES:**

A request for proposals was issued and the following results are listed below:

Company	Proposal Amount
Natural Path Urban Forestry Consultants Oak Park, IL 60364	\$ 22, 350.00
Davey Tree Service Kent, Ohio 44240	\$ 46,200.00
The Care of Trees Wheeling, IL 60090	Proposal Not Submitted
Kramer Tree Specialists, Inc. West Chicago, IL 60185	Proposal Not Submitted

**RECOMMENDATION:**

Staff recommends a contract to be awarded to Natural Path Urban Forestry Consultants of Oak Park, IL as they submitted the lowest bid and come highly recommended from surrounding municipalities.

**BUDGET IMPACT:**

This project has been budgeted for fiscal year 2010 budget.

**ACTION REQUIRED:**

Motion to approve a Resolution authorizing the Village Manager to execute a purchase order and other associated documents to Natural Path Urban Forestry Consultants of Oak Park, IL to perform a Tree Inventory.

**Resolution No.**

**Authorizing the Execution of a Purchase Order and Contract for a Tree Inventory  
to Natural Path Urban Forestry Consultants**

BE IT RESOLVED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois as follows:

THAT the Village Board authorizes the Village Manager to execute a purchase order and other associated documents to Natural Path Urban Forestry Tree Consultants of Oak Park, IL to perform a tree inventory for an amount of \$22,350.00

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, Illinois, \_\_\_\_\_, 2010.

APPROVED:

---

Frank Soto  
Village President

ATTEST:

---

JoEllen Ridder  
Village Clerk

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**TYPE:** Ordinance      **SUBMITTED BY:** Denise Pieroni      **DATE:** 11/02/10

**DESCRIPTION:** Ordinance Approving the 4<sup>th</sup> Amendment to the Village of Bensenville Fiscal Year 2010 Budget

**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

*Financially Sound Village*  
 *Quality Customer Oriented Services*  
 *Safe and Beautiful Village*

*Enrich the lives of Residents*  
 *Major Business/Corporate Center*  
 *Vibrant Major Corridors*

**COMMITTEE ACTION:** N/A (PW reorganization discussed at Board level)

**DATE:** N/A

**BACKGROUND:** A PW reorganization plan has been presented to and reviewed by the Village Board. The Village Board directed that the Village Manager move forward with the reorganization as discussed. The Budget includes the Compensation Plan and establishes the number of authorized positions. As such, an amendment to the budget modifying the Compensation Plan as proposed per the reorganization proposal is required. Additionally, since its original adoption, errors in the classification of certain unionized office positions of been brought to our attention. These corrections are also reflected on the compensation schedules included as an attachment to the ordinance.

**KEY ISSUES:** Adjustments to the Official Compensation Plan need to be made to formally effectuate the changes in the PW Department agreed to by the Board.

**ALTERNATIVES:**

- Discretion of Board

**RECOMMENDATION:** Consistent with the Board's direction relative to the reorganization of the Public Works Department, approve the amendment to the Budget incorporating these changes into the Official Compensation Plan for FY 2010.

**BUDGET IMPACT:** Due to the resulting elimination of an outside contract that will occur with this reorganization, there will be a slight overall decrease (approximately \$6,000) as a result of the reorganization.

**ACTION REQUIRED:** Adopt Ordinance amending the 2010 Budget to provide for the revised compensation schedules.

VILLAGE OF BENESSENVILLE  
OFFICIAL COMPENSATION PLAN  
AUTHORIZED POSITIONS EFFECTIVE 1/1/2010  
STEP ADJUSTMENTS EFFECTIVE 5/1/2010  
SCHEDULE I: MERIT-STEP POSITIONS

