



VILLAGE BOARD

July 16, 2020

President
Frank DeSimone

Board of Trustees
Rosa Carmona
Ann Franz
Maria T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk
Nancy Quinn

Village Manager
Evan K. Summers

Mr. Paul De Michele
17W275 Rodeck Lane
Bensenville, Illinois 60106

Re: July 9, 2020 FOIA Request

Dear Mr. De Michele:

I am pleased to help you with your July 9, 2020 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on July 9, 2020. You requested copies of the items indicated below:

"Pursuant to the Freedom of Information Act I am requesting the Following: 1) A copy of the text amendment and all supporting documents for items VIII A1 and VIII B2 on the June 16, 2020 Agenda."

After a search of Village files, the following information was found responsive to your request:

- 1) Village of Bensenville June 16, 2020 Agenda Item VIII A1. (23 pgs.)
- 2) Village of Bensenville June 16, 2020 Agenda Item VIII B2. (8 pgs.)

These are all the records found responsive to your request.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,


Corey Williamsen
Freedom of Information Officer
Village of Bensenville

TYPE:
Ordinance

SUBMITTED BY:
M. Ribando

DEPARTMENT:
Village Manager's Office

DATE:
June 16, 2020

DESCRIPTION:

Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Approving and Supporting a State of Emergency to Protect the Public Health, Safety and Welfare and Provide Relief to the Residents and Business Community

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

COMMITTEE ACTION:
N/A

DATE:

BACKGROUND:

Due to the COVID-19 Pandemic, an Emergency Declarations and certain Executive Orders were approved for the public health and safety of our residents and business community along in addition to providing financial and emotional relief.

KEY ISSUES:**ALTERNATIVES:****RECOMMENDATION:****BUDGET IMPACT:****ACTION REQUIRED:****ATTACHMENTS:**

| <u>Description</u> | <u>Upload Date</u> | <u>Type</u> |
|--------------------|--------------------|-------------|
| <u>Ordinance</u> | 6/11/2020 | Cover Memo |
| <u>Exhibit A</u> | 6/11/2020 | Cover Memo |
| <u>Exhibit B</u> | 6/12/2020 | Cover Memo |

ORDINANCE NUMBER _____

AN ORDINANCE OF THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS SUPPORTING A STATE OF EMERGENCY AND APPROVING EXECUTIVE ORDERS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE AND PROVIDE RELIEF TO THE RESIDENTS AND BUSINESS COMMUNITY

WHEREAS, the Village of Bensenville, DuPage and Cook Counties, Illinois (the "Village") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the Village President and Board of Trustees of the Village of Bensenville (the "Corporate Authorities") are charged with the responsibility of protecting the health, safety and welfare of the residents of the Village; and

WHEREAS, COVID-19, also known as the "coronavirus," is a dangerous disease which has spread around the world, including in the United States, the State of Illinois, DuPage County and Village of Bensenville; and

WHEREAS, COVID-19 is a direct and serious threat to the public's health, safety and welfare; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020 due to the COVID-19 disease outbreak; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 disease outbreak a worldwide global pandemic; and

WHEREAS, the President of the United States of America declared a national state of emergency on March 13, 2020; and

WHEREAS, the DuPage County Board Chairman issued a disaster proclamation on March 16, 2020; and

WHEREAS, on March 20, 2020, the Governor of the State of Illinois issued Executive Order 2020-10, a "Stay at Home" order, allowing only "essential businesses" to operate and limiting the movement of persons in Illinois in order to slow the spread of COVID-19, which has a significant and material impact on Village residents and businesses; and

WHEREAS, on March 24, 2020, the Village President declared a state of emergency in the Village; and

WHEREAS, on April 1, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days; and

WHEREAS, on April 1, 2020, the Governor of the State of Illinois issued Executive Order 2020-18, extending the "Stay at Home" order through April 30, 2020; and

WHEREAS, on April 14, 2020, the Village President issued a second declaration of the state of emergency in the Village; and

WHEREAS, on April 28, 2020, the Village President issued a third declaration of the state of emergency in the Village; and

WHEREAS, on April 30, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days; and

WHEREAS, on April 30, 2020, the Governor of the State of Illinois issued Executive Order 2020-32, to amend and extend the "Stay at Home" order through May 30, 2020; and

WHEREAS, on May 12, 2020, the Village President issued a fourth declaration of the state of emergency in the Village; and

WHEREAS, on May 24, 2020, the Governor of the State of Illinois declared that all four regions of the State of Illinois are on track to enter Phase 3 of the Restore Illinois Plan on May 29, 2020; and

WHEREAS, on May 24, 2020, the Illinois Department of Commerce and Economic Opportunity and the Illinois Department of Public Health issued COVID-19 2020 Outdoor Dining Guidelines as part of Phase 3 of the Restore Illinois Plan; and

WHEREAS, on May 26, 2020, the Village President issued a fifth declaration of the state of emergency in the Village; and

WHEREAS, pursuant to said declaration the Village President issued Executive Order Number 2020.04 to regulate outdoor dining in Compliance with Phase 3 of the Restore Illinois Plan and to provide much needed relief and assistance to the residents and businesses of the Village during the COVID-19 pandemic which is causing or anticipated to cause widespread impacts on the health, safety, welfare and finances of the residents and businesses of the Village; and

WHEREAS, it is the desire of the Corporate Authorities to concur with the Executive Order 2020.04 and formally adopt the matters therein described and contained as such are deemed necessary by the Corporate Authorities for the protection of the public health, safety and welfare as provided under the Illinois Municipal Code, the Illinois Emergency Management Agency Act and Chapter Two of Title Four of the Bensenville Village Code; and

WHEREAS, on May 29, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days; and

WHEREAS, on May 29, 2020, the Governor of the State of Illinois issued Executive Order 2020-36 and Executive Order 2020-37 pertaining to the implementation of the Restore Illinois Plan through June 27, 2020; and

WHEREAS, the March 24, 2020, April 14, 2020, April 28, 2020, May 12, 2020 and May, 26, 2020 declarations were made pursuant to authority granted to the Village President in Chapter Two of Title Four of the Bensenville Village Code, entitled "Emergencies" and pursuant to Section 5/11-1-6 of the Illinois Municipal Code and Section 3305/11 of the Illinois Emergency Management Agency Act; and

WHEREAS, the current declaration will expire upon adjournment of the regular meeting of the Village Board of Trustees of the Village of Bensenville, Illinois, on June 16, 2020; and

WHEREAS, based on the gubernatorial disaster proclamations and executive orders as well as the Restore Illinois Plan of the Governor of the State of Illinois, the Corporate Authorities hereby find that the fifth declaration continuing the state of emergency in the Village on May 26, 2020 was in the best interest of the health, safety and welfare of the residents of the Village; and

WHEREAS, the current declaration is set to expire upon adjournment of the first regular meeting of the Board of Trustees of the Village of Franklin Park, Illinois on June 16, 2020; and

WHEREAS, pursuant to said declaration the Village President issued Executive Order Number 2020.05 to regulate the delivery and carry out of mixed drinks pursuant to 235 ILCS 5/6-28.8, and to provide much needed relief and assistance to the residents and businesses of the Village during the COVID-19 pandemic which is causing or anticipated to cause widespread impacts on the health, safety, welfare and finances of the residents and businesses of the Village; and

WHEREAS, it is the desire of the Corporate Authorities to concur with the Executive Order 2020.05 and formally adopt the matters therein described and contained as such are deemed necessary by the Corporate Authorities for the protection of the public health, safety and welfare

as provided under the Illinois Municipal Code, the Illinois Emergency Management Agency Act and Chapter Two of Title Four of the Bensenville Village Code; and

WHEREAS, the COVID-19 virus is still causing or anticipated to cause widespread impacts on the health of members of the community; and

WHEREAS, until expiration of the current gubernatorial disaster proclamation or unless sooner terminated by the Village President indicating that the emergency no longer exists in the Village, whichever occurs first, the Corporate Authorities support and approve any intent of the Village President to issue a sixth declaration of a state of emergency in the Village to ensure vital emergency services and functions continue to operate and provide needed relief to the residents and businesses of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, as follows:

Section 1. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Corporate Authorities find and determine that this Ordinance is necessary, desirable and in the best interest of the health, safety and welfare of the residents of the Village of Bensenville.

Section 3. The Declaration of a State of Emergency Village of Bensenville, DuPage and Cook Counties, Illinois issued by the Village President on May 26, 2020, a copy of which is attached hereto and made a part hereof as Exhibit A, is hereby ratified and approved.

Section 4. Executive Order Number 2020.04 and Executive Order Number 2020.05 issued by the Village President, copies of which are attached hereto and made a part hereof as Exhibit B, are hereby ratified and approved.

Section 5. Any Declaration of a State of Emergency Village of Bensenville, DuPage and Cook Counties, Illinois that may be issued if determined necessary by the Village President on or after June 16, 2020 to continue the state of emergency in the Village is hereby supported.

Section 6. The officials, officers, attorneys and consultants of the Village are hereby authorized to undertake actions on the part of the Village as contained in and pursuant to a Declaration of a State of Emergency issued by the Village President to complete satisfaction of the provisions, terms or conditions stated therein.

Section 7. This Ordinance, and its parts, are declared to be severable and any section, paragraph, clause, provision, or portion of this Ordinance that is declared invalid shall not affect the validity of any other provision of this Ordinance, which shall remain in full force and effect.

Section 8. The findings and recitals herein are declared to be *prima facie* evidence of the law of the Village and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Section 9. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 10. This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

(Intentionally Left Blank)

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois, this _____ day of June 2020, pursuant to a roll call vote, as follows:

APPROVED:

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____

Exhibit A

May 26, 2020 Declaration

Exhibit B

Executive Orders 2020.04 and 2020.05

RECEIVED
MAY 26 2020
BY: *EW*

Declaration of State of Emergency

Village of Bensenville, DuPage and Cook Counties, Illinois

Pursuant to the authority vested in the office of the Village President by the Illinois Municipal Code, 65 ILCS 5/11-1-6; the Illinois Emergency Management Agency Act, 20 ILCS 3305/11; and Chapter Two of Title Four of the Bensenville Village Code of the Village of Bensenville, DuPage and Cook Counties, Illinois, I, Frank DeSimone, the Village President of the Village of Bensenville, do hereby declare that a State of Emergency continues to exist as of this date, May 26, 2020, and shall continue until such time as provided by Chapter Two of Title Four of the Bensenville Village Code.

On March 9, 2020, the Governor of the State of Illinois declared a state of emergency. On March 11, 2020, the World Health Organization declared the Coronavirus Disease 2019 (COVID-19) outbreak a pandemic. On March 20, 2020, the Governor of the State of Illinois issued Executive Order 2020-10, a "Stay at Home" order to slow the spread of COVID-19. On April 1, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days. On April 1, 2020, the Governor of the State of Illinois issued Executive Order 2020-18 to extend the "Stay at Home" order through April 30, 2020. On April 30, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days. On April 30, 2020, the Governor of the State of Illinois issued Executive Order 2020-32 to amend and extend the "Stay at Home" order until May 30, 2020 and Executive Order 2020-33 to Re-issue prior Executive Orders.

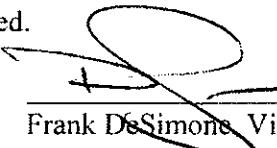
The nature of the emergency is the COVID-19 outbreak.

During the existence of the State of Emergency, the Village President shall execute such authority as provided under the Illinois Municipal Code, the Illinois Emergency Management Agency Act and Chapter Two of Title Four of the Bensenville Village Code.

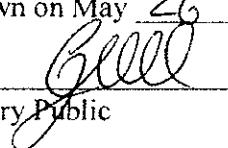
This Declaration of State of Emergency shall be filed with the Village Clerk as soon as practicable.

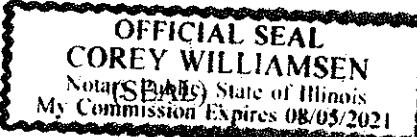
State of Illinois)
County of DuPage) SS

I, Frank DeSimone, Village President of the Village of Bensenville, DuPage and Cook Counties, Illinois, being first duly sworn upon oath, signed and executed this Declaration of State of Emergency, and state that I signed willingly, and that I executed said Declaration as my free and voluntary act for the purposes therein expressed.


Frank DeSimone, Village President

Subscribed and sworn to (or affirmed) before me
by Frank DeSimone, who is to me personally
known on May 26, 2020.