Merit Step Positions <sup>(1)(b)</sup>	Authorized Positions											
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	F/T <sup>(2)</sup>	P/T <sup>(3)</sup>
AFSCME Pay Grade 1 (Includes the following positions: Switchboard Operator/Receptionist/ Account Clerk I)	Annual	29,505	30,459	31,411	32,361	33,313	34,265	35,214	36,166	37,121	38,235	3 1
	Bi-Weekly	1,135	1,171	1,208	1,245	1,281	1,318	1,354	1,391	1,428	1,471	
	Hourly	14,18	14,64	15,10	15,56	16,02	16,47	16,93	17,39	17,85	18,38	
AFSCME Pay Grade 2 (Includes the following positions: Custodian)	Annual	31,928	32,959	33,987	35,019	36,047	37,079	38,109	39,139	40,169	41,374	0 1
	Bi-Weekly	1,228	1,268	1,307	1,347	1,386	1,426	1,466	1,505	1,545	1,591	
	Hourly	15,35	15,85	16,34	16,84	17,33	17,83	18,32	18,82	19,31	19,89	
AFSCME Pay Grade 3 (Includes the following positions: Billing Clerk III, Secretary III)	Annual	34,494	35,607	36,719	37,834	38,948	40,061	41,173	42,290	43,401	44,703	2 1
	Bi-Weekly	1,327	1,370	1,412	1,455	1,498	1,541	1,584	1,627	1,669	1,719	
	Hourly	16,58	17,12	17,65	18,19	18,73	19,26	19,79	20,33	20,87	21,49	
AFSCME Pay Grade 4 (Includes the following positions: Billing Clerk IV, Account Clerk IV, Secretary IV)	Annual	36,673	37,854	39,036	40,219	41,401	42,586	43,768	44,949	46,134	47,518	4 0
	Bi-Weekly	1,410	1,456	1,501	1,547	1,592	1,638	1,683	1,729	1,774	1,828	
	Hourly	17,63	18,20	18,77	19,34	19,90	20,47	21,04	21,61	22,18	22,85	
AFSCME Pay Grade 5 W (Includes the following positions: Technician I assigned to Utility)	Annual	40,492	41,936	43,377	44,821	46,265	47,707	49,148	50,593	52,036	53,597	2 0
	Bi-Weekly	1,557	1,613	1,668	1,724	1,779	1,835	1,890	1,946	2,001	2,061	
	Hourly	19,47	20,16	20,85	21,55	22,24	22,94	23,63	24,32	25,02	25,77	
AFSCME Pay Grade 6 (Includes the following positions: None)	Annual	42,442	43,886	45,327	46,771	48,215	49,657	51,098	52,544	53,986	55,606	3 0
	Bi-Weekly	1,663	1,688	1,743	1,799	1,854	1,910	1,965	2,021	2,076	2,139	
	Hourly	20,40	21,10	21,79	22,49	23,18	23,87	24,57	25,26	25,95	26,73	
AFSCME Pay Grade 7 <sup>(5)</sup> (Includes the following positions: Technician II, Special Clerical Assistant, Mechanic II)	Annual	45,650	47,287	48,928	50,565	52,206	53,842	55,482	57,123	58,763	60,526	9 0
	Bi-Weekly	1,756	1,819	1,882	1,945	2,008	2,071	2,134	2,197	2,260	2,328	
	Hourly	21,95	22,73	23,52	24,31	25,10	25,89	26,67	27,46	28,25	29,10	
AFSCME Pay Grade 7 W <sup>(5)</sup> (Includes the following positions: Technician II assigned to Utility)	Annual	47,600	49,237	50,878	52,515	54,156	55,792	57,432	59,073	60,713	62,534	6 0
	Bi-Weekly	1,831	1,894	1,957	2,020	2,083	2,146	2,209	2,272	2,335	2,405	
	Hourly	22,88	23,67	24,46	25,25	26,04	26,82	27,61	28,40	29,19	30,06	
Police Officer <sup>(4)</sup>	Annual	54,064	56,114	59,174	61,504	64,626	69,751	75,760		26	0	
	Bi-Weekly	2,079	2,158	2,276	2,366	2,486	2,683	2,914				
	Hourly	25,99	26,98	28,45	29,57	31,07	33,53	36,42				
Sergeants	Annual	78,320	81,114	84,331	87,553	--	--	--		5	0	
	Bi-Weekly	3,012	3,120	3,244	3,367	--	--	--				
	Hourly	28,42	29,43	30,60	31,77	--	--	--				

SUB-TOTAL MERIT-STEP POSITIONS:

61 3

**NOTES**

- (1) Movement through merit-steps occur at 1 year intervals with satisfactory job performance evaluation.
- (2) Each position represents full-time equivalent hours of 2080, unless otherwise noted. "Job sharing" is permitted as long as total hours paid do not exceed the amount budgeted for the position. The number of full-time equivalent positions shall not be increased. Additionally, the allocation of positions between Technician I & II may vary as long as total number of Technician positions is not increased.
- (3) Crew Leaders compensation is equal to a 5% increase above Step 10 (J)
- (4) Specialty Compensation for Detective equals \$300 per year
- (5) AFSCME Contract expires April 30, 2011. Police Officer contract expires April 30, 2012. Sergeant contract expires April 30, 2012.

VILLAGE OF BENESSENVILLE  
OFFICIAL COMPENSATION PLAN  
AUTHORIZED POSITIONS EFFECTIVE 1/1/2010  
RANGE ADJUSTMENTS EFFECTIVE 1/1/2010  
SCHEDULE II: MERIT PERFORMANCE POSITIONS

Merit-Performance Positions	ANNUAL		BI-WEEKLY		HOURLY				F/T <sup>(2)</sup>	P/T <sup>(3)</sup>
	MIN	MAX	MIN	MAX	MIN	MAX				
PT PW & Authorized Hour Position <sup>(5)</sup>	17,680	41,415	680	1,593	8,50	19,91			0	2
Plumbing & Electrical PT Inspectors					10,00	15,00			0	2
Office Assistant/Investigative Aide	23,500	33,500	904	1,288	11,30	16,11			0	2
Records Clerk	23,500	33,500	904	1,288	11,30	16,11			3	0
Front Desk Clerks (Edge - authorized hours)	23,500	33,500	904	1,288	11,30	16,11			0	0
Office Manager (Edge)	23,500	33,500	904	1,288	11,30	16,11			1	0
Janitorial Services Manager (Edge)	25,500	35,500	981	1,365	12,26	17,07			1	0
Front Desk Operations Manager (Edge)	31,605	38,145	1,216	1,467	15,19	18,34			1	0
Aquatic Facilities & Programs Manager	27,245	38,145	1,048	1,467	13,10	18,34			1	0
Redmond Facilities & Programs Manager	30,515	46,860	1,174	1,802	14,67	22,53			1	0
Concessions Manager	30,515	46,860	1,174	1,802	14,67	22,53			1	0
Administrative Assistant/Administrative Aide	29,040	49,040	1,117	1,886	13,96	23,58			2	0
Deputy Village Clerk	29,040	49,050	1,117	1,887	13,96	23,58			1	0
Police Dispatcher	32,000	50,000	1,231	1,923	15,38	24,04			5	2
Marketing/Business Development Administrator	33,645	54,900	1,294	2,112	16,18	26,39			1	0
Engineering/GIS Coordinator	33,645	54,900	1,294	2,112	16,18	26,39			1	0
Payroll Administrator/Staff Accountant	43,590	58,850	1,677	2,263	20,96	28,29			1	0
Accounts Payable Administrator	43,590	58,850	1,677	2,263	20,96	28,29			1	0
Community Liaison	43,590	58,850	1,677	2,263	20,96	28,29			1	0
Emergency Management Coordinator		0	0	0.00	0.00	0.00			0	1
Civilian Code Enforcement Officer	40,845	61,105	1,571	2,350	19,64	29,38			1	0
Civilian Evidence Custodian	40,845	61,105	1,571	2,350	19,64	29,38			1	0
Code Compliance Inspector	40,845	61,105	1,571	2,350	19,64	29,38			3	0
Executive Assistant <sup>(4)</sup>	32,695	65,000	1,258	2,500	15,72	31,25			1	0
Plan Reviewer - Inspectional Services	43,515	65,230	1,674	2,509	20,92	31,36			1	0
Plan Reviewer - Permitting	43,515	65,230	1,674	2,509	20,92	31,36			1	0
Facilities Operation Manager	45,000	65,000	1,731	2,500	21,63	31,25			1	0
Assistant to Director	35,000	70,790	1,346	2,723	16,83	34,03			2	0
Cable Director	52,205	70,790	2,008	2,723	25,10	34,03			1	0
Assistant PW Supervisor/Fleet Manager	50,715	76,117	1,951	2,928	24,38	36,59			1	0
Public Works Supervisor	56,350	84,575	2,167	3,253	27,09	40,66			1	0
Utility Supervisor	56,350	84,575	2,167	3,253	27,09	40,66			1	0
Assistant Director of Finance	47,900	84,575	1,842	3,253	23,03	40,66			1	0
Figure Skating Director	45,000	84,575	1,731	3,253	21,63	40,66			1	0
Hockey Director/Coach	60,000	95,940	2,308	3,690	28,85	46,13			2	0
Director of HR & Risk Management	63,250	95,940	2,433	3,690	30,41	46,13			1	0
Deputy Chief	66,335	99,500	2,551	3,827	31,89	47,84			1	0
Directors:										
Finance	63,250	125,000	2,433	4,808	30,41	60,10			1	0
Community & Economic Development	63,250	125,000	2,433	4,808	30,41	60,10			1	0
Recreation & Community Programming	76,285	125,000	2,934	4,808	36,68	60,10			1	0
Public Works	76,285	125,000	2,934	4,808	36,68	60,10			1	0
Chief of Police	76,285	125,000	2,934	4,808	36,68	60,10			1	0
Deputy Village Manager	87,725	131,590	3,374	5,061	42,18	63,26			0	0
Village Manager									1	0

SUB-TOTAL MERIT PERFORMANCE POSITIONS:

49 9

GRAND TOTAL ALL POSITIONS:

110 12

**NOTES**

- (1) Each position represents full-time equivalent hours of 2080, unless otherwise noted. "Job sharing" is permitted as long as total hours paid do not exceed the amount budgeted for the positions. The number of full-time equivalent positions shall not be increased.
- (2) Part-Time non-exempt positions will be compensated at the hourly equivalent within their range.
- (3) Authorized Positions Column does not include those positions for which total authorized hours are established.
- (4) Position paid an additional stipend of \$5,290 for serving as Recording Secretary for Board of Police Commissioners (BOPC)
- (5) Position paid annual stipend of approximately \$8,000

VILLAGE OF BENSENVILLE

ORDINANCE NO. 10- \_\_\_\_\_

---

FOURTH AMENDMENT TO THE VILLAGE OF BENSENVILLE, ILLINOIS  
FISCAL YEAR 2010 BUDGET

---

ADOPTED BY THE CORPORATE AUTHORITIES OF THE  
VILLAGE OF BENSENVILLE THIS 9<sup>th</sup> DAY OF NOVEMBER, 2010

---

Published in pamphlet form by authority of the Corporate Authorities of the  
Village of Bensenville, Illinois, this 9<sup>th</sup> day of November 2010

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

**FOURTH AMENDMENT TO THE VILLAGE OF BENSENVILLE**

**FISCAL YEAR 2010 BUDGET**

**WHEREAS**, the Annual Budget of the Village of Bensenville for the Fiscal Year 2010 was approved on December 9, 2008 and amended on April 30, 2009, March 16, 2010 and July 13, 2010 in accordance with the Illinois Municipal Code; and

**WHEREAS**, 65 ILCS 5/8-2-9.6 provides for the amendment of the Annual Budget.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois that:

**SECTION 1:** The Budget for the Village of Bensenville for the Fiscal Year 2010 adopted by the Board of Trustees on December 8, 2008 by Ordinance No. 101-2008 and subsequently amended by Ordinance No. 29-2009, Ordinance, Ordinance No. 28-2010, and Ordinance No. 60-2010 is hereby further amended to modify the Official Compensation Plan for the Village of Bensenville for Fiscal Year 2010 adopted by the Board of Trustees as part of the 2<sup>nd</sup> Amendment to the 2010 Budget pursuant to the provisions of Group Exhibit 1 containing Schedule I and II of the Official Compensation Plan.

**SECTION 2:** This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED THIS 9<sup>th</sup> DAY OF NOVEMBER 2010, BY ROLL CALL VOTE AS FOLLOWS:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

RECUSE: \_\_\_\_\_

APPROVED THIS 9<sup>TH</sup> DAY OF NOVEMBER 2010

---

Frank Soto, Village President

ATTESTED AND FILED THIS 9<sup>th</sup> DAY OF NOVEMBER 2010.

---

Village Clerk

Published in Pamphlet form this 9<sup>th</sup> Day of November 2010.



# VILLAGE OF BENSENVILLE

Village Board  
President  
Frank Soto

Trustees  
John Adamowski  
Morris Bartlett  
Patricia A. Johnson  
Martin O'Connell  
Oronzo Peconio  
Henry Wesseler  
Village Clerk  
JoEllen Ridder

Village Manager  
Michael Cassady

## Village of Bensenville, Illinois BOARD OF TRUSTEES SPECIAL BUDGET WORKSHOP

**7:00 P.M. or Immediately Following the Board Meeting**  
**Tuesday, November 9, 2010**

**Bensenville Village Hall, 12 S. Center Street, Bensenville IL 60106**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. 2011 PROPOSED BUDGET WORKSHOP**

(No other business to be discussed and no formal action to be taken by the Board during this workshop.)

1. Responses to Questions from November 2, 2010 Workshop
2. Public Works
3. Capital
4. Recycling and Refuse
5. Commuter Parking

**IV. EXECUTIVE SESSION IF NECESSARY**

**EXECUTIVE SESSION**

- A. Review of Executive Session Minutes [5 ILCS 120/2 (C)(21)]
- B. Personnel [5 ILCS 120/2(C)(1)]
- C. Collective Bargaining [5 ILCS 120/2 (C)(2)]
- D. Property Acquisition [5 ILCS 120/2(C)(5)]
- E. Litigation [5 ILCS 120/2(C)(11)]

**V. ADJOURNMENT**

**Please Note** - The Village of Bensenville is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Village Hall (630-766-8200) at least 3 days prior to the meeting to allow the Village of Bensenville to make reasonable accommodations for those persons.



### Village of Bensenville

12 South Center Street ♦ Bensenville, IL 60106  
Phone: 630-766-8200 ♦ Fax: 630-594-1105  
[www.bensenville.il.us](http://www.bensenville.il.us)