Notary Public



EXECUTIVE ORDER NO. 2020.05

**EXECUTIVE ORDER REGARDING VILLAGE RESIDENT AND BUSINESS RELIEF
UNDER A DECLARATION OF A STATE OF EMERGENCY IN THE VILLAGE
OF BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS
(COVID-19 – JUNE 12, 2020)**

WHEREAS, the Village of Bensenville (the "Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, COVID-19, also known as the "coronavirus," is a dangerous disease which has spread around the world, including in the United States, the State of Illinois, DuPage County and Cook County; and

WHEREAS, COVID-19 is a direct and serious threat to the public's health, safety and welfare; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020 due to the COVID-19 disease outbreak; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 disease outbreak a worldwide global pandemic; and

WHEREAS, the President of the United States of America declared a national state of emergency on March 13, 2020; and

WHEREAS, the DuPage County Board Chairman issued a disaster proclamation on March 16, 2020; and

WHEREAS, on March 16, 2020, the Governor of the State of Illinois issued Executive Order 2020-07 that ordered the suspension of on-premise consumption of food and liquor and extended such suspension through Executive Order 2020-033; and

WHEREAS, on March 20, 2020, the Governor of the State of Illinois issued Executive Order 20-10, a "Stay At Home" order, allowing only "essential businesses" to operate and limiting the movement of persons in Illinois in order to slow the spread of COVID-19, which has a significant and material impact on Village residents and businesses; and

WHEREAS, on March 24, 2020, the Village President declared a state of emergency in the Village entitled "Declaration of a State of Emergency Village of Bensenville, DuPage and Cook Counties, Illinois" (the "Declaration") and such state of emergency continues to exist in the Village; and

WHEREAS, the Declaration was made pursuant to authority granted to the Village President in Chapter Two of Title Four of the Bensenville Village Code, entitled "Emergencies," and pursuant to Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6; and

WHEREAS, on April 1, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days; and

WHEREAS, on April 1, 2020, the Governor of the State of Illinois issued Executive Order 2020-18, extending the “Stay at Home” order through April 30, 2020; and

WHEREAS, on April 30, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days; and

WHEREAS, on April 30, 2020, the Governor of the State of Illinois issued Executive Order 2020-32 to extend the “Stay at Home” order with certain modifications; and

WHEREAS, on May 5, 2020, the Governor of the State of Illinois issued the Restore Illinois Plan, a five-phased plan to reopen the State of Illinois; and

WHEREAS, on May 24, 2020, the Governor of the State of Illinois declared that all four regions of the State of Illinois are on track to enter Phase 3 of Restore Illinois Plan on May 29, 2020; and

WHEREAS, on May 29, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days. On May 29, 2020, the Governor of the State of Illinois issued Executive Order 2020-36 and Executive Order 2020-37 pertaining to the implementation of the Restore Illinois Plan through June 27, 2020; and

WHEREAS, on June 2, 2020, Public Act 101-063 enacted 235 ILCS 55/6-28.8 of the Liquor Control Act entitled “Delivery and Carry Out of Mixed Drinks Permitted” authorizing the sale and delivery for of premise consumption mixed drinks or cocktails under strict conditions; and

WHEREAS, on June 2, 2020, the Illinois Liquor Control Commission issued a Bulletin entitled “Sales and Delivery of ‘To Go’ Mixed Drinks/Cocktails; and

WHEREAS, as the Local Liquor Commissioner, the Village President has the authority to adopt rules and regulations related to the retail sale of alcoholic beverages within the corporate boundaries of the Village of Bensenville; and

WHEREAS, the Village President has determined that it is necessary to make this Executive Order to best protect the public's health, safety, and welfare regarding the COVID-19 pandemic; and

WHEREAS, the Village President has further determined that the relief herein provided will benefit the residents and businesses of the Village and serve to alleviate the financial impact of the COVID-19 pandemic.

NOW, THEREFORE, BE IT ORDERED, by the Village President of the Village of Bensenville, DuPage and Cook Counties, Illinois:

SECTION 1. Incorporation. That the recitals above shall be and are incorporated in this Section 1 as if restated herein.

SECTION 2. Executive Order. To help Village residents, businesses and the community at large deal with the significant repercussions of the COVID-19 pandemic and to address certain matters contained in previous Executive Orders pertaining to regulations, licenses and permits but only to the extent herein specifically provided, it is ordered:

1. **Delivery and Carry Out of Mixed Drinks.** Notwithstanding anything contained in any prior Executive Order or the Bensenville Village Code (the "Code") to the contrary, pursuant to 235 ILCS 5/6-28.8, the delivery and carry out of mixed drinks is permitted but only by a liquor license holder authorized to serve alcoholic liquor for consumption on the premise. No additional local liquor license application is required. Failure by any qualified liquor license holder to abide by the requirements contained in Section 5/6-28.8, any guideline or bulletin issued by the Illinois Liquor Control Commission, including but not limited to the bulletin entitled "*Sales and Delivery of 'To Go' Mixed Drinks or Cocktails, dated June 2, 2020*" or the Code shall automatically suspend the right of said liquor license holder to deliver and carry out mixed drinks pursuant to this Executive Order. Authorization for delivery and carry out of mixed drinks pursuant to this Executive Order shall expire on January 2, 2021 notwithstanding anything to the contrary in Section 5/6-28.8.

2. **Term; Revocation.** No permit, license or authority issued pursuant to this Executive Order shall constitute personal property, and the Village shall retain the right to terminate or revoke any permit, license or authority upon twenty-four (24) hours' notice to the applicant.

SECTION 3. Implementation, Administrative Rules and Procedures. The Village Manager is hereby authorized to formulate administrative rules and procedures necessary to implement and enforce this Executive Order. Discretionary acts under this Executive Order shall be made by the Village Manager using his best judgment.

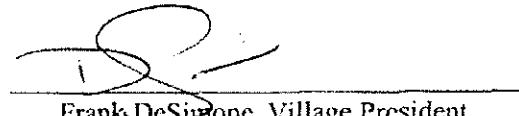
SECTION 4. No Vested Rights. This Executive Order grants no vested rights and no person or entity shall have any claim to vested rights in any relief granted in this Executive Order or any claim or property right in any permit or license authorized or issued pursuant to this Executive Order.

SECTION 5. Legal Effect. This Executive Order only addresses the matters set forth above arising under the Code. This Executive Order does not waive or suspend compliance with any Federal, State, County or other applicable local laws, rules, regulations, and requirements.

SECTION 6. Saving Clause. If any section, provision or clause of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other section, provision or clause or application of

this Executive Order, which can be given effect without the invalid section, provision or clause or application. To achieve this purpose, the sections, provisions or clauses of this Executive Order are declared to be severable.

SECTION 7. Duration. This Executive Order takes effect immediately and expires upon the earlier of (a) the termination of the Gubernatorial Disaster Declaration by the Governor of the State of Illinois; or (b) the withdrawal or amendment of this Executive Order by the Village President.

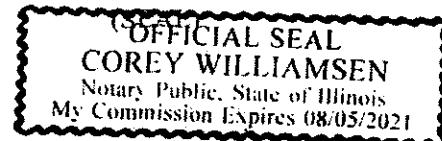


Frank DeSimone, Village President
Village of Bensenville, Illinois

Date: June 12, 2020

Subscribed and sworn to (or affirmed) before me by
Frank DeSimone, Village President, Village of Bensenville,
Illinois who is to me personally known on June 12, 2020.

Notary Public



EXECUTIVE ORDER NO. 2020.04

**EXECUTIVE ORDER ESTABLISHING LOCAL REGULATIONS RELATED TO
OUTDOOR DINING IN COMPLIANCE WITH PHASE 3 OF THE STATE
OF ILLINOIS RESTORE ILLINOIS PLAN IN THE VILLAGE OF
BENSENVILLE, DUPAGE AND COOK COUNTIES, ILLINOIS
(COVID-19 – MAY 28, 2020)**

WHEREAS, the Village of Bensenville (the "Village") is a non-home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

WHEREAS, COVID-19, also known as the "coronavirus," is a dangerous disease which has spread around the world, including in the United States, the State of Illinois, DuPage County and Cook County; and

WHEREAS, COVID-19 is a direct and serious threat to the public's health, safety and welfare; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020 due to the COVID-19 disease outbreak; and

WHEREAS, on March 11, 2020, the World Health Organization declared the COVID-19 disease outbreak a worldwide global pandemic; and

WHEREAS, the President of the United States of America declared a national state of emergency on March 13, 2020; and

WHEREAS, the DuPage County Board Chairman issued a disaster proclamation on March 16, 2020; and

WHEREAS, on March 16, 2020, the Governor of the State of Illinois issued Executive Order 2020-07 that ordered the suspension of on-premise consumption of food and liquor and extended such suspension through Executive Order 2020-033; and

WHEREAS, on March 20, 2020, the Governor of the State of Illinois issued Executive Order 20-10, a "Stay At Home" order, allowing only "essential businesses" to operate and limiting the movement of persons in Illinois in order to slow the spread of COVID-19, which has a significant and material impact on Village residents and businesses; and

WHEREAS, on March 24, 2020, the Village President declared a state of emergency in the Village entitled "Declaration of a State of Emergency Village of Bensenville, DuPage and Cook Counties, Illinois" (the "Declaration") and such state of emergency continues to exist in the Village; and

WHEREAS, the Declaration was made pursuant to authority granted to the Village President in Chapter Two of Title Four of the Bensenville Village Code, entitled "Emergencies."

and pursuant to Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6; and

WHEREAS, on April 1, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days; and

WHEREAS, on April 1, 2020, the Governor of the State of Illinois issued Executive Order 2020-18, extending the “Stay at Home” order through April 30, 2020; and

WHEREAS, on April 30, 2020, the Governor of the State of Illinois extended the disaster proclamation for an additional thirty (30) days; and

WHEREAS, on April 30, 2020, the Governor of the State of Illinois issued Executive Order 2020-32 to extend the “Stay at Home” order with certain modifications; and

WHEREAS, on May 5, 2020, the Governor of the State of Illinois issued the Restore Illinois Plan, a five-phased plan to reopen the State of Illinois; and

WHEREAS, on May 24, 2020, the Governor of the State of Illinois declared that all four regions of the State of Illinois are on track to enter Phase 3 of Restore Illinois Plan on May 29, 2020; and

WHEREAS, on May 24, 2020, the Illinois Department of Commerce and Economic Opportunity and the Illinois Department of Public Health issued COVID-19 2020 Outdoor Dining Guidelines (the “Guidelines”) as part of Phase 3 of the Restore Illinois Plan; and

WHEREAS, in order to ensure restaurants and bars within the Village of Bensenville have the ability to comply with the Guidelines, the Village President has determined that it is necessary to make this Executive Order to best protect the public's health, safety and welfare regarding the COVID-19 pandemic; and

WHEREAS, as the Local Liquor Commissioner, the Village President has the authority to adopt rules and regulations related to the retail sale of alcoholic beverages within the corporate boundaries of the Village of Bensenville; and

WHEREAS, the Village President has determined that it is necessary to make this Executive Order to best protect the public's health, safety, and welfare regarding the COVID-19 pandemic; and

WHEREAS, the Village President has further determined that the relief herein provided will benefit the residents and businesses of the Village and serve to alleviate the financial impact of the COVID-19 pandemic.

NOW, THEREFORE, BE IT ORDERED, by the Village President of the Village of Bensenville, DuPage and Cook Counties, Illinois:

SECTION 1. Incorporation. That the recitals above shall be and are incorporated in this Section 1 as if restated herein.

SECTION 2. Executive Order. To help Village residents, businesses and the community at large deal with the significant repercussions of the COVID-19 pandemic; to address certain matters contained in Phase 3 of Restore Illinois Plan and the COVID-19 2020 Outdoor Dining Guidelines, issued on May 24, 2020; and to establish local regulations concerning the outdoor consumption of alcohol and food in an area adjacent to pre-existing licensed establishment but only to the extent herein provided, it is ordered:

1. **Outdoor Dining Permit.** Notwithstanding anything contained in the Bensenville Village Code (the “*Code*”), to the contrary, any Restaurant, as such term is defined in Chapter 11 of the Village of Bensenville Zoning Ordinance, may be issued a permit by the Village Manager to provide outdoor dining facilities on either public or private property that is adjacent to the applicable Restaurant subject to the following minimum conditions:

A. An application must be submitted by the Restaurant identifying at minimum the following:

- i. Name, address and contact information of the Restaurant;
- ii. A detailed site plan indicating the area the Restaurant is seeking to use, all existing objects on the subject area, and the proposed location of lighting, tables, chairs, tents, or other objects. The site plan must be approved by the Village;
- iii. Copies of valid Business License and Health/Sanitation License;
- iv. Other information required from time to time by the Village to evaluate and process the application or ensure continued compliance by the applicant of the licensed premise.
- v. When an application for use of adjacent public property is involved:
 - a. Certificate of insurance evidencing 1) Commercial General Liability Insurance in the amount of \$1,000,000 per occurrence and showing the Village, its officers, and its employees as an additional insured; 2) Workers' Compensation in the statutory amount.
 - b. An executed Village Property Use & Indemnity Agreement.
- vi. When an application for use of adjacent private property is involved:
 - a. Evidence of authority to use the adjacent private property.
 - b. Certificate of insurance evidencing 1) Commercial General Liability Insurance in the amount of \$1,000,000 per occurrence and showing the Village, its officers, and its employees and the private property owner as additional insureds; 2) Workers' Compensation in the statutory amount.

B. All Restaurants which receive a permit shall be subject to the following minimum rules, regulations, and requirements:

- i. The applicable Restaurant operations shall always comply with the COVID-19 2020 Outdoor Dining Guidelines issued as part of Phase 3 of the Restore Illinois Plan by the Illinois Department of Commerce and Economic Opportunity and the Illinois Department of Public Health.
- ii. The permitted area shall always be maintained clean and free from refuse or clutter regardless of the source of such refuse and clutter. Any such refuse and clutter shall not be disposed of in public waste receptacles.
- iii. As it relates to public property:
 - a. Restaurants are encouraged to remove and store outdoor dining tables and chairs each night at the close of business inside their premises. Outdoor dining furniture may not be stored in a restaurant's exterior doorway, and may not be stacked up against the building where the restaurant is located;
 - b. Restaurant operations shall be conducted in a manner that does not interfere with pedestrians, parking, or traffic.
- iv. The source of music or other entertainment provided outdoors in conjunction with any permit hereunder shall be located only on the private property of the Restaurant and shall be provided at noise levels maintained in strict compliance with Code. Live music or entertainment is prohibited. Dancing or dance area is prohibited.
- v. The outdoor dining facility shall be limited to the area identified in the applicable site plan.
- vi. Smoking shall be prohibited in the permitted area.
- vii. Hours of operation of the outdoor dining facility shall be limited to the hours of operation identified in the applicable Restaurant permit, and in no event before 9:00 a.m. or after 11:00 p.m. For Restaurants permitted to operate between the hours of 9:00 p.m. and 11:00 p.m. supplemental lighting shall be required to sufficiently provide safety for customers and employees.
- viii. Except as specifically provided herein, the operations of the applicable outdoor dining facility shall comply with all applicable federal, state, and local laws.

2. **Outdoor Consumption Permit.** Notwithstanding anything contained in the Bensenville Village Codes (the "Code"), to the contrary, any licensee which is authorized for on-premises liquor consumption, may be issued a permit by the Village Manager to provide outdoor consumption facilities on either public or private property that is adjacent to the applicable licensee's premise subject to the following minimum conditions:

A. An application must be submitted by the licensee of the licensed premise identifying at minimum the following:

- i. Name, address and contact information of the licensee;
 - ii. A detailed site plan indicating the area the licensed premise is seeking to use, all existing objects on the subject area, and the proposed location of lighting, tables, chairs, tents, or other objects. The site plan must be approved by the Village;
 - iii. Copies of valid Business License and Health/Sanitation License
 - iv. Copy of valid Liquor License for on-premise consumption; as provided in the Code;
 - iv. When an application for use of adjacent public property is involved:
 - a. Certificate of insurance evidencing 1) Commercial General Liability Insurance in the amount of \$1,000,000 per occurrence and showing the Village, its officers, and its employees as an additional insured; 2) Workers' Compensation in the statutory amount.
 - b. Dram shop insurance as required by Code.
 - c. An executed Village Property Use & Indemnity Agreement.
 - v. When an application for use of adjacent private property is involved:
 - a. Evidence of authority to use the adjacent private property.
 - b. Certificate of insurance evidencing 1) Commercial General Liability Insurance in the amount of \$1,000,000 per occurrence and showing the Village, its officers, and its employees and the private property owner as additional insureds; 2) Workers' Compensation in the statutory amount.
 - c. Dram shop insurance as required by Code.
- B. All licensees and licensed premises which receive a permit shall be subject to the following minimum rules, regulations, and requirements:
 - i. The applicable outdoor consumption facility of the Licensed Premise shall at all times comply with the COVID-19 2020 Outdoor Dining Guidelines issued as part of Phase 3 of the Restore Illinois Plan by the Illinois Department of Commerce and Economic Opportunity and the Illinois Department of Public Health.
 - ii. The permitted area shall always be maintained clean and free from refuse or clutter regardless of the source of such refuse and clutter. Any such refuse and clutter shall not be disposed of in public waste receptacles.
 - iii. As it relates to the sale or consumption of alcohol
 - a. Alcohol can only be sold in the permitted area in conjunction with the sale of a meal prepared on premise;
 - b. Alcohol can only be served by staff of the applicant to seated

- patrons at tables in the permitted area;
- c. No alcohol shall be removed from the permitted area;
- d. The consumption area must be cordoned off;
- e. The sale of alcohol must be to a person at least 21 years of age;
- f. All applicable State and Local Liquor Code laws, rules and regulations pertaining to the sale of alcohol shall apply.

iv. As it relates to public property:

- a. Restaurants are encouraged to remove and store outdoor dining tables and chairs each night at the close of business inside their premises. Outdoor dining furniture may not be stored in a restaurant's exterior doorway, and may not be stacked up against the building where the restaurant is located;
- b. Restaurant operations shall be conducted in a manner that does not interfere with pedestrians, parking, or traffic.

v. The source of music or other entertainment provided outdoors in conjunction with any permit hereunder shall be located only on the private property of the licensed premise and shall be provided at noise levels maintained in strict compliance with Code. Live music or entertainment is prohibited. Dancing or dance area is prohibited.

vi. The outdoor permitted area shall be limited to the area identified in the applicable site plan.

Smoking shall be prohibited in the permitted area.

viii. Bar areas and/or additional bars are prohibited within the permitted area.

ix. Hours of operation of the outdoor consumption facility shall be limited to the hours of operation identified in the applicable permit, and in no event before 9:00 a.m. or after 11:00 p.m. For Licensees permitted to operate an outdoor consumption facility between the hours of 9:00 p.m. and 11:00 p.m., supplemental lighting shall be required to sufficiently provide safety for customers and employees

x. Except as specifically provided herein, the operations of the applicable outdoor consumption facility shall comply with all applicable federal, state, and local laws.

3. Village of Bensenville Zoning Ordinance Requirements. Zoning regulations prohibiting outdoor dining to interfere with parking or drive aisles is hereby suspended during this Executive Order.

4. Use of Right-of-Way or Public Property. The Village Manager and Director of Public Works shall have the authority to order full or partial street closures to accommodate a permitted area, if warranted, but efforts should be made to provide for the use of other public rights-of-ways or property.

5. **Term of Permits; Revocation.** Each permit issued pursuant to this Executive Order shall be valid until the expiration of the Gubernatorial Disaster Declaration or the withdrawal or amendment of this Executive Order. Any applicant who violates the provisions of this Executive Order shall be subject to fine and subject the permit to suspension or revocation because of a violation. No permit issued pursuant to this Executive Order shall constitute personal property, and the Village shall retain the right to terminate or revoke any permit at any time for use of the permitted area upon twenty-four (24) hours' notice to the applicant. Each permit, except as provided herein, remains subject to any other applicable provisions of the Village's Liquor Code or Illinois Liquor Control Act and shall be subject to fine, suspension and/or revocation of the liquor license. Upon expiration or revocation of a permit, the applicant shall remove the permitted area and return the area to its original use.

6. **Implementation, Administrative Rules and Procedures.** The Village Manager is hereby authorized to formulate administrative rules and procedures and draft an appropriate application necessary to implement and enforce this Executive Order. Discretionary acts under this Executive Order shall be made by the Village Manager using his best judgment.

7. **No Vested Rights.** This Executive Order grants no vested rights and no person or entity shall have any claim to vested rights in any relief granted in this Executive Order or any claim or property right in any permit or license authorized or issued pursuant to this Executive Order.

8. **Legal Effect.** This Executive Order only addresses the matters set forth above arising under the Village Code. This Executive Order does not waive or suspend compliance with any Federal, State, County or other applicable local laws, rules, regulations, and requirements.

9. **Saving Clause.** If any section, provision or clause of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other section, provision or clause or application of this Executive Order, which can be given effect without the invalid section, provision or clause or application. To achieve this purpose, the sections, provisions or clauses of this Executive Order are declared to be severable.

(Intentionally Left Blank)

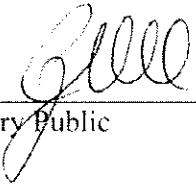
SECTION 3. Duration. This Executive Order takes effect immediately and expires upon the earlier of (a) the termination of Phase 3 of the Restore Illinois Plan issued by the Governor of the State of Illinois; (b) the termination of the Gubernatorial Disaster Declaration by the Governor of the State of Illinois; or (c) the withdrawal or amendment of this Executive Order by the Village President.



Frank DeSimone, Village President
Village of Bensenville, Illinois

Date: May 28, 2020

Subscribed and sworn to (or affirmed) before me by
Frank DeSimone, Village President, Village of Bensenville,
Illinois who is to me personally known on May 28, 2020.



Notary Public

(SEAL)



TYPE:
Ordinance**SUBMITTED BY:**
K. Fawell**DEPARTMENT:**
CED**DATE:**
06.16.20**DESCRIPTION:**Ordinance Approving Text Amendments to Title 10 (Zoning Ordinance), Chapter 10 (Signs)**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

| | | | |
|-------------------------------------|------------------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/> | Financially Sound Village | <input checked="" type="checkbox"/> | Enrich the lives of Residents |
| <input type="checkbox"/> | Quality Customer Oriented Services | <input checked="" type="checkbox"/> | Major Business/Corporate Center |
| <input checked="" type="checkbox"/> | Safe and Beautiful Village | <input checked="" type="checkbox"/> | Vibrant Major Corridors |

COMMITTEE ACTION:

N/A

DATE:

N/A

BACKGROUND:

1. The Village of Bensenville is seeking to address issues discovered in the recently adopted 2019 Village Zoning Ordinance, including those found in Chapter 7 (Uses) and Chapter 10 (Signs).
2. The majority of the requested Text Amendments will be found in Chapter 10: Signs, specifically the removal of Section 10 - 10 - 4: Master Sign Plan. This section requires the implementation of a master sign plan in order to mandate a consistent design of signs in non-residential developments. As a way to still maintain design guidelines for these developments, the Village is seeking the addition of Section 10 - 10 - 4: Multi-Tenant Developments, which allows Staff to have ultimate design approval over signs in such developments.
3. The Village is seeking to amend its requirements for lighting used to trim windows and architectural features so as to encompass all types of series lighting and illuminated tubing. Currently, the illumination standards set forth in Chapter 10 only specify that neon tubing shall not be used to trim windows and architectural features.
4. Only one amendment is being requested to be made to Chapter 7: Uses, which is to allow dwellings above the ground floor as a Special Use in the I-1 Light Industrial District. Currently, this use is permitted by right in only the C-1 and C-2 Commercial Districts.
 1. Upon further review, Village Staff is withdrawing this request. This withdrawal is reflected in the attached Ordinance.

KEY ISSUES:

The Text Amendments are as follows:

1. Remove the following from Section 10 – 10 – 2 – D – 5: Neon Signs:
 1. Neon tubing shall not be used to trim windows or architectural features.
2. Add Section 10 - 10 - 2 - D - 7 Decorative Illumination.
3. Remove Section 10 - 10 - 4: Master Sign Plan from Chapter 10: Signs, Section 10-10-4.
4. Add Section 10 - 10 - 4: Multi-Tenant Developments.

ALTERNATIVES:

Discretion of the Board.

RECOMMENDATION:

1. Staff recommends the the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 10 (Signs).
2. At their 05.05.20 Public Hearing, the Community Development Commission voted 4-0 for a Motion to recommend approval of the requested Text Amendments.

BUDGET IMPACT:

N/A

ACTION REQUIRED:

Approval of an Ordinance approving Text Amendments to Title 10 (Zoning Ordinance), Chapter 10 (Signs).

ATTACHMENTS:

| <u>Description</u> | <u>Upload Date</u> | <u>Type</u> |
|-----------------------|--------------------|-----------------|
| <u>Case Coverpage</u> | 5/19/2020 | Cover Memo |
| <u>Staff Report</u> | 5/19/2020 | Backup Material |
| <u>Ordinance</u> | 6/9/2020 | Ordinance |



BENSENVILLE

COMMUNITY DEVELOPMENT COMMISSION

Public Hearing 05.05.20

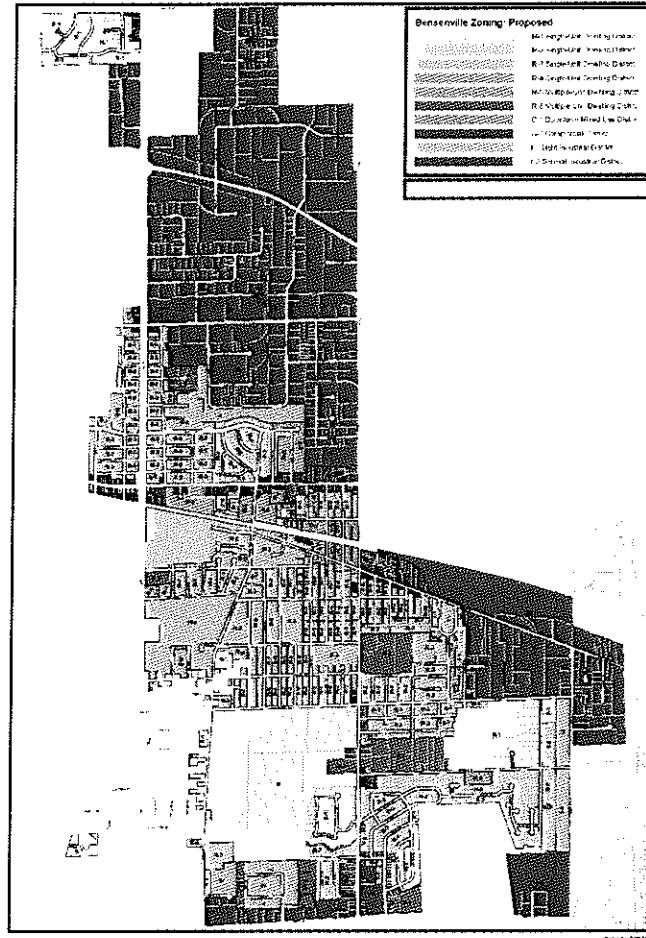
CDC Case #2020 - 06

Text Amendments

Title 10 (Zoning Ordinance),
Chapter 7 (Uses) and Chapter 10 (Signs)

Village of Bensenville

2020 Zoning Map



**STAFF REPORT**

HEARING DATE: May 5, 2020
CASE #: 2020 – 06
PROPERTY: Village of Bensenville
PROPERTY OWNER: n/a
APPLICANT Village of Bensenville
SITE SIZE: n/a
UNIT SIZE: n/a
PIN NUMBERS: n/a
REQUEST: Text Amendments, Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) and Chapter 10 (Signs).

PUBLIC NOTICE:

A Legal Notice was published in the Bensenville Independent on Thursday, March 19, 2020. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.

SUMMARY:

The Village of Bensenville is seeking to address issues discovered in the recently adopted 2019 Village Zoning Ordinance, especially those found in Chapter 10 (Signs). The Village is seeking to remove Section 10-10-4 (Master Sign Plan) from the Village Zoning Ordinance and to add Section 10-10-4 (Multi-Tenant Developments), which authorizes the Zoning Administrator to have ultimate design approval of signage in multi-tenant developments. The Village also requests approval of a Text Amendment to the Use Table to allow Dwelling above the Ground Floor as a Special Use in the I-1 Industrial District.

The Text Amendments are as follow:

1. Add Dwelling Above the Ground Floor as a Special Use in the I – 1 Light Industrial District, Section 10 – 7 – 2 – 1: Use Table.
2. Remove the following from Section 10 – 10 – 2 – D – 5: Neon Signs-
 - a. Neon Signs. Marquee signs and window signs may be illuminated with neon. Window signs that are illuminated with neon are allowed in accordance with the standards of § 10-10-5.B.12 (Window Signs). ~~Neon tubing shall not be used to trim windows or architectural features.~~
3. Add Section 10 - 10 - 2 - D - 7 Decorative Illumination.
 - a. 7. Decorative Illumination. Series lighting and illuminated tubing shall not be used to trim windows or architectural features.
4. Remove Section 10 – 10 – 4: Master Sign Plan from Chapter 10: Signs, Section 10-10-4
5. Add Section 10 – 10 – 4: Multi-Tenant Developments.
 - i. A. Purpose. The purpose of this Section is to ensure signage that is harmonious and compatible with that of other tenant signage.
 - ii. B. Applicability. The requirements of this Section shall apply to all signs installed in non-residential developments with three or more tenants.

- iii. C. Design Standards. Signs must comply with sign regulations of this Chapter 10 (Signs). All signs within a development will be reviewed based on the following design elements of other signage in said development:
 - 1. a. Background color or text color.
 - 2. b. Lettering style.
 - 3. c. Mounting height on buildings for wall signs.
 - 4. d. Materials.
 - 5. e. Sign Type
- iv. D. Design Approval. The Zoning Administrator is authorized to approve the design of multi-tenant development signage.
- v. E. If the Zoning Administrator denies the design of a sign, the applicant may resubmit the application as a Variation in accordance with § 10-3-4 (Variation).

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

| | |
|-------------------------------------|------------------------------------|
| <input type="checkbox"/> | Financially Sound Village |
| <input type="checkbox"/> | Quality Customer Oriented Services |
| <input checked="" type="checkbox"/> | Safe and Beautiful Village |
| <input checked="" type="checkbox"/> | Enrich the Lives of Residents |
| <input checked="" type="checkbox"/> | Major Business/Corporate Center |
| <input checked="" type="checkbox"/> | Vibrant Major Corridors |

RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Text Amendments to the Municipal Code Section Title 10 (Zoning Ordinance), Chapter 7 (Uses) and Chapter 10 (Signs).

Respectfully Submitted,
 Department of Community
 & Economic Development

ORDINANCE NO. _____

**AN ORDINANCE OF THE VILLAGE OF BENSENVILLE, DUPAGE AND COOK COUNTIES,
ILLINOIS AMENDING TITLE 10, SECTION 10
(ZONING ORDINANCE), 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, the Village of Bensenville is authorized and empowered, under the Municipal Code and the Code of Ordinances of the Village of Bensenville, to regulate properties located within the municipal boundaries of the Village; and

WHEREAS, in furtherance of this authorization, the Village of Bensenville has adopted a Zoning Ordinance, which regulations are set forth in Title 10 of the Village Code; and

WHEREAS, upon review, Village staff has filed an application for recommended Text Amendments with the Community and Economic Development Department, as applicant, to Remove the requirement that “Neon tubing shall not be used to trim windows or architectural features,” Section 10 – 10 – 2 – D – 5, Add Section 10 – 10 – 2 – D – 7, Decorative Illumination, Remove Section 10 – 10 – 4: Master Sign Plan, Add Section 10 – 10 – 4: Multi-Tenant Developments; said application being available for inspection as part of the records of the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the proposed Text Amendments was published on March 19, 2020 in the Bensenville Independent, and notice of the hearing was provided, all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on May 5, 2020 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, voted unanimously (4-0) to recommend approval of the proposed Text Amendments recommended by Village Staff as set forth herein; and

WHEREAS, the Community Development Commission forwarded its recommendation to approve the Text Amendments to the Village Board; and

WHEREAS, on June 16, 2020, the President and Board of Village Trustees considered the matter and determined, that the requested Text Amendments be granted as recommended by Village Staff and approved by the Community Development Commission.

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 at a regular meeting, as follows:

SECTION TWO: That the Zoning Code of the Village of Bensenville be amended by adding the underlined and deleting the stricken as follows:

Section 10 – 10 – 2 General Construction and Design Standards

...

D. Illumination:

D. Illumination. All signs shall comply with the following illumination standards.

1. Electrical Components. All electrical components used in the construction of a sign shall be installed and maintained as required by Title 9 (Building Regulations) of the Village Code.
2. Light Level.
 - a. LED Lighting. The light level of an illuminated sign lit with LED bulbs shall be no greater than 5,000 nits of luminance from dawn to dusk, and no greater than 150 nits of luminance from dusk to dawn.
 - b. Non-LED Lighting. The light level of an illuminated sign lit with bulbs other than LED bulbs shall be no greater than one foot-candle at any time of day as measured at the curb line.
3. Direct Light and Glare. All sign illumination shall be located, shielded, and directed to illuminate only the sign face and to prevent direct light or glare from being cast upon adjacent rights-of-way and surrounding properties. Neon tubing for neon signs and bare bulbs for marquee signs shall be exempt from this requirement. No sign illumination may be combined with reflective materials, such as mirrors, polished metal, or highly-glazed tiles, which would increase glare.
4. Steady Illumination. Illuminated signs shall be illuminated by steady, stationary, fully shielded light sources concentrated on the face of the sign so as not to cause glare.
5. Neon Signs. Marquee signs and window signs may be illuminated with neon. Window signs that are illuminated with neon are allowed in accordance with the standards of § 10-10-5.B.12 (Window Signs). ~~Neon tubing shall not be used to trim windows or architectural features.~~
6. Hours of Operation. Illuminated signs shall be turned off from 11:00 p.m. until 7:00 a.m., or 30 minutes after close of business, whichever is later. Uses that remain in operation between 11:00 p.m. until 6:00 a.m. are exempt from this requirement during the period of operation only.
7. Decorative Illumination. Series lighting and illuminated tubing shall not be used to trim windows or architectural features.

...

Section 10 – 10 – 4 Master Sign Plan

A. Applicability. A master sign plan approved by the Zoning Administrator shall be required for signs installed in non-residential developments with three or more tenants. A sign permit shall not be issued for a sign in a multi-tenant development unless it conforms to the approved master sign plan.

in accordance with § 10-3-9 (Sign Permit). For existing multi-tenant developments, a master sign plan is required if the applicant proposes to modify 50 percent or more of the existing signs within a 12-month period.

B. Contents. The master sign plan shall indicate the type, number, location, materials, and dimensions of all signs in the development. The master sign plan shall also include any other information necessary to determine whether the proposed signs comply with the sign regulations of this Chapter 10 (Signs).

C. Design Standards. The master sign plan must describe and illustrate a consistent pattern of signage in the development. All signs within the development must have at least two of the following design elements in common in the C-1 and C-2 Districts, and at least three of the following design elements in common for developments in the I-1 and I-2 Districts:

1. Background color or text color.
2. Lettering style.
3. Mounting height on the building for wall signs.
4. Materials.
5. Sign type.

D. Master Sign Plan Approval and Amendments. The Zoning Administrator is authorized to approve master sign plans and amendments to master sign plans. Amendments to master sign plans may be approved by the Zoning Administrator only if all signs approved under the existing master sign plan are in conformance or are brought into conformance with the provisions of the amended master sign plan.

...

Section 10 – 10 – 4: Multi-Tenant Developments.

A. Purpose. The purpose of this Section is to ensure signage that is harmonious and compatible with that of other tenant signage.

B. Applicability. The requirements of this Section shall apply to all signs installed in non-residential developments with three or more tenants.

C. Design Standards. Signs must comply with sign regulations of this Chapter 10 (Signs). All signs within a development will be reviewed based on the following design elements of other signage in said development:

- a. Background color or text color.
- b. Lettering style.
- c. Mounting height on buildings for wall signs.
- d. Materials.

- e. Sign Type
- D. Design Approval. The Zoning Administrator is authorized to approve the design of multi-tenant development signage.
- E. If the Zoning Administrator denies the design of a sign, the applicant may resubmit the application as a Variation in accordance with § 10-3-4 (Variation).

...

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

SECTION SIX: That this Ordinance shall be in full force and effect from and after its passage, 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 16th day of June 2020.

Frank DeSimone, Village President

ATTEST:

Nancy Quinn, Village Clerk

AYES: _____

NAYES: _____

ABSENT: _____